



# CITY COUNCIL MEETING

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**MONDAY, MARCH 15, 2021 | 7:00 PM**

**City Council will meet at 7:00 p.m. in Mauldin City Hall Council Chambers, 5 East Butler Road**

Please note that members of the public are encouraged to participate 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.

**MAULDIN CITY COUNCIL MEETING AGENDA  
MARCH 15, 2021, 7PM  
CITY HALL - COUNCIL CHAMBERS  
5 E. BUTLER ROAD**

- 1. Call to Order** Mayor Terry Merritt
  - a. Invocation
  - b. Pledge of Allegiance
  - c. Welcome
  
- 2. Proclamations and Presentations [** Mayor Terry Merritt
  - a. MHS Boys Basketball
  - b. Mauldin Recreation SCAP State Champions: 12U Boys; 10U Boys; 8U Boys; & 10U Girls
  - c. Recognition of City Employee June Crawley
  
- 3. Public Hearing** Mayor Terry Merritt
  - a. Greenville County Redevelopment Authority – Imma Nwobodu
  
- 4. Reading and Approval of Minutes**
  - a. City Council Meeting: February 15, 2021 [Pages ]
  
- 5. Public Comment** Mayor Terry Merritt
  
- 6. Report from City Administrator** City Administrator Brandon Madden
  
- 7. Report from Standing Committees** Mayor Terry Merritt
  - a. Finance and Policy (Chairperson Reynolds)
  
  - b. Public Safety (Chairperson King)
  
  - c. Public Works (Chairperson Kraeling)
  
  - d. Economic Planning and Development (Chairperson Matney)
  
  - e. Building Codes (Chairperson Kuzniar)
  
  - f. Recreation (Chairperson Black)
  
- 8. Unfinished Business**

There is no unfinished business.

**9. New Business**

Mayor Terry Merritt

**Ordinances – First Reading**

- 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 12-20] Councilor Kuzniar
  
- b. 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 21-122 ] Councilor Kuzniar

**Standing Committee Items**

- c. A Resolution to rename Centerpointe Boulevard to Bridgeway Boulevard [Pages 123-125] Councilor Kuzniar
  
- d. Amendment to Social Media Policy [Pages 126-130] Councilor Reynolds
  
- e. A Resolution to Approve the Purchase of Property Located at 206 Libby Lane [Pages 131-143 ] Councilor Reynolds
  
- f. Corporate and Unincorporated Organization Resolution [Pages 144-155] Councilor Reynolds
  
- g. Amendment to Wrecker Fee Schedule [Pages 156-159 ] Councilor King
  
- h. Electrical upgrade for the Cultural Center for the Beachin' Christmas Event Programming [Pages 160-167] Councilor Matney
  
- i. Amendment to Engineering Agreement [Pages 168-173] Councilor Kraeling
  
- j. Motion to enter into Executive Session for consideration of a contractual matter related to the Project FD as allowed by State Statute Section 30-4-70 (a)(2)
  
- k. Possible action on items discussed in Executive Session

**Committee of the Whole**

- l. Resolution for allocation of Greenville County CDBG and Home funds for program year 2021 (Page 174)

**10. Public Comment**

**11. Council Requests**

**12. Adjournment**



## PROCLAMATION

**WHEREAS**, the 2021 Mauldin High School (MHS) Boys Basketball Team, led by Head Coach Adam McClain, and Assistant Coach Armond Flood, had a great season, winning the Region AAAAA Championship which is the 2<sup>nd</sup> in school history since 1994; and,

**WHEREAS**, the MHS Boys Basketball Team finished the regular season with an overall record of 13-5, and a conference record of 7-1; and,

**WHEREAS**, the MHS Boys Basketball Team consisting of seniors James Cooper, III, George Ford, William Kirian, Daniel Stratford, Jameson Tucker, Nic Williams, and J'Davien Young, juniors Caleb Byrd, Drake Downs, Jamal Jones, Rettek Ownes, David Sherer, Carter Taylor, and Parker Wingate, through hard work and dedication persevered through multiple challenges throughout the season to win the Region AAAAA Championship; and,

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Terry Merritt, Mayor of the City of Mauldin, along with my fellow Councilmembers, do hereby proclaim March 15 as Mauldin High School Boys Basketball Team Day and recognize them for winning the Region AAAAA Championship.

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Terry Merritt, Mayor



## PROCLAMATION

**WHEREAS**, June Crawley started her career with the city in 1993. She worked half days for the fire department and half days in police records. She later split her time between the fire department and city hall; and,

**WHEREAS**, In 1997 June was hired as the full time Administrative Assistant to then Fire Chief James Moore. Since then, she has worked under three Fire Chiefs; and,

**WHEREAS**, June Crawley has been a tremendous asset to the Fire Department and the City of Mauldin as a whole by securing grants and helping to start the Fire Prevention program, which continues to thrive today; and,

**WHEREAS**, June has taken a well-deserved retirement as of March 8, 2021 to travel and spend time with her family; and,

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Terry Merritt, Mayor of the City of Mauldin, along with along with our fire department and my fellow council members, do hereby proclaim that we are proud of June Crawley's career with the City of Mauldin and privileged to know her. We wish her well in her retirement.

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Terry Merritt, Mayor

Minutes  
City Council Meeting February 15, 2021  
Mauldin City Hall - Council Chambers  
7:00 p.m.

Members present were Mayor Terry Merritt via Zoom, Council members Taft Matney, Carol King, Jason Kraeling, Diane Kuzniar, Dale Black, and Michael Reynolds.

Other Members: Brandon Madden, City Administrator and John Duggan, City Attorney via Zoom

1. Call to Order- Mayor Merritt

- a. Invocation- Councilwoman King
- b. Pledge of Allegiance- Councilwoman King
- c. Welcome Mayor Terry Merritt

2. Proclamations and Presentations- None

3. Reading and Approval of Minutes

- a. City Council Meeting: January 19, 2021

The minutes were approved by acclamation.

4. Public Comment

- a. Robert Adams: I live at 907 Fargo Street. I would like to speak on the resolution for Butler Road. Everyone knows that alternate 1 is probably the best way to go, but I am against it. The reason is I don't want those people to lose their homes. Also, I am against it because under Title 6 of the Civil Rights Act, if federal money is involved, anyone can file a complaint. It's one thing to be for the proclamation, but the SCDOT can do anything. The proclamation is not going to do any good. I think you ought to do a proclamation saying you don't want to see anyone hurt and you don't want to see Butler Road rerouted. People will get hurt.

The way to do this to hurt nobody is to leave things alone. If they must put a stop light on Old Mill, so what. If it slows down traffic, so what. A lot of us want traffic slowed down. They keep saying they can't put a stop sign up because of the stop lights. That is not true. There are stop signs all over this town near stop lights. I can give you two examples right now. Augusta Road where Faris crosses, and the next road after that. There are stop lights all over this town. SCDOT is not going to consider this proclamation, but they may consider not rerouting Butler. That is what I urge you to do. Mr. Mayor, I appreciate your time and everybody's time. Thank you.

- b. Karen Conrad: Hi. I am one of two residents at 905 Fargo. We are directly behind the Taylor Farm. We always understood that the area would be developed at some point. If you are putting a bicycle route, which I understand is part of the Swamp Rabbit Trail, I don't understand the point. I always thought it would be part of the residual strip at Gilder Creek. I bicycle, and I would rather see something attractive. Doesn't that make more sense, instead of being so close to the traffic on East Butler? That doesn't make too much sense to me.

The other thing is when I tell people they are planning to infill and put a cul-de-sac there, but our police and fire are there. What does that do for the neighborhood as far as adding time to emergencies? I consider that to be rather important. It is important to us. That is a concern.

You are infilling Bethel and then sending Fargo out this way. Right? Then there will be a new stop light. Those things are expensive. I have priced them. When I show people that, they say why are they doing that? Are they going to put in new bridges?

There is a lot of water there. There is water under. I don't know how many of you have looked at that, but we all know about the flooding issues. My question is what kind of traffic... if you expand the road that a way and infill Bethel/Butler intersection, how heavy will the traffic be there? We have had sinkholes before. Can we really have that thought out? It is a large body of water.

My other concern is in terms of the time we have had for public comments. What a horrible day this is weather-wise and with Covid. I work at FedEx and we just lost one of our co-workers. We have a lockdown and we know that traffic is not getting better, it has gotten worse. I am glad I am not a route driver right now, thankfully. But who do we want to be in this town? It seems to me, we have more traffic, what happens to small businesses here? I understand we have improvements on Main Street and more is coming, it is great, but Butler itself, is it going to be an afterthought with more traffic? That is my concern. The public comments period, you should extend that.

And there are families with younger children. Have I extended my time? Ok. The public comment extension I believe is essential. And I would like to get a response back to my two letters to Casey Jones and her team in Columbia. I FedExed them two days ago.

- c. Mike Edwards: I am Mike Edwards. Karen is my wife, and we live at 905 Fargo Street. We need your help. We are asking for support. There are other alternatives to this rerouting of Bethel Drive. One of these is a rotary where Bethel meets Butler. I would like to echo the thought of the Swamp Rabbit Trail being along Gilder Creek. That would be awesome. It would be out of the traffic. There are a lot of different things going through my mind and I know you are not the people to talk about this with. But we need a lot more time. This will wipe out three families and take half of my backyard. We have put thousands of dollars into this house and I am going to be out on my deck looking at Bethel Drive. We bought that house because of the farm there and the cows. My little boy used to go out there and play with them. He thought they were bulls.

Things are changing, and that is good. I love this. I think this is awesome. People ask me where is downtown Mauldin. You know? There is a little here, and a little there, but we have some direction now. I know that is part of the reason you want to get this taken care of now. Not you, but DOT. I like the idea of widening the road. I sit on the back deck and hear sirens, motorcycles, and it is all happening so quickly. Now they want to tear down three houses and mine might be one of them. I have a business I operate out of my home. I pay taxes, I have a business license. There are a lot of considerations on the table for us anyway. With that, I am going to shut up, but thank you for your time.

5. Report from City Administrator

Mr. Madden had no report.

Pat Pomeroy from the Chamber sent over a report. She said one of the most important things the Chamber needs to do now is reaching out to businesses and this will be happening on a weekly basis. Ms. Pomeroy will be going out with Cristina Ortiz this week to meet with some of our businesses.

