



BUILDING CODES COMMITTEE MEETING

MONDAY, MARCH 1, 2021 | 6 PM

2nd committee meeting

The Committee will meet in the Mauldin City Hall at 5 East Butler Road in the Courtroom at 6 p.m.

The meeting will be available remotely through Zoom. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.



Building Codes (BDS) Committee AGENDA
March 1, 2021

Committee Members: Diane Kuzniar (Chair), Dale Black, Taft Matney

1. **Call to Order** The Honorable Diane Kuzniar
2. **Public Comment** The Honorable Diane Kuzniar
3. **Reading and Approval of Minutes** The Honorable Diane Kuzniar
 - a. BDS Committee Meeting:
February 1, 2021 (*Pages 2-4*)
4. **Reports or Communications from City Officers** The Honorable Diane Kuzniar
 - a. BDS Director David Dyrhaug
5. **Unfinished Business** The Honorable Diane Kuzniar

None
6. **New Business** The Honorable Diane Kuzniar
 - a. An ordinance to provide for the annexation of property owned by Tommy Steele Kay, and located at 409 E. Butler Road (Tax Map Parcel: #0546.01-01-032.00), by one hundred percent petition method; and to establish a zoning classification of C-2, commercial, for said property (*Pages 5-12*)
 - b. A resolution to rename Centerpointe Boulevard to Bridgeway Boulevard (*Pages 13-15*)
 - c. An ordinance to repeal Section 36-1, Council approval of street names or name changes, in the Mauldin Municipal Code Chapter 36, Streets, Sidewalks and Other public places (*Pages 16-18*)
 - d. An ordinance to amend the Mauldin zoning ordinance to introduce a table of allowed uses applicable to various zoning districts, provide descriptions of the uses allowed, provide additional standards for conditional and special exception uses, introduce general building design standards, amend the nonconforming use standards, and other related amendments (*Pages 19-118*)
7. **Public Comment** The Honorable Diane Kuzniar
8. **Committee Concerns** The Honorable Diane Kuzniar
9. **Adjourn** The Honorable Diane Kuzniar

Building Codes Committee Meeting



Minutes Building Codes (BDS) Committee February 1, 2021 4th committee meeting

Committee Members: Diane Kuzniar (Chair), Dale Black via Zoom, Taft Matney

Others Present: Business and Development Services Director David Dyrhaug via Zoom and City Administrator Brandon Madden.

1. Call to Order- Chairwoman Kuzniar
2. Public Comment- None
3. Reading and Approval of Minutes
 - a. BDS Committee Meeting: January 4, 2020

Action: Councilman Matney made a motion to approve the minutes. Councilman Black seconded the motion.

Vote: The vote was unanimous (3-0).

4. Reports or Communications from City Officers
 - a. BDS Director David Dyrhaug
5. Unfinished Business- There is no unfinished business
6. New Business
 - a. Building inspection activity

The department has 51% remaining in the budget.

Building inspections have increased in the last two months and we expect the trend to continue. There are some days where the number is low, but some days the number is very high. The department is talking strategies about how to handle the workload. One of the strategies would be to change the deadline for inspections. Right now, it is 8:00 a.m. for same day inspections. The department would like to consider moving the deadline to 4:00 p.m. the previous day. This will help monitor the number of inspections that may be done. If it is beyond what our current inspector can do for the day, we can call on the company we contract with for inspections. Mr. Dyrhaug doesn't expect that to become the norm, but some days it is particularly high. One day in January there were 100 inspections. Chairwoman Kuzniar said she agreed. If someone calls by 4:00 p.m. on the previous day, the inspector can plan out the next day easier. Mr. Dyrhaug said this is not something that needs Council approval, but he wanted to present this to see if committee had any concerns.

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Councilman Matney said this is a policy decision and if changing this will help the City service our businesses and residents better, then by all means. Councilman Matney said if he called for service from a utility company or a contractor, he would not expect to be serviced the same day. This still puts service at a premium. Mr. Dyrhaug said we are still ahead of other agencies in the area.

Councilman Black agreed. It is up to staff to know how they can best serve the people.

b. Allowed uses and building design in C-2 zoning district

City Officials have shared a vision for new and improved development along Main Street and Butler Road. Plans and work on the redevelopment of City Center has largely factored into this vision. Currently, a large portion of Main Street and Butler Road are zoned C-2, Highway Commercial. The list of uses allowed in the C-2 district shows signs of being outdated as it allows some uses that are not consistent with the vision for Main Street and Butler Road.

City staff has begun reviewing the list of uses allowed in the C-2 zoning district for consistency with the vision discussed by City Officials. City staff would like to work with the Planning Commission to revise the list of uses allowed in the C-2 zoning district so that it is more consistent with the City's vision as well as the City's Comprehensive Plan.

The Comprehensive Plan provides that retail stores, restaurants, hotels, business services (banks, print shops, etc.) and offices should be the predominant use along the commercial areas of Main Street and Butler Road.

Some of the specific uses currently allowed in the C-2 zoning district that may be inconsistent with the City's vision and Comprehensive Plan for Main Street and Butler Road include:

- Car washes
- Automobile sales
- Rentals of automobiles, trucks, and trailers
- Stand-alone parking lots
- Boat sales

City staff would like to work with the Planning Commission on reviewing the design standards, specifically the façade standards, provided in the C-2 zoning district for consistency with the City's vision.

This item is being presented as information and as an opportunity for the Committee to provide input on this issue.

Chairwoman Kuzniar said she thinks this is great and we are planning for the future.

Councilman Matney said Mr. Dyrhaug may want to look at the descriptions as well. Some of them may be outdated. Also, this may not go far enough. We had a proposed ordinance before that was tabled. The biggest problem with one that was proposed a few years ago was the immediacy. The business owners were concerned they wouldn't be able to sell their businesses or pass them on to family members. Chairwoman Kuzniar said she talked to Mr. Dyrhaug about limiting certain types of businesses instead of prohibiting. If one type of business closes, another one cannot go back in.

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Councilman Black said we want to make sure these are non-conforming uses, and the owners understand they can stay open until circumstances change.

7. Public Comment- None
8. Committee Concerns- None
9. Adjourn- Chairwoman Kuzniar adjourned the meeting.

Respectfully Submitted,
Cindy Miller
Municipal Clerk



BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: March 1, 2021

AGENDA ITEM: 6a

TO: Building Codes Committee
FROM: Business & Development Services Director, David C. Dyrhaug
SUBJECT: Annexation of Property at 409 E. Butler Road

OWNER(S):	Tommy Steele Kay
AUTHORIZED REP(S):	N/A
TAX MAP NUMBER(S):	0546.01-01-032.00
LOCATION:	409 E. Butler Road
CURRENT ZONING:	R-12, Residential
REQUESTED ZONING:	C-2, Commercial
SIZE OF PROPERTY:	Approx. 3.328 acres
CONTIGUITY	This property is entirely surrounded by the City limits of Mauldin

REQUEST

The City of Mauldin has received a signed petition requesting the annexation and rezoning of a tract of land pursuant to Section 4:2 of the Mauldin Zoning Ordinance. This petition includes approximately 3.328 acres located at 409 E. Butler Road. Part of this property is not in the City and the applicant wishes to annex that remaining portion into the City limits of Mauldin. Meanwhile, the applicant wishes to rezone the entire property, including the portion of the property already in the City limits and the portion of the property being annexed, to the C-2, Commercial, zoning district. This property is currently used for a single-family residence occupied by the owner. The owner intends to market this property for commercial development.

UTILITIES AND SERVICES

All utilities are available including water and sewer. ReWa has a sewer main line along Gilder Creek. The tract is currently located in the Mauldin Fire Service Area and will continue to be served by the Mauldin Fire Department upon annexation.



PLANNING AND ZONING

About the C-2 District

The C-2 district is established to provide for the development of commercial establishments along major thoroughfares. Establishments in this district typically provide goods and services for the traveling public and also for the convenience of local residents.

Surrounding Development/Zoning

These properties are surrounded by the following zoning and land uses:

Direction	Zoning District(s)	Existing Use(s)
North	R-M	Mauldin Church of God
South	C-2	Multiple businesses including: Pavan Food Store and Shock Dance Center
East	C-2	Hammond Law Office
West	R-M	Undeveloped property/floodplain

Comprehensive Plan Analysis

The Future Land Use Map for the property included in this rezoning request is designated as a neighborhood corridor. Neighborhood corridors are intended for neighborhood-type nonresidential uses, including offices, neighborhood commercial, churches, schools, and day care centers.

Although the C-2 district is a little more active than how a neighborhood corridor is described in the comprehensive plan, this district is consistent with the built environment along this section of East Butler Road.

TIMELINE

On February 10, 2021, staff received the signed petition for the annexation and rezoning of this tract.

On February 23, 2021, the Planning Commission voted 6-0 to recommend approval of rezoning the entire property to the C-2 district.

FISCAL IMPACT

The annexation of this tract will result in a net financial benefit to the City of Mauldin as a result of the collection of commercial property taxes, annual business license fees, and potential hospitality taxes.

RECOMMENDATION

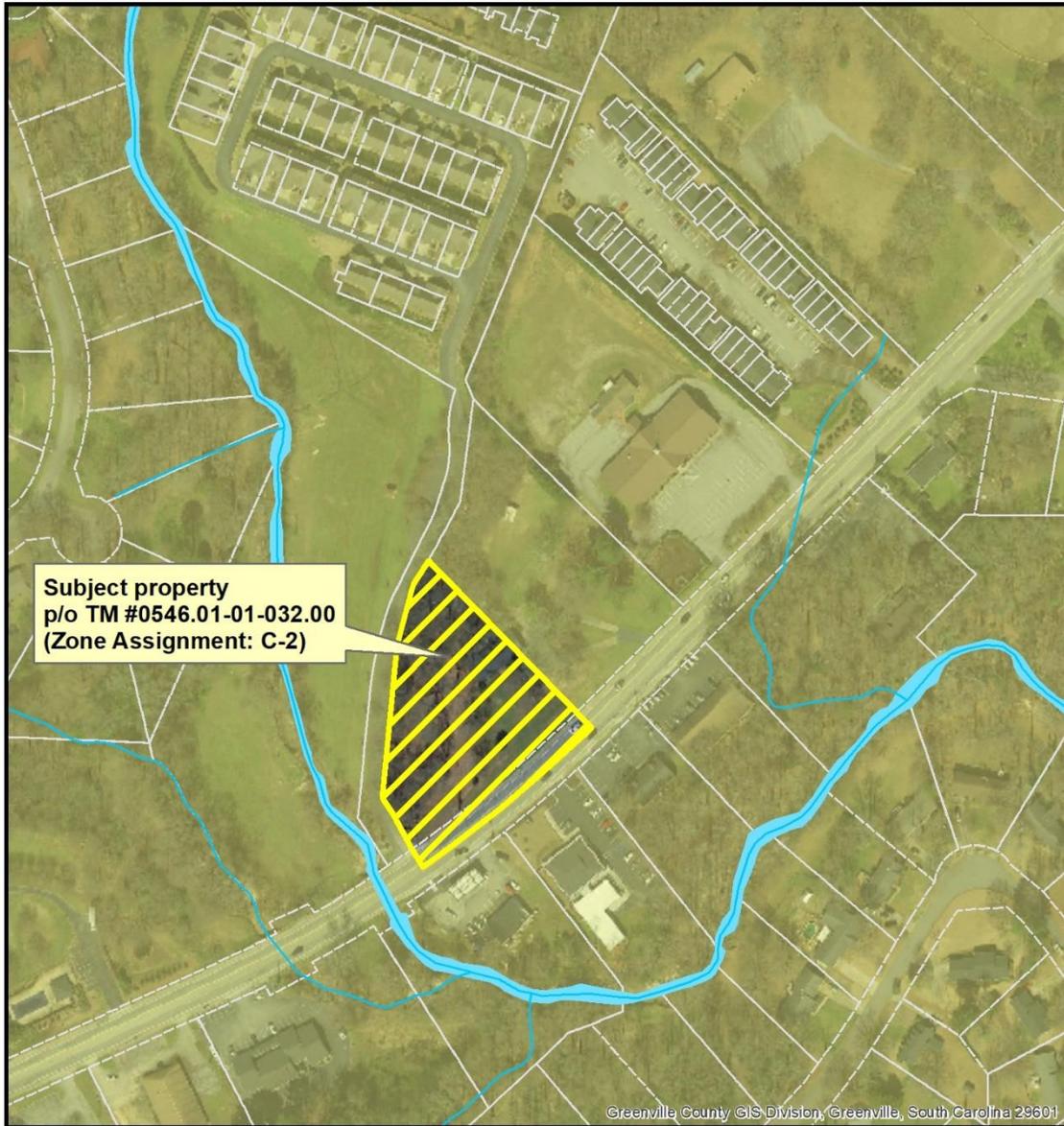
Forward this annexation to City Council with a recommendation of approval.

ATTACHMENTS

Proposed Ordinance (maps and petitions attached therein)



409 E. Butler Road Annexation Map



Legend

-  Subject Property
-  Mauldin City Limits



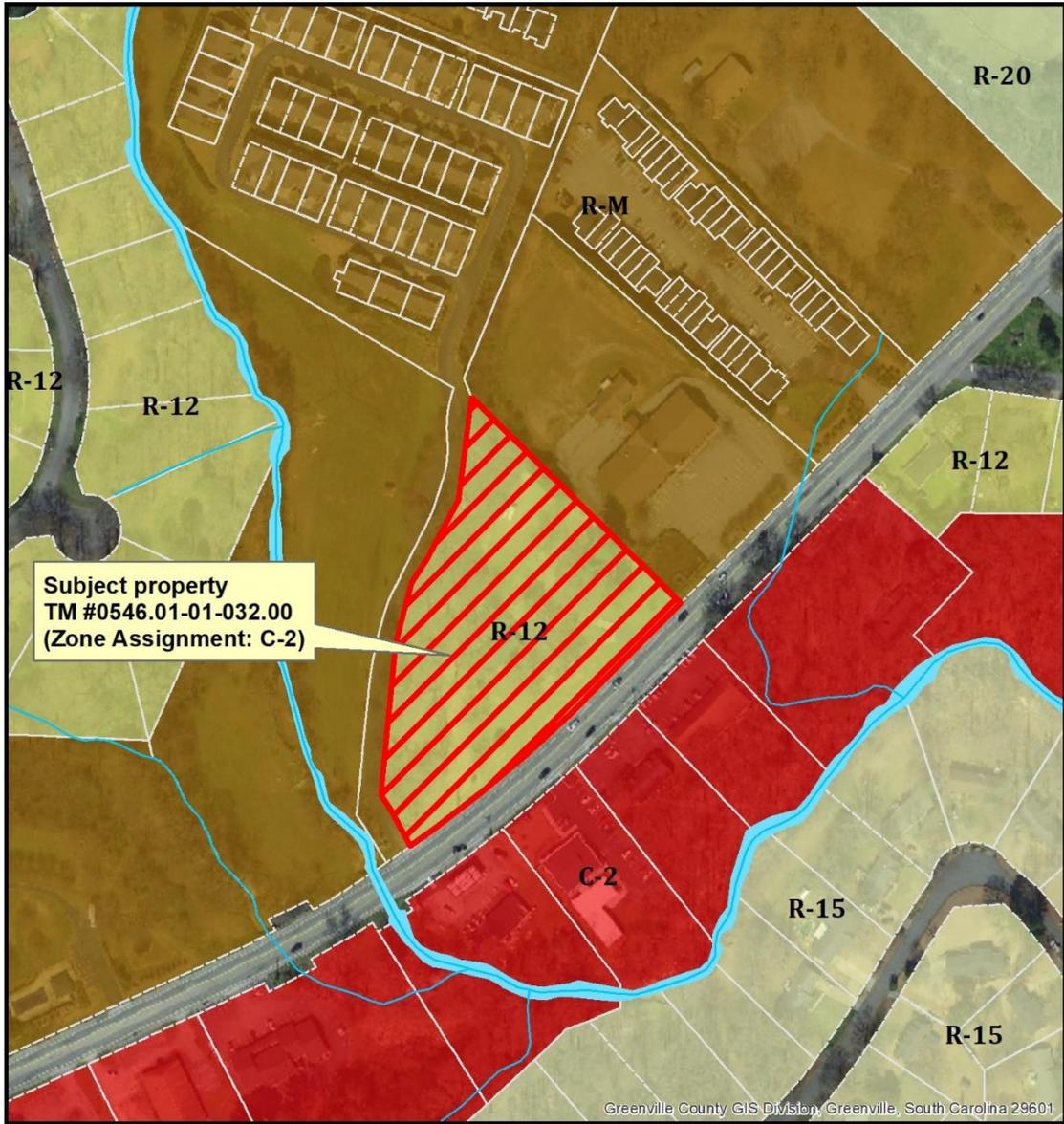
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ZONING MAP



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Legend

 Subject Property



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PETITION FOR ANNEXATION OF REAL PROPERTY OWNED BY TOMMY STEELE KAY, AND LOCATED AT 409 EAST BUTLER ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Petitioner, Tommy Steele Kay, is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a parcel of real property in Greenville County containing approximately 3.328 acres, more particularly described in the property description attached hereto marked as Exhibit A, and the Property Map attached hereto marked as Exhibit B.

Petitioner hereby petitions to annex the remaining portion of their property consisting of approximately 1.4 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their entire property consisting of approximately 3.328 acres to the zoning classification of C-2, Commercial, as depicted in Exhibit C attached hereto, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 9th day of February, 2021, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the entire property consisting of approximately 3.328 acres to the zoning classification of C-2, Commercial, as depicted in Exhibit C attached hereto.

February 9, , 2021
Date

Tommy Steele Kay
Tommy Steele Kay

Tommy Steele Kay
Witness

Donny Steele Kay
Witness

Building Codes Committee Meeting



EXHIBIT A

PROPERTY DESCRIPTION

ALL those pieces, parcels and tracts of land lying and being situate on the westerly side of East Butler Road, near Mauldin, in the County of Greenville, State of South Carolina, being known and designated as Tract Nos. 1 and 2, according to final plat of East Butler Estates, prepared by Carolina Engineering and Surveying Company, Greenville, South Carolina, April 7, 1966, and having, according to said plat, the following metes and bounds, to-wit:

BEGINNING at an iron pin; thence further along East Butler Road, S. 44-28 W., 400 feet to an iron pin; thence further along said road, N. 1445 E., 100 feet to an iron pin; thence further along said road, N. 31-25 E., 32 feet at joint rear corner of Tracts 1 and 2; thence further along said road, N. 26-55 E., 103.3 feet to an iron pin; thence further along said road, N. 4-37 E., 132 feet to an iron pin at joint rear corner of Tracts 2 and 3; thence along the joint line of the said tracts, S. 45-32 E., 425 feet to an iron pin at the joint front corner of Tracts 2 and 3 at the point of beginning.

LESS, HOWEVER:

THAT certain parcel containing 0.051 acres as shown on plat entitled "Survey for Eastcreek Development Partners, LLC", previously conveyed by Tommy Steele Kay and Sandra Kay to Eastcreek Development Partners, LLC, by their deed recorded in the Office of the Register of Deeds for Greenville County on January 17, 2000 in Deed Book 1892 at Page 55.

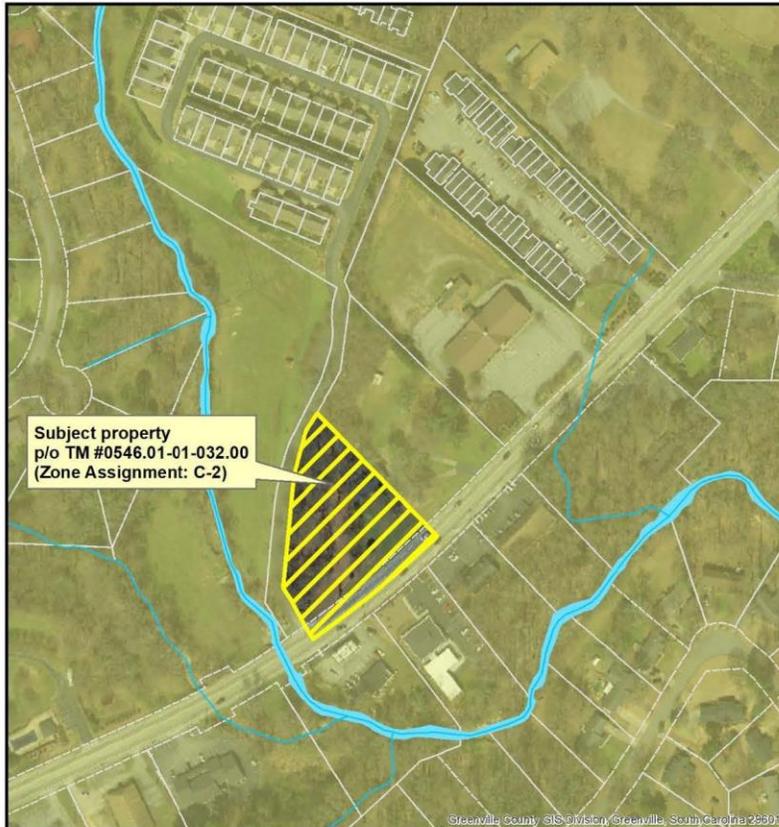
TAX MAP #0546.01-01-032.00

Building Codes Committee Meeting



EXHIBIT B

PROPERTY MAP



Legend

-  Subject Property
-  Mauldin City Limits




0 200 Feet

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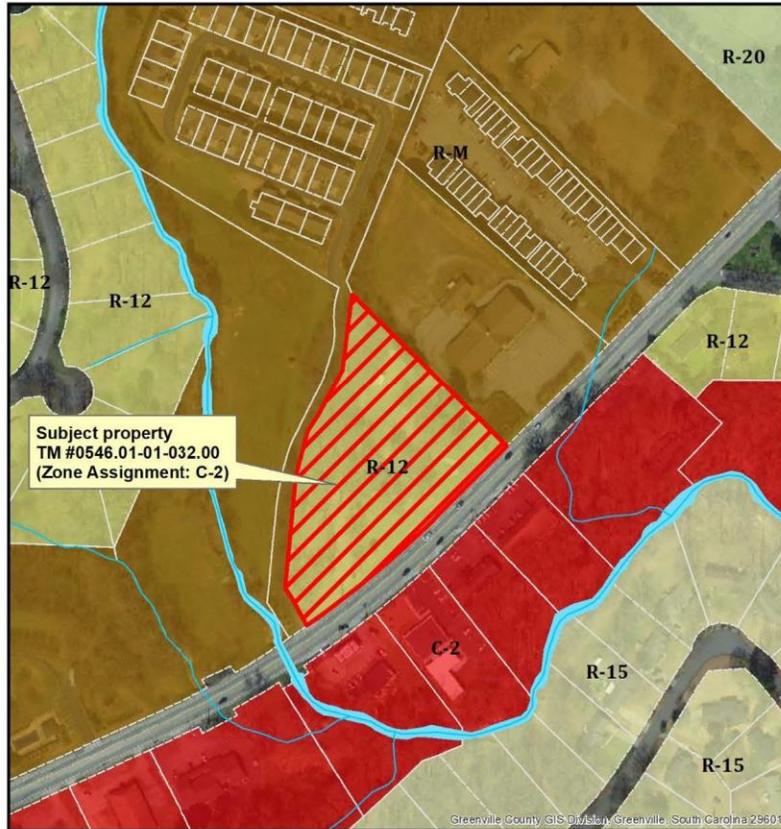
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EXHIBIT C

ZONING MAP



Legend

 Subject Property



 Feet
0 200

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BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: March 1, 2021

AGENDA ITEM: 6b

TO: Building Codes Committee

FROM: Director of Business & Development Services, David Dyrhaug

SUBJECT: Rename Centerpointe Blvd to Bridgeway Blvd

BACKGROUND

Centerpointe Boulevard is an existing street that begins at Bridges Road, crosses Holland Road, and terminates again at Holland Road at a separate intersection. This street is privately owned by Centerpoint Land Inc. This owner also owns all of the land that fronts on Centerpointe Boulevard for addressing purposes. Of all the property that primarily fronts on Centerpointe Boulevard, only one is developed (356 Centerpointe Blvd). This establishment is owned by the applicant and the occupant of that establishment will be vacating the facility by March 31, 2021.

