



# IMAGINE Mills River – new Unified Development Ordinance Stakeholder Interviews Summary Report

1.2.25

Imagine Mills River is a project to prepare a new unified development ordinance (or “UDO”) for the Town of Mills River. A UDO is a consolidated document that integrates all the development-related regulations like zoning, subdivision, watershed protection, and many others into a single volume. The Town’s current development regulations are comprised of a series of eight chapters (30, 111, 150, 151, 153, 154, 155, and 156) in the Town Code of Ordinances ([https://codelibrary.amlegal.com/codes/millsriver/latest/millsriver\\_nc/0-0-0-1](https://codelibrary.amlegal.com/codes/millsriver/latest/millsriver_nc/0-0-0-1)).

In addition to consolidating all the Town’s current regulations into a single volume, Imagine Mills River also calls for the development of a new user-friendly UDO that is well-organized, easy to navigate, predictable, and that implements the policy goals included in Making Mills River, the Town’s recently adopted comprehensive plan.

Task 1, Project Initiation, of the Imagine Mills River project included a series of nine project stakeholder interviews. Project stakeholders are persons identified by Town staff who are interested in and/or knowledgeable about the Town’s current development regulations, or who have experience with the current development application review process. The consulting team interviewed the nine project stakeholders during telephone conversations conducted on November 6-8, 2024. The input gathered during these interviews is instrumental in gaining a comprehensive understanding of the issues from diverse perspectives.

Interviews are conducted without Town staff present, and the individual interviewee comments are held in strict confidence. The statements made during these interviews have been summarized in this report, and are organized by topic area with no identification of the source of the statement.

Interviewees are encouraged to share their thoughts freely, but are all asked the following five questions:

1. What parts of development review process are not working well?
2. What regulations are not working well?
3. What regulations are working well?
4. What is the one thing you would like to see in terms of outcomes of the UDO project?
5. If you could change anything about Mills River, what would it be?

The table below lists the project stakeholders interviewed by the CodeWright team:

PROJECT STAKEHOLDERS		
Name	Title	Organization
Jim Player	Seargent	Henderson County Sheriff
Melissa Rayfield	Resident	Mills River native
Rick Moore	Contractor & Resident	Moore & Son Site Contractors
Mike King *	General Manager	Bold Rock Cidery
Teresa Sigmon	Resident	
Adam Steurer	Director	City of Hendersonville Utilities Department
Will Buie	Professional Engineer	WGLA Engineering
Kieran Roe / Tom Fanslow	Executive Director/ Land Conservation Director	Conserving Carolina





**PROJECT STAKEHOLDERS**

Name	Title	Organization
Jennie Sealey	Resident	Mills River Native
Wayne Carland	Farmer & resident	Involved with Mills River Incorporation

\* unable to conduct interview

Input from the stakeholder interviews are organized into two main sections. The first is termed “Key Input from Interviews” and it summarizes stakeholder input into seven general categories. The second section paraphrases all the input collected, but organizes it into eight general topic areas.

**SECTION 1. KEY INPUT FROM INTERVIEWS**

This section summarizes the input collected from project stakeholders into seven main sections showing areas of agreement or topics where further discussion may be beneficial. This information captures the views of those interviewed, but should not be used to make broad generalizations about all residents and landowners in Mills River.

**1. Agreement on Protecting Rural Character**

- For many “rural character” is a blend of open space/agricultural land and low-density residential development on larger lots
- There seems to be a desire (or unwillingness to oppose) continued requirements for set-aside of open space
- Views along major roadways (like Highway 280) are an important part of rural character for some, while other who own land in these areas don’t want the rules to interfere with maximizing their investment
- Most people’s ideas include requiring protection of open space, limiting higher density residential use types (like apartments), and limiting residential subdivisions with small lots
- People don’t want to see Mills River be ‘over-run’ by development (there is a shared perception that parts of Fletcher have been over-run by development)

**2. Difference of Opinion on Appropriate Development Densities**

- Lots of differing opinions about Mills River Crossing development (both positive and negative)
- Some say 30,000 sf lots is appropriate given land costs and housing needs, other feel that 65,000 sf lots are more in keeping with community character, others would like to see three-acre lot minimums, while others believe 15,000-20,000 is appropriate in order to provide housing
- Mixed opinions about the Rural Residential district initiative – some support rural character, but others have concerns about loss of land value
- Some feel smaller homes on larger lots would help avoid drainage problems, and more spacing between homes would limit noise and lighting concerns





### **3. Agreement Regarding Desirable Uses**

- People seem to dislike apartments and single-family developments that look like “tract developments”
- People support continued farming; but it is less clear if as many people support industrial agricultural operations
- Conservation subdivisions that allow development while also permitting continued farming are a good idea in Mills River
- There is a desire for more parks and greenways, but awareness/concern of the Town’s prior expenditures on the current park (which remains unfinished)
- Some would like more restaurants and retail opportunities