The Chamber is working on business renewals. The chamber will never drop a business because they cannot pay their renewal. The chamber is working on the directory and should have it ready by the end of May. The chamber also has a new website. The Welcome to Mauldin page will be the most important part of the website.

6. Report from Standing Committees

- a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reminded Council that the goals workshop is February 25<sup>th</sup>, and the first budget workshop is March 11<sup>th</sup>.
- b. Public Safety (Chairperson King)
- c. Public Works (Chairperson Kraeling)
- d. Economic Planning and Development (Chairperson Matney)
- e. Building Codes (Chairperson Kuzniar)
- f. Recreation (Chairperson Black) Mayor Terry Merritt

7. Unfinished Business

Ordinances – Second and Final Reading

- a. An ordinance to provide for the annexation of property Owned by Nolan Max Cox, and located at 1140 E. Butler Road by one hundred percent petition method; and to establish a zoning classification of C-1, commercial, for said property

**Action: Chairwoman Kuzniar made a motion to pass this ordinance on second and final reading. Councilman Black seconded the motion.**

**Vote: The vote was unanimous (7-0).**

- b. An ordinance to approve an amendment to the infrastructure reimbursement agreement between the City of Mauldin and Centerpoint Land, Inc.

**Action: Chairman Matney made a motion to pass this ordinance on second and final reading. Councilman Kraeling seconded the motion.**

**Vote: The vote was unanimous (7-0).**

8. New Business

Standing Committee Items

a. Amendment to Standing Committee Rules

**Action: Chairman Reynolds made a motion to pass this ordinance on second and final reading. Councilwoman King seconded the motion.**

**Action: Councilwoman King made a motion for an amendment to strike “in Council Chambers” on page 78 and just have the location be Mauldin City Hall to have more flexibility. Chairman Reynolds seconded the motion.**

**Vote: The vote on the amendment was unanimous (7-0).**

Councilman Matney asked if the provision for meeting monthly at city hall would preclude any special meetings off-site. John Duggan answered that a provision should be added to allow for off-site meetings.

**Action: Councilman Matney made a motion to amend the original motion to add a provision to allow for off-site meetings. Councilwoman Kuzniar seconded the motion.**

**Vote: The vote on the amendment was unanimous (7-0).**

**Vote: The vote on the motion as amended was unanimous (7-0).**

b. Reimbursement Resolution

**Action: Chairman Reynolds made a motion to adopt a resolution to express the intention of the City to be reimbursed for certain costs for certain public improvements with the proceeds of tax-exempt obligation. Councilwoman Kuzniar seconded the motion.**

Chairman Reynolds said the City, on behalf of the FSA, requested a millage increase from Greenville County Council to assist in funding the FSA Capital Improvement Plan (CIP), specifically, the construction of the new fire station and the purchase of 3 fire apparatuses. Greenville County Council provided a millage increase for the FSA and issued a \$3.3M bond in FY2021 attendant to the CIP for the FSA. The City initiated the purchase of the 3 fire apparatuses on December 10, 2020, using the \$3.3M bond funds from Greenville County. The purchase totaled \$2.6M which was under the CIP amount of \$2.8M.

Since the City Council has yet to issue its debt to fund its portion of the CIP for the FSA, approval of a Resolution is being requested to express the intent of the City to be reimbursed for the expenditures which occurred prior to the debt being issued.

**Vote: The vote was unanimous (7-0).**

c. Architectural/Engineering Services

**Action: Chairwoman King made a motion to approve Stewart Cooper Newell Architects to serve as the Architectural/Engineering Services for the New Fire Station. Councilman Matney seconded the motion.**

**Vote: The vote was unanimous (7-0).**

d. Resolution to Approve Construction Contract

**Action: Chairman Kraeling made a motion to approve a resolution to enter into a Construction Contract with Cely Construction. Councilman Black seconded the motion.**

**Vote: The vote was unanimous (7-0).**

9. Committee of the Whole

a. A Resolution to Support the Bethel Drive/Old Mill Road Intersection Alternative 1 Design for the East Butler Road Improvements Project

**Action: Councilman Matney made a motion to consider this item under the informal method with Councilwoman King seconding.**

**Vote: The vote was unanimous (7-0).**

**Action: Councilman Kraeling made a motion to adopt the resolution to support Alternative 1. Councilman Black seconded the motion.**

Councilwoman Kuzniar asked if the Council could ask DOT to consider a traffic circle. She said that may be the least disruptive to the neighborhoods. City Administrator Madden said that could be added to the resolution. Whether or not SCDOT would consider that as an option would be up to them.

Councilman Black agreed that he doesn't want to see anyone displaced. No matter which way this goes, it will inconvenience someone. SCDOT could overrule us on any option because it is their road. Council could let DOT know the opinion of the City and hope they will listen, but that is up to DOT. Councilman Black said alternative one would be the least invasive to our citizens.

Mayor Merritt said SCDOT went through their 30-day public involvement period. Everyone had a chance to post comments and criticism. Mayor Merritt said he thinks the involvement period was too short. The City has had ongoing discussions with SCDOT. This is a long overdue project. DOT has ignored the maintenance on Butler Road for many years which has resulted in the state it is in now.

There was a GPATS study finalized in 2016 that has been sent to DOT. They are aware of what the City is asking for. We won't get everything we want, but discussions continue. Alternative

1 is the best solution for a parallel corridor. He would like to see Council stay behind the resolution and alternative one. There have been meetings requested with Christy Hall, the Transportation Secretary, and she is aware of our thought processes. There is a process to go through if there is a potential dislocation of minority-based residents.

Councilman Kraeling said he would like to keep this simple. He has asked about the possibility of a traffic circle and was hoping someone would have an answer for him. He thinks it would be best if we support alternative 1 and not dilute the resolution with anything else.

**Action: The vote for the resolution was unanimous (7-0).**

10. Public Comment

- a. Robert Adams: This concerns the Alternate 1. I think it is the best way to go but we are going to have to get some of the trailer residents to move and they may move for a financial incentive. I am in contact with some of those people and they are not opposed to moving, but they are sort of trapped. They are not rich people, but they do own their trailers. We would need 13-15 to move but DOT would have to pay to move the trailers to the eastern side of the park. There are some older trailers over there and I don't know if they are lived in. You only need 15 out of 43. I will do everything I can to talk to my contacts to see if we can get that many to move. I want to stress this shouldn't hurt anybody.

Putting a new bridge outside of the Taylor farm on Bethel. You have a 36" culvert plus two little ones. The little stream that crosses at Fargo has two 6-foot culverts. Dual culverts. I am talking about the one behind CVS. I don't know what CVS is going to think about losing two street accesses. I am not sure they even know. I am trying to contact them.

Putting in a second streetlight at Owens, I said Owens, I meant Old Mill. We don't need that. We have lived without it for 20 something years. Or make it illegal to turn left off of East Butler or Old Mill. Anyway, thank you for your time.

11. Council Requests- None

Mayor Merritt asked Mr. Madden to confirm with DOT that Alternative 1 showed an impact on up to 10 mobile home users.

12. Adjournment- Mayor Merritt adjourned the meeting.

Respectfully Submitted,

Cindy Miller  
Municipal Clerk

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** March 15, 2021

**AGENDA ITEM:** 9a

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**TO:** City Council

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

**SUBJECT:** Annexation of Property at 409 E. Butler Road

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

## REQUEST

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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

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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

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### *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:

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

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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.

On March 1, 2021, the Building Codes Committee voted 3-0 to forward this matter to City Council with a recommendation of approval.

## FISCAL IMPACT

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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

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Approve this annexation and rezoning on first reading.

## ATTACHMENTS

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Proposed Ordinance (maps and petitions attached therein)

**ORDINANCE \_\_\_\_-2021**

**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**

WHEREAS, Tommy Steele Kay, is the sole owner of record title of a parcel of real property containing 3.3 acres, more or less, located at 409 E. Butler Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by William C. Willimon, requesting that the remainder of aforementioned property currently unincorporated be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Tommy Steele Kay, constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of C-2, Commercial, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Mauldin that:

1. ANNEXATION: The unincorporated portion of the real property owned by Tommy Steele Kay, and more particularly depicted in the map attached hereto marked as Exhibit 1, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Butler Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.

3. ZONING ASSIGNMENT: The above referenced property is hereby zoned, in its entirety, C-2, Commercial.

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Terry Merritt, Mayor

ATTEST:

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Cindy Miller, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

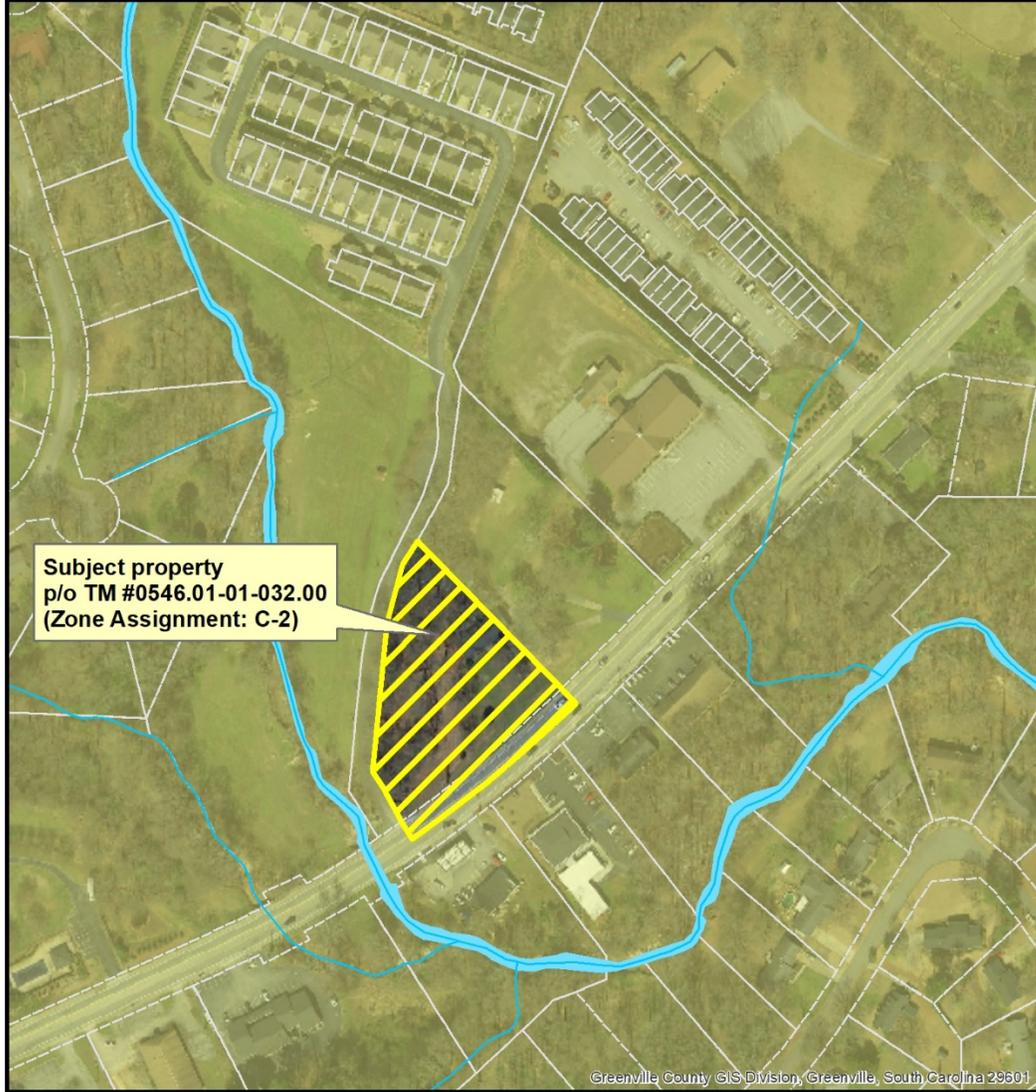
Approved as to Form:

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City Attorney

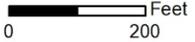
# EXHIBIT 1 – ANNEXATION MAP

## 409 E. Butler Road Annexation Map



**Legend**

-  Subject Property
-  Mauldin City Limits

Created on February 2, 2021

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**EXHIBIT 2 – PETITION**

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 9<sup>th</sup> 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

Danny Steele Kay  
Witness

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.

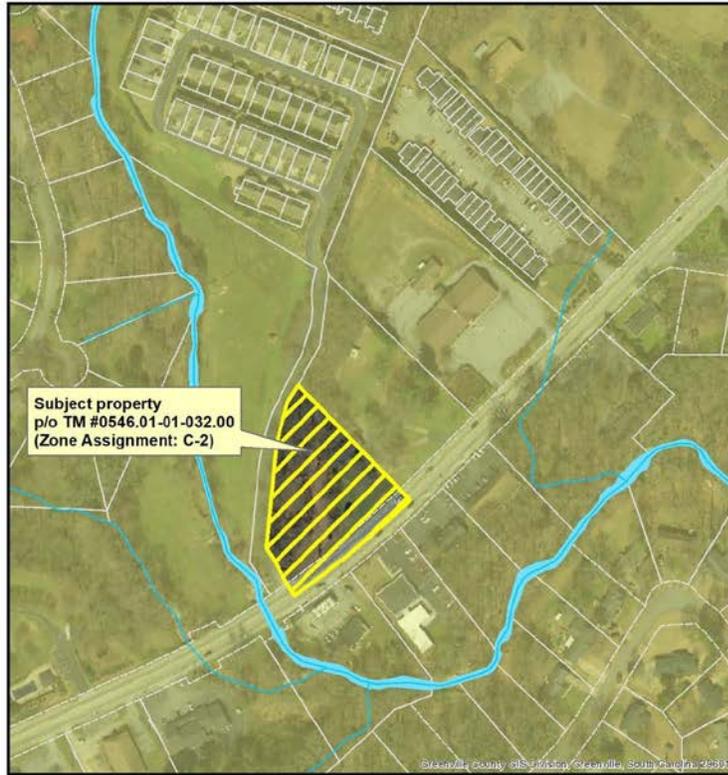
LESS, HOWEVER:

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**

EXHIBIT B

PROPERTY MAP



**Legend**

-  Subject Property
-  Mauldin City Limits



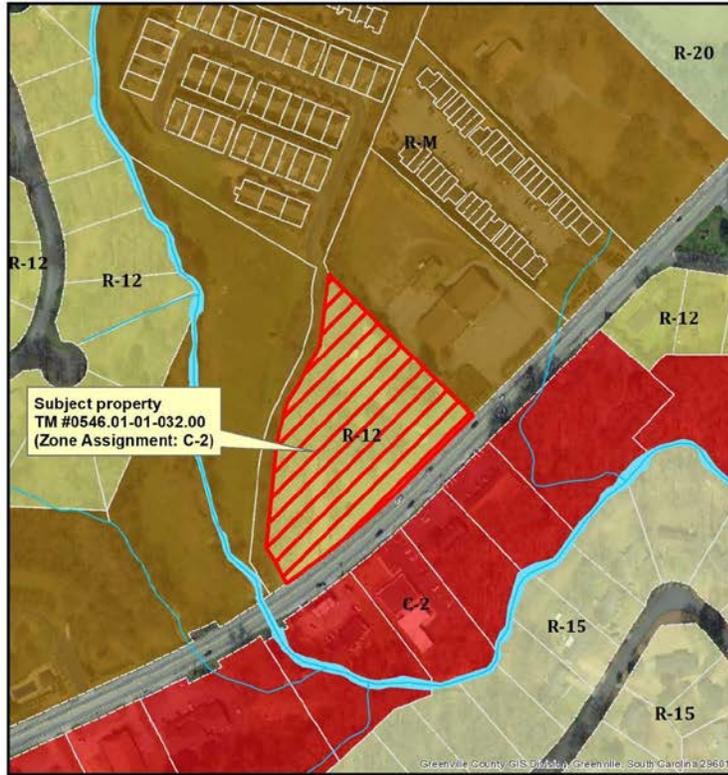
Created on February 2, 2021

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EXHIBIT C

ZONING MAP



**Legend**

 Subject Property



Created on February 2, 2021

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# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** March 15, 2021

**AGENDA ITEM:** 9b

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**TO:** City Council

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

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

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## **BACKGROUND**

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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**

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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**

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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."

- 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.

- 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.

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

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**

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

On March 1, 2021, the Building Codes Committee voted 3-0 to forward this matter to the City Council with a recommendation of approval.

**REQUEST**

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Consider approval of this ordinance on first reading.

## **ATTACHMENTS**

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Table of Allowed Uses  
Ordinance

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
<b>Residential Uses</b>											
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
<b>Accommodation Uses</b>											
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	-	
<b>Institutional and Social Uses</b>											
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

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

	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	
<b><i>Arts, Entertainment, and Recreation Uses</i></b>											
<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	-	-	
<b><i>Miscellaneous Use Types</i></b>											
<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
<b><i>Residential Accessory Uses and Structures</i></b>											
<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
<b><i>Nonresidential Accessory Uses and Structures</i></b>											
<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

	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
<b>Temporary Uses</b>											
<i>Construction Related Activity/Structure</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, City-Sponsored/Hosted</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, Fundraising</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, Private Non-commercial</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, Short-Term</i>	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Interim Facility</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Real Estate Sales Office/Model Home</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Sale, Food (Intermittent)</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Sale, Food (Mobile)</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Sale, Garage/Yard</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 9:1
<i>Sale, Outdoor Retail</i>	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Sale, Seasonal</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Storage Container</i>	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.

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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.

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**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

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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;

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.~~~~~~

- 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.~~

~~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.  
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:

~~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.~~
  - ~~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.~~

~~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.~~  
~~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.

- ~~• 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.
- 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.~~

~~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.~~

~~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.  
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.  
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.~~  
~~Motorcycle 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.~~  
~~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:~~

~~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.~~

~~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:~~

~~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.~~

~~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:~~

~~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  
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 (2<sup>nd</sup>): 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>Brick<sup>1</sup></u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Stone<sup>2</sup></u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Engineered Wood</u>	<u>2<sup>nd</sup></u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Fiber Cement</u>	<u>2<sup>nd</sup> or nv</u>	<u>2<sup>nd</sup> or nv</u>	<u>2<sup>nd</sup></u>	<u>Y</u>
<u>Split-Face Block</u>	<u>2<sup>nd</sup> or nv</u>	<u>2<sup>nd</sup> or nv</u>	<u>2<sup>nd</sup></u>	<u>Y</u>
<u>Painted Concrete Block</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>nv</u>
<u>Concrete Panel<sup>3</sup></u>	<u>N</u>	<u>N<sup>6</sup></u>	<u>N<sup>6</sup></u>	<u>Y</u>
<u>Stucco<sup>4</sup></u>	<u>2<sup>nd</sup></u>	<u>2<sup>nd</sup></u>	<u>2<sup>nd</sup></u>	<u>2<sup>nd</sup></u>
<u>Glass<sup>5</sup></u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

<sup>1</sup> Brick veneer is acceptable.

<sup>2</sup> Both natural stone and manufactured stone are acceptable.

<sup>3</sup> Concrete panels may be tilt-up or precast construction.

<sup>4</sup> Synthetic material is acceptable.

<sup>5</sup> Glass shall not exceed 85 of the overall area of each façade.

<sup>6</sup> 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.