The Planning Commission recently reviewed this petition to rename Centerpointe Boulevard to Bridgeway Boulevard in accordance with Section 6-29-1200 of the Code of Laws of South Carolina. This section of State law, adopted in 1994 and amended in 1997, provides that the local planning commission must authorize the re-naming of streets. In accordance with this provision, the Planning Commission voted 6-0 to approve the renaming of Centerpointe Boulevard to Bridgeway Boulevard.

In addition to the State law on renaming streets, there is a City ordinance, Section 36-1 of the Municipal Code, adopted in 1994, that provides “no person shall name any street or change the name of any street, except upon consent of the city council as authorized by resolution. Therefore, this request is being presented to the City Council in accordance with Section 36-1 of the Municipal Code.

REQUEST

The owner of this street, Centerpoint Land Inc., has formally requested that this street, in its entirety, be renamed to Bridgeway Boulevard. The intent for renaming this street to Bridgeway Boulevard is so that it will be consistent with the naming and theme for the future development of this tract which will be known as Bridgeway Station. Because using the same name for the street as the development will aid in the orientation of people navigating to this development, staff recommends approval of this request.

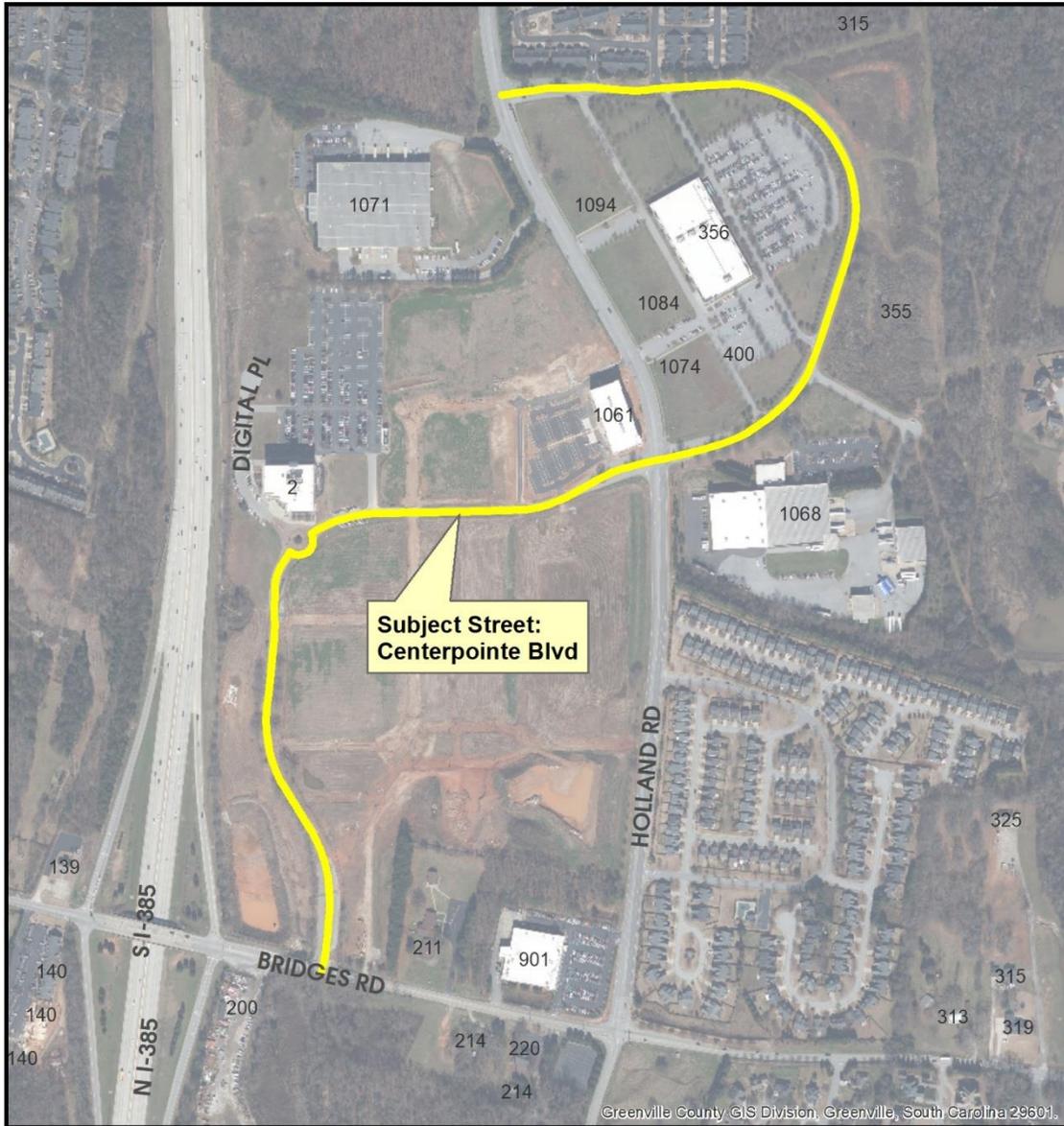
ATTACHMENTS

Map
Resolution



EXHIBIT

Street Name Change of Centerpointe Blvd to Bridgeway Blvd



Legend

-  Subject Street
-  Site Address



Created on February 2, 2021

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Res. # _____

**CITY OF MAULDIN
RESOLUTION**

A RESOLUTION TO RENAME CENTERPOINTE BOULEVARD TO BRIDGEWAY BOULEVARD

Whereas, Centerpointe Boulevard is the name of a private right-of-way between Bridges Road and Holland Road owned by Centerpoint Land Inc.; and

Whereas, Centerpoint Land Inc. has requested that Centerpointe Boulevard be renamed to Bridgeway Boulevard; and

Whereas, Centerpoint Land Inc., d.b.a. Hughes Investments, Inc., is planning to develop a mixed use urban village called Bridgeway Station; and

Whereas, Section 36-1 of the Mauldin Municipal Code requires consent of the city council to change the name of any street; and

Whereas, the Mauldin Planning Commission held a public hearing for this petition to rename Centerpointe Boulevard after reasonable notice through a local newspaper and public advertisement on the City of Mauldin website; and

Whereas, the Mauldin Planning Commission has approved the renaming of Centerpointe Boulevard to Bridgeway Boulevard in accordance with Section 6-29-1200 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994; and

Whereas, Bridgeway Boulevard is not in conflict with the public interests and welfare; and

Whereas, the change of such street name is warranted; and

NOW, THEREFORE BE IT RESOLVED that the Mauldin City Council hereby approves the renaming of Centerpointe Boulevard to Bridgeway Boulevard.

DONE IN REGULAR MEETING THIS 15th DAY OF MARCH, 2021.

Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

REVIEWED:

Brandon Madden, City Administrator



BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: March 1, 2021

AGENDA ITEM: 6c

TO: Building Codes Committee

FROM: Director of Business & Development Services, David Dyrhaug

SUBJECT: Repeal Section 36-1, Council Approval of Street Names

BACKGROUND

Section 6-29-1200 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 assigns the authority to name or rename streets to the local planning commission. Specifically, the statute states the following:

- (A) *A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction. It is unlawful for a person laying out a new street or road to name the street or road on a plat, by a marking or in a deed or instrument without first getting the approval of the planning commission. Any person violating this provision is guilty of a misdemeanor and, upon conviction, must be punished in the discretion of the court.*

- (B) *A commission may, after reasonable notice through a newspaper having general circulation in which the commission is created and exists, change the name of a street or road within the boundary of its territorial jurisdiction:*
 - (1) *When there is duplication of names or other conditions which tend to confuse the traveling public or the delivery of mail, orders, or messages;*
 - (2) *When it is found that a change may simplify marking or giving of directions to persons seeking to locate addresses; or*
 - (3) *Upon any other good and just reason that may appear to the commission.*

- (C) *On the name being changed, after reasonable opportunity for a public hearing, the planning commission shall issue its certificate designating the change, which must be recorded in the office of the register of deeds or clerk of court, and the name changed and certified is the legal name of the street or road.*

Additionally, Section 36-1 of the Mauldin Code of Ordinances requires the City Council to consent to the naming or renaming of streets. Specifically, the ordinance states the following:

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No person shall name any street or change the name of any street, except upon consent of the city council as authorized by resolution.

Petitions to rename streets are not very common. However, the planning commission regularly reviews the names of new streets in subdivisions when it approves that new subdivision.

REQUEST

The intent of the request is to gauge the interest of the Building Codes Committee and the City Council for repealing Section 36-1 of the Mauldin Code of Ordinances so that the approval of naming and renaming streets falls solely under the authority of the planning commission in accordance with State law.

ATTACHMENTS

Ordinance



ORDINANCE # _____

AN ORDINANCE TO REPEAL SECTION 36-1, COUNCIL APPROVAL OF STREET NAMES OR NAME CHANGES, IN THE MAULDIN MUNICIPAL CODE CHAPTER 36, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

WHEREAS, Section 6-29-1200 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 assigns the authority to name or rename streets to the local planning commission; and

WHEREAS, the City of Mauldin finds it redundant for the City Council to consent to the naming or renaming of streets.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof that the Mauldin Municipal Code be amended as follows:

Section 1. Section 36-1, Council approval of street names or name changes, of Chapter 36, Article 1, is hereby repealed as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

Sec. 36-1. – ~~Council approval of street names or name changes.~~ [Reserved].

~~No person shall name any street or change the name of any street, except upon consent of the city council as authorized by resolution.~~

Section 2. This ordinance shall become effective upon and after its final passage.

Passed on First Reading: _____

Passed on Second Reading _____

CITY OF MAULDIN, SOUTH CAROLINA

BY: _____
Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

John Duggan, City Attorney



BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: March 1, 2021

AGENDA ITEM: 6d

TO: Building Codes Committee

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Text Amendment for Allowed Uses, Use Standards, and Building Design Standards

BACKGROUND

For years City Officials have shared a vision for improved development along Main Street and Butler Road. Plans and work on the redevelopment of City Center have contributed to this vision. However, various aspects of the zoning ordinance have not been updated to meet this vision. For example, the current zoning ordinance provides lists of allowed land uses that are rather outdated and do not meet the vision for Main Street, Butler Road, and City Center. Additionally, the zoning ordinance is extremely light on any building design standards that similarly contribute to the vision for the future of the City.

INTRODUCTION TO DRAFT ORDINANCE

The attached draft ordinance introduces a consolidated table of allowed uses, describes each of the use categories listed in the table, provides standards for conditional and special exception uses, and establishes general building design standards. Additionally, the draft ordinance relocates and rearranges a few sections of the zoning ordinance so that related regulations are grouped together and easier to find.

The Comprehensive Plan provides that retail stores, restaurants, hotels, business services (banks, print shops, etc.) and offices should be the predominant use along the commercial areas of Main Street and Butler Road. In accordance with the Comprehensive Plan, the types of uses that are allowed in commercial areas along Main Street and Butler Road have been updated. Some uses such as automobile sales and trailer rentals have been removed as permitted uses in commercial districts along Main Street and Butler Road.

SUMMARY OF DRAFT ORDINANCE

The following is a summary of the draft ordinance.

Renamed Zoning Districts

A couple of zoning districts have been renamed so that the name is more consistent with the City's vision and the intent of the district. These include:

- The C-1 district, which is predominantly adjacent to residential areas, has been renamed from "Commercial District" to "Light Commercial District."

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- The C-2 district, which is predominantly located along Main Street and Butler Road, has been renamed from “Highway Commercial District” to “General Commercial District.”
- The S-1 district has been renamed from “Services District” to “Trades and Commercial Services District.”

Table of Allowed Uses

The lists of uses in each separate zoning district in Article 5 have been removed and have been replaced with a consolidated table of allowed uses in Article 7. The list of uses in this table have been consolidated into classifications that group land uses and activities based on common functional, operational, or physical characteristics. The new table of allowed uses is attached at the end of this report for convenience. In addition to the new table of allowed uses, Article 7 also includes the following provisions:

- Article 7 includes a key that indicates what each of the symbols in the table means.
- Article 7 provides direction on how uses not listed in the table will be reviewed.
- Article 7 establishes descriptions of each of the use classifications listed in the table so that it is easier to interpret and understand what uses are entailed in each classification.

Relocation and Rearrangement of Sections

Some of the sections have been relocated and rearranged so that related regulations are grouped together and easier to find rather than hidden in the shadows. This reorganization includes the following:

- Article 7 previously entailed “Provisions for Uses Permitted by Special Exception.” This article has been repealed to make room for a new Article 7 that regulates “Allowed Uses.”
- The general provisions for special exceptions previously located in Article 7 have been moved to Section 4:1.3.5 which contains similar provisions pertaining to the duties of the Board of Appeals as it relates to special exceptions.
- Article 8, which previously entailed design standards for some residential uses, now entails the use standards for all residential conditional and special exception uses.
- Article 10, which previously entailed use standards for some conditional uses, now entails the use standards for all nonresidential conditional and special exception uses.
- The individual use standards for various special exception uses have been moved to Article 8 or Article 10 depending on whether they pertain to residential uses (Article 8) or nonresidential uses (Article 10).
- The fence standards for residential properties have been moved from Article 5 to Article 8 so that they grouped with the standards for other residential accessory uses and structures.
- The use standards in Article 8 and Article 10 have been arranged in order that they appear in the Table of Allowed Uses. There are also gaps preserved in the numbering of these sections so that these articles can accommodate new conditional or special exception uses that might be added in the future.

Building Design Standards

The previous building standards only regulated the type of materials that could be used in building facades. The proposed ordinance includes new building design standards that will help guide the design of development in commercial areas.

- The new standards include a purpose statement that provides context for the standards.

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- The new standards include a section that outlines when the standards are applicable. This section exempts: (1) single-family residential uses; and (2) improvements or repairs to existing buildings which do not alter more than 50 percent of the affected roof or façade. The only building design standards that apply to industrial uses include the standards on building color and finish materials.
- New roofs should reflect the traditional character of the surrounding community and be a type that is common in the surrounding area. Roofs should provide visual interest through the use of varied roofs lines and architectural treatments.
- Long, monotonous building facades that exceed a length of 50 feet must incorporate visual changes through the use of three-dimensional surface modulations.
- Windows and doorways must be incorporated at separate minimum levels set for ground level and upper stories so that blank and windowless walls are avoided.
- The previous standards stated that “no intense or distracting colors or color schemes shall be used.” This has been refined to state that “no fluorescent, reflective, metallic, or neon colors shall be used as building colors.”
- Acceptable building finish materials are included as before but are now specified as to whether they are allowed as the primary finish material, a secondary finish material, or a material that is only acceptable on facades that are not visible from a public right-of-way.
- A provision has been added that building façade materials shall draw upon the finish materials that prevail in the surrounding area, especially where brick or stone are prevalent.

Use Standards

The table below outlines the uses that already had conditional or special exception standards in the existing ordinance—which will remain—and uses that will have new standards in the proposed draft ordinance.

Use Standards Carried Over from Existing Ordinance	New Use Standards in the Proposed Draft Ordinance
<ul style="list-style-type: none"> • Cluster housing (attached single-family) • Cluster housing (detached single-family) • Attached single-family dwellings • Multi-family dwellings • Manufactured housing park • Short-term rental dwelling • Cemetery • Day care center (adult or children) • Day care home (adult or home) • Residential care facility • Religious institution • Grade school • Fringe financial services • Small box variety store • Junk/salvage yard • Clubhouse or country club • Private outdoor recreation amenity • Sexually oriented business • Telecommunication tower • Utility building or facility • Residential accessory uses and structures • Temporary uses 	<ul style="list-style-type: none"> • Manufactured home • Bed and breakfast inn • Library • College or university • Technical, trade or other specialty school • Catering services • Motor vehicle sales • Motor vehicle services • Bar, brew pub or drinking place • Packaged alcoholic beverage store • Manufacturing • Stadium or arena • Solid waste-related services • Nonresidential accessory uses and structures

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Below are highlights of some of the new use standards included in the proposed draft ordinance.

Catering Services

- Catering services in the O-D, C-1, and CRD districts cannot use more than two vehicles in their operations (intent is to avoid a fleet of vehicles parked in these districts)

Motor Vehicle Sales and Rentals

- No longer allowed in the C-2 district (existing businesses grandfathered, notwithstanding a sunset clause for trailer rentals)
- Existing trailer rental activities and operations not in the S-1 district must cease no later than December 31, 2022
- Must have a fixed indoor office located on site
- Vehicles for sale or for rent must be located in approved display spaces
- Except for vehicles displayed for sale or for rent, vehicles cannot be store on-site

Motor Vehicle Services

- New businesses must be separated from existing businesses by at least 3,000 feet
- Existing businesses are treated as legal conforming uses
- Except for pumping fuel, all service and repair operations must be conducted within fully enclosed buildings
- Service bay doors must be oriented away from the public right-of-way

Bar, Brew Pub, or Drinking Place

- Drive-up windows are prohibited
- Establishment must also provide on-site food services
- New businesses must be separated from residences by at least 300 feet
- Businesses must comply with State laws

Packaged Alcoholic Beverage Store

- New businesses must be separated from residences by at least 300 feet
- Businesses must comply with State laws

TIMELINE

On February 23, 2021, the Planning Commission voted 6-0 to recommend approval of the proposed ordinance with minor changes.

REQUEST

Consider forwarding this ordinance to City Council for review.

ATTACHMENTS

Table of Allowed Uses
Ordinance

Building Codes Committee Meeting



7:1.5 Table of Allowed Uses

	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
Residential Uses											
Cluster Housing—Attached Single-Family	-	C	C	-	-	-	-	-	-	-	See standards in Sec. 8:2
Cluster Housing—Detached Single-Family	C	C	C	-	-	-	-	-	-	-	See standards in Sec. 8:2
Dwelling—Attached Single-Family	-	C	C	C	-	-	-	C	-	-	See standards in Sec. 8:3
Dwelling—Detached Single-Family	P	P	P	P	-	-	-	-	-	-	
Dwelling—Multi-Family	-	-	C	-	-	C	C	C	C	-	See standards in Sec. 8:1 and 10:2
Manufactured Home	-	-	C	-	-	-	-	-	-	-	See standards in Sec. 8:4
Manufactured Housing Park	-	-	S	-	-	-	-	-	-	-	See standards in Sec. 8:5
Accommodation Uses											
Bed and Breakfast Inn	-	-	C	C	-	-	-	-	-	-	See standards in Sec. 10:1
Dwelling—Short-Term Rental	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:3
Hotel	-	-	-	-	-	-	P	P	P	-	
Institutional and Social Uses											
Cemetery	-	-	-	-	-	-	C	-	C	-	See Ch. 12 in Code of Ordinances
Day Care Center (Adult or Children)	-	-	C	C	C	C	C	C	C	-	See standards in Sec. 10:10 and 10:11
Day Care Home (Adult of Children)	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:12 and 10:13
Funeral Home	-	-	-	-	-	P	-	-	P	-	
Health Care Service—Assisted Living	-	-	P	-	-	P	-	-	P	-	
Health Care Service—Hospital	-	-	-	-	-	-	P	-	P	-	
Health Care Service—Nursing Home	-	-	-	-	-	P	-	-	P	-	
Health Care Service—Outpatient	-	-	-	-	-	P	P	P	P	-	
Health Care Service—Residential Care Facility	-	-	C	C	-	-	-	-	-	-	See standards in Sec. 10:14
Library	S	S	S	P	P	P	P	P	-	-	See standards in Sec. 10:15
Meeting or Assembly Hall	-	-	-	-	P	P	P	-	P	-	
Public Administration Building	-	-	-	-	-	P	P	P	P	-	
Public Safety Facility	S	S	S	P	P	P	P	P	P	P	
Public Works Facility	-	-	-	-	-	-	-	-	P	P	
Religious Institution	C	C	C	C	P	P	P	-	P	-	See standards in Sec. 10:16
School—College or University	-	-	-	S	-	S	S	-	S	S	See standards in Sec. 10:17

Building Codes Committee Meeting



	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
School—Grade	S	S	S	S	S	S	-	-	S	-	See standards in Sec. 10:18
School—Technical, Trade, or Other Specialty						C	C	C	C	C	See standards in Sec. 10:19
Social Assistance Services	-	-	-	P	P	P	P	P	P	-	
Commercial and Office Uses											
Catering Services	-	-	-	C	C	P	P	C	P	-	See standards in Sec. 10:30
Communication or Information Services	-	-	-	P	P	P	P	P	P	-	
Dry Cleaning and Laundry Services	-	-	-	-	-	P	P	P	P	-	
Financial Establishment	-	-	-	-	P	P	P	P	-	-	
—Fringe Financial Services	-	-	-	-	-	-	C	-	C	-	See standards in Sec. 10:31
Health and Personal Care Services	-	-	-	P	-	P	P	P	P	-	
—Tattoo and Body Piercing Services	-	-	-	-	-	-	P	-	P	-	
Motor Vehicle Sales	-	-	-	-	-	-	-	-	C	-	See standards in Sec. 10:32
Motor Vehicle Services	-	-	-	-	-	-	C	-	P	-	See standards in Sec. 10:33
—Large Vehicle Sales and Service	-	-	-	-	-	-	-	-	P	P	
Office and Professional Services	-	-	-	P	P	P	P	P	P	-	
Pet and Animal Care Services	-	-	-	-	-	P	P	P	P	-	
Restaurant	-	-	-	-	-	P	P	P	P	-	
—Bar, Brew Pub or Drinking Place	-	-	-	-	-	-	C	C	C	-	See standards in Sec. 10:34
Retail Sales	-	-	-	-	-	P	P	P	P	-	
—Big Box Retail Store	-	-	-	-	-	-	P	-	P	-	
—Grocery Store or Supermarket	-	-	-	-	-	P	P	P	-	-	
—Packaged Alcoholic Beverage Store	-	-	-	-	-	-	C	-	-	-	See standards in Sec. 10:35
—Small Box Variety Store	-	-	-	-	-	C	C	-	-	-	See standards in Sec. 10:36
Services to Buildings and Dwellings	-	-	-	-	-	-	-	-	P	P	
Industry, Warehousing, and Transportation Uses											
Construction and Contractor Services	-	-	-	-	-	-	-	-	P	P	
Junk/Salvage Yard	-	-	-	-	-	-	-	-	-	S	See standards in Sec. 10:50
Manufacturing	-	-	-	-	-	-	-	-	C	P	See standards in Sec. 10:51
Parcel Delivery Services	-	-	-	-	-	-	-	-	P	P	
Passenger Transportation Services	-	-	-	-	-	-	-	-	P	-	
Self-Storage or Mini-Warehouse Facility	-	-	-	-	-	-	-	-	P	P	

