


To: Michael Malecek, Town of Mills River

From: Chad Meadows, CodeWright 

Date: 1.6.25

CC: File, Karen Mallo

RE: Imagine Mills River
Task 1, Project Initiation Trip Notes



MESSAGE

These are the meeting notes from the Imagine Mills River new UDO project Task 1 Project Initiation trip conducted in Mills River on 10/10/24. These notes document the activities conducted during the trip and summarize the discussion. Copies of presentation slides are also included.

Imagine Mills River is an effort to consolidate and update the Town's development regulations into its first unified development ordinance (or "UDO"). The new Udo is proposed to implement *Making Mills River*, the Town's new Comprehensive Plan (adopted in 2021). In addition, the new code will establish a comprehensive set of development application review procedures, new review criteria, measurable standards, consistent terminology, and incorporate best practices and innovations such as incentives for preferred forms of development. The project includes a review of current zoning districts and strives to protect the community's rural character while also ensuring sustainable and beneficial growth in appropriate areas.

Task 1, Project Initiation, includes 11 sub-tasks, some of which were accomplished during the first trip on October 10, 2024. The sub-tasks of Task 1 include:

1. A detailed written evaluation of the Town's current policy guidance and development regulations;
2. Launch of an internal project management site (on Basecamp");
3. A kick-off meeting with Town staff and officials;
4. Finalizing the public engagement plan;
5. Overview of recent and pending text amendments;
6. Preparation of a project name and logo;
7. GIS file exchange;
8. Conducting a series of stakeholder interviews;
9. Conducting an initial meeting of the project Steering Committee;
10. Conducting an initial meeting with the Town Council; and
11. Preparation and launch of a project webpage.

These trip notes provide additional details on the activities undertaken on 10/10/24, including the initial meeting with Town staff, the initial presentation to the project Steering Committee, and the initial presentation to the Town Council. Since the completion of Trip 1, all remaining sub-tasks have been completed.





1. Kick-Off Meeting with Town Staff and Officials

The initial Kick-off meeting was conducted with Town staff on Thursday, October 10, 2024 at Town Hall in Mills River.

The following persons were in attendance:

- Matt McKirahan, Town Manager
- Michael Malecek, Planning Director
- Kevin Webb, Town Planner
- Chad Meadows, CodeWright
- Karen Mallo, CodeWright

Matt is the new Town Manager, with 2 months in Mills River. He comes from Pinehurst and was with SOG before Pinehurst. He brings a focus on strategic planning and wants to bring the Town's planning documents into alignment. He wants the UDO and other planning-related documents to speak with one voice.

Matt notes the Town lacks a strategic plan and wants to embark on that process. He expects to start on it in January, and expects it will take 4 months. The thinking is that the strategic plan may help inform the UDO.

After discussion, we clarified that it is unlikely that the strategic plan will result in a need to amend the Town's comprehensive plan.

There was a consensus among the Town officials present that the current comp plan lacks sufficient detail and in many ways seems like the Town was just "checking the box" with the plan in order to comply with 160D planning-related requirements.

Staff believes the Town Council is cautiously optimistic about the process. There is a strong desire to conserve rural character, address the increasing development pressure, and take greater advantage of modern regulatory tools like conditional zoning.

There is an election happening in November of 2025, with 2 seats in play. Elections will now be held on even-numbered years.

Mills River was incorporated as a defensive measure as the community saw communities like Fletcher and Asheville moving into their area and didn't want the kind of growth associated with those cities. So, they incorporated.

They are a rural community, are happy with that, and want to stay that way. Residents do not want to be told what they can do with their land. The process may need to include some educational components that explain why the Town is doing a UDO, what it is good for and why its needed. Mills River lacks a center, or a downtown.





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It will be important, during public outreach, to answer the question: why do we need this UDO? What is it good for? Do we need more regulation? The community doesn't like taxes or want tax increases. This is an excellent opportunity to help demonstrate how effective development regulations will help the Town balance between property rights and character protection.

Mills River does not provide a wide array of public services. Policy service comes from the County. There are volunteer fire and rescue providers. The Town provides parks and planning services. It does not provide refuse collection. Water and sewer are provided by other agencies, and the Town has only ½ mile of municipal street (in the park). Community taxes 17 cents per every \$100 of assessed value. 10 of the 17 cents goes to the rescue and fire contract services. 4-5 cents goes to the Town's services – parks, planning, code enforcement, and streets (they only have ½ mile of municipal street in the park). 1-2 cents goes to the police.

Given the hurricane recovery situation, our plan is for the consulting team to make contact with the steering committee interviews next week or the week after (likely in November).

The next topic of discussion involved recent and pending text amendments. Staff confirmed that as on 8/29/24, the versions of the Town's current development regulations as maintained by American Legal Publishing are current, but for two pending amendments. The Town's current regulations may be found at https://codelibrary.amlegal.com/codes/millsriver/latest/millsriver_nc/0-0-0-1

The two pending amendments include:

1. A Solicitors, Peddler's, and Itinerant Merchants Ordinance (presented to Council for adoption on 9/12/24); and
2. The new Rural Residential new zoning district, which was adopted by Council on 6/13/24).