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
<i>Residential Uses</i>											
<i>Cluster Housing—Attached Single-Family</i>	-	C	C	-	-	-	-	-	-	-	See standards in Sec. 8:2
<i>Cluster Housing—Detached Single-Family</i>	C	C	C	-	-	-	-	-	-	-	See standards in Sec. 8:2
<i>Dwelling—Attached Single-Family</i>	-	C	C	C	-	-	-	C	-	-	See standards in Sec. 8:3
<i>Dwelling—Detached Single-Family</i>	P	P	P	P	-	-	-	-	-	-	
<i>Dwelling—Multi-Family</i>	-	-	C	-	-	C	C	C	C	-	See standards in Sec. 8:1 and 10:2
<i>Manufactured Home</i>	-	-	C	-	-	-	-	-	-	-	See standards in Sec. 8:4
<i>Manufactured Housing Park</i>	-	-	S	-	-	-	-	-	-	-	See standards in Sec. 8:5
<i>Accommodation Uses</i>											
<i>Bed and Breakfast Inn</i>	-	-	C	C	-	-	-	-	-	-	See standards in Sec. 10:1
<i>Dwelling—Short-Term Rental</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:3
<i>Hotel</i>	-	-	-	-	-	-	P	P	P	-	
<i>Institutional and Social Uses</i>											
<i>Cemetery</i>	-	-	-	-	-	-	C	-	C	-	See Ch. 12 in Code of Ordinances
<i>Day Care Center (Adult or Children)</i>	-	-	C	C	C	C	C	C	C	-	See standards in Sec. 10:10 and 10:11
<i>Day Care Home (Adult of Children)</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:12 and 10:13
<i>Funeral Home</i>	-	-	-	-	-	P	-	-	P	-	
<i>Health Care Service—Assisted Living</i>	-	-	P	-	-	P	-	-	P	-	
<i>Health Care Service—Hospital</i>	-	-	-	-	-	-	P	-	P	-	
<i>Health Care Service—Nursing Home</i>	-	-	-	-	-	P	-	-	P	-	
<i>Health Care Service—Outpatient</i>	-	-	-	-	-	P	P	P	P	-	
<i>Health Care Service—Residential Care Facility</i>	-	-	C	C	-	-	-	-	-	-	See standards in Sec. 10:14
<i>Library</i>	S	S	S	P	P	P	P	P	-	-	See standards in Sec. 10:15

	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>Meeting or Assembly Hall</i>	-	-	-	-	P	P	P	-	P	-	
<i>Public Administration Building</i>	-	-	-	-	-	P	P	P	P	-	
<i>Public Safety Facility</i>	S	S	S	P	P	P	P	P	P	P	
<i>Public Works Facility</i>	-	-	-	-	-	-	-	-	P	P	
<i>Religious Institution</i>	C	C	C	C	P	P	P	-	P	-	See standards in Sec. 10:16
<i>School—College or University</i>	-	-	-	S	-	S	S	-	S	S	See standards in Sec. 10:17
<i>School—Grade</i>	S	S	S	S	S	S	-	-	S	-	See standards in Sec. 10:18
<i>School—Technical, Trade, or Other Specialty</i>						C	C	C	C	C	See standards in Sec. 10:19
<i>Social Assistance Services</i>	-	-	-	P	P	P	P	P	P	-	
<b>Commercial and Office Uses</b>											
<i>Catering Services</i>	-	-	-	C	C	P	P	C	P	-	See standards in Sec. 10:30
<i>Communication or Information Services</i>	-	-	-	P	P	P	P	P	P	-	
<i>Dry Cleaning and Laundry Services</i>	-	-	-	-	-	P	P	P	P	-	
<i>Financial Establishment</i>	-	-	-	-	P	P	P	P	-	-	
<i>—Fringe Financial Services</i>	-	-	-	-	-	-	C	-	C	-	See standards in Sec. 10:31
<i>Health and Personal Care Services</i>	-	-	-	P	-	P	P	P	P	-	
<i>—Tattoo and Body Piercing Services</i>	-	-	-	-	-	-	P	-	P	-	
<i>Motor Vehicle Sales</i>	-	-	-	-	-	-	-	-	C	-	See standards in Sec. 10:32
<i>Motor Vehicle Services</i>	-	-	-	-	-	-	C	-	P	-	See standards in Sec. 10:33
<i>—Large Vehicle Sales and Service</i>	-	-	-	-	-	-	-	-	P	P	
<i>Office and Professional Services</i>	-	-	-	P	P	P	P	P	P	-	
<i>Pet and Animal Care Services</i>	-	-	-	-	-	P	P	P	P	-	
<i>Restaurant</i>	-	-	-	-	-	P	P	P	P	-	
<i>—Bar, Brew Pub or Drinking Place</i>	-	-	-	-	-	-	C	C	C	-	See standards in Sec. 10:34
<i>Retail Sales</i>	-	-	-	-	-	P	P	P	P	-	

	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
—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	
<b>Industry, Warehousing, and Transportation Uses</b>											
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	
Towing Services	-	-	-	-	-	-	-	-	P	P	
Truck and Freight Transportation Services	-	-	-	-	-	-	-	-	S	P	
Warehousing	-	-	-	-	-	-	-	-	P	P	
Wholesaling	-	-	-	-	-	-	-	-	P	P	
<b>Arts, Entertainment, and Recreation Uses</b>											
Amusement or Games Facility	-	-	-	-	-	P	P	P	P	-	
Clubhouse or Country Club	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 10:60
Event Center or Banquet Hall	-	-	-	-	-	P	P	P	P	-	
Fitness/Sports Club, Studio, or Center	-	-	-	-	-	P	P	P	P	-	
Exhibition Facility	-	-	-	-	-	P	P	P	P	-	
Private Outdoor Recreation Amenity	C	C	C	C	-	-	-	-	C	-	
Public Park or Recreation Area	P	P	P	P	P	P	P	P	P	-	
Stadium or Arena	-	-	-	-	-	-	S	S	S	S	See standards in Sec. 10:61

	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>Theater (Movie or Performing Arts)</i>	-	-	-	-	-	P	P	P	-	-	
<i>Miscellaneous Use Types</i>											
<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
<i>Residential Accessory Uses and Structures</i>											
<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
<i>Nonresidential Accessory Uses and Structures</i>											
<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
<i>Temporary Uses</i>											
<i>Construction Related Activity/Structure</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, City-Sponsored/Hosted</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, Fundraising</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, Private Non-commercial</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Event, Short-Term</i>	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Interim Facility</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Real Estate Sales Office/Model Home</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1

	<i>R-20, R-15, R-12</i>	<i>R-10, R-8, R-6, RM-1</i>	<i>R-M</i>	<i>R-O</i>	<i>O-D</i>	<i>C-1</i>	<i>C-2</i>	<i>CRD</i>	<i>S-1</i>	<i>I-1</i>	<i>Notes</i>
<i>Sale, Food (Intermittent)</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Sale, Food (Mobile)</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Sale, Garage/Yard</i>	C	C	C	C	-	-	-	-	-	-	See standards in Sec. 9:1
<i>Sale, Outdoor Retail</i>	-	-	-	-	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Sale, Seasonal</i>	C	C	C	C	C	C	C	C	C	C	See standards in Sec. 9:1
<i>Storage Container</i>	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 12<sup>th</sup> 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.

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.

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**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.

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

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~~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.~~
- ~~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

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**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.

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

10:~~143.1~~ Purpose and Findings.

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10:~~14~~3.2 General Standards.

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10:~~14~~3.3 Permits, Licenses, and Other Tax Requirements.

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10:~~14~~3.4 Short-term Rental Agent.

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~~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.~~
- 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;~~
    - ~~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.~~

~~c) 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]

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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]

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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.)~~
- ~~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.

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

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

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

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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. 10:12~~16~~ – 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:

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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:~~45~~36 – Small Box Variety Store. [~~formerly~~ Sec. 10:15]

10:~~45~~36.1 Applicability and Purpose

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10:~~45~~36.2 Separation Requirements

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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 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.

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**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

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** March 15, 2021

**AGENDA ITEM:** 9c

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**TO:** City Council

**FROM:** Director of Business & Development Services, David Dyrhaug

**SUBJECT:** Rename Centerpointe Blvd to Bridgeway Blvd

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## **BACKGROUND**

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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**

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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

**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 15<sup>th</sup> DAY OF MARCH, 2021.

\_\_\_\_\_  
Terry Merritt, Mayor

ATTEST:

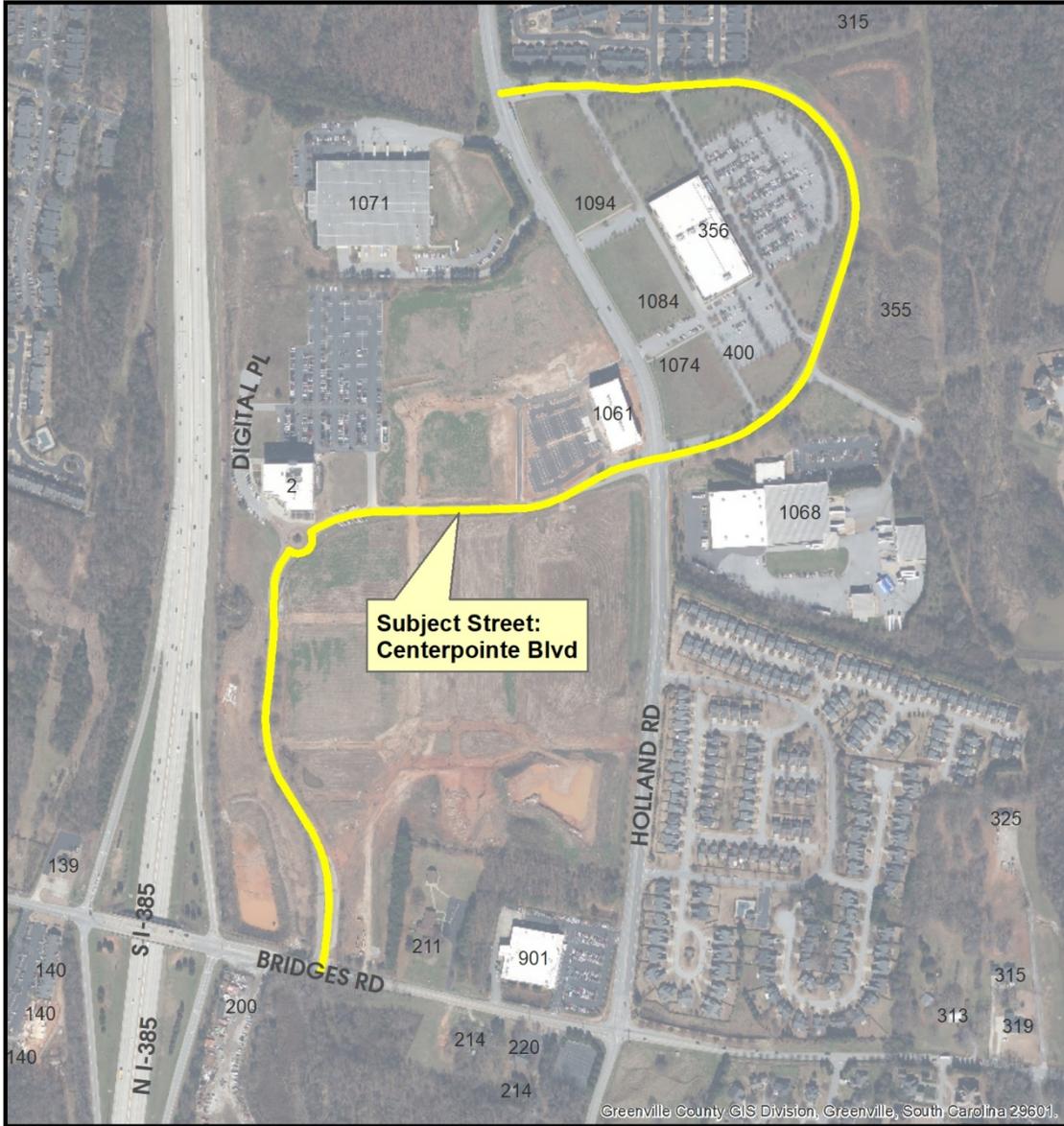
\_\_\_\_\_  
Cindy Miller, Municipal Clerk

REVIEWED:

\_\_\_\_\_  
Brandon Madden, City Administrator

# EXHIBIT

## Street Name Change of Centerpointe Blvd to Bridgeway Blvd



**Legend**

- Subject Street
- Site Address



Created on February 2, 2021

Reproduction of this map is prohibited without permission from the City of Mauldin.