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	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
<i>Towing Services</i>	-	-	-	-	-	-	-	-	P	P	
<i>Truck and Freight Transportation Services</i>	-	-	-	-	-	-	-	-	S	P	
<i>Warehousing</i>	-	-	-	-	-	-	-	-	P	P	
<i>Wholesaling</i>	-	-	-	-	-	-	-	-	P	P	
Arts, Entertainment, and Recreation Uses											
<i>Amusement or Games Facility</i>	-	-	-	-	-	P	P	P	P	-	
<i>Clubhouse or Country Club</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:60
<i>Event Center or Banquet Hall</i>	-	-	-	-	-	P	P	P	P	-	
<i>Fitness/Sports Club, Studio, or Center</i>	-	-	-	-	-	P	P	P	P	-	
<i>Exhibition Facility</i>	-	-	-	-	-	P	P	P	P	-	
<i>Private Outdoor Recreation Amenity</i>	C	C	C	C	-	-	-	-	C	-	
<i>Public Park or Recreation Area</i>	P	P	P	P	P	P	P	P	P	-	
<i>Stadium or Arena</i>	-	-	-	-	-	-	S	S	S	S	See standards in Sec. 10:61
<i>Theater (Movie or Performing Arts)</i>	-	-	-	-	-	P	P	P	-	-	
Miscellaneous Use Types											
<i>Parking Structure</i>	-	-	-	-	-	-	P	P	P	-	
<i>Sexually Oriented Business</i>	-	-	-	-	-	-	-	-	S	-	See Ch. 10, Art. IV of Code of Ordinances
<i>Solid Waste-Related Services</i>	-	-	-	-	-	-	-	-	-	S	See standards in Sec. 10:71
<i>Telecommunication Tower</i>	S	S	S	S	S	S	S	S	P	P	See standards in Sec. 10:72
<i>Utility Building or Facility (Major)</i>	S	S	S	S	S	S	S	S	P	P	See standards in Sec. 10:73
Residential Accessory Uses and Structures											
<i>Accessory Dwelling</i>	-	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.2
<i>Equine Stable</i>	C	-	-	-	-	-	-	-	-	-	See standards in Sec. 8:6.3
<i>Fence or Wall</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.4
<i>Home Occupation</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.5
<i>Outdoor Recreational Structure</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.6
<i>Residential Storage (Garage, Shed, etc.)</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.1
Nonresidential Accessory Uses and Structures											
<i>Accessory Dwelling</i>	-	-	-	-	-	C	C	C	C	C	See standards in Sec. 10:80
<i>Outdoor Dining</i>	-	-	-	-	-	C	C	C	C	-	See standards in Sec. 10:81
<i>Outdoor Storage</i>	-	-	-	-	-	-	-	-	C	C	See standards in Sec. 10:82

Building Codes Committee Meeting



	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
Temporary Uses											
Construction Related Activity/Structure	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, City-Sponsored/Hosted	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, Fundraising	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, Private Non-commercial	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, Short-Term	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
Interim Facility	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Real Estate Sales Office/Model Home	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Food (Intermittent)	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Food (Mobile)	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Garage/Yard	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 9:1
Sale, Outdoor Retail	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Seasonal	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Storage Container	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 9:1



ORDINANCE # _____

AN AMENDMENT TO THE MAULDIN ZONING ORDINANCE TO INTRODUCE A TABLE OF ALLOWED USES APPLICABLE TO VARIOUS ZONING DISTRICTS, PROVIDE DESCRIPTIONS OF THE USES ALLOWED, PROVIDE ADDITIONAL STANDARDS FOR CONDITIONAL AND SPECIAL EXCEPTION USES, INTRODUCE GENERAL BUILDING DESIGN STANDARDS, AMEND THE NONCONFORMING USE STANDARDS, AND OTHER RELATED AMENDMENTS.

WHEREAS, the current zoning ordinance of the City of Mauldin regulates land use through long lists of narrowly defined and outdated land uses; and,

WHEREAS, the City of Mauldin desires to consolidate and organize the current lists of land uses into fewer and broader land use classifications to allow for better efficiency, administration, and enforcement of its land use regulations; and,

WHEREAS, the City of Mauldin finds it helpful for the land development regulations to include thorough descriptions of the types and categories of uses allowed and prohibited; and,

WHEREAS, the City of Mauldin desires to promote design principles that will contribute to a satisfactory visual appearance, preserve taxable values, and promote the public health, safety, and general welfare within the City of Mauldin; and,

WHEREAS, the City of Mauldin finds it necessary to introduce building design standards that will promote new development that will blend into the surrounding historic architectural context and improve the aesthetic standards within the City.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof that the Mauldin Zoning Ordinance be amended as follows:



Section 1 Amendment. Amend Article 3, Zoning Districts, General Standards, Definitions, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

ARTICLE 3. – ZONING DISTRICTS, GENERAL STANDARDS, DEFINITIONS

Sec. 3:12 – ~~Conforming~~ Nonconforming Uses, Structures, and Lots.

After the effective date of this Ordinance ~~and any amendments thereto~~, structures or uses of land or structures which ~~would be prohibited under~~ do not meet the current regulations for the district in which such structures or uses are located shall be considered as ~~non-conforming~~ nonconforming. Nonconforming structures or uses that were properly permitted and legally established may ~~be continued~~ continue in operation provided they conform to the provisions contained ~~in Article 3, subsection 3:12.3~~ in this section. Nonconforming single-family residential structures may be extended or enlarged, provided they conform to the provisions contained ~~in Article 3, subsection 3:12.3.1~~ in this section.

3:12.3.8 Cessation of Trailer Rentals and Sales

Trailer rentals and sales not in the S-1 district that had previously been allowed shall cease all trailer rental and sales activity no later than December 31, 2022. No trailers for rent, for sale, or otherwise stored on the property shall remain on the premises after that date.



Section 2 Amendment. Amend Article 4, Administration, Decision Making and Advisory Bodies, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

ARTICLE 4. – ADMINISTRATION, DECISION MAKING AND ADVISORY BODIES

4:1.3.5 Uses Permitted by Special Exception

The Board of Appeals may hear and decide upon uses permitted by special exception specifically authorized by the terms of this Ordinance. A use permitted by special exception shall not be authorized by the Board of Appeals unless and until:

- A. A public hearing shall be held;
- B. The Board shall make findings;
- C. The Board shall make written findings certifying compliance with the regulations governing the special use.

Prior to being reviewed by the Board of Appeals, the Zoning Administrator shall provide the Board with a report regarding the requested special exception.

The Board may grant or deny or modify a request for a use permitted by special exception after a public hearing has been held on the written request submitted by an applicant. It may also attach any necessary conditions such as time limitations or requirements that one or more things be done before the request can be implemented. Additionally, the Board may require an acceptable bond to ensure that uses allowed by special exception are completed consistent with time limitations or requirements.

In order to grant approval of a special exception use, the Board must find that:

1. The use is allowed as a special exception in the zoning district;
2. The proposed use is consistent with the spirit, purpose and intent of the City of Mauldin Comprehensive Plan;
3. The proposed use is consistent with the purpose and intent of the applicable zoning district;
4. The proposed use will be constructed, operated, and maintained so as to be compatible with the existing or intended character of the applicable district and so as not to change the essential character of the area in which it is proposed;

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5. The proposed use is compatible with the existing uses adjacent to and near the property;
6. The proposed use will not have an adverse effect on any site or feature of historical, cultural, natural, or scenic importance;
7. The proposed use is consistent with the existing and planned pedestrian and vehicular circulation adjacent to and near the property;
8. The adjacent streets and highways are or will be adequate to carry any additional traffic generated by the proposed use;
9. The proposed use will be adequately served by public facilities and services, such as traffic operations along streets, police and fire protection, drainage structures, water and sewage facilities, and primary and secondary schools;
10. The proposed use will not involve uses, activities, operations, materials, or equipment that, in comparison to by-right permitted uses in the same district, will be hazardous, detrimental or disturbing to the natural environment, or the public health, safety, and welfare by reason of excessive production of traffic, noise, smoke, odors, or other similar nuisances;
11. The proposed use will conform to any specific criteria or conditions specified for that use; and
12. The proposed use will comply with other applicable provisions in this Ordinance.

If the Board denies the request, the reasons shall be entered in the minutes of the meeting at which the request is denied.

In granting the request, the Board may require such reasonable and appropriate conditions in addition to the specific conditions provided in this Ordinance to ensure that the proposed use will be in harmony with the surrounding community and in the spirit of this Ordinance.



Section 3 Amendment. Amend Article 5, Zoning District Regulations, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

ARTICLE 5. – ZONING DISTRICT REGULATIONS

Sec. 5:1 – General Regulations for all Residential Districts.

5:1.3 [Reserved] Fencing.

- ~~A. Front Yard, parallel with the street: Fencing that is located within the designated front yard and positioned to run parallel with the street shall be of a decorative, non-opaque material and shall not exceed forty-eight (48) inches in height.~~
- ~~B. Front Yard, parallel with the side property line: Fencing located in this area shall adhere to the side and rear yard standards of Section 5:1.3(c) below, with the exception that such fencing is set back a minimum of ten (10) feet from the street right-of-way line.~~
- ~~C. Side and rear yard: Fencing may be constructed up to the side and rear property line(s) at a maximum height of eight (8) feet provided that any portion of the fence above the height of six (6) feet shall be non opaque.~~
- ~~D. Double Frontage, through lot and Corner Lots: Fencing may be located within the designated district setback when such fencing complies with the following standards:
 - ~~1. Fencing shall not obstruct visibility at street intersections and shall comply with the site visibility requirements of Section 3:3, Site Visibility triangle and illustration; and~~
 - ~~2. The finished side of the fence shall face the street; and~~
 - ~~3. Any fencing greater than six (6) feet in height that is adjacent to or abuts a residential arterial and/or residential collector street (as defined in Section 3:3, Definitions, Street) shall comply with the following screening standards in order to assist in mitigating noise, and provide a visually aesthetic appearance along the street:
 - ~~a) A minimum of one (1) evergreen tree and/or large maturing evergreen shrub shall be planted on the street side for every eight (8) feet of fencing proposed.~~~~~~

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~~b) Vegetation shall be located in a planting strip of at least five (5) feet in width and shall consist of foliage that will cover at least fifty (50) percent of the height of the fence at maturity.~~

~~E. Permitting Requirements:~~

~~1. Building Permit Required. All fencing greater than seven (7) feet in height requires a building permit and submittal of plans with footings designed and sealed by a South Carolina licensed engineer.~~

~~2. Site Plan Required. Corner and Double frontage through lots. A zoning site plan review (to ensure compliance with the landscape requirements of Section 5:1.3D3. is required for any fencing that is greater than six (6) feet in height and is to be located along a corner street side and/or double frontage, through lot street side.~~

Sec. 5:2 – Residential Districts: R-20, R-15, and R-12.

5:2.1 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

~~Residential Dwellings:~~

~~Detached, Single Family.~~

~~Detached, Cluster Housing (in accordance with Section 8:2)~~

~~Temporary Uses and Structures (as defined and in accordance with Article 9)~~

5:2.2 [Reserved] ~~Uses Permitted by Special Exception.~~

~~The following uses are permitted on review by the Building and Zoning Board of Appeals in accordance with the procedures established in Article 4 and the Special Exception standards outlined in Article 7 of this Ordinance:~~

~~Fire and Police Substations~~

~~Golf Course (including a Clubhouse and other associated accessory uses).~~

~~Libraries.~~

~~Private Recreation Areas.~~

~~Public: Parks, Playgrounds and Recreational Facilities and Uses.~~

~~Public Utility Buildings and Uses.~~

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~~Schools: Public, Parochial, and Private.~~

~~Other public and semi-public uses that are considered to be comparable with the
aforementioned uses.~~

5:2.3 [Reserved] Conditional Uses.

~~The following uses are permitted by Conditional Use in accordance with the provisions set
forth in Article 10, Conditional Uses, of this Ordinance:~~

~~Accessory Structures.~~

~~Adult Day Care Home.~~

~~Child Day Care Home.~~

~~Home Occupation.~~

~~Places of Worship.~~

~~Short term Rental.~~

Sec. 5:3 – Residential Districts: R-10, R-8, and R-6.

5:3.1 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

Residential Dwellings:

~~Detached, Single Family dwelling.~~

~~Cluster Housing, Attached (in accordance with Section 8:2).~~

~~Cluster Housing, Detached (in accordance with Section 8:2).~~

~~Temporary Uses and Structures (as defined and in accordance with Article 9)~~

5:3.2 [Reserved] Uses Permitted by Special Exception.

~~The following uses are permitted upon review by the Building and Zoning Board of
Appeals in accordance with the procedures established in Article 4 and the Special
Exception standards outlined in Article 7 of this Ordinance:~~

~~Fire and Police Substations.~~

~~Golf Course (including a Clubhouse and other associated accessory uses).~~

~~Libraries.~~

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~~Private Recreation Areas.~~

~~Public: Parks, Playgrounds and Recreation Facilities and Uses.~~

~~Public Utility Buildings and Uses.~~

~~Schools: Public Parochial, and Private.~~

~~Other public and semi-public uses that are considered to be comparable with the
aforementioned uses.~~

5:3.3 [Reserved] Conditional Uses.

The following uses are permitted by Conditional Use in accordance with the provisions of Article 10, Conditional Uses, of this Ordinance:

~~Accessory Apartments.~~

~~Accessory Structures.~~

~~Adult Day Care Home.~~

~~Child Care Home.~~

~~Dwelling, Attached Single Family Housing.~~

~~Dwelling Cluster Development: Traditional Urban Neighborhood Housing (in
accordance with Section 8.2 and Section 10.8 of this Ordinance).~~

~~Dwelling, Two family (Duplex in accordance with Section 10.9 of this
Ordinance).~~

~~Home Occupation.~~

~~Places of Worship.~~

~~Short term Rental.~~

Sec. 5:4 – Residential District: R-M1, Mixed Residential District.

This residential district is established to provide for medium residential density. The principal use of land is for detached and attached one and two single-family residential dwellings and recreational, religious, and educational facilities normally associated with residential development. ~~This district also allows a mixture of residential, professional offices and low impact service and retail uses provided design and review conditions are met.~~

5:4.1 Uses Allowed ~~Permitted~~.

See the Table of Allowed Uses provided in Article 7

Residential Dwellings:

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~~Detached, Single Family.~~

~~Two-family (Duplex).~~

~~Cluster Housing, Attached (in accordance with Section 8:2).~~

~~Cluster Housing, Detached (in accordance with Section 8:2).~~

~~Temporary Uses and Structures (as defined and in accordance with Article 9).~~

5:4.2 [Reserved] ~~Uses Permitted by Special Exception.~~

~~The following uses are permitted upon review by the Building and Zoning Board of Appeals in accordance with the procedures established in Article 4 and the Special Exception standards outlined in Article 7 of this Ordinance:~~

~~Assisted Living Facilities.~~

~~Fire and Police Substation.~~

~~Fruit and Vegetable Markets.~~

~~Golf Course (including a Clubhouse and other associated accessory uses).~~

~~Group/Family Care Home.~~

~~Group Residential Developments that includes a planned mix of residential (single-family and two-family housing) and low impact non-residential uses as provided for in the district (in accordance with Section 8:1, Design Standards for Residential Housing Developments).~~

~~Libraries.~~

~~Private Recreation Areas.~~

~~Professional Offices, (subject to provisions of Section 7:11).~~

~~Public: Parks, Playgrounds, Recreational Facilities and Uses.~~

~~Schools: Public, Parochial, and Private.~~

~~Senior Housing Retirement Center.~~

~~Low impact retail sales establishments, which are customarily accessory and clearly incidental and subordinate to, permitted principal offices, such as but not limited to, the following:~~

~~Bakery, Coffee, Sandwich, and Ice cream shops.~~

~~Barber, Beauty Shop.~~

~~Bookstores.~~

~~Cafeteria.~~

~~Florists.~~

~~Medical Office: Optician, Dentist.~~

~~Medical supply sales.~~

Building Codes Committee Meeting



~~Pharmacy.~~

~~Restaurants (no drive-thru service permitted).~~

~~Similar retail uses which are designed primarily to serve the convenience of persons working or receiving services in the building in which the accessory use is located, provided that such accessory use is clearly incidental and subordinate to principle permitted office uses.~~

5:4.3 [Reserved] Conditional Uses.

~~The following uses are permitted by Conditional Use in accordance with the provisions of Article 10, Conditional Uses, of this Ordinance:~~

~~Accessory Apartments.~~

~~Accessory Structures.~~

~~Adult Day Care Home.~~

~~Adult Day Care Center.~~

~~Child Day Care Home.~~

~~Child Day Care Center.~~

~~Dwelling: Attached Single Family Housing.~~

~~Dwelling: Cluster Development: Traditional Urban Neighborhood Housing (in accordance with Section 8.2 and Section 10.8 of this Ordinance).~~

~~Dwelling, Multi-family: Quadraplex (four (4) attached units).~~

~~Dwelling, Multi-family: Triplex (three (3) attached units).~~

~~Dwelling, Two-family (Duplex)~~

~~Home Occupation.~~

~~Places of Worship.~~

~~Short term Rental.~~

Sec. 5:5 – Residential: Multi-Family District (R_M).

5:5.1 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

~~Residential Dwellings:~~

~~Detached, Single Family.~~

Building Codes Committee Meeting



- ~~Group Residential Developments (subject to provisions of Section 8:1).~~
- ~~Multi-family (Three (3) or more units, subject to provisions of Section 8:1).~~
- ~~Cluster Housing, Attached (subject to provisions of Section 8:2).~~
- ~~Cluster Housing, Detached (subject to provisions of Section 8:2).~~
- ~~Temporary Uses and Structures (as defined and in accordance with Article 9)~~

5:5.2 [Reserved] ~~Uses Permitted by Special Exception.~~

~~The following uses are permitted upon review by the Building and Zoning Board of Appeals in accordance with the procedures established in Article 4 and the Special Exception standards outlined in Article 7:~~

- ~~Assisted Living Facilities~~
- ~~Fire and Police Substation.~~
- ~~Golf Course (including a Clubhouse and other associated accessory uses).~~
- ~~Library.~~
- ~~Group/Family Care Home.~~
- ~~Mobile Home Park (subject to provisions of Section 7:2).~~
- ~~Private Recreation Area.~~
- ~~Public: Park, Playground, Recreational Facility or Uses.~~
- ~~Public Utility Use and Building.~~
- ~~School: Public, Private, and Parochial.~~
- ~~Senior Housing Retirement Center.~~
- ~~Other public and semipublic uses which are considered to be compatible with the aforementioned uses.~~

5:5.3 [Reserved] ~~Conditional Uses.~~

~~The following uses are permitted by Conditional Use in accordance with the provisions of Article 10, Conditional Uses, of this Ordinance:~~

- ~~Accessory Apartments.~~
- ~~Accessory Structures.~~
- ~~Adult Day Care Center.~~
- ~~Adult Day Care Home.~~
- ~~Child Day Care Center.~~
- ~~Child Day Care Home.~~
- ~~Dwelling, Attached Single Family.~~

Building Codes Committee Meeting



~~Dwelling: Cluster Development: Traditional Urban Neighborhood Housing (in accordance with Section 8:2 and Section 10:8).~~

~~Home Occupation.~~

~~Places of Worship.~~

~~Short term Rental.~~

Sec. 5:6 – CRD, Central Redevelopment District.

5:6.1 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

- ~~• Bank and other Financial Institutions.~~
- ~~• Barber shop and Beauty salons.~~
- ~~• Dressmaker and Tailor.~~
- ~~• Dwelling, multifamily (subject to subsection 5:6.10).~~
- ~~• Eating establishments.~~
- ~~• Farmers market.~~
- ~~• Florist shop.~~
- ~~• Grocery store.~~
- ~~• Laundry and Dry cleaning establishments.~~
- ~~• Lodging, Hotel or Motel.~~
- ~~• Medical facility (other than hospital).~~
- ~~• Nursery and Garden supply stores.~~
- ~~• Office, Business and Professional.~~
- ~~• Pet supplies and Grooming establishments.~~
- ~~• Pharmacy.~~
- ~~• Post office (excluding distribution).~~
- ~~• Printing establishments, excluding newspapers and periodicals.~~
- ~~• Professional services (catering, interior design).~~
- ~~• Recreation games facility (indoor).~~
- ~~• Recreational park (outdoor).~~
- ~~• Retail sales, except small box variety stores.~~
- ~~• Studios and Galleries (Art, dance, photography).~~
- ~~• Specialty food and Retail stores (Candy, pastry, ice cream, snacks, shops).~~
- ~~• Veterinary clinics (no outdoor kennel).~~
- ~~• Theater (indoor).~~

5:6.2 [Reserved] Uses Permitted by Special Exception.

5:6.3 [Reserved] Conditional Uses.

Building Codes Committee Meeting



- ~~Adult care center.~~
- ~~Assisted living facilities.~~
- ~~Bed and breakfast inn.~~
- ~~Colleges and Universities.~~
- ~~Child care center.~~
- ~~Convenience store (without a carwash and fuel service).~~
- ~~Dwelling, accessory single family attached (townhome).~~
- ~~Drinking Establishments: Brewery, Pubs, Wine Bar.~~
- ~~Drive thru facilities.~~
- ~~Emergency response facilities (Fire and Police substations).~~
- ~~Event venues (Performance Center, Auditorium, Stadium or arena).~~
- ~~Government offices.~~
- ~~Health Club and Spa.~~
- ~~Home occupations.~~
- ~~Library and Museums.~~
- ~~Parking structures.~~
- ~~Small box variety store.~~
- ~~Vocational and Training schools.~~

Sec. 5:7 – C-1, Light Commercial District.

This district is established to promote small-scale retail, service, and professional offices that provide goods and services to the residents of a nearby or adjacent neighborhood. This district is primarily intended to provide locations for appropriate business and similar activities adjacent to residential districts. ~~provide commercial establishments for the convenience of local residents.~~

5:7.1 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

- Accountant.
- Antique shop.
- Apparel store.
- ~~Appliance sales and service.~~
- Art store.
- ~~Assisted living facilities.~~
- Automobile parts sales.
- Automobile parking lot.
- Bakery.
- Bank.