### **4. More Discussion Needed Regarding Location(s) of Non-residential Development**

- There needs to be more clear guidance on where commercial development may locate
- There does not appear to be a strong desire for significant amounts of new commercial development along Boylston Highway south of its intersection with Highway 191- what is there now is generally okay
- There is support for industrial development provided it is located away from neighborhoods and schools
- Some suggest the northern end of Town as the appropriate location for industrial development

### **5. Agreement that Housing is not Affordable**

- Median home prices in Mills River are around \$625,000 (\$250/sf) which means that a lot kids who grew up in Mills River can not afford to buy a home here
- Land prices have tripled in the last 10 years
- The provisions for “attainable housing” are insufficient and need comprehensive review (how established, where located, building form requirements, etc.)

### **6. Suggested Changes to Current Rules**

- The stormwater management regimen and rules are confusing (density limits in WSW areas, impervious surface limits within and outside WSW areas, land-clearing rules in riparian buffers, administration authority, etc.)
- Mills River needs to join the NFIP program and adopt flood damage protection rules for its floodplains
- The new UDO needs to make things easy to understand; avoid jargon; and be black-and-white in terms of clarity
- Exterior lighting from new houses can be obtrusive
- Perimeter landscaping buffers can create shade on adjacent lots
- Some say the Town should provide public notice about applications for new residential subdivisions
- Transfer of community maintenance responsibility from developer to HOA should be more timely
- Consider adopting new noise limits
- New UDO should consider limiting the visibility of new workforce housing, or workforce housing development could undergo some sort of design review





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- Design review of new commercial development could help protect desired community character
- Landowners should not be penalized in terms of available development potential when they provide open space or put land into conservation easements
- The development review process happens “too fast” for residents to weigh in
- Code enforcement is a problem

### **7. The Need for Public Participation during the UDO Project**

- Need to permit residents to submit their questions in writing before events and then answer those questions during the public meeting
- The UDO effort should include an exercise with residents on which kinds of land uses they want or don't want in Mills River
- Everyone should get a say about how new development looks in Mills River
- The outreach effort should not be limited to the internet alone, mailers or the newspaper (e.g., Hendersonville Lightning) should also be utilized

## **SECTION 2. STAKEHOLDER COMMENTS BY TOPIC AREA**

This section lists paraphrased versions of stakeholder comments in no particular order. Comments are organized into eight general topic areas, but are not summarized (as was done in Section 1). There may be repetition between these comments and the key input listed in the prior section.

### **Community Character**

- The Mills River incorporation was defensive – the community felt like it was being “over-run” by development and wanted to retain its rural/agricultural character. The community wished to keep Mills River as a rural community.
- It feels like Mills River is filling up with new development.
- Says we need to define where new commercial development should be located – the current situation feels unbalanced – for example, the Town permitted a new industrial site near an elementary school, and this has created traffic problems. The Town should have an industrial area that is separate from the school or residential areas.
- Despite the concerns about maintaining rural character, landowners along Highway 280 want the ability to sell their land for a profit.
- There is a strong desire to protect rural character.
- Likes the “rural feel” along Boylston Highway, and rural feel means open space. Strong desire for more open space along highways.
- The Town needs to think through/plan ahead for what can happen in the future. Its okay to have new commercial development, but the community needs to reach some agreements on what kinds of uses are desired and where they should locate.
- Fletcher's Airport Road is a cautionary tale. Do not want Highway 280 in Mills River to end up like Airport Road in Fletcher.
- Respondent believes FLUM is on the right track. Prior emphasis on industrial development was not in keeping with rural character.
- There does not seem to be a strong desire for new commercial development south of Boylston – folks would like to keep the area south of Boylston rural – what's there now is okay, and it could even grow a little more, but not significant amount of desire for much more commercial there.





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- There is a significant amount of undeveloped/under-developed land along Highway 280.
- Mills River has changed a lot over the last 30 years. It used to be more rural, and most residents were farmers. However, that has changed because farming is not as profitable as it used to be.
- Suggests that rural areas don't need protection since the on-site utility requirements (like well and septic) will keep lots large. Setbacks from riparian areas will also help limit growth. Enforcing watershed standards also helps limit built-upon area, also helping to control density and limiting urban character.