**DISCLAIMER:** The information contained herein is for reference purposes only. The City of Mauldin makes no warranty, express or implied, nor any guarantee as to information provided herein. The City of Mauldin explicitly disclaims all presentations and warranties. The City of Mauldin assumes no liability for any errors, omissions, or inaccuracies in the information provided herein.

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** March 15, 2021  
**AGENDA ITEM:** 9d

---

**TO:** City Council  
**FROM:** City Administrator Brandon Madden  
**SUBJECT:** Amendment to Workplace Privacy/Computer and Internet Use Policy

---

### REQUEST

---

Council is requested to an amendment to its Workplace Privacy/Computer and Internet Use Policy to clarify the guidelines for comments on the City's social media platforms.

### HISTORY/BACKGROUND

---

During its October 21, 2019 meeting, Council approved a workplace privacy/computer and internet use policy.

### ANALYSIS or STAFF FINDINGS

---

The City has multiple social media platforms that are used to inform the public of City initiatives and communicate with the citizenry. Although the City invites and encourages people to discuss issues affecting the City on its social media sites, there are some posts that are inappropriate. The requested amendment to the policy codifies how inappropriate posts on the City's social media sites will be managed.

### FISCAL IMPACT

---

None is associated with this request.

### RECOMMENDATION

---

Staff recommends approval of the amendments.

### ATTACHMENT

---

Redlined Amendment to Workplace Privacy/Computer and Internet Use Policy



## City of Mauldin

### Workplace Privacy/Computer and Internet Use Policy

Adopted 2019

**ALL EMPLOYEES OF THE CITY OF MAULDIN ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF THE CITY OF MAULDIN' S RULES, POLICIES, HANDBOOKS, PROCEDURES OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING, 2) THE DOCUMENT IS LABELED "CONTRACT", 3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT, AND 4) THE DOCUMENT IS SIGNED BY THE CITY MAYOR.**

#### **Policy:**

The workplace is intended to be a place of work. An important part of work is communications and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Personal items and personal communications received or stored on City premises are not entitled to a guarantee of privacy.

#### **Purpose:**

Management may search City property and documents in City-owned vehicles, employee desks, lockers, file cabinets, etc.

Electronic media raise similar issues. The City provides electronic and telephonic communication devices to employees for use in performing their job duties. Although assigned to the employee, these items belong to the City. Similarly, any computer files created, or software downloaded on a City computer belong to the City. Unauthorized programs, applications and files may not be used or

installed on City computers. Employees may not destroy or delete files from City computers or mobile devices except pursuant to the South Carolina State record retention policy.

### **Procedures:**

Employees are given certain access and computer rights based upon the employee's job description. Employees may not change any of these rights or the rights of anyone else. Software, programs, games, applications, and any other downloads may not be installed on City computers without the written permission of the City.

Employees are prohibited, unless specifically authorized by the City, from accessing and/or viewing e-mail which has not been sent by, or addressed to, the employee. Similarly, employees are prohibited, unless specifically authorized by the City, from accessing and/or viewing databases containing personal employee information. Employees who have received appropriate authorization to access and/or view databases containing personal employee information are prohibited from using or discussing information in those databases except as directed by management.

The City consents to the reasonable personal use of its communication devices. The definition of "reasonable personal use" is determined in the sole discretion of the City. The only sure way to avoid violating the City's policy on personal use is not to use the City's communication devices, computers and network for any personal purpose. The following personal computer use is absolutely forbidden:

1. Accessing any material which the City considers to be pornographic; transmitting or knowingly accepting receipt of any communication which is pornographic, obscene, or in the City's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, gender, age, national origin, disability or some similar distinction;
2. Conducting business for outside employment or a side-business;

Although employees may use City-owned communication devices, computers and network for limited personal use, all files and data created or transmitted using a computer (desktop or laptop), telephone, pager, "smart phone," or any other electronic device provided to the employee by the City belongs to the City and may be accessed by the City during transmission of the communication or while in storage on the City's equipment. This includes, but is not limited to, voicemail, the content of e-mail, text (sms) messages, multi-media messages (mms), instant messages, and the content of internet websites.

**By accepting employment with the City, you consent to monitoring, including "real time" monitoring, of all communications described in this policy and authorize the City to access all data stored on communication devices provided by the City.** The City also reserves the right to report the finding of such reviews to appropriate agencies. Data stored on a City communication device includes data, such as personal third-party e-mail accounts (*e.g.*, yahoo, Hotmail, Gmail, etc.) and websites, that is accessed with a password where the data was accessed using the City's communication device. **Thus, if you do not want the City to have access to your personal e-mail account or your social networking site, you should not access your personal e-mail or other password-protected websites using City-owned communication devices.** Even though an item has been "deleted" and the employee cannot retrieve it, this does not mean that the City cannot do so. It is

also possible to generate a report of every internet connection made by each user and the amount of time spent in each connection.

If you access personal e-mail accounts or other password-protected websites using City-owned communication devices, you will be subjecting those accounts and websites to any viruses that may have infected the City-owned communication device. The City is not liable for any damages you suffer because of such access. The best way for you to protect your personal information is to refrain from accessing it using City-owned equipment.

Employees may not use their personal electronic equipment (including, but not limited to, personal laptop computers and cellular phones) on City property or at City work sites to engage in conduct which would be prohibited if using City equipment.

### **Social Networks; Personal Web Sites; Blogs**

The City consents to reasonable limited access to social media sites during working hours or using City equipment. What is “reasonable” is determined in the sole discretion of the City. The only sure way to avoid violating the City’s policy on personal social media site access is not to access such sites at all during working hours or using City equipment.

Employees must understand that material posted on these media outlets may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts, comments and actions they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee’s judgment, or that reasonably cause concern among the public may result in discipline, up to and including termination from employment. Similarly, conduct that would violate City policies, if done in person, also violates City policy if done through social media. Employees may not disclose confidential information over social media or similar sites.

Employees who post on media sites and who have identified themselves as a member or employee of the City on those sites, must make it clear that they are expressing their own views and not those of the City.

**In summary, when using City owned electronic equipment such as computers, mobile phones, etc., City employees are not entitled to an expectation of privacy.**

### **City Operated Social Media Platforms:**

The City of Mauldin invites and encourages people to discuss issues affecting the City on its social media sites, which serve as limited public forums. However, the City of Mauldin will not allow posts to remain that include:

- Language or information that is foul, vulgar, scurrilous, or scatological
- Promotion of the use of alcohol or tobacco
- Threats, attacks, harassment, unlawful discrimination or hate language
- Nudity/pornography or messages/depictions with sexual, obscene, or indecent content
- Advocation of illegal or inappropriate use of firearms or drugs, or any illegal activity
- Depictions or promotions of animal cruelty

- Promotion or endorsement of a political campaign or candidate
- Programs and events not officially sponsored by the City of Mauldin or a City Council.
- Solicitations for donations, except for official City-sponsored activities.

**The City of Mauldin reserves the right to close any conversations if comments stray from the context of the original post**

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** March 15, 2021  
**AGENDA ITEM:** 9e

---

**TO:** City Council  
**FROM:** City Administrator Brandon Madden  
**SUBJECT:** Resolution for 206 Libby Lane Property

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### REQUEST

---

The Council is requested to consider and approve a Resolution to approve the purchase of property located at 206 Libby Lane and to authorize the mayor to execute the attached contract and any other documents necessary for the purchase of the property.

### HISTORY/BACKGROUND

---

During the historic flooding event in 2015, multiple structures along Libby Lane that were located in the FEMA (Federal Emergency Management Authority) flood zone sustained significant flood damage. Following the following event, the City engaged hazard mitigation consultant Jeff Ward & Associates (JSWA) to manage the purchase and demolition of those properties through a FEMA its hazard mitigation grant program.

During the original scope of work in 2017, 206 Libby Lane was not able to be purchased and demolished. Subsequently and prior to the closing of the grant program, FEMA announced additional funds that would allow the city to purchase and demolish the site. Since 2018, staff has been working to settle this project. After negotiations with FEMA, the site has been approved purchase and demolition. The attached contract is for the purchase of the property by the City and will prompt its demolition.

### ANALYSIS or STAFF FINDINGS

---

JSWA has completed the negotiations to purchase the property. Council approved the approved the use of the matching funds for this project during its October 19, 2020 meeting.

The original project pro-forma can be found in the attached contract with JSWA.

### FISCAL IMPACT

---

None is associated with this request. Council has already approved the matching funds needed.

### RECOMMENDATION

---

Staff recommends approval of the Resolution.

### ATTACHMENT

---

Resolution  
Contract to purchase  
Contract with JSWA.