Building Codes Committee Meeting



~~Barber shop.~~

~~Beauty shop.~~

~~Cafeteria.~~

~~Camera shop.~~

~~Candy store.~~

~~Catering establishment.~~

~~Cleaning and laundry collection station.~~

~~Convenience store (without a carwash and with a maximum size of two thousand five hundred (2,500) square feet, a minimum size of one thousand (1,000) square feet, and limited to one (1) fuel service area that can serve no more than four (4) vehicles at one (1) time), except small box variety stores.~~

~~Dairy products and ice cream store.~~

~~Dance studio.~~

~~Delicatessen.~~

~~Department store.~~

~~Dressmaker.~~

~~Drug store.~~

~~Dry goods store.~~

~~Florist shop.~~

~~Furniture store.~~

~~Grocery store.~~

~~Hardware store.~~

~~Hobby shop.~~

~~Interior decorating shop.~~

~~Jewelry store.~~

~~Key shop.~~

~~Leather goods store.~~

~~Loan company.~~

~~Medical facility.~~

~~Music store.~~

~~Newsstand.~~

~~Nursery or garden supply store.~~

~~Office, business and professional.~~

~~Office supply and equipment store.~~

Building Codes Committee Meeting



~~Optical goods sales.~~
~~Paint store.~~
~~Pet shop.~~
~~Pharmacy.~~
~~Photography studio.~~
~~Places of worship.~~
~~Radio and television sales and service.~~
~~Restaurant.~~
~~Savings and loan company.~~
~~Self service laundry and cleaner.~~
~~Sewing machine sales and service.~~
~~Shoe store and repair shop.~~
~~Shopping centers (as provided in subsection 5:8.9).~~
~~Sign, business (subject to provisions of Section 6:11).~~
~~Sign, interstate bonus (subject to provisions of subsection 6:4.1.12B).~~
~~Sign, temporary (subject to provisions of subsection 6:4.1).~~
~~Sporting goods store.~~
~~Stationery store.~~
~~Supermarket.~~
~~Tailor.~~
~~Theater (indoor).~~
~~Toy store.~~
~~Travel bureau.~~
~~Utility easement.~~
~~Accessory buildings and uses customarily incidental to the above uses.~~

5:7.2 [Reserved] ~~Uses Permitted by Special Exception.~~

~~The following uses are permitted on review by the Board of Appeals in accordance with the provisions of Article 7:~~

~~Automobile service station.~~
~~Exhibition building.~~
~~Fire station.~~
~~Library.~~



~~Post office.~~

~~Schools—Public, Private, and Parochial.~~

5:7.3 [Reserved] Conditional Uses.

~~Adult Care Center.~~

~~Child Care Center.~~

~~Multi-family dwellings (in accordance with provisions of Section 8:1 and Section 10:13).~~

~~Small box variety store.~~

Sec. 5:8 – C-2, General Highway Commercial District.

This district is established to promote accessible and central concentrations of business activities and commercial establishments offering both retail goods and services to people from throughout the community. This district is intended to serve both pedestrians as well as people who travel by automobile. Therefore, this district is primarily located along major roadways, and businesses are encouraged to locate in close proximity to one another. Where necessary, adjacent residential areas are protected through landscaping and site design. ~~provide for the development on major thoroughfares of commercial land uses, which are oriented to customers traveling by automobile. Establishments in this district provide goods and services for the traveling public and also for the convenience of local residents.~~

5:8.1 Uses Allowed ~~Permitted~~.

See the Table of Allowed Uses provided in Article 7

~~Accountant.~~

~~Amusement center.~~

~~Antique shop.~~

~~Applicant sales and service.~~

~~Assisted living facilities.~~

~~Automatic car wash.~~

~~Automobiles, truck, and trailer rentals.~~

~~Automobile parking lot.~~

~~Automobile parts sales.~~

~~Automobile sales and service (excluding body repair).~~

~~Automobile upholstery shop.~~

Building Codes Committee Meeting



~~Bakery.~~
~~Bank.~~
~~Barber shop.~~
~~Beauty shop.~~
~~Boat sales.~~
~~Bowling alley.~~
~~Broadcasting studios, radio or television.~~
~~Bus station.~~
~~Cafeteria.~~
~~Club, lodge, and similar non-profit organization.~~
~~Convenience store (with or without a car wash and no size restriction), except small box variety stores.~~
~~Dairy products sales.~~
~~Dance studio.~~
~~Dressmaker.~~
~~Drive in restaurant.~~
~~Drug store.~~
~~Dry cleaner and laundry.~~
~~Dry goods store.~~
~~Figure salon.~~
~~Florist shop.~~
~~Funeral home.~~
~~Furniture store.~~
~~Garden supply store.~~
~~Golf driving range.~~
~~Greenhouse or plant nursery.~~
~~Grocery store.~~
~~Hardware store.~~
~~Health club.~~
~~Leather goods store.~~
~~Liquor store.~~
~~Loan company.~~
~~Medical facility.~~

Building Codes Committee Meeting



~~Miniature golf course.~~

~~Monument sales.~~

~~Motel.~~

~~Music store.~~

~~Office, business or professional.~~

~~Paint store.~~

~~Places of worship.~~

~~Printing, excluding newspapers and periodicals.~~

~~Public utility building and use.~~

~~Radio and television sales and service.~~

~~Recording studio.~~

~~Restaurant.~~

~~Savings and loan company.~~

~~Seed and feed store.~~

~~Self service laundry and cleaner.~~

~~Service station.~~

~~Sewing machine sales and service.~~

~~Shopping center (as provided in subsection 5:8.9).~~

~~Sign, business (subject to provisions of subsection 6:4.1).~~

~~Sign, interstate bonus (subject to provisions of subsection 6:4.1.12B).~~

~~Sign, occupancy (subject to provisions of subsection 6:4.1).~~

~~Sign, temporary (subject to provisions of subsection 6:4.1).~~

~~Skating rink.~~

~~Sporting goods store.~~

~~Supermarket.~~

~~Temporary building, incidental to the construction of buildings permitted in this district and which shall be removed when work is completed.~~

~~Theater (indoor).~~

~~Tire sales and service.~~

~~Utility easement.~~

~~Veterinary clinic.~~

~~Accessory buildings and uses customarily incidental to the above uses.~~

~~Other uses which are considered to be compatible with the aforementioned uses.~~



5:8.2 ~~[Reserved] Uses Permitted by Special Exception.~~

~~The following uses are permitted on review by the Board of Appeals in accordance with the provisions of Article 7:~~

~~Ambulatory service.~~

~~Armory.~~

~~Auditorium.~~

~~Baseball park.~~

~~Building materials sales and storage.~~

~~Cemetery.~~

~~Check Cashing Business (Special Provisions).~~

~~Fairgrounds.~~

~~Fire station.~~

~~Football stadium.~~

~~Gymnasium.~~

~~Home for aged persons.~~

~~Hospital.~~

~~Library.~~

~~Museum.~~

~~Police station.~~

~~Post office.~~

5:8.3 ~~[Reserved] Conditional Uses.~~

~~Adult Care Center.~~

~~Child Care Center.~~

~~Multi-family dwellings (in accordance with provisions of Section 8:1 and Section 10:13).~~

~~Small box variety store.~~

Sec. 5:9 – S-1, Trades and Commercial Services District.



5:9.1 Uses Allowed ~~Permitted~~.

See the Table of Allowed Uses provided in Article 7

~~Air conditioning and heating equipment, sales and service.~~

~~Ambulance service.~~

~~Amusements, commercial.~~

~~Animal shelters.~~

~~Assisted living facilities.~~

~~Auction house.~~

~~Automobile body shop.~~

~~Automobile garage.~~

~~Automobile painting.~~

~~Automobile parking.~~

~~Automobile parts or accessories.~~

~~Automobile rental.~~

~~Automobile repairing.~~

~~Automobile sales and service.~~

~~Automobile service station.~~

~~Automobile storage.~~

~~Automobile upholstery.~~

~~Automobile wash.~~

~~Baseball batting range.~~

~~Boat sales and service.~~

~~Building materials sales and storage.~~

~~Cabinet shop.~~

~~Crematorium.~~

~~Dental laboratories.~~

~~Diaper supply service.~~

~~Drive-in business (theaters, restaurants, etc.).~~

~~Eating establishments.~~

~~Electric motor repair.~~

~~Engravers.~~

~~Exhibition buildings, galleries, or showrooms.~~

Building Codes Committee Meeting



~~Farm machinery and implement sales and service.~~
~~Farmer's market.~~
~~Feed and seed store.~~
~~Funeral home.~~
~~Golf courses.~~
~~Golf courses—par three (3).~~
~~Golf driving ranges.~~
~~Group Development (subject to provisions of Section 7:13).~~
~~Gunsmith.~~
~~Household appliance repair.~~
~~Ice skating rink.~~
~~Laundries, dry cleaning, or linen supply service.~~
~~Linen or towel supply business.~~
~~Lithographing.~~
~~Lumber yards.~~
~~Machine shop.~~
~~Mattress shop.~~
~~Medical clinic or laboratory.~~
~~Mimeographing service.~~
~~Mobile home, travel trailer, and recreational vehicle sales.~~
~~Monument and tombstone sales.~~
~~Motel.~~
~~Motorecycle sales and service.~~
~~Newspaper establishment.~~
~~Nursery—flower, plant, or tree.~~
~~Nursery supply.~~
~~Offices.~~
~~Office supply and equipment.~~
~~Parking areas.~~
~~Parking structures, commercial.~~
~~Pest or insect control business.~~
~~Photo developing and refinishing.~~
~~Places of worship.~~

Building Codes Committee Meeting



~~Plumbing shop.~~
~~Printing or binding.~~
~~Radio or television broadcasting studio.~~
~~Radio or television repair.~~
~~Restaurant.~~
~~Roller skating rink.~~
~~Safe and vault repair.~~
~~Self-service storage facility.~~
~~Service stations.~~
~~Signs, business (subject to provisions of Section 6:11).~~
~~Sign, interstate bonus (subject to provisions of subsection 6:4.1.12B).~~
~~Signs, occupancy (subject to provisions of subsection 6:4.1).~~
~~Sign painting.~~
~~Sign, temporary (subject to provisions of subsection 6:4.1).~~
~~Sporting goods sales.~~
~~Swimming pool, commercial sales.~~
~~Taxi business.~~
~~Taxidermist.~~
~~Telephone exchange.~~
~~Tire shop.~~
~~Utility easement or right of way.~~
~~Utilities, public or private.~~
~~Venetian blinds—laundry, servicing, and repairing.~~
~~Veterinary clinic.~~
~~Veterinary office.~~
~~Video poker and like gaming devices.~~
~~Welding.~~
~~Wholesaling and warehousing.~~
~~Other uses that are considered to be compatible with the aforementioned uses.~~

5:9.2 [Reserved] ~~Uses Permitted by Special Exception.~~

~~The following uses are permitted on review by the Board of Appeals in accordance with the provisions of Article 7:~~

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~~Accessory dwelling unit (subject to provisions of Section 7:11).~~

~~Adult-oriented entertainment establishments (subject to the provisions of Municipal Ordinance 390).~~

~~Auditorium.~~

~~Baseball park.~~

~~Cemetery.~~

~~Correctional institution.~~

~~Fairgrounds.~~

~~Fire station.~~

~~Football stadium.~~

~~Gas sales, commercial and industrial (oxygen and acetylene).~~

~~Hospital.~~

~~Manufacturing:~~

~~A. Processing of foodstuffs, beverages.~~

~~B. Fabrication of cloth, wood, leather, paper, plastic, metal.~~

~~Non-depository financial institutions (to include but not limited to):~~

~~Deferred presentment businesses;~~

~~Check-cashing establishments;~~

~~Title loan lenders;~~

~~Payday advance lenders/loan businesses;~~

~~Debt relief establishments;~~

~~Precious metal dealers;~~

~~And like businesses.~~

~~Police station.~~

~~Schools public, private, and parochial.~~

~~Station, bus or railway.~~

~~Truck terminals.~~

~~Other public uses.~~

~~Certain retail sales establishments which are customarily accessory and clearly incidental and subordinate to permitted principal office uses such as, but not limited to, the following:~~

~~Apothecary.~~

~~Barber shop.~~

~~Beauty shop.~~

Building Codes Committee Meeting



~~Cafeteria.~~

~~Florist shop.~~

~~Newsstand.~~

~~Optician.~~

~~Sale or rental of medical supplies and prosthetic devices.~~

~~Sandwich shop.~~

~~School—Public, Private, and Parochial.~~

~~Similar retail uses which are designed primarily to serve the convenience of persons working or receiving services in the building in which the accessory use is located, provided that such accessory use is clearly incidental and subordinate to principal permitted office uses.~~

5:9.3 [Reserved] Conditional Uses.

~~Adult Care Center.~~

~~Child Care Center.~~

~~Multi family dwellings (in accordance with provisions of Section 8:1 and Section 10:13).~~

Sec. 5:10 – I-1, Industrial District

5:10.1 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

~~Automobile and truck repair and rebuilding shop.~~

~~Bottling plant.~~

~~Building contractor and related activities.~~

~~Building materials sales and storage and manufacture.~~

~~Crematorium.~~

~~Farm implements and machinery sales and storage.~~

~~Feed and seed sales and storage.~~

~~Laundry and cleaning plant.~~

~~Manufacturing.~~

Building Codes Committee Meeting



~~Apparel and other finished products made from fabrics, leather, and similar materials.~~

~~Chemicals and allied products.~~

~~Fabricated metal products.~~

~~Food and kindred products.~~

~~Furniture and fixtures.~~

~~Household and industrial cleaning products.~~

~~Lumber and wood products (except furniture).~~

~~Paper and allied products.~~

~~Plastic products.~~

~~Stone, clay, and glass products.~~

~~Textile mill products.~~

~~Milk processing plant.~~

~~Mobile homes or other prefabricated buildings used for temporary offices.~~

~~Petroleum refining and related industries.~~

~~Primary metal industries.~~

~~Printing, publishing, and allied industries.~~

~~Public utility building or use.~~

~~Self-service storage facility.~~

~~Sign, business (subject to provisions of Section 6:11).~~

~~Sign, occupancy (subject to provisions of Section 6:11).~~

~~Temporary building which is incidental to the construction of buildings permitted in the district and which shall be removed when work is completed.~~

~~Tire recapping and retreading plant.~~

~~Truck terminal.~~

~~Veterinary hospital.~~

~~Wholesaling and warehousing.~~

~~Other uses which are considered to be compatible with uses permitted.~~

~~All of the uses permitted in this district shall be conducted in such a manner that no noxious odor, fumes, smoke, or dust will be emitted beyond the property line of the lot on which the use is located. No pollution shall leave the premises of a use in this district by way of streams or rivers.~~

5:10.2 [Reserved] Uses Permitted by Special Exception.

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~~The following uses are permitted on review by the Board of Appeals in accordance with the provisions of Article 7:~~

~~Junk yard: Including automobile wreckers and scrap processors (subject to provisions of Section 7:4).~~

~~Laboratories: analytical, experimental, testing, or industrial processes.~~

~~School—Public, Private and Parochial.~~

5:10.3 [Reserved] Conditional Uses.

Sec. 5:13 – O-D, Office District

5:13.1 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

~~Accountant.~~

~~Advertising agency.~~

~~Bank.~~

~~Savings and loan.~~

~~Broadcasting studio.~~

~~Brokerage house.~~

~~Employment agency.~~

~~Insurance.~~

~~Places of worship.~~

~~Real estate.~~

~~Signs (subject to provisions of subsection 6:4.1).~~

~~Accessory buildings and uses customarily incidental to the above uses.~~

~~Other uses which are considered to be compatible with the aforementioned uses.~~

5:13.2 [Reserved] Uses Permitted by Special Exception.

~~The following uses are permitted on review by the Board of Appeals in accordance with the provisions of Article 7:~~

~~Educational institution.~~

~~Exhibition buildings.~~



~~Fire station.~~

~~Library.~~

~~Post office.~~

~~1. Accessory Retail Uses Permitted by Special Exception by the Board of Appeals. Certain retail sales establishments which are customarily accessory and clearly incidental and subordinate to permitted principal office uses such as, but not limited to, the following:~~

~~Apothecary.~~

~~Barber shop.~~

~~Beauty shop.~~

~~Cafeteria.~~

~~Florist shop.~~

~~Newsstand.~~

~~Optician.~~

~~Restaurant.~~

~~Sale or rental of medical supplies and prosthetic devices.~~

~~Sandwich shop.~~

~~Similar retail uses which are designed primarily to serve the convenience of persons working or receiving services in the building in which the accessory use is located, provided that such accessory use is clearly incidental and subordinate to the principal permitted office uses.~~

5:13.3 [Reserved] Conditional Uses.

~~Adult Day Care Center.~~

~~Child Care Center.~~

Sec. 5:16 – Residential-Office (R-O) District.

5:16.2 Uses Allowed Permitted.

See the Table of Allowed Uses provided in Article 7

~~Detached, Single-Family~~

~~Temporary Uses and Structures (as defined in accordance with Article 9)~~

~~Offices or similar establishments for the following types of services:~~

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~~Accounting, tax, bookkeeping, and payroll services~~
~~Advertising, marketing, and media services~~
~~Architectural, engineering, and related services~~
~~Business support services~~
~~Catering services~~
~~Counseling and similar social assistance services~~
~~Design services including graphic, fashion, and interior design~~
~~Employment services~~
~~Financial investment management or advertisement services~~
~~Information technology, computer software, and similar services~~
~~Insurance related services~~
~~Investigation and security services~~
~~Legal services~~
~~Management services~~
~~Office and administrative services~~
~~Personal care services including hair, nail, and skin care~~
~~Photographers, artists, and artisans~~
~~Publishing, broadcasting, and recording services~~
~~Real estate services~~
~~Research and development services~~
~~Translation and interpretation services~~
~~Travel arrangement and reservation services~~
~~Wedding and party planning services~~

~~Uses and structures which are customarily accessory and clearly incidental to permitted principal uses and structures~~

~~In addition to the permitted uses above, the Business and Development Services Director may approve similar uses not otherwise listed herein or elsewhere in this Ordinance.~~

5:16.3 [Reserved] ~~Uses Permitted by Special Exception.~~

~~The following uses are permitted upon review by the Building and Zoning Board of Appeals in accordance with the procedures established in Article 4 and the Special Exception standards outlined in Article 7 of this Ordinance:~~

~~Assisted Living Facilities~~

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~~Golf Course (including a Clubhouse and other associated accessory uses)~~

~~Group/Family Care Home~~

~~Library~~

~~Private Recreation Area~~

~~Public Administration Building~~

~~Public Parks Playgrounds, Recreational Facilities and Uses~~

~~Public Safety Facility~~

~~Schools: Public, Parochial, and Private~~

5:16.4 [Reserved] Conditional Uses.

The following uses are permitted by Conditional Use in accordance with the provisions of Article 10, Conditional Uses, of this Ordinance:

~~Accessory Apartment~~

~~Accessory Structure~~

~~Adult Day Care Center~~

~~Adult Day Care Home~~

~~Child Day Care Center~~

~~Child Day Care Home~~

~~Dwelling, Attached Single Family~~

~~Dwelling, Two Family (Duplex)~~

~~Home Occupation~~

~~Places of Worship~~

~~Short-term Rental~~



Section 4 Amendment. Amend Article 6, Development and Design Standards, as follows (*language that is struck through is language proposed to be deleted, underlined language is language proposed to be added, language is not struck through or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

ARTICLE 6. – DEVELOPMENT AND DESIGN STANDARDS

Sec. 6:3 – Other Design Requirements.

6:3.2 ~~Exterior Building Façade~~ Building Design Standards.

~~Exterior building facades which for all structures other than a one or two family dwelling, including live work arrangement, and its accessory structures shall be made of noncombustible materials. No intense or distracting colors or color schemes shall be used on any structure, other than a single family detached dwelling or its accessory structures, unless specifically approved in writing by the Building and Zoning Director. Appeals of the decision of the Building and Zoning Director shall be heard as provided by Section 9 herein. Allowable building materials are as follows:~~

- ~~Brick~~ — Brick veneer is acceptable
- ~~Stone~~ — Natural stone or manufactured stone are acceptable
- ~~SFCB~~ — Split Faced Concrete Block
- ~~Tilt up precast concrete panels~~
- ~~Stucco~~ — Synthetic material is acceptable
- ~~CAW~~ — Cementitious artificial wood siding
- ~~Glass, glass block, or other glazing~~
- ~~CMU~~ — Painted concrete block
- ~~Wood~~ — Engineered wood siding is acceptable

~~The ratios and amounts of allowed building materials for each zoning district are listed on Table 6:2.5. Non-residential uses in a residential district shall be treated as R-M, RM-1, and R-O.~~

Table 6.2.8 Allowable Building Materials

Zoning	Brick	Stone	SFCB	Tilt up	Stucco	CAW	Glass	CMU	Wood
RM, RM-1, R-O	Yes	Yes	Y < 25%	No	Y < 25%	Yes	Yes	No	Yes
O-D, POD	Yes	Yes	Y < 25%	No	Y < 25%	Yes	Yes	No	No
CRD	Yes	Yes	Y < 25%	No	Y < 25%	Yes	Yes	No	No
C-1, C-2	Yes	Yes	Yes	No	Y < 25%	Yes	Yes	Yes — Rear	No
S-1, I-1	Yes	Yes	Yes	Yes	Y < 25%	No	Yes	Yes — Rear & Side	No

1. Intent. The purpose of these regulations is to provide specific criteria so that new buildings blend into the historic architectural framework of the City of Mauldin



while promoting an improved aesthetic standard for the City. These standards are not intended to restrict imagination, innovation, or variety, but rather to assist in promoting design principles that will contribute to a satisfactory visual appearance, preserve taxable values, and promote the public health, safety, and general welfare within the City of Mauldin.

2. Applicability. These standards are applicable to all development and redevelopment within the City of Mauldin except for the following:
 - a) Any single-family residential use of property; or
 - b) Improvements or repairs to existing buildings which do not alter more than 50 percent of the affected roof or façade. Routine maintenance activities shall also be exempt provided the activity does not introduce a new aspect or element that does not conform to these standards such as painting a building a fluorescent color.

Furthermore, only the building color and building finish material standards shall apply to any industrial use of property.

3. Roof design. Any new roof shall reflect the traditional character of the surrounding community. The roof shall be a type that is commonly found in the surrounding district as determined by the Business and Development Services Director. Roofs shall provide visual interest through the use of varied roof lines and architectural treatments such as dormers, crests, bargeboards, brackets, and decorative cornice lines.
4. Façade design. Long, monotonous, or uninterrupted horizontal stretches of building façade shall be prohibited. In order to prevent a monolithic edge to the street, facades shall be visually broken up into distinct modules or bays not to exceed 50 feet in length. These modules shall incorporate visual changes in the façade through the use of three-dimensional surface modulations such as wall plane projections, piers, columns, pilasters, colonnades, and arcades.
5. Building fenestration. Blank, windowless walls shall be prohibited where visible from any public right-of-way. For commercial and office uses, windows and doorways shall constitute at least 40 percent of the façade on the ground floor and at least 20 percent of the façade for upper stories on any façade visible from a public right-of-way. For all other uses, windows and doorways shall constitute at least 25 percent of the façade on the ground floor and at least 20 percent of the façade for upper stories on any façade visible from a public right-of-way. In no case shall windows and doorways exceed 90 percent of the façade. Where windows are used, they shall be transparent. Windows and doorways shall incorporate decorative elements such as sills, trim, lintels, transoms, and awnings.
6. Building color. No fluorescent, reflective, metallic, or neon colors shall be used as building colors.



7. Building finish materials. Exterior building façade materials shall draw upon the finish materials that prevail in the surrounding area, where those materials are allowable, and especially where brick or stone are prevalent. Allowable building materials are specified in the table below. Materials not included in the table below are generally prohibited. Low maintenance materials not allowed herein may be used for trim work not to exceed ten percent of each façade area after excluding doors and windows from the calculation of the façade. The following shall serve as a key to the table below.

- a) Yes (Y): The material is allowable in the listed district(s).
- b) No (N): The material is not allowed in the listed district(s).
- c) Secondary (2nd): The material is only allowable as a secondary material and shall not exceed 25 percent of the each façade area after excluding doors and windows from the calculation of the façade area. This standard shall apply to each façade separately and independently. The Business and Development Services Director may accept alternative applications of secondary materials that meet the intent of the design standards and are consistent with or will enhance the surrounding area.
- d) Non-visible (nv): The material may be used as a primary material but only on facades that are not visible from any public right-of-way or are otherwise entirely screened from view.