All recent text amendments are on Basecamp. The Rural Residential zoning district effort included the preparation of a new RR zoning district, but it has not yet been applied to any land in the Town's planning jurisdiction.

There was discussion about a corresponding new Rural Commercial zoning district or Rural Commercial overlay district as part of the Rural Residential town-initiated large-scale rezoning of the southern part of Town. While some language has been drafted by Staff, Town Council has not yet set a public hearing to move forward since some members may feel it limits commercial uses too strictly and there has been some concern expressed by Town residents.

There was considerable discussion about the current zoning district structure, where around half of the Town is currently zoned mixed use, with few district and dimensional standards. As a result of this situation and other aspects Town staff feels the process will result in a Town-wide rezoning, more than just a translation of the current zoning map into a new map. In light of these concerns, the consulting team made a decision to substitute mapping sub-consultants in favor of working with Stewart Engineering. Town staff will have an opportunity to review and approve this change.





2. Initial Presentation to Project Steering Committee

In the afternoon of 10/10/24, the consulting team conducted its first meeting with the project Steering Committee, which is a group of the following Town Planning Board and Board of Adjustment members:

- Jim Foster
- Jeff Moore
- Lisa Marino
- Bryan Ross
- Billy Kimzey
- Mike Cole
- Bert Lemkes
- Linda Bregartner
- Heidi Cole
- Brandon McGaha

The project Steering Committee is convened to provide project guidance and initial reactions to draft work products. Members of the Steering Committee are also asked to help keep other Town board members and residents informed about the project. The Steering Committee is expected to meet at least six times over the course of the project. The meeting conducted on 10/10/24 was an opportunity to introduce the project team, discuss the Committee's role, and collect initial feedback.

One of the first comments from the Steering Committee was that when considering stakeholder input on the draft UDO, local residents' and landowners' comments should get more weight than outside investors or outside environmental interests.

What is the Rural Residential rezoning project?

This is a Planning Board-sponsored effort in response to the current zoning in the 8 sq mi. southern quadrant. The Town's current zoning in this area is mixed-use and has few controls over the range of allowable uses and densities. The comprehensive plan vision map calls for a more rural character – residential uses on 2+ acre lots. The zoning map calls for mixed uses with no density limits. The Planning Board believes the current regs are too broad, too hard to enforce, and need to be tightened up.

Initially, the Planning Board wanted to do more area than the 8 sq mi in the south of the planning jurisdiction, but told CodeWright coming to do UDO project and asked to hold off.

Planning Board members believe that this process fixes problems with the existing mixed-use zoning district designations. One legitimate concern is that the Rural Residential rezoning effort will likely render numerous existing non-residential uses as nonconforming.

[post-script: since this meeting took place, the NC General Assembly has passed SB382, which bars local governments from adopting text or map amendments that render uses in nonresidential (and mixed use) districts as nonconforming]

There was discussion regarding the changing nature of farming and agriculture in communities like Mills River. There are some societal/generational issues with respect to farming – there are many family farms out there where 2nd or 3rd generation family members no longer wish to farm. Some Planning Board members feel there is coming change, in that the family farms aren't going to be around forever-





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people don't want to farm anymore. We should be careful to hang our hats on this farm protection issue since there may be a time when farming families no longer want to farm, and want to sell their land.

Some Committee members feel that there are already too many gas stations and breweries in Mills River. Don't want more development. Don't want more dense residential, but concede that there does need to be more doctor's offices, and residential options for police officers, teachers, and similar public service workers.

The Committee also noted that there already is a part of Mills River (around the Ingles) where commercial development is focused, and that that area should be permitted to continue to be developed as the Town's "commercial hub." We should focus non-residential development in that area rather than spreading it across the landscape (Michael said all the corridors have commercial zoning).

Members of the Committee say the commercial areas in Mills River are disjointed and chaotic, with a wide variety of different use types and not much control over the look and function of development.

The Committee notes that the Town already has a lighting ordinance, and that signs are not a large problem.

The following slides were presented during the Committee's first meeting:

TOWN OF MILLS RIVER
Unified Development Ordinance
Task 1: Project Initiation • Steering Committee Meeting
10.10.24

01 PROJECT TEAM
The group of professionals assisting the Town

02 PROJECT OBJECTIVES
The Town's goals for the project (as described in the RFP)

03 WORK PROGRAM
How the work will get done

04 STEERING COMMITTEE ROLE
How the Steering Committee engages

05 DISCUSSION
Round robin discussion of issues to address in the project

OVERVIEW

PROJECT TEAM

01 CODEWRIGHT
Chad Meadows, Project Manager & Lead Drafter
Karen Malloy, Code Drafter & Engagement
Courtney Tanner, Assistant

02 MCGADAMS
Hunter Freeman, Sustainability
Eddie Moore, Infrastructure
Annette Lucas, Sustainability

03 TIDEWATER ASSOCIATES
Kimberly Whaley, Mapping Lead

01 Protect Character
Identify, define, and craft standards to protect desired community character

02 A User Friendly Code
Craft a modern development code that is easy to follow and administer

03 Fiscal Responsibility
Protect a millage rate-generating user; find the desired balance between rural character and commercial services