RESOLUTION \_\_\_\_\_-2021

**A RESOLUTION TO APPROVE THE PURCHASE OF PROPERTY LOCATED  
AT 206 LIBBY LANE AND TO AUTHORIZE THE MAYOR TO EXECUTE  
THE ATTACHED CONTRACT AND ANY OTHER DOCUMENTS  
NECESSARY FOR THE PURCHASE OF THE PROPERTY**

**WHEREAS**, the property located at 206 Libby Lane is located within the City Limits within the City of Mauldin (“City”); and,

**WHEREAS**, this property has flooded during severe rainfall events sustaining damage; and,

**WHEREAS**, the property has a fair market value of Thirty-seven Thousand and 00/100 Dollars (\$37,000.00); and,

**WHEREAS**, FEMA, pursuant to the Hazard Mitigation Grant Program, has awarded the City a grant of \$37,000.00 to purchase the property; and,

**WHEREAS**, the Flood Damage Contract For Sale attached hereto marked as **Exhibit “A”** must be approved by the Mayor and Council in order to receive the grant; and,

**WHEREAS**, the Mayor and Council find that the acquisition of this property is beneficial to the City; and,

**WHEREAS**, the Mayor and Council approve the Contract attached hereto marked as **Exhibit “A”**; and,

**WHEREAS**, the Council hereby authorizes the Mayor to execute the Contract and any other documents necessary for the purchase of the property.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Mayor and Council approve the Contract attached hereto and marked as **Exhibit “A”** and authorizes the Mayor to execute the Contract and all other documents necessary for the purchase of the property.

**IT IS SO RESOLVED THIS \_\_\_\_ DAY OF FEBRUARY, 2021.**

---

Terry Merritt, Mayor  
City of Mauldin

---

Cindy Miller, Municipal Clerk  
City of Mauldin

Approved as to form

---

John B. Duggan, City Attorney

## FLOOD DAMAGED PROPERTY CONTRACT FOR SALE

THIS AGREEMENT is made and entered into this 5th day of February, 2021, by and between the City of Mauldin South Carolina ("City"), and "American IRA, LLC FBO Laura Williams TRAD IRA ("Seller"), regardless of the number of signatories.

City is acting under a FEMA grant awarded under the Hazard Mitigation Grant Program (HMGP) Administered by the South Carolina Emergency Management Division and desires to purchase from Seller the all that certain tract or parcel of land together with all improvements located thereon located in the City of Mauldin, SC ("Premises") more particularly described as follows, to-wit 206 Libby Lane, Legal Description: LOT 145 & PT LOT 146, HILLSBOROUGH AS DESCRIBED IN PB: 28-L PG: 68.

The parties agree as follows:

- 1..The CITY agrees to pay the SELLER for said property the sum of **\$37,000.00** payable at settlement after the acceptance of this Agreement and preliminary approval of the Seller's title; provided the Seller can execute and deliver a good and sufficient general warranty deed conveying marketable title to said property in fee simple, clear of all liens and encumbrances that are unacceptable to City in its sole discretion.
2. This transaction shall be closed no later than one (1) year from the date of execution of this contract as set forth above. Time is of the essence and this closing date may not be extended without the written authorization of the parties. Possession of the subject property will be given to the Purchaser at the time of the closing, provided, however, that the seller (or seller's tenant) must have vacated the premises at least twenty-four (24) hours prior to closing.
3. SELLER acknowledges that the price to be paid for the property is the current fair market value of **\$37,000.00** with deductions for any insurance payment or FEMA Grants received by SELLER (since the date of appraisal) for structural damage of \$0.00., for which SELLER cannot document as expended on repair of the damaged structure and reimbursement of \$0.00 for temporary living expenses and/or repairs for which receipts have been provided.
4. The proceeds from the sale shall first be applied to all liens on the property, including real estate taxes, weedy lot liens, and paving assessments. All lien amounts shall be due and payable to the date of settlement. The funds being used for the purchase of the property cannot and will not duplicate benefits received for the same from any other funds. SELLER will return any money received if it duplicates benefits as determined by the CITY.
5. SELLER will execute all necessary documents to transfer marketable fee simple title to the property to the CITY and also agrees to execute now and in the future, any and all documents required by the CITY to complete this transaction and to comply with CITY, state or Federal Regulations.
6. SELLER will NOT remove any property considered a portion of the real estate without prior written notice to the CITY and providing appraisals of such properties. The value of the property so removed, as finally determined, will be deducted from the purchase price, if the purchase price has not as yet been paid in full or be repaid by the SELLER within 10 days after removal if the purchase price has been paid to the SELLER. The value of the property removed will be solely determined by the CITY and must be negotiated prior to removal. SELLER understands that no fixtures, materials or improvements to the real estate may be removed from the premises. The CITY will NOT permit any materials to be salvaged at this time or at the time of demolition. Any violation of this agreement may result in a reduction of the value of and amount received for the structure.
7. SELLER acknowledges that it has had an opportunity to review this contract and that it has had an opportunity, if it so chooses, to contact an attorney of it's choice to review this Agreement. SELLER enters into this Agreement fully understanding the nature thereof. SELLER further releases, indemnifies, and saves and holds harmless the CITY and the CITY's officers, employees, agents, and subcontractors from all suits, actions, or claims of any character, name, or description for any matter relating to the subject matter of this contract. **The SELLER shall release and indemnify the CITY from and against any suits, damages, obligations or liability regardless of the negligence, alleged misrepresentations or other intentional or unintentional acts of the CITY or any of its officers, agents, employees or subcontractors performed in relation to this contract, the administration of this buyout program or any aspect of floodplain administration.**
8. Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina.
9. Survival of Covenants. Any of the representations, warranties, covenants, and agreements of the Parties pertaining to a period of time following the closing of the transactions contemplated hereby and specifically including the hold harmless provisions contained in paragraph 6, above, shall survive the closing and shall not be merged therein, unless specifically provided to the contrary.

10. Parties Bound. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors, executors, administrators and assigns.

11. Entire Agreement. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter thereof and contains all of the covenants and agreements between the parties with respect to said matter.

This agreement is binding upon the heirs, executors, successors and assigns of all parties.

DATED this 5th day of February, 2021.

  
American IRA, LLC FBO Laura Williams TRADIRA



\_\_\_\_\_  
Name and Title

*Erika Wilson*  
Director of Operations and Compliance, AIRA  
on Behalf of New Vision Trust Company

Accepted by the City of Mauldin, South Carolina:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title

**Owner's Affidavit for Construction Work, Tenants, Assessments and Gap**

1. I am the owner of the property ("Property") known as: 206 Libby Lane
2. **Construction work:** *(check one box)*
  - Repair or construction work **has not** been done on the Property within the past six months.
  - Repair or construction work in the approximate amount of \$ \_\_\_\_\_ **has** been done on the Property in the past six months. All of the people who supplied labor or materials are listed below. All lien waivers collected from these people are stapled to this Affidavit.

Type of Work	Contractor Name	Dollar Amount of Work	Date of Work

3. **Tenants:** The following tenants and renters occupy the Property: *(check one box)*
  - There are no tenants
  - There are tenants, but all have left the Property or will leave as of closing
  - The tenants who will stay after closing are listed on the back of this affidavit.
4. **Special assessments:** There are no unpaid special assessments, charges for water or sewer hook-up or service, or other tax liens on the property, except:   NONE   (if none, so state).
5. **Association dues and assessments:** There are no association dues owed to my homeowner's association, except:   NONE   (if none, so state).
6. **Gap:** I have no knowledge of any defects, liens, encumbrances, adverse claims or other matters created, first appearing in the public records or attaching between the effective date hereof and the date of recording of the deed.

I understand that Greenville County shall rely upon these statements and representations regarding the buy-out of the above-referenced Property. I agree to indemnify Greenville County from and against any loss or damage caused by misrepresentation, inaccuracies and/or omissions arising in connection with the statements and representations set forth herein, created, suffered or agreed to by the undersigned and not disclosed in writing to Greenville County by this affidavit, plus any costs, expenses, damages or liability, including attorneys' fees, arising from the enforcement of this indemnification.

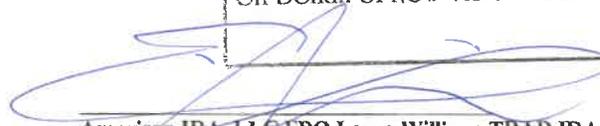
Dated this 5th day of February, 2021.

LOW

**Owner:**

DATED this 5th day of February, 2021.

  
Signature

  
Erika Wilson  
Director of Operations and Compliance, AIDA  
on Behalf of New Vision Trust Company  
American IRA, LLC FBO Laura Williams TRAD IRA

Subscribed and sworn to before me this 8th day of February, 2021.

  
Notary Public, State of <sup>North</sup> Carolina  
My Commission expires: 11-15-2023

CHARLENE L SUTTON  
Notary Public, North Carolina  
Jackson County  
My Commission Expires  
11-15-2023

LOW



**REFERENCE NUMBER**  
92A11027-9CB6-4312-B01F-41FA4B97C857

## SIGNATURE CERTIFICATE

### TRANSACTION DETAILS

**Reference Number**  
92A11027-9CB6-4312-B01F-41FA4B97C857

**Transaction Type**  
Signature Request

**Sent At**  
02/05/2021 13:36 EST

**Executed At**  
02/05/2021 13:50 EST

**Identity Method**  
email

**Distribution Method**  
email

**Signed Checksum**  
2658eeade1c156950ea75574f2d2b5ec060b2c768394b325caabcfd2b326e6730

### Signer Sequencing

Disabled

### Document Passcode

Disabled

### DOCUMENT DETAILS

**Document Name**  
Scan 2

**Filename**  
scan\_2.pdf

**Pages**  
4 pages

**Content Type**  
application/pdf

**File Size**  
747 KB

**Original Checksum**  
ab330f82f7352e2255e4df65fd18829652d378dc55dd7fb400422be7ae7306ee

## SIGNERS

### SIGNER

**Name**  
Laura Williams

**Email**  
williamsfamily6303@att.net

**Components**  
4

### E-SIGNATURE

**Status**  
signed

**Multi-factor Digital Fingerprint Checksum**  
7e2dc0765101f0eeaa3e47bfc71cb2f67a80aa229828e01d9351c2f8dc9d66f4

**IP Address**  
107.77.235.112

**Device**  
Mobile Safari via iOS

### EVENTS

**Viewed At**  
02/05/2021 13:49 EST

**Identity Authenticated At**  
02/05/2021 13:50 EST

**Signed At**  
02/05/2021 13:50 EST

## AUDITS

### TIMESTAMP

02/05/2021 13:36 EST

02/05/2021 13:36 EST

02/05/2021 13:49 EST

02/05/2021 13:50 EST

02/05/2021 13:50 EST

### AUDIT

Investments Amanda (amanda@americanira.com) created document 'scan\_2.pdf' on Chrome via Windows from 128.136.69.244.