Table 6.3.2 Allowable Building Materials

	<u>R-20, R-15, R-12, R-10, R-8, R-6, RM-1, R-M, R-O</u>	<u>O-D, C-1, C-2</u>	<u>CRD</u>	<u>S-1, I-1</u>
<u>Brick¹</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Stone²</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Engineered Wood</u>	<u>2nd</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Fiber Cement</u>	<u>2nd or nv</u>	<u>2nd or nv</u>	<u>2nd</u>	<u>Y</u>
<u>Split-Face Block</u>	<u>2nd or nv</u>	<u>2nd or nv</u>	<u>2nd</u>	<u>Y</u>
<u>Painted Concrete Block</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>nv</u>
<u>Concrete Panel³</u>	<u>N</u>	<u>N⁶</u>	<u>N⁶</u>	<u>Y</u>
<u>Stucco⁴</u>	<u>2nd</u>	<u>2nd</u>	<u>2nd</u>	<u>2nd</u>
<u>Glass⁵</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

¹ Brick veneer is acceptable.

² Both natural stone and manufactured stone are acceptable.

³ Concrete panels may be tilt-up or precast construction.

⁴ Synthetic material is acceptable.

⁵ Glass shall not exceed 85 of the overall area of each façade.

⁶ The Business and Development Services Director may accept alternative applications of concrete panels that are designed to meet the intent of the design standards and are consistent with or will enhance the surrounding area.



Section 5 Amendment. Article 7, Provisions for Uses Permitted by Special Exception, is hereby **REPEALED** and replaced, in whole, by a new Article on Allowed Uses as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

ARTICLE 7. – ALLOWED USES

Sec. 7:1 – Uses by Districts

7:1.1 Generally

The Table of Allowed Uses established in this section sets forth the uses allowed within the base zoning districts of this Ordinance. The following shall serve as a key to this table and shall direct whether each type of use is allowed or not in any given district.

1. **Permitted (P):** Permitted by right subject to general district standards, site development standards, and other applicable standards provided in this Ordinance and related codes.
2. **Conditional (C):** Permitted subject to specific conditions and specific use standards in addition to general district standards, site development standards, and other applicable standards provided in this Ordinance and related codes.
3. **Special Exception (S):** Permitted only as a special exception through a discretionary review process set forth in Article 4 of this Ordinance and in accordance with the review criteria established in this Ordinance. Such uses shall also be subject to any applicable use standards set forth herein in addition to general district standards, site development standards, and other applicable standards.
4. **Not Permitted (-):** The use is not permitted in the district. A blank cell or field in the table shall also indicate that the use is not permitted in the district.

7:1.2 State and Federal Regulation of Uses

Any use regulated by the laws of the State of South Carolina or the U.S. government shall be subject to such regulations in addition to any standards provided in this Ordinance.

7:1.3 Multiple Principal Uses

Only those uses allowed in the underlying zoning district shall be allowed in developments with multiple principal uses or occupiable units (such as shopping centers).



Detached single-family residential dwellings shall not be established in combination with any other principal use, including another detached single-family dwelling, on the same lot of record unless expressly permitted in this Ordinance.

7:1.4 Uses Not Listed

If a particular use is not listed in the *Table of Allowed Uses*, the Business and Development Services Director shall determine if that use can reasonably be interpreted to fit into a use category where similar uses are described. The Business and Development Services Director shall give due consideration to the purpose of this Ordinance and the zoning district(s) involved and the nature of the use(s) in question.

In order to determine if the proposed use(s) is similar in nature and function to another use category, the Business and Development Services Director shall assess all relevant characteristics of the proposed use, including, but not limited to, the following:

1. The volume and type of sales;
2. The size and type of items sold and the nature of the inventory on the premises;
3. Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, and distribution;
4. The nature and location of storage and outdoor display of merchandise;
5. The type, size, and nature of structures;
6. The number of employees and customers and hours of operation;
7. Traffic generation and parking turnover;
8. The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes; and
9. Other impacts related to health, safety, and general welfare.

The Business and Development Services Director may also utilize resources such as the Land-Based Classification Standards (LBCS) of the American Planning Association (APA) and the most current edition of the North American Industrial Classification System (NAICS) to assist in this determination.

If the Business and Development Services Director determines that a proposed use is similar to a listed use, the proposed use shall comply with the standards for that listed use. Where the Business and Development Services Director does not determine a similar use, that use shall be prohibited until such time this Ordinance is amended to allow the use in a zoning district.

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7:1.5 Table of Allowed Uses

	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
Residential Uses											
Cluster Housing—Attached Single-Family	-	C	C	-	-	-	-	-	-	-	See standards in Sec. 8:2
Cluster Housing—Detached Single-Family	C	C	C	-	-	-	-	-	-	-	See standards in Sec. 8:2
Dwelling—Attached Single-Family	-	C	C	C	-	-	-	C	-	-	See standards in Sec. 8:3
Dwelling—Detached Single-Family	P	P	P	P	-	-	-	-	-	-	
Dwelling—Multi-Family	-	-	C	-	-	C	C	C	C	-	See standards in Sec. 8:1 and 10:2
Manufactured Home	-	-	C	-	-	-	-	-	-	-	See standards in Sec. 8:4
Manufactured Housing Park	-	-	S	-	-	-	-	-	-	-	See standards in Sec. 8:5
Accommodation Uses											
Bed and Breakfast Inn	-	-	C	C	-	-	-	-	-	-	See standards in Sec. 10:1
Dwelling—Short-Term Rental	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:3
Hotel	-	-	-	-	-	-	P	P	P	-	
Institutional and Social Uses											
Cemetery	-	-	-	-	-	-	C	-	C	-	See Ch. 12 in Code of Ordinances
Day Care Center (Adult or Children)	-	-	C	C	C	C	C	C	C	-	See standards in Sec. 10:10 and 10:11
Day Care Home (Adult of Children)	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:12 and 10:13
Funeral Home	-	-	-	-	-	P	-	-	P	-	
Health Care Service—Assisted Living	-	-	P	-	-	P	-	-	P	-	
Health Care Service—Hospital	-	-	-	-	-	-	P	-	P	-	
Health Care Service—Nursing Home	-	-	-	-	-	P	-	-	P	-	
Health Care Service—Outpatient	-	-	-	-	-	P	P	P	P	-	
Health Care Service—Residential Care Facility	-	-	C	C	-	-	-	-	-	-	See standards in Sec. 10:14
Library	S	S	S	P	P	P	P	P	-	-	See standards in Sec. 10:15
Meeting or Assembly Hall	-	-	-	-	P	P	P	-	P	-	
Public Administration Building	-	-	-	-	-	P	P	P	P	-	
Public Safety Facility	S	S	S	P	P	P	P	P	P	P	
Public Works Facility	-	-	-	-	-	-	-	-	P	P	
Religious Institution	C	C	C	C	P	P	P	-	P	-	See standards in Sec. 10:16
School—College or University	-	-	-	S	-	S	S	-	S	S	See standards in Sec. 10:17

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	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
School—Grade	S	S	S	S	S	S	-	-	S	-	See standards in Sec. 10:18
School—Technical, Trade, or Other Specialty						C	C	C	C	C	See standards in Sec. 10:19
Social Assistance Services	-	-	-	P	P	P	P	P	P	-	
Commercial and Office Uses											
Catering Services	-	-	-	C	C	P	P	C	P	-	See standards in Sec. 10:30
Communication or Information Services	-	-	-	P	P	P	P	P	P	-	
Dry Cleaning and Laundry Services	-	-	-	-	-	P	P	P	P	-	
Financial Establishment	-	-	-	-	P	P	P	P	-	-	
—Fringe Financial Services	-	-	-	-	-	-	C	-	C	-	See standards in Sec. 10:31
Health and Personal Care Services	-	-	-	P	-	P	P	P	P	-	
—Tattoo and Body Piercing Services	-	-	-	-	-	-	P	-	P	-	
Motor Vehicle Sales	-	-	-	-	-	-	-	-	C	-	See standards in Sec. 10:32
Motor Vehicle Services	-	-	-	-	-	-	C	-	P	-	See standards in Sec. 10:33
—Large Vehicle Sales and Service	-	-	-	-	-	-	-	-	P	P	
Office and Professional Services	-	-	-	P	P	P	P	P	P	-	
Pet and Animal Care Services	-	-	-	-	-	P	P	P	P	-	
Restaurant	-	-	-	-	-	P	P	P	P	-	
—Bar, Brew Pub or Drinking Place	-	-	-	-	-	-	C	C	C	-	See standards in Sec. 10:34
Retail Sales	-	-	-	-	-	P	P	P	P	-	
—Big Box Retail Store	-	-	-	-	-	-	P	-	P	-	
—Grocery Store or Supermarket	-	-	-	-	-	P	P	P	-	-	
—Packaged Alcoholic Beverage Store	-	-	-	-	-	-	C	-	-	-	See standards in Sec. 10:35
—Small Box Variety Store	-	-	-	-	-	C	C	-	-	-	See standards in Sec. 10:36
Services to Buildings and Dwellings	-	-	-	-	-	-	-	-	P	P	
Industry, Warehousing, and Transportation Uses											
Construction and Contractor Services	-	-	-	-	-	-	-	-	P	P	
Junk/Salvage Yard	-	-	-	-	-	-	-	-	-	S	See standards in Sec. 10:50
Manufacturing	-	-	-	-	-	-	-	-	C	P	See standards in Sec. 10:51
Parcel Delivery Services	-	-	-	-	-	-	-	-	P	P	
Passenger Transportation Services	-	-	-	-	-	-	-	-	P	-	
Self-Storage or Mini-Warehouse Facility	-	-	-	-	-	-	-	-	P	P	

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	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
<i>Towing Services</i>	-	-	-	-	-	-	-	-	P	P	
<i>Truck and Freight Transportation Services</i>	-	-	-	-	-	-	-	-	S	P	
<i>Warehousing</i>	-	-	-	-	-	-	-	-	P	P	
<i>Wholesaling</i>	-	-	-	-	-	-	-	-	P	P	
Arts, Entertainment, and Recreation Uses											
<i>Amusement or Games Facility</i>	-	-	-	-	-	P	P	P	P	-	
<i>Clubhouse or Country Club</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:60
<i>Event Center or Banquet Hall</i>	-	-	-	-	-	P	P	P	P	-	
<i>Fitness/Sports Club, Studio, or Center</i>	-	-	-	-	-	P	P	P	P	-	
<i>Exhibition Facility</i>	-	-	-	-	-	P	P	P	P	-	
<i>Private Outdoor Recreation Amenity</i>	C	C	C	C	-	-	-	-	C	-	
<i>Public Park or Recreation Area</i>	P	P	P	P	P	P	P	P	P	-	
<i>Stadium or Arena</i>	-	-	-	-	-	-	S	S	S	S	See standards in Sec. 10:61
<i>Theater (Movie or Performing Arts)</i>	-	-	-	-	-	P	P	P	-	-	
Miscellaneous Use Types											
<i>Parking Structure</i>	-	-	-	-	-	-	P	P	P	-	
<i>Sexually Oriented Business</i>	-	-	-	-	-	-	-	-	S	-	See Ch. 10, Art. IV of Code of Ordinances
<i>Solid Waste-Related Services</i>	-	-	-	-	-	-	-	-	-	S	See standards in Sec. 10:71
<i>Telecommunication Tower</i>	S	S	S	S	S	S	S	S	P	P	See standards in Sec. 10:72
<i>Utility Building or Facility (Major)</i>	S	S	S	S	S	S	S	S	P	P	See standards in Sec. 10:73
Residential Accessory Uses and Structures											
<i>Accessory Dwelling</i>	-	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.2
<i>Equine Stable</i>	C	-	-	-	-	-	-	-	-	-	See standards in Sec. 8:6.3
<i>Fence or Wall</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.4
<i>Home Occupation</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.5
<i>Outdoor Recreational Structure</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.6
<i>Residential Storage (Garage, Shed, etc.)</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 8:6.1
Nonresidential Accessory Uses and Structures											
<i>Accessory Dwelling</i>	-	-	-	-	-	C	C	C	C	C	See standards in Sec. 10:80
<i>Outdoor Dining</i>	-	-	-	-	-	C	C	C	C	-	See standards in Sec. 10:81
<i>Outdoor Storage</i>	-	-	-	-	-	-	-	-	C	C	See standards in Sec. 10:82

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	R-20, R-15, R-12	R-10, R-8, R-6, RM-1	R-M	R-O	O-D	C-1	C-2	CRD	S-1	I-1	Notes
Temporary Uses											
Construction Related Activity/Structure	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, City-Sponsored/Hosted	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, Fundraising	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, Private Non-commercial	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Event, Short-Term	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
Interim Facility	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Real Estate Sales Office/Model Home	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Food (Intermittent)	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Food (Mobile)	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Garage/Yard	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 9:1
Sale, Outdoor Retail	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
Sale, Seasonal	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
Storage Container	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 9:1



Sec. 7:2 – Use Classification Descriptions

The *Table of Allowed Uses* lists various land uses and activities as general use categories or classifications. These classifications are intended to group land uses and activities based on common functional, operational, or physical characteristics. These classifications provide a systematic method for prescribing land uses allowed in various zoning districts.

This section contains general descriptions that apply to these use classifications. These classifications are listed in order as they appear in the *Table of Allowed Uses*. Where a land use or activity may appear to meet the description of more than one use classification or where a land use or activity does not appear to meet the description of any use classification, the Business and Development Services Director shall determine the appropriate use classification, if any.

7:2.1 Description of Residential Uses

A. Cluster Housing (Attached or Detached Single-Family)

A form of residential subdivision that permits housing units to be grouped on sites or lots with dimensions, frontages, and setbacks reduced from conventional standards, provided the density of the tract as a whole does not exceed the density allowed by the underlying zoning district and a percentage of the land area is provided as common open space.

B. Dwelling—Attached Single-Family

A one-family dwelling with its own ground floor exterior entry and attached to one or more one-family dwellings by common vertical walls without openings.

C. Dwelling—Detached Single-Family

A one-family dwelling that is not attached to any other dwelling or other principal use by any means and is surrounded by open space or yards.

This classification excludes mobile homes, manufactured homes, recreational vehicles, and travel trailers.

D. Dwelling—Multi-Family

A dwelling or group of dwellings located on a single lot or parcel of ground designed for the occupancy of three or more families living independently of each other in individual dwelling units. This includes dwelling units stacked one above another.



E. Manufactured Home

A factory-built, single-family structure that is built to the Manufactured Home Construction and Safety Standards (MHCSS) of the HUD code.

Such homes have been formerly referred to as mobile homes. The term “mobile home” was originally coined to describe trailers that were equipped to function as truly mobile homes. The mobile home of years past has now become a fixed, in-place house that is mobile only at the time it is moved from the factory to the site. Besides losing its mobility, the “mobile home” has also become larger, and the safety and quality have been significantly improved as a result of the HUD code. These units built to this code since 1976 are properly referred to as “manufactured homes.”

F. Manufactured Housing Park

Any area or tract of land that provides for the parking or installation of manufactured homes used or intended to be used for living or sleeping purposes, regardless of whether or not such homes are offered for lease or rent.

Travel trailers, campers, motor homes, and other recreational vehicles shall not be permitted for occupancy in any manufactured housing park.

7:2.2 Description of Accommodation Uses

A. Bed and Breakfast

A residential-type lodging facility having no more than 10 guestrooms and that serves breakfast to registered guests. The facility is primarily residential in style regarding design and the amenities provided to guests. The facility serves as both the facility proprietor’s residence and a place of lodging for transient guests.

B. Dwelling—Short-Term Rental

A one-family dwelling, or any portion thereof, that is provided as lodging for transient guests for a period of less than 30 days in exchange for compensation.

C. Hotel

An establishment primarily engaged in providing short-term lodging in facilities known as hotels or motels. In addition to providing short-term lodging accommodations, these establishments may offer to guests food and beverage services, recreational services, conference rooms and convention services, laundry services, parking and other services.



7:2.3 Description of Institutional and Social Uses

A. Cemetery

An establishment that operates or provides sites or structures used or reserved for the interment of human or animal remains.

B. Day Care Center (Adult or Children)

A nonresidential establishment primarily engaged in providing day care for either children or adults (but not both simultaneously).

When caring for children, these establishments generally care for preschool children and infants, but may care for school-aged children when they are not in school and may offer prekindergarten educational programs.

When caring for adults, these establishments generally provide custodial care for adults who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention.

This classification excludes child day care homes and adult day care homes.

C. Day Care Home (Adult or Children)

An accessory use or home occupation at a single-family dwelling in which day care is provided by the resident for children or adults (but not both simultaneously) unrelated to the resident of the dwelling and who are not the legal wards or foster children of the resident. The children or adults receiving care do not reside at the dwelling.

When caring for adults, these establishments generally provide custodial care for adults who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention.

This classification excludes child day care centers and adult day care centers.

D. Funeral Home

An establishment that prepares the dead for burial or interment and conducts funerals. Ordinarily these establishments are associated with providing facilities for wakes, arranging transportation for the dead, selling caskets and related products.

E. Health Care Service—Assisted Living

An establishment that provides housing for persons that require some assistance with day-to-day living. These establishments may also provide food services and



common recreational, social, and service facilities for the exclusive use of residents. Custodial and personal care is provided in a home-like, social setting.

F. Health Care Service—Hospital

An establishment that provides medical, diagnostic, and treatment services. These establishments often provide physician, nursing, and specialized accommodation services for inpatient care.

G. Health Care Service—Nursing Home

An establishment that provides housing and organized care and services to persons who require 24-hour medical supervision. Medical and personal care is provided in a clinical setting.

H. Health Care Service—Outpatient

An establishment that offers health care services directly to patients without providing inpatient services. These establishments include physician offices, dentists, chiropractors, optometrists, outpatient family planning services, medical and diagnostic laboratories, and blood and organ banks.

I. Health Care Service—Residential Care Facility

An establishment that provides housing and personal care for persons, who by reason of mental or physical disability, addiction to drugs or alcohol or family and/or school adjustment problems, require a specialized residential setting.

J. Library

An establishment engaged in maintaining collections of documents and media (e.g., books, journals, newspapers, music, etc.) and facilitating the use, but not sale, of such documents and media according to the informational, research, educational, or recreational needs of their users.

K. Meeting or Assembly Hall

An establishment ordinarily used for gatherings or meetings of organizations that (1) advocate various social or political causes, or (2) promotes and defends the interests of its members. Such organizations may include civic organizations, human rights organizations, environmental organizations, wildlife organizations, business associations, labor unions, other similar social, professional, or political organizations.

L. Public Administration Building



A government-occupied establishment that administers, oversees, and manages public programs and ordinarily associated with executive, legislative, or judicial authority.

M. Public Safety Facility

A government-occupied establishment that provides fire and rescue, police, or emergency medical services.

This classification excludes correctional facilities.

N. Public Works Facility

A government-occupied establishment that provides and maintains public infrastructure and may provide public services such as solid waste collection.

O. Religious Institution

An establishment primarily engaged in operating religious organizations, such as churches, temples, monasteries, synagogues, etc., and/or an establishment primarily engaged in administering an organized religion or promoting religious activities.

P. School—College or University

An establishment that furnishes academic or technical courses and grants degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels. These include junior colleges, colleges, universities, and professional schools. The requirement for admission is typically at least a high school diploma or equivalent general academic training.

Q. School—Grade

An establishment primarily engaged in furnishing academic courses and associated work that comprise a basic preparatory education. A basic preparatory education ordinarily includes kindergarten through 12th grade.

R. School—Technical, Trade, or Other Specialty

An establishment that offers vocational and technical training among a variety of technical subjects and trades. The training often leads to job-specific certification.

S. Social Assistance Services

An establishment that provides social assistance and associated services.

Such establishments include the following:



1. Child and youth services, such as adoption and foster care, drug prevention, life skills training, and positive social development.
2. Services for the elderly and disabled, such as social activities and group support.
3. Individual and family counseling services.
4. Community food services, such as food banks and meal delivery programs.
5. Vocational rehabilitation services, such as job counseling and job training.

This classification excludes soup kitchens and temporary shelters.

7:2.4 Description of Commercial and Office Uses

A. Catering Services

An establishment primarily engaged in providing single event-based food services. These establishments generally have equipment and vehicles to transport meals and snacks to events and/or prepare food at an off-premise site.

Examples of events catered by establishments in this category include graduation parties, wedding receptions, business or retirement luncheons, and trade shows. However, this type of establishment may also engage in contractual arrangements to provide food services to off-premise locations.

B. Communication or Information Services

An establishment engaged in these general operations: (1) producing and distributing information and cultural products, (2) providing the means to transmit or distribute these products as well as data or communications, and (3) processing data.

Such establishments include the following:

1. Publishing industries, including software publishing, traditional publishing, and publishing exclusively on the Internet.
2. Motion picture and sound recording studios.
3. Broadcasting industries, including traditional broadcasting and broadcasting exclusively over the Internet.
4. Telecommunication industries.
5. Internet service providers and web search portals.



6. Data processing industries.

7. Information services industries.

This classification excludes motion picture theaters and film festivals, libraries, telecommunication towers and antennae, and other broadcasting towers.

C. Dry Cleaning and Laundry Services

An establishment primarily engaged in providing one or more of the following services:

1. Dry cleaning services.

2. Laundering services.

3. Drop-off and pick-up sites for laundries and/or drycleaners.

4. Specialty cleaning services for specific types of garments and other textile items (except carpet and upholstery), including fur, leather, suede, wedding gowns, hats, draperies, and pillows.

D. Financial Establishment

An establishment that primarily engages in financial transactions (transactions involving the creation, liquidation, or change in ownership of financial assets) and/or facilitating financial transactions.

Such establishments include the following:

1. Bank, credit union, or savings institution.

2. Credit and financial establishment.

3. Investment banking, securities, and brokerages.

4. Fund, trust, or other financial establishment.

This classification excludes debt relief businesses, check cashing businesses, payday lenders, title loan businesses, precious metal businesses, other deferred presentment lenders, and like businesses. These exclusions are their own separate classification.



E. Fringe Financial Services

An establishment that provides financial services outside of a traditional bank. Such establishments include the following:

1. Check cashing businesses.
2. Payday advance/loan businesses.
3. Title loan businesses.
4. Debt relief businesses.
5. Precious metal dealers.
6. Deferred presentment lenders.
7. Other like businesses.

This classification excludes retail businesses such as pawnshops or jewelry stores that obtain a precious metal dealer license in the normal course of their retail business.

F. Health and Personal Care Services

An establishment that provides health and personal care services from a fixed point-of-sale location.

Such establishments include the following:

1. Hair, nail, and skin care services, including barber and beauty shops.
2. Diet and weight loss centers and personal fitness centers.
3. Day spas, massage parlors, or saunas.
4. Tanning salons.

This classification excludes tattoo parlors and body piercing establishments.

G. Tattoo and Body Piercing Services

An establishment that provides tattoo or body piercing services from a fixed point-of-sale location.



H. Motor Vehicle Sales

An establishment that retails or rents motor vehicles from fixed point-of-sale locations.

Such establishments include the following:

1. New and used car dealers.
2. Passenger car rental and leasing.
3. Motorcycle, ATV, moped, motor scooter, and golf cart dealers.

This classification excludes dealers or rental of large vehicle (RV, bus, truck, trailer, boat, personal watercraft, aircraft, or mobile home), truck stops, truck repair shops, and salvage yards of damaged or inoperable motor vehicles.

