

Town of Mills River
Minutes of the Planning Board
Tuesday, November 14, 2017

The Town of Mills River Planning Board met on Tuesday, November 14, 2017, at 7:00 PM in the Mills River Town Hall. Board members present were: Jim Humphrey, Randy Austin, Sherri Hill, Carolyn Moore, Jim Foster, Cheryl Janoski, and Brian Kimball. Ronnie Edwards and Matt Holloway were absent (excused). Also in attendance were Town Manager Jeff Wells, Zoning Enforcement Officer Jesse James, and Tax Collector/Deputy Town Clerk Aurelie Taylor. There are no open seats.

Chairman Jim Humphrey called the meeting to order and those present stood for a moment of silence and gave the Pledge of Allegiance. Mr. Humphrey introduced Carolyn Moore who was appointed by Council to Chae Davis' seat after her resignation and welcomed Brian Caskey, newly elected Town Council member. Mr. Caskey gave a short work bio, expressed his understanding and appreciation of the work the Planning Board does, and assured them that he would back them as much as possible.

Adjustments/Additions to Agenda: None

Brian Kimball made a motion to approve the minutes from October 3, 2017; the motion was seconded by Jim Foster and the motion passed by unanimous verbal assent.

Public Comment: No Public Comment

Old Business:

A. Ordinance Updates – Zoning Enforcement Officer Jesse James

Town Manager Jeff Wells told the Board that Town Council approved a moratorium on the permitting of tiny house/park model/recreational vehicle uses town wide for a period of six months at their November 9 meeting. This gives Planning Board some time to discuss and draft a recommendation for an ordinance. Tiny homes are a new concept and many jurisdictions around the state are still trying to form their own rules – there aren't many already in place.

Zoning Enforcement Officer Jesse James presented his staff report, the text of which appears below:

Tiny Home/RV/Park Model Home Park Ordinance

Allowed in MR-MU as Special Use Permit with Standards

- Special Use Permit allows for Planning Board review, and Council approval with public notification and chance for comment.
- Allows for a more transparent development.

- Adds specific standards for this type of use.

How to enforce and regulate temporary vs permanent?

- This type of development is allowed because we require the wheels to stay on, they are not permanent and are not defined as homes.
- Should we limit the terms of lease for the slips? 1 month, 3 months, 2 weeks?
- How do we enforce lease terms?

Other Standards

- Minimum Parcel Size to develop? 5 Acres
- Maximum density per acre? 4 per acre- can be clustered
- Landscaping requirements same as commercial landscape in section 154.230 except street trees and interior trees are required no matter the distance parking is from the road or size of parking. Property line buffers are same.
- Commercial dumpsters- One trash/recycle dumpster required minimum for every 16 slips (4 acre area).
- Must provide onsite management/leasing office to manage rentals and open area maintenance.
- 2 parking spaces are required per slip.
- Must comply with all other permitting agencies outside of Town of Mills River Zoning. (State Erosion Control/Storm Water, Building, Environmental Health etc.

Notes for additional standards:

(None)

Jesse went on to explain that the “Acony Bell” development approval process showed him that there are glaring deficiencies in the ordinances governing these types of developments. There are three important points; first, that they only be allowed in the MR-MU zoning district with a Special Use Permit; second, that the developments be considered commercial enterprises rather than residential development, and third, that the homes within these developments be considered temporary with term limits and be required to retain their wheels.

There was considerable discussion on all these points, as well as the property tax implications, what the owners of Acony Bell are advertising on their website, how to enforce term limits, and what amount of time could be considered “temporary”. Jesse explained that he had done a lot of research on tiny homes in general as well as specific facets of the movement such as long term owner satisfaction, whether

financing was available, and what could be done in the face of a disaster (fire or flood).

Randy Austin brought up the point that whatever infrastructure was required for mobile home parks, that tiny home/park model/RV parks be held to the same standards (public water/sewer). It was suggested that this might encourage permanence, and again term limits were discussed. It was agreed that 3 months was a fair amount of time to limit residency. Jesse said that the only way he could see to enforce that was to require that an on-site manager keep a log to register tag numbers and dates to be inspected at the Town's request.

The Planning Board felt that the 6 month time frame to have Council actually enact an ordinance placed some time pressure on the issue. Jim Humphrey suggested that Jesse write some wording in an outline form for the December meeting and by the January meeting a draft ordinance be done. This would give Town Council some time to consider the draft and send it back to Planning Board if necessary.

Additional Items –

Town Manager Jeff Wells presented his report the text of which appears below:

COUNCIL ACTIONS – NOVEMBER 2017

- 2016-17 fiscal year audit/financial report
 - Town in excellent financial condition
- Approved moratorium of tiny home, park model, RV parks
 - In effect until May 2018
- Approved zoning amendments for updated sign ordinance, minor subdivisions, and conformity with regulations
- Approved landscape ordinance summary
 - Will draft ordinance for public hearing
- Approved sale of 3.7 acre tract of town property on Banner Farm Road
 - Commercial/industrial subdivision review next month

OTHER NOTABLE ITEMS

- GF Linamar – received final Certificate of Occupancy.
- NC 280 Multi-Use Path
 - Data compiled – presentation at January Visioning
- Tommy Bryson Memorial Deer Dash – Dec. 2nd

Jeff went on to tell the Board that at their next meeting the configuration of the furniture will change. After the Town Council's October meeting, Steve Carter from the Henderson County Sheriff's Office, approached Jeff and told him that he was concerned with the security of the building and safety of staff at public meetings. They met earlier this week and spoke of several improvements, one of which was moving the Council and staff tables.

As there was no further business to discuss, Brian Kimball made a motion to adjourn the meeting. Jim Foster seconded the motion and the motion passed by unanimous verbal assent.

Respectfully submitted,

Aurelie Taylor, CTC
Tax Collector/Deputy Town Clerk