Laura Williams (williamsfamily6303@att.net) was emailed a link to sign.

Laura Williams (williamsfamily6303@att.net) viewed the document on Mobile Safari via iOS from 107.77.235.112.

Laura Williams (williamsfamily6303@att.net) authenticated via email on Mobile Safari via iOS from 107.77.235.112.

Laura Williams (williamsfamily6303@att.net) signed the document on Mobile Safari via iOS from 107.77.235.112.

STATE OF SOUTH CAROLINA §  
COUNTY OF GREENVILLE §  
CITY OF MAULDIN §

**CONSULTING SERVICES FOR GRANT  
IMPLEMENTATION AND ADMINISTRATION**

This is an agreement by and between the City of Mauldin, South Carolina, (CITY), and Jeffrey S. Ward & Associates, Inc., (CONTRACTOR).

WHEREAS CITY has floodprone properties within the City and has applied for a FEMA grant, to acquire and demolish eight homes and to elevate one home; and

WHEREAS CITY has received notification of award to acquire and demolish and/or elevate these homes; and

WHEREAS CONTRACTOR is in the business of managing/implementing above referenced grants,

WHEREAS CITY desires to contract with CONTRACTOR to provide such services,

NOW, THEREFORE, CITY and CONTRACTOR mutually agree as follows:

**I. SCOPE OF SERVICES**

CONTRACTOR shall serve as a contractor of the CITY. The description of services contained herein is intended to be general in nature. It is neither exhaustive, nor a limitation on the contracted services so long as the services actually delivered are consistent with the provisions of this agreement.

CONTRACTOR agrees to provide the following services:

**Scope of Work**

The consultant will provide the following services:

1. Grant Administration

The consultant will assist in the administration of any related grant programs implementation:

- a. Provide support for public meetings
- b. Assist in locating property owners
- c. Reporting
  - State quarterly reports
  - Monthly reports
  - Project Status Reports
  - Project completion reports
- d. Reimbursement requests
  - Collect supporting documentation
    - Increased Cost of Compliance
    - Public Assistance
    - Grant
  - Prepare requests
    - Acquisition
    - Demolition

2. Buyout Counseling Services

For each parcel that is approved for acquisition, the consultant will perform the following services:

- a. **Review and Oversight of Title Company Activities. Specifically:**  
The Contractor will ensure that the Title Company activities are performed in a timely manner and in accordance with the terms of the contract. The Contractor will review Title Search and Title Insurance Commitments to ensure that they meet the requirements of the contract. If problems are encountered, the Contractor will seek resolution from the Title Company.
- b. **Review of Appraisal. Specifically:**  
Each appraisal will be reviewed for compliance with the Uniform Standards for Professional Appraisal Practices (USPAP) and Grant agency requirements. The appraiser's estimate of value should be well documented and supported by the best comparable sale data available. Errors, omissions and unsupported conclusions will be brought to the attention of the appraiser and the report will be revised as needed to meet the reviewer's requirements. An approved estimate of value will be prepared. Should a property owner later challenge the Determination of Compensation and obtain their own appraisal, the Contractor will review owner's appraisal and a revised Offer to Sell will be prepared as appropriate. The review of owner appraisals and the preparation of revised offers will be billed for each parcel as appropriate.
- c. **Develop Data for Determining Compensation. Specifically:**  
Information provided by the community will be reviewed and an amount of compensation for each parcel will be recommended. The Contractor will analyze the appraisal and/or community information to extract the needed information for the preparation of the Statement of Determination of Compensation and Offer to Sell Real Property. Duplication of Benefits information will be reviewed and proper deductions from value will be made.  
  
Note: Duplication of Benefits data is only as good as the data provided by the Community and/or the homeowner. Contractor will not be responsible for duplication of benefits data not known or withheld at the time of the development of the Determination of compensation. Every effort will be made to obtain complete and accurate Duplication of Benefits data up to the point of settlement of the property.
- d. **Prepare Determination of Compensation and Offer to Sell Real Property. Specifically:**  
Utilizing the data developed or obtained in Task 3, the Contractor will prepare the following documents for the City's review: (1) Letter to each parcel owner explaining the acquisition process and their rights and options, to be signed by the Community official, (2) a Statement of Determination of Compensation for each parcel to be signed by the Community official, and; (3) an Offer to Sell Real Property agreement for each parcel.
- e. **Meet with Owners. Specifically:**  
Each parcel owner will be scheduled for a personal meeting at which time the letter from the City explaining the acquisition process and the owner's rights and options will be reviewed. The Statement of Determination of Compensation and Offer to Sell Real Property will also be explained to each parcel owner. If duplication of benefits deductions are made and the owner has documentation to support a revision to the deductions or to support a reimbursement, appropriate adjustments will be made. The meetings will be conducted in facilities provided by the client. Following this meeting, the offer to sell will be presented to the owner, by the City.

- f. Prepare Deeds. Specifically:  
The Contractor will provide the Title Company a sample Deed for each parcel in a form that meets the requirements of the FEMA Section 404 program and/or the appropriate Grant agency. The Deed will be suitable for recording with the Recorder of Deeds in the appropriate County. This Deed will recite the true consideration to be paid, will identify the interest in the land to be acquired and will include appropriate deed restrictions as directed by FEMA and/or the Grant agency.
- g. Oversee and Coordinate Settlements. Specifically:  
The title company will be responsible for scheduling closing with each parcel owner and for the preparation of all documents necessary for closing. These activities will be monitored to ensure that they are performed in a timely manner and that all matters are properly coordinated. A listing will be prepared and provided to the Client prior to each closing which identifies the amount needed for disbursement by the title company at the closing. The listing will identify each parcel by parcel number, owner name, address of property and amount of compensation. The client will be advised to deposit the needed funds in the Title Company escrow prior to closing.
- h. Prepare and Maintain Hard Copy Case Files. Specifically:  
A hard copy case file for each parcel purchased will be prepared and submitted to the client. This file will contain at a minimum: the application package from the owner; a copy of the appraisal; a copy of the letter; a copy of the Determination of Compensation; a copy of the Offer to Sell and any revisions thereto; a copy of the final title insurance policy; and a copy of the recorded Deed. Notes regarding owner meetings and various discussions will be included in the case file as appropriate.
- i. Demolition Management  
The consultant will assist in the administration of demolition related floodplain buyout program implementation. The consultant will follow City procurement ordinance for all activities included below.
- Solicit bids from local demolition contractors capable of handling and interested in providing demolitions
  - Make recommendation to City on demolition firm(s) to be available on an as needed basis when demolition is required
  - Enter into to contract with demolition firm(s)
  - Solicit demolition bids on a home by home basis
  - Provide recommendation to City based on received demolition bids
  - Oversee demolition contractor to ensure demolitions are completed in a timely manner (75 days from notice to proceed from City to consultant)
  - City will be responsible for permitting and site inspections related to demolition
  - Facilitate invoicing and payment processes for all demolitions

### 3. Project Management Services for Elevation projects

- Meet with Homeowners to overview and explain the process and detail the Homeowner's and elevation contractor's responsibilities
- Provide an overview of the budget the Homeowners must stay within for their individual elevation. This data will come from the grant award documents
- Manage the budget to ensure all homes are completed within available Federal funding
- Assist the City in ensuring that the elevation contract specifications meet the FEMA grant

requirements

- Develop a process to ensure that construction is performed in compliance with engineering specifications (especially homes not located within City limits)
- Ensure that a professional engineer reviews all construction specifications. Note, Professional Engineer is provided and paid for by the elevation contractor as part other total elevation contract amount bid and accepted by the homeowner and the City
- Solicit elevation contractors in accordance with Federal, State and local procurement standards
- Provide a list of qualified elevation contractors and describe the process for selection, review and approval
- Ensure Homeowner selects among the qualified contractors in the manner and method prescribed and supports the selection
- Prepare and present mitigation offer. Review details of mitigation offer and have offer signed by Homeowner
- Prepare and present Homeowner/City agreement for elevation. This agreement will provide the details of the Homeowner responsibility for hiring the elevation contractor and will have language indemnifying the City and their contractors from liability associated with the physical elevation. Have Homeowner sign the agreement
- Submit owner signed agreement to City for review and signature
- For those Homeowners that have a local cost share, collect this cost share at the time of execution of the agreement between City and Homeowner. Ensure these funds are deposited with the City in escrow accounts
- Facilitate payments to contractors from the City
- Meet with each Homeowner and review and concur with Elevation Contractor. Confirm bid is within grant limits and detail any/all costs that will not be reimbursable under the grant.
- Review work schedules and specifications to ensure that the elevation is completed in a timely manner and in compliance with the terms of the grant. If problems are encountered, the Contractor will seek resolution from the City and the State.
- This element requires the submittal of a schedule for completion for elevation as part of the bid and resultant contract for elevation. JSWA will closely monitor this schedule and include progress reviews in the below mentioned weekly reports.
- Facilitate the establishment and recordation of FEMA required post elevation deed restrictions.

Any additions to, expansion of or explanation of such terms shall be by letter of understanding agreed to and signed by both parties to this contract.

**II. COMPENSATION**

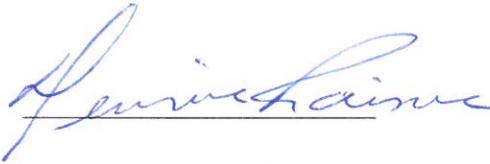
<u>Description</u>	<u>Unit Price</u>
Grant administration	\$175.00 per hour
Buyout counseling services	\$1,200.00 per parcel
Demolition management	\$2,500.00 per parcel
Project management for elevation	\$5,000.00 per parcel

The Consultant will contract for title services and for appraisal services with the companies of his choosing. Consultant will be responsible for overseeing the title company and appraisal contractor to ensure that they meet the requirements of the Grant. The cost of the appraisal and title work are not part of the contractor's above mentioned per parcel fee. The appraisal fee will be billed, without markup, through the contractor billing at a separate per parcel rate. The title company fees are promulgated by the State and will be requested to be transferred from CITY to the Title Company as required to settle the property.