I. Motor Vehicle Services

An establishment that services motor vehicles from fixed point-of-sale locations.

Such establishments include the following:

1. Gasoline stations.
2. General automotive repair and maintenance shops, including tire services.
3. Automotive body, paint, interior, and glass repair shops.
4. Automotive oil change and lubrication shops.
5. Car washes

This classification excludes centers that service large vehicle (RV, bus, truck, trailer, boat, personal watercraft, aircraft, or mobile home), truck stops, truck repair shops, and salvage yards of damaged or inoperable motor vehicles.

J. Large Vehicle Sales and Service

An establishment that retails, rents, or services large vehicles from fixed point-of-sale locations.

Such establishments include the following:

1. Large vehicle (RV, bus, truck, boat, personal watercraft, aircraft, or mobile home) dealers.



2. Truck, utility trailer, RV, boat and personal watercraft rental.
3. Truck stops.
4. Truck repair shops.
5. Truck, bus, and boat washes.

This classification excludes salvage yards of damaged or inoperable motor vehicles.

K. Office and Professional Services

An establishment that specializes in performing professional, scientific, and technical activities for others. These activities often involve specialized expertise.

Such establishments include the following:

1. Office and administrative services.
2. Real estate services.
3. Legal services.
4. Insurance-related services.
5. Financial investment advice services.
6. Accounting, tax, bookkeeping, and payroll services.
7. Architectural, engineering, and related services.
8. Graphic, fashion, and interior design services.
9. Information technology and computer software services.
10. Management and consultation services.
11. Research and development services.
12. Advertising, media, and photography services.
13. Business support and employment services.
14. Translation and interpretation services.
15. Travel arrangement and reservation services.



16. Investigation and security services.

17. Wedding and party planning services.

This classification excludes debt relief businesses, check cashing businesses, payday lenders, title loan businesses, precious metal businesses, other deferred presentment lenders, and like businesses. These exclusions are their own separate classification.

L. Pet and Animal Care Services

An establishment that is primarily engaged in providing pet care services, such as veterinary, boarding, grooming, sitting, and training pets and animals.

M. Restaurant

An establishment where food and drink are prepared, served, and consumed. Food and drink may be consumed on the premises, taken out, or delivered to the customer's location. In addition to providing food services, these establishments may incidentally sell alcoholic beverages and/or present live nontheatrical, non-erotic entertainment such as music or comedy.

This classification excludes bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These exclusions are their own separate classification.

This classification also excludes erotic dance clubs and other sexually-oriented businesses.

N. Bar, Brew Pub or Drinking Place

An establishment known as a bar, brew pub, microbrewery, tavern, nightclub, or drinking place primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These establishments may also provide food and non-erotic entertainment such as music or comedy.

This classification excludes erotic dance clubs and other sexually-oriented businesses.

O. Retail Sales

Establishments engaged in the selling or rental of goods or merchandise, generally to the general public for personal use or household consumption, and in rendering services incidental to the sale of such goods.

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This classification includes establishments that retail or provide customary service directly related to any of the following product lines:

1. Art works and supplies.
2. Bicycles.
3. Books, magazines, music, videos, office supplies, and stationery.
4. Clothing, jewelry, luggage, shoes, etc.
5. Camera and photographic supplies and services.
6. Computers and software.
7. Electronics and appliances.
8. Flowers and floral arrangements.
9. Furniture or home furnishings.
10. Gifts, novelties, souvenirs, and similar small item miscellanea.
11. Health and personal care merchandise, including cosmetics, beauty supplies, perfume, optical goods, and health supplements.
12. Motor vehicle parts (except tires).
13. Pets and pet supplies.
14. Pharmacies or drug stores.
15. Specialty food items not for immediate consumption, including baked goods, meats and poultry, fish and seafood, coffee and tea, confectionery products, nuts, spices, dairy products and gourmet foods.
16. Sporting goods, toy and hobby, and musical instruments.
17. Tobacco products and supplies.
18. Used merchandise generally retailed in antique shops and thrift stores (flea markets excluded).

This classification excludes other retail uses that are specifically referenced or described in other classifications provided in this Ordinance.



P. Big Box Retail Store

A retail establishment typically 50,000 square feet or more. The product lines listed below are usually associated with retail establishments of this size. An establishment less than 50,000 square feet is not necessarily excluded from this description if it is still consistent with the characteristics of the establishments described herein and the intent of associated regulations.

1. Hardware, lumber, building materials, and similar home improvement centers.
2. Lawn and garden supplies.
3. General merchandise as may be retailed in department stores, warehouse clubs, or superstores.

Q. Grocery Store or Supermarket

An establishment that primarily engages in retailing a varied line of foods, such as canned and frozen foods, fresh fruits and vegetables, and fresh and prepared meats, fish, and poultry. These establishments are generally known as a supermarket or grocery store.

This classification excludes packaged alcoholic beverage stores and small box variety stores.

R. Packaged Alcoholic Beverage Store

An establishment primarily engaged in retailing packaged alcoholic beverages, such as ale, beer, wine, and liquor.

S. Small Box Variety Store

A retail establishment typically less than 15,000 square feet that sells at retail an assortment of physical goods, products, or merchandise directly to the consumer, including food or beverage for off-premise consumption, household products, personal grooming and health products, and other consumer goods. An establishment that exceeds 15,000 square feet is not necessarily excluded from this description if it is still consistent with the characteristics of the establishments described herein and the intent of associated regulations.

This classification excludes small box stores that:

1. Contain a prescription pharmacy;
2. Sell gasoline or diesel fuel;



3. Primarily sell specialty food items (e.g., meat, seafood, cheese, oils and vinegars; etc.);
4. Dedicate at least 15 percent of shelf space to fresh or fresh frozen foods; or
5. Dedicate less than 5 percent of shelf space to food sales.

T. Services to Buildings and Dwellings

An establishment primarily engaged in providing services such as pest control, janitorial activities, locksmith, landscaping, carpet and upholstery cleaning, packing and crating services, and other services for buildings and dwellings.

This classification excludes utility services.

7:2.5 Description of Industry, Warehousing, and Transportation Uses

A. Construction and Contractor Services

An establishment primarily engaged in the construction of buildings or engineering projects. Establishments primarily engaged in the preparation of sites for new construction and establishments primarily engaged in preparing and subdividing land for sale as building sites are also included in this classification. This classification also includes establishments of specialized construction activities, such as plumbing, painting, and electrical work.

Construction work performed may include new construction, additions, alterations, or maintenance and repairs. This classification entails the fixed place of business from which these activities are generally operated and not the actual site of the construction activity itself. The construction activity is performed at a separate location, where permitted.

B. Junk/Salvage Yard

A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment, and appliances.

C. Manufacturing

An establishment that is engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products. The assembly of component parts of manufactured products is considered manufacturing, except for construction and contractor services.

Such establishments included manufacturers of the following product lines:



1. Food, beverage, and related products.
2. Textiles, apparel, and related products.
3. Wood, furniture, and related products.
4. Plastics and rubber products.
5. Nonmetallic mineral products.
6. Machinery and fabricated metal products.
7. Transportation equipment.
8. Computer and electronic products.
9. Electrical equipment and components.
10. Medical equipment and supplies.
11. Jewelry and silverware.
12. Sporting and athletic goods.
13. Dolls, toys, games, and musical instruments.
14. Office supplies (except paper), inks, etc.
15. Signs.

This classification excludes the manufacture of explosives, agricultural industries, petroleum refineries, smelting, fertilizer manufacturing, sanitary landfills, waste to energy facilities, solid waste transfer stations, sewage treatment plants, lumber or paper mills, or other manufacturing uses with potentially noxious impacts, as determined by the Business and Development Services Director.

D. Parcel Delivery Services

An establishment that provides intercity and/or local delivery of parcels. These articles can be described as those that may be handled by one person without using special equipment.

This classification includes activities of the United States Postal Service and its subcontractors in delivering letters and small parcels.



E. Passenger Transportation Services

An establishment that provides passenger transportation by automobile, bus or van. Taxicab owner/operators, taxicab fleet operators, and taxicab organizations are included. Also included are limousine and luxury sedan passenger services and scenic or sightseeing passenger services.

F. Self-Store or Mini-Warehouse Facility

An establishment primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods and possessions.

G. Towing Services

An establishment that tows light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as limited storage and emergency road repair services.

H. Truck and Freight Transportation Services

An establishment primarily engaged in providing over-the-road transportation of cargo using motor vehicles, such as trucks and tractor trailers. General freight establishments handle a wide variety of commodities, generally palletized, and transported in a container or van trailer. Specialized freight transportation requires specialized equipment due to the size, weight, shape or other inherent characteristics of the cargo.

I. Warehousing

An establishment primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other warehouse products. These establishments provide facilities to store goods. They may also provide a range of services, often referred to as logistic services, related to the distribution of goods. However, establishments in this classification always provide warehousing or storage services in addition to any logistic services. Furthermore, the warehousing or storage of goods must be more than incidental to the performance of services, such as price marking.

This classification excludes lessors of mini-warehouses and self-storage units.

J. Wholesaling

An establishment engaged in wholesaling merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. Wholesalers are organized to sell or arrange the purchase or sale of (1) goods for



resale (i.e., goods sold to other wholesalers or retailers), (2) capital or durable non-consumer goods, and (3) raw and intermediate materials and supplies used in production.

Wholesalers sell merchandise to other businesses and normally operate from a warehouse or office. These warehouses and offices are characterized by having little or no display of merchandise. In addition, neither the design nor the location of the premises is intended to solicit walk-in traffic. Wholesalers do not normally use advertising directed to the general public. Customers are generally reached initially via telephone, in-person marketing, or by specialized advertising that may include Internet and other electronic means.

7:2.6 Description of Arts, Entertainment, and Recreation Uses

A. Amusement or Games Facility

An establishment primarily engaged in games or amusement activities, either indoor or outdoor.

Such establishments include arcades, bowling centers, billiard parlors, go-cart tracks, miniature golf, indoor shooting range, skating rinks, trampoline parks, theme parks, water parks, and family fun centers.

This classification excludes hunting or game preserves, outdoor shooting ranges, campgrounds, and related establishments. This classification also excludes establishments that are engaged in or resemble gambling activities.

B. Clubhouse or Country Club

A recreational facility consisting of a clubhouse or similar indoor activity area, which is usually restricted to members and their guests, or guests by invitation. This facility is typically used for leisure activities but may also be used for private gatherings.

Club houses and country clubs may also be accompanied by outdoor recreational facilities such as tennis courts, swimming pools, and golf courses.

C. Event Center or Banquet Hall

A recreational facility consisting of an indoor event space generally available for lease by private parties. This facility is typically used for dining and dancing activities associated with weddings, banquets, parties, and similar activities.

This classification excludes bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption. These exclusions are their own separate classification.



D. Fitness/Sports Club, Studio, or Center

An establishment primarily engaged in operating indoor fitness, instructional, and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, dance, skating, or racquet sports. This classification includes gymnasiums.

E. Exhibition Facility

An establishment that engages in the preservation and/or exhibition of objects, sites, and natural wonders of historical, cultural, and/or educational value.

Included are public and private museums, exhibitions and art galleries, historical sites, observatories, planetariums, aquariums, botanical gardens or zoological parks, and similar establishments. This classification also includes convention facilities which have both an exhibition hall and a number of meeting rooms.

F. Private Outdoor Recreation Amenity

An outdoor recreational area for the exclusive use of members and their guests. These facilities may include outdoor amenities such as playgrounds, ball fields, game courts, swimming pools, golf courses, and picnic tables.

This classification excludes hunting or game preserves, outdoor shooting ranges, campgrounds, and related establishments.

G. Public Park or Recreation Area

An outdoor recreational area commonly open to the public and which may serve a variety of outdoor leisure activities. These facilities may include outdoor amenities such as playgrounds, ball fields, game courts, swimming pools, and picnic tables.

This classification excludes hunting or game preserves, outdoor shooting ranges, campgrounds, and related establishments.

H. Stadium or Arena

An establishment involving sports teams or clubs or independent athletes participating in live sporting events before a paying audience.

This classification excludes racetracks (e.g., motor vehicles, dog, horse, etc.).

I. Theater

An establishment that is primarily engaged in showing movies or motion pictures or producing live presentations involving the performances of actors and actresses,



singers, dancers, musical groups and artists, comedians, and other performing artists.

Such establishments include performing arts theaters, movie theaters, and cineplexes.

This classification excludes drive-in theaters, nightclubs, erotic dance clubs, adult motion picture theaters, and other sexually-oriented businesses.

7:2.7 Description of Miscellaneous Use Types

A. Parking Structure

A structure or portion thereof composed of one or more levels or floors used primarily for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade with those levels being either open or enclosed.

B. Sexually Oriented Business

See Chapter 10, Article IV, of the Mauldin Code of Ordinances for a complete description of the classification of these businesses as well as accompanying regulations.

C. Solid Waste-Related Services

An establishment which provides waste management services such as (1) hauling waste materials locally; (2) operating materials recovery facilities (i.e., sort recyclable materials from trash); or (3) provides remediation services (i.e., the cleanup of contaminated sites).

This classification excludes landfills.

D. Telecommunication Tower

A structure on which there are electronic facilities for receiving or transmitting communication signals.

This classification excludes consumer satellite dishes and television antennae, amateur radio operators licensed by the Federal Communications Commission, small cell wireless facilities, and telephone/power lines supported by poles.

E. Utility Building or Facility (Major)

A building or structure used or intended to be used by any utility company, including, but not limited to, any (1) gas treatment plant reservoir, tank, or other storage facility; (2) water treatment plant, well, reservoir, tank, or other storage



facility; (3) electric generating plant, distribution, or transmission substation; (4) telephone switching or other communications plant, earth station, or other receiving or transmission facility; (5) any storage yard for public utility equipment or vehicles; or (6) any parking lot for parking vehicles or automobiles to serve a utility company.

7:2.8 Description of Residential Accessory Uses and Structures

A. Accessory Dwelling

A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling or other principal use, and that is part of the same structure.

Mobile homes, recreational vehicles, and travel trailers shall not be used as accessory dwelling units.

B. Equine Stable

An accessory building in which horses or ponies are sheltered.

C. Fence or Wall

A vertical freestanding structure used to define a boundary or as a means of protection, confinement, or visual obstruction.

D. Home Occupation

Any activity carried out for gain in a dwelling or an occupational use of a dwelling clearly incidental and secondary to its use for residential purposes and which does not change the character of the building and site.

E. Outdoor Recreational Structure

An outdoor recreational structure for the exclusive use of residents of the dwelling. Such structures may include playground equipment such as swings and slides, playing surfaces such as basketball courts and tennis courts, or swimming pools or hot tubs.

F. Residential Storage

A detached structure which is accessory to a dwelling unit and designed for the storage of motor vehicles, boats, lawn and garden equipment, pool care equipment, or similar equipment for residential use.



7:2.9 Description of Nonresidential Accessory Uses and Structures

A. Accessory Dwelling

A secondary dwelling unit established in in conjunction with and clearly subordinate to a principal use, and that is part of the same structure.

B. Outdoor Dining

An area used or intended to be used for the purpose of eating, but not for cooking or the preparation of meals, outside of an enclosed building.

C. Outdoor Storage

The storage of any material for a period greater than 24 hours, including items for sale, lease, processing, and repair not in an enclosed building.



Section 6 Amendment. Amend Article 8, Residential and Group Development Design Standards, by renaming this Article as “Residential Use Standards,” displacing some existing sections, renumbering other existing sections, and adding new sections, including some that were formerly provided in Article 10, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

ARTICLE 8. – RESIDENTIAL ~~AND GROUP DEVELOPMENT DESIGN~~ USE STANDARDS.

The provisions of this article generally apply to residential uses as set forth in the Table of Allowed Uses provided in Article 7. Conditional uses shall be subject to the specific standards contained herein, in addition to other applicable standards provided in this Ordinance. Special exception uses shall likewise be subject to the specific standards provided in this Ordinance. When reviewing an application to permit a use by special exception, the reviewing authority shall also consider the criteria provided herein in addition to other criteria provided in this Ordinance.

Sec. 8:1 – Design Standards for Residential Housing Developments.

Sec. 8:2 – Cluster and Open Space Developments.

~~Sec. 8:3 – Group Development.~~

~~Group Development is allowed in the RM-1 district subject to the district regulations and the following requirements:~~

- ~~A. A legal description of the proposed boundaries.~~
- ~~B. A site plan showing number of dwelling units of various types and overall density thereof.~~
- ~~C. Location of all curb cuts and points of egress and ingress and all sidewalks and dimensions thereof.~~
- ~~D. The density of land use proposed for every part of the site and number of acres devoted to nonresidential uses if any.~~
- ~~E. Location and size of any existing or proposed roads within the acreage.~~

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- ~~F. Description of open space, uses, areas proposed, and adequacy thereof to serve anticipated demand and if dedication of open spaces proposed, procedures and conditions thereof in detail.~~
- ~~G. The location of all parking.~~
- ~~H. A complete landscaping plan.~~
- ~~I. Plans showing complete drainage of entire site.~~
- ~~J. A prospective sketch indicating color and materials of all structures, and screening.~~
- ~~K. A copy of covenants, grants, easements, or other restrictions proposed to be imposed upon the use of land, buildings, and structures including proposed easements for grants and public utilities.~~
- ~~L. Other information or descriptions as deemed reasonably appropriate by the Zoning Administrator.~~

~~8:3.1 Roads.~~

~~All roads or drives within the Group Development shall be no less than twenty four (24) feet in width with extruded curbs and gutters and four (4) inches of rock base or three (3) inches of hot laid asphaltic binder covered by one and one half (1½) inches of hot laid asphalt. If the roads are to be conveyed to the City of Mauldin, a fifty foot right of way shall be provided and all County Subdivision Regulations shall be met.~~

~~8:3.2 Size.~~

~~The minimum lot area required for Group Development in the RM-1 district is two (2) acres. The principal use of the RM-1 district is residential, thus nonresidential uses, parking, and other related activities shall occupy no more than forty (40) percent of the total development.~~

~~8:3.3 Yard Requirement.~~

~~No structures shall be constructed closer than fifteen (15) feet to an exterior property line and no structure shall be constructed closer than thirty five (35) feet to a public right-of-way.~~

~~8:3.4 Off Street Parking.~~

~~Off street parking shall be provided in accordance with the provisions set forth in Section 6:1.~~

~~8:3.5 Street Lights.~~



~~Adequate street lighting shall be provided in all Group Developments.~~

~~8:3.6—Height.~~

~~No building shall exceed thirty five (35) feet in height.~~

~~Sec. 8:4—Provisions for Group Development in the S-1 District.~~

~~Group Development is allowed in the S-1 district as a Use Permitted.~~

Site Plan Requirements.

~~A minimum of three (3) copies of the Site Plan meeting the requirements of this section must be submitted to the office of the Zoning Administrator. In order to issue proper and expeditious review, the site plan must meet the following criteria:~~

~~A. The site plan must be drawn to a scale of not less than one hundred (100) feet to one (1) inch by a registered engineer/surveyor of the State of South Carolina.~~

~~B. A vicinity map, title block, scale, north arrow, site size, and property lines survey.~~

~~C. The location of any utility easements.~~

~~D. The land use for every part of the site and the number of acres devoted to each use.~~

~~E. The site's traffic circulation plan, including the location of curb cuts and points of ingress and egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.~~

~~F. The site's parking plan, including all off street parking, loading/unloading areas and structures, and also including all parking spaces and their dimensions.~~

~~G. The site's lighting plan, including the location, height, and type of all exterior light fixtures.~~

~~H. Elevations of proposed development.~~

~~8:4.1—Off-Street Parking.~~

~~Off street parking shall be provided in accordance with the provisions set forth in Section 6:1.~~

~~Sec. 8:3 – Attached Single Family Attached Dwelling. [formerly Sec. 10:7]~~

~~Attached single-family dwellings are subject to the following standards:~~



1. Minimum size. The minimum area for an attached single-family housing development shall be two contiguous acres.
2. Minimum perimeter setback. The development shall maintain a minimum building setback of 25 feet along all external property lines.
3. Number of attached units. The maximum number of units that may be attached is four dwelling units, except in the R-M district. In the R-M district, the maximum number of units that may be attached is six dwelling units.
4. Access. Access to and from homes within the development shall be restricted to streets which are internal to the development.
5. Street design. All streets within the development shall be designed, constructed, and maintained in accordance with City standards.
6. Sidewalk design. Five-foot-wide sidewalks shall be provided along all street frontages, existing and proposed. All sidewalks shall be constructed in accordance with City standards.
7. Varied façade. The façade and the roof shall be varied by such features as projections, porches, bay windows, dormers, and by staggering the front walls at the front building line.
8. Entry design. Each dwelling unit shall have its own ground-floor entrance that faces an adjacent street or common open space.
9. Driveway design. Driveways shall maintain a minimum length of 20 feet measured from the closest edge of the sidewalk. The driveway of each dwelling unit shall at a minimum be separated by a 3-foot-wide grass or landscaped strip beginning at the closest edge of the sidewalk.
10. Open space. A minimum of 15 percent of the development area shall be used for common open space. Land dedicated as open space shall be of meaningful proportions and dimensions. The open space shall be contiguous to the extent practicable and accessible from a public or private street either directly or via an easement of at least 10 feet in width. The open space shall consist of the following:
 - a) At least 35 percent of the required open space must constitute developable land as defined in Section 3:3, Definitions, of this ordinance.
 - b) Not more than 50 percent of the required open space shall consist of active recreation facilities (e.g., playgrounds, ball fields, swimming pools, clubhouses, and similar uses).
 - c) With the exception of walking paths and trails, no more than 50 percent of the required open space shall consist of impervious surfaces.



- d) Recreational lakes or ponds used for stormwater management may be included in the land designated as open space. However, fence ponds and detention or retention areas used for stormwater management shall not be included in the calculation of required open space.
11. Subdivision. Lots that are used for attached single-family residential dwellings may be subdivided through the common wall into separate fee simple lots for each dwelling unit provided that each lot meets the minimum dimensional standards of the underlying zoning district. No side yard setback is required along any property line which is located along a common wall.
12. Separate utility services. Each lot shall have separate utility meters and service lines.

Sec. 8:4 – Manufactured Home.

Manufactured homes are subject to the following standards:

1. Location. All manufactured homes shall be located within an approved manufactured housing park.
2. Orientation. All manufactured homes in a manufactured housing park shall be oriented with the front door of the home facing the street.
3. Minimum setbacks. Each manufactured home shall meet the minimum setback requirements for detached single-family housing in the underlying zoning district.
4. Certification. Each manufactured home shall have documentation certifying that it has been constructed in compliance with Federal Manufactured Housing Construction and Safety Standards.
5. Removal of mobile equipment. All towing devices, wheels, axles, and hitches shall be removed.
6. Skirting. Each home shall be completely skirted.
7. Roof design. The main roof of each home shall have a minimum pitch of not less than one foot of rise for each four feet of horizontal run.
8. Entry design. A permanent landing and steps with handrails shall be installed at each exterior doorway.
9. Utilities. Each home shall be connected to a public water supply and a public sewage disposal system.