### **Recent Developments**

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- Experience with recent residential subdivisions (like Mills River Crossing) have not been good ones. For example, the playground is proximate to residential homes located outside the development, which creates significant noise and disturbance for nearby residents.
- Lots of drainage problems in the Mills River Crossing subdivision, and the sidewalk requirements on the South side section of the development will add extra impervious surfaces.
- Fletcher has numerous hotels and Mills River does not want this kind of development because of perceptions about crime and bad behavior by patrons.
- Expressed concern about the Mills River Crossing residential subdivision and its compatibility with its more rural surroundings.
- The 30,000 sf lots are too small for the size of homes located upon them, and are inconsistent with established character.
- There are community concerns about a couple proposals for new apartment developments in Mills River, how do these fit in a rural community?
- There is a lot of resident concern about small-lot residential development coming to Mills River (not sure what "small lot" means in this context).
- Remarks that two recent developments (at least one is a manufacturing use) that have been proposed and the Mills River community has not had an adequate chance to weigh in – the process happens too fast.
- Cites the Norofin industrial development locating across the street from an elementary school as an example of bad planning.
- Statement that tract builders are coming to Mills River and maximizing every square foot of land, that the quality of housing being built is low, that there is insufficient spacing between homes (that open space be provided), and that the Town needs to avoid developments that create the appearance of tract development.

### **Recent Rural Residential Initiative**

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- Understands that some people are concerned about development potential associated with the Rural Residential project, but the Rural Residential district still permits a wide range of uses – does not believe 1½ acre lots are too large.
- Thinks the 1 to 1½ acre minimum lot area associated with the Rural Residential rezoning effort will be a disaster – it requires too much land; 30,000 sf per lot is manageable and can accommodate workforce housing. Suggests that 15,000 to 20,000 sf range would be better to accommodate workforce housing.
- There is a general feeling that there is not a lot of support from people who currently own lots of 2-3 acres in area for new lots of 1 to 1½ acres in area.
- Supports the Rural Residential rezoning project – "the community should not have no rules" – doesn't like that the northern portion of Mills River has been left out of the Rural Residential proposal.
- Says there is a lot of fear from landowners in the community about density limits associated with the Rural Residential project – not being able to sell your land or give it to your kids (the Rural Residential project would erode sales price and inheritance value).





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### **Housing Market & Affordability**

- Land prices have tripled in the last 10 years, making the cost of new homes more expensive.
- There is a serious need for affordable housing in Mills River. It seems that many folks prefer to live in manufactured homes rather than apartments.
- Nothing in the Mills River Ordinance supports affordable housing.
- The provisions allowing single-family homes on 30,000 sf lots means that the home costs between \$100k and \$125k - this is still expensive.
- Median home prices in Mills River are around \$625,000 (\$250/sf) meaning that lots of kids who grew up in Mills River can't afford to move back.
- Suggestion that the new code should include standards to help limit the visibility of new workforce housing. Workforce housing should have some sort of architectural character review.

### **Land Uses, Generally**

- Mills River should not stop industrial development, and industrial development is not hurting the community character.
- Yes, the Town is getting another grocery store, but what is needed is more restaurants and retail opportunities – provided such uses are not configured as strip centers.
- He does not support high density development – these create more runoff and make farming more difficult.
- Having an outdoor shooting range use type is not a concern, but would not want it next door.
- The current industrial uses in Mills River are not a problem; there is more light and noise pollution from the airport.
- High density housing costs the community, but manufacturing (like Sierra Nevada) doesn't cost the community.
- Prefers a market-based approach to non-residential development – as long as it is profitable, they will come. It is possible to over-regulate commercial development.
- Doesn't support traditional apartment complexes.

### **Agriculture**

- Preserving agriculture land is an important conservation tool and should include incentives – paying farmers to preserve their land as farmland or vacant land instead of allowing development – conservation easements must continue to allow farming.
- Now, the community is seeing more homesteads, or smaller, more diverse farming operations. This is a step down from a so-called "small farm". It needs at least an acre but seldom more than 5 acres. Usually involves some land under cultivation and some limited forms of animal husbandry (like goats or chickens). Can sometimes involve events, classes, or tourism functions as well. Typically, the farming activity on a homestead covers its own costs, but is not a significant source of income for the homestead owner.
- Town should not be regulating agriculture.
- Believes indoor farming operations are consistent with the Town's agricultural heritage.
- It is important to think about how agriculture is changing – there are more and more indoor farming operations that are basically factories or greenhouse farms that keep lights on at night – these are not compatible with residential development.
- Agriculture business is changing – small farmers are no longer able to make the economics work – it costs too much to produce based on what it can be sold for – this is why agriculture is becoming more industrialized.







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- Organic farming has not taken hold in Mills River- its difficult to be certified as an organic farm.
- There are some kinds of agriculture that are compatible with residential development, fruits, berries, so-called “truck farms”, and farm-to-table operations; but none of these are corporate agriculture.