04 Predictable Processes
Identify preferred forms of development and make that the path of least resistance

05 Environmental Sustainability
Include incentives and mandates to environmental protection to support character, property values, and safety

06 Innovation/Flexibility
Look for win/win solutions; include "safety valve" provisions; ensure standards are not a "straightjacket"

PROJECT OBJECTIVES

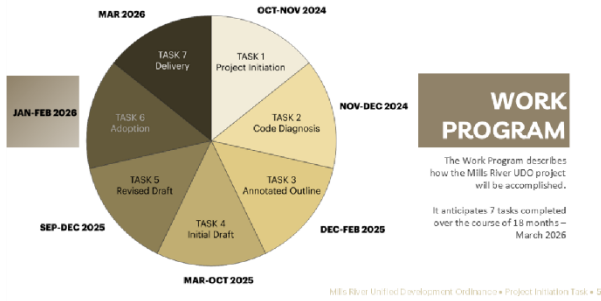




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- Technical Experts
- Sounding Board
- “First Blush” Reactions
- Not a Voting Body
- Inform Constituencies about Project status
- Does Not Make a Recommendation

STEERING COMMITTEE ROLE

DISCUSSION TOPICS

RURAL RESIDENTIAL REZONING
Please explain more about what this is and why it has been proposed

LAND USE VISION
What efforts have been undertaken to match future land use categories to zoning districts?
Density?

AMOUNT OF COMMERCIAL ZONING
What is the breakdown of residential to commercial to industrial zoning?

COMMUNITY CORE (HUBS)
Ideas about a community core/center?

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DISCUSSION TOPICS

COMMERCIAL SERVICES VS RURAL CHARACTER
What is the priority here?

LIVING WITH WATER
Floodplain rules?
Stormwater de-legalization?
Erosion control & sedimentation?
Watersupply watershed provisions?
Resource conservation area designation

SIGNAGE
Today, there is
— too much
— not enough
— about right

HOUSING
Increase range of housing types?
Housing in commercial districts?
Exclusionary and inclusionary housing rules?
Incentives for affordable housing?
Short-term rentals?

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DISCUSSION TOPICS

INCENTIVES
Sustainable development incentives?
Do sign incentives?
Density?

LOCAL HISTORIC DISTRICT
What is sought?

RECREATION LANDS
Revised regulations?
Private common open space?
Greenways?

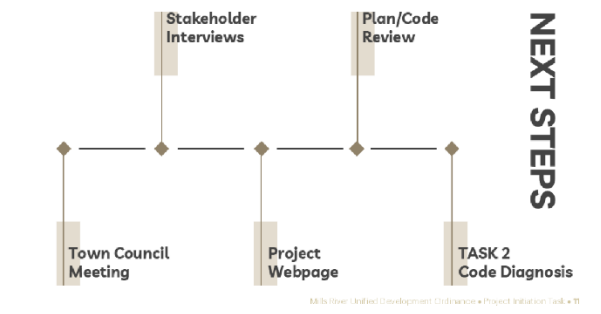
STREETS
Public vs private streets?
Street configuration rules – MPO/CPT?
3rd party TA review?

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DISCUSSION TOPICS

OTHER TOPICS?

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3. Initial Presentation to Town Council

The consulting team also made a quick presentation to the Town Council in the evening of 10/10/24. That evening had a long agenda (based on the hurricane) and as a result, this material was addressed very quickly with only a limited opportunity for discussion. The main points raised by Town Council members were that:

1. Mills River is a farming community
2. Remember that Mills River is rural, and they want to keep it that way.
3. Mills River is the water source for many other places like Asheville, and that needs to be factored in to development decisions.

The following slides were presented to Town Council:

The presentation consists of 10 slides:

- Slide 1: TOWN OF MILLS RIVER Unified Development Ordinance** - Project Initiation + Town Council Meeting 10.10.24
- Slide 2: OVERVIEW** - Project Team, Project Objectives, Work Program, Discussion
- Slide 3: PROJECT TEAM** - Profiles of team members including CodeWright, Madams, and Tidewater Associates.
- Slide 4: PROJECT OBJECTIVES** - Six key objectives: Protect Character, A User Friendly Code, Fiscal Responsibility, Predictable Processes, Environmental Sustainability, and Innovation/Flexibility.
- Slide 5: WORK PROGRAM** - A circular timeline showing 7 tasks from Jan-Feb 2026 to Oct-Nov 2024.
- Slide 6: DISCUSSION TOPICS** - Rural Residential Rezoning, Land Use Vision, Amount of Commercial Zoning, Community Core (Hubs).
- Slide 7: DISCUSSION TOPICS** - Commercial Services vs Rural Character, Living with Water, Signage, Housing.
- Slide 8: DISCUSSION TOPICS** - Incentives, Local Historic District, Recreation Lands, Streets.
- Slide 9: DISCUSSION TOPICS** - Other Topics?
- Slide 10: NEXT STEPS** - Stakeholder Interviews, Plan/Code Review, Town Council Meeting, Project Webpage, Task 2 Code Diagnosis.

END OF DOCUMENT