Sec. 8:5 – Manufactured Housing Park. [formerly Sec. 7:2]



Manufactured housing parks are subject to the following standards:

1. Minimum park size. The minimum area for a manufactured housing park shall be 3 contiguous acres.
2. Minimum plot size. Each manufactured housing plot shall meet the minimum lot size and frontage requirements for detached single-family housing in the underlying zoning district.
3. Minimum setbacks. The park shall maintain a minimum building setback of 50 feet from any existing street right-of-way line and 25 feet along all other external property lines.
4. Access. Access to and from homes within the park shall be restricted to streets which are internal to the park.
5. Street design. All streets within the park shall be designed, constructed, and maintained in accordance with City standards.
6. Sidewalk design. Sidewalks shall be installed within the park to provide pedestrian access to facilities and amenities such as parking areas, mailboxes, laundry facilities, trash disposal areas, and recreation areas. All sidewalks shall be constructed in accordance with City standards.
7. Open space. Common open space areas shall be provided at a rate of 200 square feet per dwelling unit. Qualifying areas may include, but are not limited to, natural undisturbed areas, landscaped areas, ponds and lakes, buffer areas, and ancillary recreational amenities such as swimming pools, tennis courts, and golf courses. At least 50 percent of the common open space shall be accessible for active or passive recreation.
8. Residential screening. When abutting a residential use, a 20-foot wide landscape buffer shall be provided along the property line. The landscape buffer shall consist of a mix of evergreen trees and shrubs that will provide a solid visual screen at least 6 feet in height.
9. The following criteria shall be considered when reviewing a special exception request for a manufactured housing park:
 - a) Compatibility. The compatibility of the site design and orientation of the park in relation to the surrounding community.
 - b) Architectural design. The compatibility of the architectural design of the homes and other park structures in relation to the surrounding community.



- c) Landscape design. The extent to which the landscaping and structural buffer elements may be necessary above and beyond the minimum requirements to protect the character of the surrounding community.
- d) Open space design. The extent to which the park will provide sufficient open space and recreational facilities to meet the needs of its residents.
- e) Adequate waste disposal. The extent to which the park will provide adequate and appropriate facilities for waste disposal.
- f) Hazard mitigation. The extent to which hazardous conditions such as flooding, poor soil conditions, and poor drainage will be mitigated.
- g) Adequate lighting. The adequacy of illumination that will be provided on all streets and sidewalks to ensure the safety of pedestrians and motorists at night.
- h) Pest control. The measures that will be taken to control against rodent harborage and breeding places for flies, mosquitoes, and other pests.

Sec. 8:6 – Residential Accessory Uses and Structures. [formerly Sec. 10:2]

This section provides standards pertaining to the establishment of accessory uses and structures that are incidental and customarily subordinate to residences. All accessory uses and structures shall comply with the standards set forth herein.

The Table of Allowed Uses established in Article 7 of this Ordinance lists the types of accessory uses, structures, and activities that are allowed in each of the zoning districts. The Business and Development Services Director may evaluate proposed accessory uses, structures, and activities that are not specifically identified to determine if that use, structure, or activity can reasonably be interpreted to fit into a use category where similar uses, structures, or activities are described. In making an interpretation, the Business and Development Services Director shall apply the rules for interpretation established in Article 7. In addition, the Business and Development Services Director shall also consider if the proposed use, structure, or activity will pose any potential adverse effects to surrounding properties and whether the use, structure, or activity is consistent with the definition and general standards for an accessory use or structure. If the Business and Development Services Director determines that a proposed use is similar to a listed use, the proposed use shall comply with the standards for that listed use.

8:6.1 General Standards.

All accessory uses and structures shall meet the following standards:

1. Relation to residence. Accessory uses and structures shall directly serve the residence and shall be located on the same site as the residence.



2. Subordinate. Accessory uses and structures shall be subordinate in area, height, extent, and purpose to the residence. The maximum floor area of all enclosed accessory structures on the subject property shall not exceed 50 percent of the total gross floor area of the residence on the same property.
 3. Ownership. Accessory uses and structures shall be owned and used by the same owner of the residence.
 4. Location. Unless otherwise indicated herein, accessory uses and structures shall not be located closer to the street right-of-way than the front façade of the residence on the subject property as well as the front façade of the residence on an adjacent property.
 5. Setbacks. Except for fences and freestanding walls, accessory structures shall be setback at least five feet from all adjacent property lines.
- 8:6.2 Accessory Dwelling. [formerly Sec. 10:1]
1. Qualifying residence. An accessory dwelling shall only be permitted at detached single-family properties that are owner occupied.
 2. Type of structure. An accessory dwelling may be within an existing single-family dwelling, attached to the single-family dwelling, or provided as a detached accessory structure located in the rear yard.
 3. Number of dwellings. No more than one accessory dwelling unit shall be permitted at a single-family property.
 4. Driveway design. Unless the accessory dwelling is accessed from a rear alley, no additional driveways shall be permitted to serve the accessory dwelling separate from the existing driveway(s) that serve the principal residence.
 5. Effect on density. Accessory dwellings shall not be considered as an additional dwelling unit for the purpose of determining minimum lot size or maximum density.
 6. Maximum size. The gross floor area of the accessory dwelling housed within or attached to an existing residence shall not exceed 500 square feet or 25 percent of the gross floor area of the principal residence, whichever is greater. When provided as a detached accessory structure, the gross floor area of the accessory dwelling shall not exceed 50 percent of the gross floor area of the principal residence on the property.
 7. Ownership. Accessory dwellings shall not be sold apart from the principal residence upon the same property.



8. Short-term rental. Accessory dwellings shall not be leased or rented for tenancies of less than 30 calendar days.

8:6.3 Equine Stable. [formerly Sec. 7:5]

1. Operation. Stables shall be used only for boarding horses and/or ponies owned by residents who dwell on-site.
2. Minimum lot size. The property shall have a minimum area of one acre.
3. Number of horses. Not more than one horse or pony shall be permitted for each one-half-acre of lot area.
4. Setbacks. The stable shall be setback at least 50 feet from each property line.

8:6.4 Fence or Wall. [formerly Sec. 5:1.3]

1. Side or rear yard placement. Freestanding fences or walls shall be allowed within the minimum side and rear yard setbacks up to the property line provided the fence does not exceed a height of 8 feet above grade. The portion of the fence that exceeds a height of 7 feet shall be non-opaque in design. A fence that runs along the side property line may encroach into the front yard setback provided that the fence is no closer than 10 feet to the street right-of-way line.
2. Front yard placement. Freestanding fences or walls shall be allowed within the front yard provided the fence does not exceed a height of 4 feet above grade and the fence is decorative or ornamental in nature such as a picket fence or wrought iron fence. Wood privacy fences and chain link fences shall be prohibited in the front yard.
3. Double frontage and corner lots. Freestanding fences or walls may be allowed along the secondary frontage of double frontage lots and corners lots provided that the following standards are met:
 - a) The secondary frontage shall be absent of any driveways or other vehicular access.
 - b) The fence or wall shall not obstruct the visibility at street intersections and shall comply with the site visibility requirements provided in Article 3 of this Ordinance.
 - c) The finished side of the fence must face the street.
 - d) If the fence or wall exceeds a height of 7 feet, at least one evergreen tree at least 6 feet high at the time of planting shall be planted every 8 feet on center along the street side of the fence or wall.



4. Prohibited materials. Barbed wire, razor wire, and similar material shall be prohibited.
 5. Permit required. Any freestanding fence or wall that exceeds a height of 7 feet shall require the issuance of building permit and shall provide plans with footings designed and sealed by a South Carolina licensed engineer.
- 8:6.5 Home Occupation. [formerly Sec. 10:11]
1. Intent. The City of Mauldin recognizes the desire and/or need of some citizens to use their residence for business activities. Such arrangements represent an additional economic resource for stimulating the growth of small businesses while also conveying the potential to reduce the number of home-to-work vehicular trips on local roadways. The City additionally recognizes the need to protect surrounding areas from adverse impacts the home business activities may cause.
 2. Use of residence. A home occupation must be conducted entirely within the residence and shall be clearly incidental and secondary to the residential use of the dwelling. The area of the dwelling that may be used exclusively for the home occupation, including storage, shall not exceed 25 percent of the gross floor area of the dwelling or 600 square feet, whichever is less. (This standard shall not be eligible for a variance.)
 3. Number of home occupations. Not more than one home occupation shall be operated at the same dwelling, except where the Business and Development Services Director determines that the additional home occupation will not generate any additional traffic to the premises.
 4. Permitted home-based businesses. The following businesses may be permitted as a home occupation provided that the business complies with the provisions of this section.
 - a) Offices for such professionals as, but not limited to, architects, brokers, counselors, clergy, dentists, doctors, draftpersons and cartographers, engineers, insurance agents, lawyers, real estate agents, accountants, editors, publishers, journalists, psychologists, contract management, graphic design, landscape design, surveyors, cleaning services, salespersons and manufacturer's representatives, and travel agents.
 - b) Personal services, including barbers, beauticians, hair stylists, manicurists and pedicurists, pet groomers, caterers, and chauffeurs.
 - c) Instructional services, including music, dance, art and craft classes, and tutoring.
 - d) Babysitting services and day care homes (subject to the separate standards for day care homes provided in this Ordinance).



- e) Studios for artists, sculptors, musicians, photographers, and authors.
- f) Workrooms for tailors, dressmakers, milliners, and craft persons, including weaving, lapidary, jewelry making, cabinetry, and woodworking.
- g) Repair services, including watch and clocks, small appliances, computers, and electronic devices.

This list is not entirely inclusive. The Business and Development Services Director shall determine whether an unlisted business is similar to a permitted business listed herein.

5. Prohibited home-based businesses. The following businesses shall be strictly prohibited as a home occupation.

- a) Body piercing service.
- b) Escort service.
- c) Lodging/rooming and boarding house (unless expressly permitted in this Ordinance).
- d) Machine shop or metal working.
- e) Motor vehicle repair or service, including body repair.
- f) Restaurant, club, or drinking establishment.
- g) Sexually oriented business.
- h) Small engine repair or service.
- i) Tattoo service.
- j) Undertaking or funeral parlor.
- k) Veterinary clinic or kennel.

6. Operational standards. The standards shall not be eligible for a variance.

- a) No more than three patrons, clients, patients, or pupils may be on the premises at any one time with the exception of day care.
- b) The person operating the home occupation must permanently reside at the dwelling. No more than one non-resident employee shall be on the premises at any one time.
- c) Delivery vehicles used to deliver goods to the home occupation are limited to passenger vehicles, mail carriers, delivery vans and express carriers such as UPS, FedEx, and Amazon.
- d) No more than two commercial or business vehicles, including trailers, shall be parked or stored on the premises at any time.
- e) The home occupation shall not generate any parking or traffic congestion. Any demand for parking that the Business and Development Services



Director determines cannot be accommodated in the driveway at the premises in addition to the parking for the residents of the dwelling shall constitute parking congestion.

- f) A home occupation shall not create any disturbing or offensive noise, vibration, smoke, dust, odor, fumes, heat, glare, unhealthy or unsightly condition.
- g) There shall be no material change in the outside appearance of the dwelling or other visible evidence of the conduct of the home occupation except as expressly permitted herein.
- h) Outdoor displays or outdoor storage of any kind related to the home occupation is strictly prohibited.
- i) No merchandise, commodities or goods of any kind shall be sold or traded in person on the premises, except for incidental products related directly to services performed (i.e., beautician who sells hair products, sale of home baked goods and candies as covered under S.C. Statute §44-1-143, know as the South Carolina Cottage Food Law). The sale of goods where all transactions occur exclusively “on-line” or off-premise shall be exempt from this standard.

8:6.6 Outdoor Recreational Structures.

1. Lighting. Any lighting associated with outdoor recreational structures such as game courts and swimming pools shall be shielded from adjacent properties.
2. Swimming pools and hot tubs. All non-portable swimming pools and hot tubs having a depth greater than 24 inches shall be enclosed by a fence, wall, or combination thereof not less than 4 feet high in compliance with the International Swimming Pool and Spa Code. All gates or door openings into the enclosure shall be equipped with self-latching devices in compliance with the International Swimming Pool and Spa Code and shall be securely locked at all times when the enclosed area is not in use. In lieu of fencing, hot tubs and spas may have a lockable cover consistent with the requirements of the International Swimming Pool and Spa Code. Such cover shall be locked when the hot tub or spa is not in use



Section 7 Amendment. Amend Article 10, Conditional Uses, by renaming this Article as “Nonresidential Use Standards,” displacing some existing sections, renumbering other existing sections, and adding new sections, including some that were formerly provided in Article 7, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

ARTICLE 10. – ~~CONDITIONAL USES~~ NONRESIDENTIAL USE STANDARDS

~~Conditional uses are uses that are generally compatible with the other uses that are permitted in a particular zoning district but require a closer evaluation on the location, characteristics, configuration, and intensity of the use. The following standards and criteria are over and above those set forth elsewhere in this Ordinance; and are imposed herein on all such conditional uses, listed below to enhance land use compatibility.~~

The provisions of this article generally apply to conditional or special exception uses as set forth in the *Table of Allowed Uses* provided in Article 7. Conditional uses shall be subject to the specific standards contained herein, in addition to other applicable standards provided in this Ordinance. Special exception uses shall likewise be subject to the specific standards contained herein and other applicable standards provided in this Ordinance. When reviewing an application to permit a use by special exception, the reviewing authority shall also consider the criteria provided herein in addition to other criteria provided in this Ordinance.

Sec. 10:1 – Accessory Apartment: R 10, R 8, and R 6, RM 1, RM Districts.

- ~~1. An accessory apartment may be attached, within an existing single-family dwelling, or housed in an approved accessory structure that is located in the rear yard and is not located closer than five (5) feet of an adjacent or neighboring property line.~~
- ~~2. An accessory apartment shall only be permitted on a lot that is owner-occupied and contains a detached single-family dwelling unit.~~
- ~~3. No more than one (1) accessory dwelling unit shall be permitted on a single-deeded lot in conjunction with the principal dwelling unit.~~
- ~~4. The accessory dwelling unit shall not be served by a driveway separate from that serving the principal dwelling unless the accessory dwelling is accessed from a rear alley and the principal dwelling is accessed from a street.~~
- ~~5. Accessory apartments shall not be considered as an additional dwelling unit for the purpose of determining minimum lot size or maximum density.~~
- ~~6. The gross floor area of the accessory apartment housed within an existing single-family dwelling shall not exceed five hundred (500) square feet or contain no more than twenty-five (25) percent of the gross floor area of the principal single-family~~



~~dwelling, whichever is greater. When housed within an accessory structure, the size of an accessory apartment shall not exceed fifty (50) percent of the gross floor area of a principal dwelling unit on the property (for example, establishment of a five hundred (500) square foot accessory apartment would require the principal dwelling unit to be at least one thousand (1,000) square feet in size.)~~

- ~~7. Accessory dwelling units shall not be sold apart from the principal dwelling unit upon the same lot where it is located.~~
- ~~8. Accessory dwelling units shall not be leased or rented for tenancies of less than thirty (30) calendar days or leased to more than eleven (11) different individuals in any calendar year.~~
- ~~9. Home Occupations shall be prohibited from operating within an accessory dwelling unit.~~

Sec. 10:1 – Bed and Breakfast Inn.

Bed and breakfast inns are subject to the following standards:

1. *Primary residence.* The inn operator shall be the property owner of the subject property. The home at the subject property shall be the primary residence of the inn operator.
2. *Single-family character.* The inn shall maintain a single-family residential appearance.
3. *Property size.* The inn shall be located on a single tract at least ½ acre in size.
4. *Parking.* Surface parking areas, excluding driveways, shall not be located between the front façade of the building and the adjacent street.
5. *Residential screening.* Screening shall be provided between adjacent residences and parking areas or any outdoor eating areas.
6. *Guest registry.* The inn operator shall maintain a guest register including the name(s), home address(es), telephone number(s), and date(s) of occupancy of all guests for a period of 2 years for inspection and copying by the City of Mauldin, as needed.
7. *Meals.* Meals shall only be served to registered guests.
8. *Retail sales.* Retail sales shall be limited to postcards, shirts, and other small gift items for purchase by registered guests.
9. *Cooking implements.* Cooking implements, including stoves, grills, or ovens, shall not be provided in individual guest rooms.

~~Sec. 10:2 – Accessory Structures: All Residential Districts.~~

- ~~1. Location: Accessory Structures (except for detached garages) shall only be located in a side or rear yard and shall not be located to project beyond the front building line of the principal structure.~~
- ~~2. Setback: Except for fences, and/or walls erected on a property line, accessory structures shall be setback a minimum of five (5) feet from all adjacent and/or neighboring property line.~~
- ~~3. Detached Garages/Carports: Detached garages shall only be permitted in front of the principal structure if the garage/carport is not located within the front setback; and the structure is located and/or designed so that it is clearly subordinate to the principal structure in terms of scale. A garage accessed from an alley shall have a minimum rear setback of at least twenty (20) feet from the rear property line.~~
- ~~4. Size: The maximum floor area of all residential accessory structures contained on a site shall not exceed fifty (50) percent of the total gross floor area of the principal structure.~~
- ~~5. Height: Accessory structures located in a residential district shall comply with the height standards set forth for the district, and in no case shall exceed the height of the principal structure.~~
- ~~6. Common Facilities: Accessory structures providing common facilities for residential developments (clubhouse, pool house, etc.) shall not be subject to the gross floor area limitations or location requirements set forth in this subsection.~~
- ~~7. Non-residential: Accessory structures for non-residential uses that are permitted in a residential zoning district shall not encroach into any required setback and shall be screened from the view of adjacent residential uses with a fifteen foot landscape buffer that shall consist of a mix of evergreen trees and shrubs that will be provide a year round visual screen.~~

Sec. 10:132 – Multi-Family Dwellings: C-1, C-2, and S-1 Nonresidential Districts.

This section establishes design standards for multi-family dwellings in the C-1, C-2, and S-1 nonresidential zoning districts. These standards are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing design principles, which can result in creative solutions that will facilitate mixed-use development opportunities, develop a satisfactory visual appearance, preserve taxable values, and promote the public health, safety, and general welfare. These standards are supplemental to other regulations which would otherwise apply.



~~Sec. 10:143 – Short-Term Rentals—All residential districts.~~

~~10:143.1 Purpose and Findings.~~

~~***~~

~~10:143.2 General Standards.~~

~~***~~

~~10:143.3 Permits, Licenses, and Other Tax Requirements.~~

~~***~~

~~10:143.4 Short-term Rental Agent.~~

~~***~~

~~Sec. 10:7— Dwelling, Single Family Attached Housing: R-10, R-8 and R-6 and RM-1, RM Districts.~~

- ~~a) Single Family, Attached housing developments shall be subject to the following development standards based on the zoning district in which the development is proposed:~~

~~10:7.1: Development Standards Table, Attached Housing.~~

TABLE: 10:7.1: DEVELOPMENT STANDARDS				
Attached Single Family Housing Developments				
Zoning District	Minimum Tract Area	Density: # units/acre	Maximum # of units/Structure	Maximum Height (FT)
R-10	2 Acres	4.4/acre	4	35
R-8	2 Acres	5.4/acre	4	35
R-6	2 Acres	7.3/acre	4	35
RM-1		12/acre	6	45
RM		16/acre	6	45

- ~~b) Setbacks. Perimeter: No structure shall be erected within twenty five (25) feet of the developments external lot line. Internal: Buildings shall be setback a minimum of twenty (20) feet from all internal public and/or private streets.~~
- ~~c) Lot Width. Minimum lot width per unit shall be twenty (20) feet in a townhome development for interior units. End units must maintain a required thirty foot lot width.~~

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- ~~d) Street Design. All new streets, alleys and other infrastructure improvements shall be constructed in accordance with the Mauldin Land Development Ordinance. The Mauldin City Public Works Director and City Fire Marshall shall have the authority to consider alternative street designs and/or require additional measures to ensure public safety and/or address road maintenance concerns.~~
- ~~e) Sidewalks. Five foot sidewalks shall be required along all existing and proposed internal streets, and also along the primary street frontage(s) of the development.~~
- ~~f) Landscaping. Shall be provided in accordance with Section 6:2, Landscape and Design Standards.~~
- ~~g) Parking. Shall be provided in accordance with Section 6:1, Parking Standards.~~
- ~~h) Open Space Provisions. A minimum of fifteen (15) percent of the development area shall be used for common open space. Land dedicated as open space shall be of meaningful proportions and dimensions.
 - ~~1) The open space shall be contiguous to the extent practicable and shall be accessible from a public or private street either directly or via an easement of at least ten (10) feet in width.~~
 - ~~2) A minimum of thirty five (35) percent of the total open space must be considered developable acreage (land), as defined in Section 3:3, Definitions.~~
 - ~~3) No more than fifty (50) percent of the land dedicated to meeting the overall open space requirement may be used for active recreation facilities (e.g.: playgrounds, ball fields, community swimming pool(s), clubhouse(s), and similar uses).~~
 - ~~4) With exception to walking paths, trails, and/or greenways, at least fifty (50) percent of land designated to meeting the open space requirement shall remain impervious.~~
 - ~~5) Recreational lakes or ponds used for stormwater management may be included in the land designated as open space. However, fenced detention or retention areas used for stormwater management shall not be included in the calculation of required open space.~~~~
- ~~i) Management, Dedication and Maintenance of Common Open Space Ownership.
 - ~~a) The owner and developer or subdivider shall select the land area dedicated for open space purposes and type of ownership. The type of ownership may include, but is not necessarily limited to, the following:
 - ~~1. The City, subject to acceptance by the governing body;~~~~~~

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~~2. Other public jurisdictions or agencies, subject to their acceptance;~~

~~3. Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance;~~

~~4. Homeowner or cooperative associations or organizations; or~~

~~5. Shared, undivided interest by all property owners within the subdivision.~~

~~b) All common open space, any common areas or common facilities within the cluster residential development shall be permanently protected by recorded covenants and restrictions and shall be conveyed by the property owner(s) to a homeowners association or other legal entity under the laws of the State of South Carolina.~~

~~e) Maintenance of Open Space: The person(s) or entity identified above, as having the right to ownership or control over open space, shall be responsible for its continuing upkeep and proper maintenance.~~

~~j) Riparian Buffers. Riparian buffers shall be provided along all classes of streams in accordance with the Greenville County Soil and Water Conservation Commission Stormwater Management Design Manual.~~

~~k) A preliminary plat and site development plans shall be submitted to the Mauldin Business and Development Services office to schedule a review and approval by the Mauldin Planning Commission.~~

~~l) A pre-application meeting with the Business and Development Services office shall be required prior to submittal of development plans.~~

~~Sec. 10:8 Dwellings, Cluster: Traditional Urban Neighborhood Housing: R-10, R-8, R-6, RM-1 and RM Districts.~~

[Repeal section 10:8 in its entirety]

~~Sec. 10:9 Dwellings, Two-Family (Duplex): R-10, R-8, R-6, RM-1.~~

[Repeal section 10:9 in its entirety]

~~Sec. 10:10 Dwellings, Triplex and Quadraplex Structures: RM-1 District.~~

[Repeal section 10:10 in its entirety]



Sec. 10:5 – 10:9 [Reserved].

Sec. 10:310 – Adult Day Care Center—RM-1, and RM residential districts; all Commercial Districts (excluding I-1 District). [formerly Sec. 10:3]

Sec. 10:11—Home Occupation—All residential districts.