### **Concerns with the Current Mills River Rules and Review Processes**

- The current ordinance contradicts itself, so who gets to interpret the ordinance? One of the biggest problems is the conflict in the current rules and differing interpretations between staff and the Planning Board about how to address the conflicts in the current ordinance. This situation makes it hard for an applicant to figure out who is right, and can result in a development application undergoing unexpected changes after staff review.
- Stormwater rules are confusing for the public and the Town Council.
- There need to be new rules about limitation of noise.
- There is a big disconnect between Staff and the Planning Board on what you can do.
- Feels that watershed rules are the best/most appropriate way to control the scope of new development.
- Strong advocate for mixed-use development because of the flexibility it provides landowners.
- The new standards need to provide more clarity about the applicable stormwater requirements.
- The Town needs to provide notification to adjacent residents when a new subdivision is proposed.
- Would like the new ordinance to be black & white; this would be a big help. Applicant has to deal with sewer requirements, TIA, school board, and other challenges.
- The Planning Board goes too far.
- The current standards require a lot of open space, and this is going well.
- Current definitions are too loose. Need to include new terms.
- There is a suggestion that the Town should take over all stormwater permitting - this would require Mills River to seek stormwater delegation from the State, but perhaps not a bad idea since at least 50% of Mills River is already subject to WSW.
- Says code enforcement is a problem.
- Blueline streams in Mills River are notorious for being incorrect. It may be advisable to for the Town to seek authority to do its own blueline interpretation/delineation instead of waiting for the USACOE.
- Says that appointed and elected officials should recuse themselves if they have a conflict of interest.
- The Town has a corridor overlay that applies a 50-foot height limit on buildings. The application of these height standards result in the need to have gabled-roof structures. It can be difficult to construct gabled buildings that resemble farm structures.
- The current regulatory regime requires applicants to set aside land area, and there are incentives for setting aside land. The conveyance of land into a conservation easement extinguishes the potential density yield of the land. We need to make sure that the greenway and open space set-aside dedication/reservation systems do not adversely impact the potential yield of the land for the developer (yield must be maintained even though OSS is reserved or dedicated).
- The lighting from new homes is obtrusive.
- It may be that stormwater management could be used as a growth management tool, but this is a philosophical discussion – The Town may or may not wish to be delegated as it may likely yield additional effort.
- Required perimeter landscaping lacks sufficient diversity and will shade adjacent lots
- Small town politics are a problem.
- The lack of flood regulations make Mills River an attractive option for developers – Currently, it is possible to develop in the floodplain, but prior FEMA approval is necessary for development within the floodway.
- Need to clarify when street standards apply to private streets.
- Suggest adding a density bonus for conservation subdivisions.
- There needs to be a more timely transfer of maintenance responsibility from the developer to the HOA.





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- People are paying taxes, but not getting much for it; and this situation makes people more resistant to planning-related changes.
- Houses in close proximity to one another and close proximity of nonresidential uses/activity creates a lot of noise complaints.
- The Town seems to often have “knee-jerk” reactions to planning-related problems – like allowing RVs to be located on site during re-building, but no access regulations is a safety problem.
- The Town needs to better protect its floodplains to better contain the destruction from flooding – Hurricane Helene would have been much worse if there were more development in Mills River.
- There is a suggestion for the inclusion of landscaping buffers along highway corridors.
- Major street setbacks are 75 feet, but there is confusion where there are multi-lane streets, and vagueness regarding where the setback is measured from.
- Mills River has extensive parking lot landscaping as well as landscaping requirements for loading areas that will never be seen – the Town needs more flexibility in their ordinance to allow for alternative placement of landscaping.
- Supports a “growth management stance” for Mills River.
- Indicates support for minimum design quality standards and buffering for non-residential development.
- Says higher taxes might be okay if these higher taxes could be used to slow the pace of development.
- Supports limitations on the conversion of farmland to nonresidential development and limitations on the ability to fill in the floodplain.
- Suggest that the Town is improperly focused on building and establishing new parks, but instead should be:
  - Creating a police force (because sheriff response times are excessive)
  - Having a professional fire department
  - Establishing refuse collection services or other town services
  - There is a need for a solid waste transfer/recycling center for Town residents

### **Suggestions for Public Outreach**

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- Cautions that the new UDO needs to make things easy to understand, with no jargon. Also, during the process, when meeting with residents, write down their questions, and then provide written answers to those questions (as was done with the Rural Residential public hearing process). Suggests that the consulting team asks residents to submit their questions in writing before the meeting and then answer those questions during the meeting.
- We need to be sure that everyone gets a chance to have their say about what new development should look like
- Suggests that mailers or mailings are important – the project should not rely solely on the internet to reach people. Suggests that the project should reach out to Bill Moss, Editor of the Hendersonville Lightning local newspaper.
- Suggestion that the UDO project needs to include an exercise with residents on what kinds of use types they want or don't want in Mills River.

**END OF DOCUMENT**