1. A home occupation shall be located within the single family detached dwelling or an approved accessory structure. Home occupations shall not be permitted to operate from an accessory apartment dwelling unit. (This standard shall not be eligible for a variance.)
2. Unless otherwise provided under a separate provision, a home occupation shall be limited to twenty five (25) percent of the gross floor area of the principal structure or six hundred (600) square feet, whichever is less. (This standard shall not be eligible for a variance.)
3. Home occupations shall be operated by a resident of the dwelling; however, one (1) non-resident employee shall be permitted as part of the home occupation. The employee's position shall be listed on the business license application, as well as the occupant certifying compliance.
4. The Home Occupation shall cause no change in the external appearance of the existing dwelling and structure on the property.
5. The home occupation shall not involve the retail sale of merchandise except for products related directly to services performed (i.e. beautician who sells hair products, sales of home baked goods and candies as covered under Section 44-1-143, known as the South Carolina Cottage Food Law). Sales of goods where all transactions occur exclusively "on-line" shall be exempt from this standard. (This standard shall not be eligible for a variance.)
6. The property shall not contain any outdoor displays or storage of goods, equipment or services that are associated with the home occupation. (This standard shall not be eligible for a variance.)
7. The home occupation shall not be a nuisance or cause any undue disturbance in the neighborhood (e.g. excessive deliveries UPS, Fed Ex). No equipment or process shall be used in connection with the home occupation that creates noise, vibrations, glare, fumes, odors, or electrical interference off-premises. (This standard shall not be eligible for a variance.)

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- ~~8. A home occupation shall be allowed one (1) nonilluminated attached sign not to exceed two (2) square feet in sign face area. The sign shall be mounted flat against the wall of the principal building in which the occupation is conducted.~~
- ~~9. Only two (2) vehicles shall be permitted and used in connection with the home occupation; vehicles shall be parked or stored on premises. In addition, vehicles that display advertising associated with the home occupation shall be parked in an enclosed garage or screened so it is not visible to adjacent and/or neighboring properties outside of normal business hours.~~
- ~~10. Off street parking shall be provided in accordance with the provisions set forth in Section 6:1, Parking Standards of this Article.~~
- ~~11. The number of patrons and vehicles of the home occupation shall be limited to three (3) at any one (1) time.~~
- ~~12. The following occupations and/or businesses and/or similar and like uses (as determined by the Zoning Administrator) shall not be permitted as a Home Occupation. (This standard shall not be eligible for a variance.)~~

~~Automotive Service and/or Repair.
Body repair shops.
Landscaping Business (other than office use).
Commercial Greenhouse.
Contractor's Business (other than office use).
Furniture Repair and Cabinet Shop.
Physician's and/or Chiropractor's Clinic.~~

~~Sec. 10:511 – Child Day Care Center: RM-1 and RM Residential Districts; all Commercial Districts (excluding I-1 district). [formerly Sec. 10:5]~~

~~Sec. 10:412 – Adult Day Care Home—All residential districts. [formerly Sec. 10:4]~~

~~Sec. 10:613 – Child Day Care Home—All residential districts. [formerly Sec. 10:6]~~

~~Sec. 10:14 – Residential Care Facility. [formerly Sec. 7:13]~~

~~A residential care facility is subject to the following standards:~~



1. Minimum lot size. The minimum lot area for a Residential Care Facility shall be 30,000 square feet.
2. Minimum setbacks. The minimum building setback requirements shall be the same as for a single-family home in the underlying zoning district.
3. Building design. The site layout, orientation of the facility, roof design, and façade design shall be consistent with the residential design of the surrounding neighborhood.
4. Location. The Residential Care Facility shall not be located closer than 1,000 feet, measured lot line to lot line, from the nearest Residential Care Facility.
5. Parking. In addition to the parking standards provided in Article 6, surface parking areas, excluding driveways, shall not be located between the front face of the building and the adjacent street.
6. Screening. A minimum 15-foot-wide landscape buffer consisting of a mix of evergreen trees and shrubs forming a year-round screen shall be provided along any property line that is adjacent to a residential district or residential use.
7. Open space. A minimum of 500 square feet of open space shall be provided on the property.

Sec. 10:15 – Library.

The following criteria shall be considered when reviewing a special exception request for a library:

1. The compatibility of the scale, form, and design of the facility, including off-street parking, with regard to the character of the surrounding neighborhood.
2. The availability and capacity of the surrounding infrastructure to support the ultimate size of the facility.
3. The extent to which the use may pose a direct threat to the health and safety of the neighborhood.

Sec. 10:1216 – ~~Places of Worship~~ Religious Institution—All residential districts. [formerly Sec. 10:12]

For the purposes of these development standards, ~~Places of Worship~~ Religious Institutions shall be placed in the following categories based upon the number of seats in the sanctuary:



Sec. 10:17 – College or University.

The following criteria shall be considered when reviewing a special exception request for a college or university:

1. The compatibility of the scale, form, and design of the facility, including off-street parking, with regard to the character of the surrounding district.
2. The compatibility of the architectural design of the development with respect to the surrounding district.
3. The availability and capacity of the surrounding infrastructure to support the ultimate size of the facility.
4. The adequacy of the illumination that will be provided on all streets, sidewalks, and parking areas to ensure the safety of pedestrians and motorists at night.
5. The extent to which the development will provide sufficient open space and recreational facilities.
6. The extent to which the location and design of any athletic or recreational facilities will minimize the impacts, including noise and light, on any surrounding residential property.
7. The extent to which the use may pose a direct threat to the health and safety of the neighborhood.

Sec. 10:18 – Grade School. [formerly Sec. 7:9]

A grade school, whether public, private, or parochial, is subject to the following standards:

1. *Minimum setbacks.* All structures shall be set back at least 30 feet from each property line.
2. *Maximum occupancy.* The facility shall comply with the maximum occupant load of the current edition of the International Building Code and any other applicable requirements.
3. *Minimum outdoor area.* At least 75 square feet of outdoor recreation area shall be available for each student enrolled. Such area may be located on another parcel provided it is contiguous to the facility and under the same ownership. The outdoor recreational area shall be enclosed by a fence having a minimum height of 4 feet.
4. *Screening.* A wall, fence, continuous hedge, or other permanent year-round foliage, or combination thereof, which provides a solid, opaque, visual barrier at least 6 feet in height shall be provided along any property line that is adjacent to a residential district or residential use.



5. The following criteria shall be considered when reviewing a special exception request for a grade school:
- a) The compatibility of the scale, form, and design of the facility, including off-street parking, with regard to the character of the surrounding neighborhood.
 - b) The availability and capacity of the surrounding infrastructure to support the ultimate size of the facility.
 - c) The ability of the drop-off and loading practices of the facility to be entirely managed on-site without causing traffic delays.
 - d) The extent to which the location and design of any athletic or recreational facilities will minimize the impacts, including noise and light, on any surrounding residential property.
 - e) The extent to which the use may pose a direct threat to the health and safety of the neighborhood.

Sec. 10:19 – Technical, Trade, or Other Specialty School.

A technical, trade, or other specialty school is subject to the following standards:

- 1. Location. Any such facility shall be located along an arterial or collector street.
- 2. Operations. All instructional activities shall be performed inside a building.
- 3. Activities. Training shall not be permitted in any activity that is not otherwise permitted within the underlying zoning district.

Sec. 10:20 – 10:29 [Reserved].

Sec. 10:30 – Catering Services.

A catering service, when allowed as a conditional use, shall not entail or use more than two vehicles in connection with the operation of the business, including the delivery of food services.

Sec. 10:31 – Fringe Financial Services. [formerly Sec. 7:6]

All fringe financial services including check cashing businesses, payday advance/loan businesses, title loan businesses, debt relief businesses, precious metal dealers, and other similar businesses (excluding retail businesses such as pawnshops or jewelry stores who obtain a precious metal dealer license in the normal course of their retail business) shall comply with the following standards:



1. Location. The business shall not be located closer than 3,000 feet, measured lot line to lot line, from the nearest fringe financial service.
2. Group development/shopping center. The business shall be located within a group nonresidential development, shopping center, or similar center. The development or center shall have a minimum gross floor area of 30,000 square feet.
3. Color scheme. The business shall conform to the color scheme of the development and use neutral colors.
4. Legal nonconforming businesses. A fringe financial service that existed and was lawfully constructed, located, and operating by December 15, 2014, and that does not conform to the zoning district and/or separation distance standards adopted herein, shall be deemed a legal nonconforming use and may continue in operation subject to the following provisions:
 - a) If a fringe financial service ceases operation at a particular location, a new certificate of occupancy shall not be issued for a new fringe financial service without first complying with all of the requirements of this Ordinance.
 - b) The ability to continue a legal nonconforming fringe financial service shall cease and such use shall terminate whenever a certificate of occupancy for a change of owner, occupant, tenant, or business is required.

Sec. 10:32 – Motor Vehicle Sales.

Any establishment which sells or rents motor vehicles is subject to the following standards:

1. Indoor office. A fixed indoor sales or rental office must be located on the site of any motor vehicle sales or rental use.
2. Display spaces. Vehicles for sale or rent shall be parked in designated display areas/parking spaces as depicted on an approved site plan. Vehicles shall not be parked in any landscaped areas, on top of buildings, in any driveway aisles, or in any location which obstructs visibility for motorists or pedestrians.
3. Vehicle storage. Except for vehicles for sale or rent parked in designated display areas, vehicles shall not be stored on site.

Sec. 10:33 – Motor Vehicle Services.

A motor vehicle service, including a gasoline station, automotive repair and maintenance shop, oil change and lubrication shop, and car wash, when allowed as a conditional use, is subject to the following standards:



1. Separation requirements. No motor vehicle service shall be located within 3,000 feet of any other motor vehicle service inside or outside the City limits of Mauldin. The required separation distance shall be measured in a straight line from the nearest point on the lot line of the property occupied by a motor vehicle service to the nearest point on the lot line of the subject property.
2. Existing businesses. A motor vehicle service that lawfully existed as of May 1, 2021, shall be deemed a legal use and may continue in operation and enjoy all of the rights of any other legal conforming use such as the expansion or transfer of ownership of the business.
3. Operations. Except for pumping fuel, all service and repair operations shall be conducted within a fully enclosed building.
4. Service bay doors. Service bay doors shall be oriented away from the public right-of-way.

Sec. 10:34 – Bar, Brew Pub or Drinking Place.

A bar, brew pub or drinking place is subject to the following standards:

1. Prohibitions. A bar, brew pub, or drinking place shall not have a drive-up window.
2. Food services. A bar, brew pub, or drinking place must also provide food services on-site in addition to the sale of alcoholic beverages for consumption on the premises.
3. Separation from residences. A bar, brew pub, or drinking place shall not be closer than 300 feet from any residential use in a residential zoning district, as measured from lot line to lot line.
4. Compliance with state law. Any such facility shall comply with all applicable State laws, including Chapter 7 of the S.C. Code of Regulations.

Sec. 10:35 – Packaged Alcoholic Beverage Store.

A packaged alcoholic beverage store is subject to the following standards:

1. Separation from residences. A packaged alcoholic beverage store shall not be closer than 300 feet from any residential use in a residential zoning district, as measured from lot line to lot line.
2. Compliance with state law. Any such business shall comply with all applicable State laws, including Chapter 7 of the S.C. Code of Regulations.



Sec. 10:~~15~~36 – Small Box Variety Store. [~~formerly~~ Sec. 10:15]

10:~~15~~36.1 Applicability and Purpose

10:~~15~~36.2 Separation Requirements

Sec. 10:37 – 10:49 [Reserved].

Sec. 10:50 – Junk/Salvage Yard. [formerly Sec. 7:4]

Junk/salvage yards are subject to the following standards:

1. Minimum lot size. The size of the property on which it is located must be at least 2 contiguous acres but not more than 10 acres.
2. Location. A junk or salvage yard shall be located at least 1,000 from any residential district, residential use, religious institution, child day care, school, public park, or similar use, as measured from lot line to lot line.
3. Permanent office. A permanent indoor office must be located on the site of any junk or salvage yard.
4. Outdoor storage. Outdoor storage shall be confined to the side and rear of the site and not closer to the street than the leading edge of the principal structure.
5. Screening. Outdoor storage shall be enclosed by a continuous, opaque visual screen and maintained along all property lines. The screen shall have a minimum height of at least 8 feet and shall consist of a solid, opaque fence or wall (finished face on the outside of the fence or wall) and also supplemented with vegetation planted in a five-foot planting strip along the outer face of the fence or wall. One evergreen tree shall be planted every 8 feet, on center, and shall cover a minimum of 50 percent of the face of the fence or wall at the time of planting.
6. Parking and loading. All commercial vehicles associated with the use shall be parked in an enclosed or screened area and shall not be visible from adjacent properties or from the street. All loading and unloading activities shall be conducted within the enclosed area.
7. Hours of operation. Hours of operation shall be limited to 7:00 a.m. until 7:00 p.m., Monday through Friday.



8. Site lighting. Site lighting shall be limited to a maximum height of 16 feet and shall be full cut-off type fixtures. Lighting shall not produce direct glare onto adjacent properties or street rights-of-way.

Sec. 10:51 – Manufacturing.

Manufacturing, when allowed as a conditional use, shall be limited to light industries which in their normal operations would have a minimal effect on adjoining properties. This includes the processing of food and beverage products and the fabrication of cloth, wood, leather, paper, plastic, and metal, provided that no noxious odor, fumes, smoke, dust, or noise is emitted outside the building in which the manufacturing process is conducted.

Sec. 10:52 – 10:59 [Reserved].

Sec. 10:60 – Clubhouse, Country Club or Private Outdoor Recreation Amenity. [formerly Sec. 7:7]

A clubhouse, country club or private outdoor recreation amenity is subject to the following standards:

1. Minimum lot size. The size of the property on which it is located shall be at least 2 acres.
2. Minimum setbacks. All buildings, game courts, swimming pools, and similar structures shall be set back at least 50 feet from each property line.
3. Swimming pools and hot tubs. Any swimming pools or hot tubs shall meet the accessory use standards for swimming pools and hot tubs established in this Ordinance.
4. Food and entertainment. The provision of food and entertainment for members and guests may be permitted provided that such activity shall not cause a nuisance in the residential district.

Sec. 10:61 – Stadium or Arena.

The following criteria shall be considered when reviewing a special exception request for a stadium or arena:

1. The compatibility of the scale, form, and design of the facility, including off-street parking, with regard to the character of the surrounding district.
2. The availability and capacity of the surrounding infrastructure to support the establishment.
3. The extent to which the use may pose a direct threat to the health and safety of the neighborhood.

Sec. 10:62 – 10:70 [Reserved].

Sec. 10:71 – Solid Waste Related Service.

A solid-waste related service is subject to the following standards:

1. Separation requirements. Any waste-related service shall be located at least 1,000 feet from any residential district, residential use, school, or park, as measured from lot line to lot line.
2. Indoor office. A fixed indoor office must be located on the site of any such facility.
3. Indoor operations. All activities and storage shall be conducted within a fully enclosed building. Doors shall remain closed during operations and there shall be no outdoor storage.
4. Public facility allowances. Publicly owned and/or operated facilities are allowed to collect and sort any non-hazardous waste on-site and outdoors. All outdoor waste or collection bins must be setback a minimum of 50 feet from the property line.
5. Screening. The property shall be screened by a wooden fence or masonry wall no less than 8 feet in height.
6. Concrete pavement. All areas adjacent to the transfer point, such as the tipping floor, the turning area, and the area supporting the trailer while it is being packed, shall be paved with concrete.
7. On-site circulation. Adequate standing and parking facilities shall be provided on the site so that no packers or other collection vehicles at any time stand on a public right-of-way awaiting entrance to the site.
8. Hazardous substances. Sewage or hazardous substances in quantities considered to be detrimental to the operation of the transfer facility shall be prohibited.
9. The following criteria shall be considered when reviewing a special exception request for a solid waste related service:
 - a) The necessity of the facility for the provision of a beneficial service to the surrounding area.
 - b) The threat of danger that the facility may present to public and personal health and safety.
 - c) The detriment to neighboring properties or the neighborhood character that may be caused by the visual impact of the facility.



- d) The historic character of the site on which the facility is proposed and the surrounding area.

Sec. 10:72 – Telecommunication Tower. [formerly Sec. 7:14]

A. Purpose and Intent.

The purpose of this Ordinance is to protect the health, safety, welfare, and property values of the citizens of Mauldin from potential adverse effects caused by the proliferation of telecommunication towers. The intent is to minimize hazards from tower failure and falling ice, as well as hazards to low-flying aircraft, and personal injury to unauthorized persons scaling these towers. By maximizing the use of existing telecommunication towers and other suitable structures, the natural beauty of the City of Mauldin can be protected.

B. Standards

1. Prohibited at single-family properties. Telecommunication towers shall be prohibited on properties used by single-family residences.
2. Location. The telecommunication tower shall not be located closer than 1,500 feet to another tower, as measured from lot line to lot line. Furthermore, a telecommunication tower shall not be located within 200 feet of the right-of-way of any designated scenic highway, nor within 200 feet of a property listed on the National Register of Historic Places except by special exception.
3. Minimum setbacks. The telecommunication tower shall meet the building setback requirements of the underlying zoning district. When the telecommunication tower is adjacent to a residential district or residential use, the minimum setback along that property line shall be increased by one foot for each foot the height of the tower exceeds 40 feet. However, in no case shall the minimum setback requirement exceed 200 feet.
4. Maximum height. The maximum height of any freestanding tower shall be 200 feet. The maximum height of any tower erected on a building shall be 50 percent of the height of the building or 40 feet above the roofline of the building, whichever is less.
5. Screening. A minimum 8-foot-high fence shall be provided around the tower and any associated buildings or equipment. Evergreen trees or shrubs at least 5 feet high at the time of planting shall be installed around the exterior of the fence and shall not be spaced more than 5 feet apart. This requirement may be waived in whole or in part by the Business and Development Services Director when he or she determines that existing vegetation will provide adequate screening or the landscaping requirements are not feasible due to physical constraints on the site. Where the physical constraints or characteristics of the site are such that the



landscaping cannot be located as prescribed above, the Business and Development Services Director may require that landscaping be placed in a more feasible location on site which would serve to meet the intent of the landscaping requirements.

6. Access. The telecommunication tower shall be accessible by a road or drive at least 20 feet in width.
7. Color. Unless otherwise required by the F.C.C. or the F.A.A., the color of the tower shall be a light grey or similar color to blend with the sky.
8. Signage. A single sign for the purposes of emergency identification may be permitted. The sign shall not exceed 2 square feet in area and shall be attached to the fence surrounding the tower. Under no circumstances shall any signs for purposes of commercial advertisement be permitted.
9. NIER certification. The applicant shall submit a statement prepared by a S.C. registered professional engineer certifying that the NIER (non-ionizing electromagnetic radiation) emitted therefrom shall not result in a ground level exposure outside the facility which exceeds the lowest applicable exposure standards by any regulatory agency of the U.S. government or the American National Standards Institute. For roof-mounted towers, the statement regarding the NIER certification shall address habitable spaces within the building on which the tower is mounted.
10. Building code compliance. Towers and their foundations shall meet the requirements of the International Building Code for winds and seismic loads. The applicant shall submit drawings and calculations prepared and sealed by a S.C. registered professional engineer.
11. Antenna addition. The addition of an antenna to an existing tower may be approved by the Business and Development Services Director if the antenna would not add to the tower's height and if certification from a structural engineer registered in South Carolina confirms that the tower structure is adequate to accommodate the antenna. The applicant shall also bring the fencing, landscaping, and access up to the minimum standards if it is deficient.
12. The following criteria shall be considered when reviewing a special exception request for a telecommunication tower:
 - a) The extent to which the telecommunication is an ancillary or secondary use of the site.
 - b) The proposed number of antennae on the tower.
 - c) The integrity of the structure based on the structural analysis submitted by the applicant.



- d) The threat of danger that the tower may present to public and personal health and safety.
- e) The detriment to neighboring properties or the neighborhood character that may be caused by the visual impact of the tower.
- f) The historic character of the site or building on which the tower will be erected.
- g) The necessity of the tower for the provision of a beneficial service.
- h) The availability, or lack thereof, of existing towers or similar structures within the applicant's site search area.

Sec. 10:73 – Utility Building or Facility. [formerly Sec. 7:3]

1. Utility building and facilities, such as sewage lift stations, pump stations, electrical substations, and communication equipment cabinets, shall be enclosed within a building or by a suitable fence or wall providing protection and screening against light, noise, fumes, and unsightliness. Appropriate landscaping shall be provided along the perimeter of the fence or wall.
2. The following criteria shall be considered when reviewing a special exception request for a major utility building or facility:
 - a) Community need. The necessity of the utility or facility to provide a beneficial service to the surrounding area.
 - b) Health and safety. The threat of danger that the utility may present to public and personal health and safety.
 - c) Visual impact. The detriment to neighboring properties or the neighborhood character that may be caused by the visual impact of the utility.
 - d) Historic character. The historic character of the site on which the utility will be constructed.

Sec. 10:74 – 10:79 [Reserved].

Sec. 10:80 – Accessory Dwellings at Commercial Establishments.

Accessory dwellings at commercial establishments are subject to the following standards:

1. Maximum number. No more than one accessory dwelling unit shall be permitted for each principal use on a property.



2. Subordinate. The accessory dwelling unit must be clearly incidental and subordinate to and necessary to the operation of the permitted principal use.
3. Placement. Except for appropriate live-work arrangements, accessory dwelling units shall only be permitted on stories above the ground floor within nonresidential buildings.
4. Shared walls and floors. Shared walls and floors between residential and nonresidential uses shall be constructed to minimize the transmission of noise and vibration.

Sec. 10:81 – Outdoor Dining.

Outdoor dining areas at commercial establishments are subject to the following standards:

1. Furniture. Tables and chairs for outdoor dining areas shall be constructed of heavyweight, high-quality materials like metal or wood. Lightweight materials such as plastic or vinyl which may be blown astray by moderate winds shall be prohibited.
2. Music. Exterior sound systems may be permitted to play soft music to assist in masking the clamor of the street noise and add to the ambiance of the dining experience provided the music does not become so loud that it becomes a nuisance to people on adjacent properties or within the right-of-way.
3. Trash. Where trash receptacles are used, they shall be frequently emptied and cleaned so that they do not attract pests nor create foul odors.
4. Extension cords. Extension cords shall not be used in a manner that might create a tripping hazard.

Sec. 10:82 – Outdoor Storage.

Outdoor storage at commercial and industrial establishments are subject to the following standards:

1. Description. Outdoor storage areas include areas in which equipment, unlicensed or inoperable vehicles, materials, supplies, or products not on display, are stored outside for a period exceeding 24 hours.
2. Location. Outdoor storage areas shall not be located any closer to the street right-of-way than the front façade of the principal building nor shall such areas be located within any required buffer yard.
3. Screening. Outdoor storage areas shall be completely screened from the view of any public or private right(s)-of-way and from any adjacent residential use or residential zoning district. Screening shall be accomplished through the use of

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evergreen plant materials, fences, walls, or a combination thereof. Fences or walls shall be made of the same or compatible material—with regard to texture, quality, and color—as the principal building. The height of the screening material shall be at least 6 feet, or 12 inches above the items being screened, whichever is greater.

- 4. Relation to other standards. These standards shall not take the place of higher standards that may be in place for particular uses and zoning districts.
- 5. Recreational vehicles. Recreational equipment and recreational vehicles shall not be used for living, sleeping, or housekeeping purposes while parked or stored on nonresidential properties.

Section 8. This ordinance shall become effective upon and after its final passage.

Passed on First Reading: _____

Passed on Second Reading _____

CITY OF MAULDIN, SOUTH CAROLINA

BY: _____
Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

John Duggan, City Attorney