Based on the above fees, the City's out of pocket (25%) for fees paid to Consultant will not exceed \$28,000.

CITY OF MAULDIN

CONTRACTOR



Jeffrey S. Ward & Associates, Inc.

ATTEST:



# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** March 15, 2021  
**AGENDA ITEM:** 9f

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**TO:** City Council  
**FROM:** City Administrator Brandon Madden  
**SUBJECT:** Corporate and Unincorporated Organization Resolution

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### REQUEST

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The Council is requested to consider and approve a Resolution to authorize an account to be opened in the name of the City with National Financial Services LLC ("NFS"), and identify those officers or individuals authorized by Resolution to transact business on the account.

### HISTORY/BACKGROUND

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The City has a financial relationship with NFS, and federal regulation requires personal information (e.g., name, date of birth, address, and a government-issued ID number) of the City's authorized representative prior opening an account. The account is to manage the City's Certificate of Deposits.

### ANALYSIS or STAFF FINDINGS

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NFS requires a certified copy of the attached Resolution (see Section 5) adopted by the City's governing body whereby the establishment and maintenance of trading accounts has been authorized.

Pursuant to legal review of the Resolution, approval by City Council is warranted.

### FISCAL IMPACT

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None is associated with this request.

### RECOMMENDATION

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Staff recommends approval of the Resolution.

### ATTACHMENT

---

Resolution

Account Number

# Corporate and Unincorporated Organization Resolution

Use this form to authorize an account to be opened in the name of the Corporation or Unincorporated Organization ("Company") with National Financial Services LLC ("NFS"), and identify those officers or individuals authorized by Resolution to transact business on the account.

## Helpful to Know

- Complete all applicable sections of this form.
- The authorized individuals named on this form will have the authority to act in all capacities to trade and perform account maintenance. For more information, refer to the Resolutions.

## 1. Account Information

Enter full entity name as evidenced by the relevant formation document (e.g., corporate resolution).  
\* For foreign entities ONLY.

Entity Name			
Country of Organization		Country of Tax Residency	
<input type="checkbox"/> SSN	<input type="checkbox"/> TIN	Social Security/Taxpayer ID Number	Type of Government-Issued ID* ID Number*
State/Country of ID Issuance*	ID Issuance Date*	ID Expiration Date*	

### Legal Address

Cannot be a P.O. Box or Mail Drop.

Address Line 1		Address Line 2	
City	State/Province	Zip/Postal Code	Country

### Mailing Address

Complete only if different from Legal Address above.

Same as Legal Address

Address Line 1		Address Line 2	
City	State/Province	Zip/Postal Code	Country

### Type of Organization

- Check one.
- Corporation
- Unincorporated Organization

## 2. Certification *Authorizes an account to be opened in the name of the Company with NFS.*

Provide the name of President, Secretary, or other Authorized Individual. This person must also sign in the Resolution section.

First Name	Middle Name	Last Name
Title		

I hereby certify the following:

- A. that the Company identified above is duly organized and exists under the laws of the state of

State
-------

continued on next page



## 2. Certification *continued*

- B. that the resolutions on this form were duly adopted by the Board of Directors or Governing Body of said Company at a meeting held on:

Date MM DD YYYY

at which a quorum of said Board of Directors was present and acting throughout; that no action has been taken to rescind or amend said resolutions; and, that the same are now in full force and effect and do not conflict with the by-laws of said Company as stated in

Name of Document under which Organization is Operating

- C. that each of the following, named individuals, has been duly elected (if applicable), is now legally holding the office set under his/her name, and that any one of them acting individually, is authorized to establish the account in the name of the Company with National Financial Services ("NFS"). Each individual is also authorized to purchase, trade, sell (including short sales in margin accounts), assign, withdraw, transfer and/or deliver any and all stocks, bonds, options, or any other assets or securities, listed or unlisted and to establish check-writing and other account-related services in the designated accounts.
- D. that the resolutions are not contrary to any provision in the charter or by-laws of this Company, and that I have been authorized to make this certification to NFS on behalf of this Company.
- E. that any information given on this account agreement is subject to verification and authorizes my Broker/Dealer and/or NFS to obtain a credit or other financial responsibility report with respect to the registered account owner as well as any individual authorized to transact business on behalf of the registered account owner. The undersigned is authorized to express the consent of such authorized individuals to obtain a report, and that such individuals have been notified of the possibility thereof. Upon written request, my Broker/Dealer will provide the name and address of the credit reporting agency used.

## 3. Authorized Entity *if any*

Provide information on any entity that is authorized on the account. If completing this section, you will be required to submit additional documentation. Ask your investment representative what documentation is needed.

### Entity Information

Enter full entity name as evidenced by the relevant formation document (e.g., trust document, partnership agreement, corporate resolution).  
\* For foreign entities ONLY.

Entity Name			
Country of Organization		Country of Tax Residency	
<input type="checkbox"/> SSN	<input type="checkbox"/> TIN	Social Security/Taxpayer ID Number	Type of Government-Issued ID*
State/Country of ID Issuance*		ID Issuance Date* MM DD YYYY	ID Expiration Date* MM DD YYYY
ID Number*			

### Legal Address

Cannot be a P.O. Box or Mail Drop.

Address Line 1		Address Line 2	
City	State/Province	Zip/Postal Code	Country

### Mailing Address Same as Legal Address

Complete only if different from Legal Address above.

Address Line 1		Address Line 2	
City	State/Province	Zip/Postal Code	Country

## 4. Authorized Individual Information

**First Authorized Individual**  Sole Officer *Check if applicable.*

Enter full name as evidenced by a government-issued, unexpired document (e.g., driver's license, passport, permanent resident card).

First Name		Middle Name	Last Name	
Date of Birth MM DD YYYY		Email		
Daytime Phone		Evening Phone		
Country of Citizenship			Country of Tax Residency	
<input type="checkbox"/> SSN <input type="checkbox"/> TIN	Social Security/Taxpayer ID Number		Type of Government-Issued ID	ID Number
State/Country of ID Issuance	ID Issuance Date	ID Expiration Date		

### Legal Address

Cannot be a P.O. Box or Mail Drop.

Address Line 1		Address Line 2		
City	State/Province	Zip/Postal Code	Country	

### Mailing Address Same as Legal Address

Complete only if different from Legal Address above.

Address Line 1		Address Line 2		
City	State/Province	Zip/Postal Code	Country	

### Income Source, Affiliations and Associations *Industry regulations require us to ask for this information.*

Check one and provide information. Provide Income Source if retired or not employed.

Employed       Retired       Not Employed

Occupation	Income Source	Employer Name		
Address				
City	State/Province	Zip/Postal Code	Country	

Check all that apply and provide information.

- You are, or an immediate family/household member is, a senior foreign political figure.
- You are, your spouse, or any of your relatives (including parents, in-laws and/or dependents, etc.), living in your home (at the same address), is a member of the board of directors, is a 10% shareholder, or is a policy-making officer or can direct corporate management of policies of a publicly traded company (an "Affiliate"). You must provide the information below:

Company Name	CUSIP or Symbol
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- Check this box if any of these scenarios apply to you. You are registered with or employed by a Financial Industry Regulatory Authority ("FINRA") member firm ("associated person"), you are the spouse of an associated person, you are a child who resides in the same household or is financially dependent on the associated person, you are related to an associated person who has control over your account or an associated person materially contributes financial support to you and has control over your account, or you are affiliated with or employed by FINRA, any other self-regulatory organization ("SRO") or a municipal securities dealer.

Same as employer above. *If different, provide the information below.*

Company Name				
Address Line 1		Address Line 2		
City	State/Province	Zip/Postal Code	Country	

## 4. Authorized Individual Information *continued*

### Second Authorized Individual

Enter full name as evidenced by a government-issued, unexpired document (e.g., driver's license, passport, permanent resident card).

First Name		Middle Name	Last Name
Date of Birth MM DD YYYY		Email	
Daytime Phone		Evening Phone	
Country of Citizenship		Country of Tax Residency	
<input type="checkbox"/> SSN	<input type="checkbox"/> TIN	Social Security/Taxpayer ID Number	Type of Government-Issued ID
State/Country of ID Issuance		ID Issuance Date	ID Expiration Date
		ID Number	

### Legal Address

Cannot be a P.O. Box or Mail Drop.

Address Line 1		Address Line 2	
City	State/Province	Zip/Postal Code	Country

### Mailing Address Same as Legal Address

Complete only if different from Legal Address above.

Address Line 1		Address Line 2	
City	State/Province	Zip/Postal Code	Country

### Income Source, Affiliations and Associations *Industry regulations require us to ask for this information.*

Check one and provide information. Provide Income Source if retired or not employed.

Employed       Retired       Not Employed

Occupation	Income Source	Employer Name	
Address			
City	State/Province	Zip/Postal Code	Country

Check all that apply and provide information.

- You are, or an immediate family/household member is, a senior foreign political figure.
- You are, your spouse, or any of your relatives (including parents, in-laws and/or dependents, etc.), living in your home (at the same address), is a member of the board of directors, is a 10% shareholder, or is a policy-making officer or can direct corporate management of policies of a publicly traded company (an "Affiliate"). You must provide the information below:

Company Name	CUSIP or Symbol

- Check this box if any of these scenarios apply to you. You are registered with or employed by a Financial Industry Regulatory Authority ("FINRA") member firm ("associated person"), you are the spouse of an associated person, you are a child who resides in the same household or is financially dependent on the associated person, you are related to an associated person who has control over your account or an associated person materially contributes financial support to you and has control over your account, or you are affiliated with or employed by FINRA, any other self-regulatory organization ("SRO") or a municipal securities dealer.

Same as employer above. *If different, provide the information below.*

Company Name			
Address Line 1		Address Line 2	
City	State/Province	Zip/Postal Code	Country

## 4. Authorized Individual Information *continued*

### Third Authorized Individual

Enter full name as evidenced by a government-issued, unexpired document (e.g., driver's license, passport, permanent resident card).

First Name		Middle Name	Last Name	
Date of Birth MM DD YYYY		Email		
Daytime Phone		Evening Phone		
Country of Citizenship			Country of Tax Residency	
<input type="checkbox"/> SSN	<input type="checkbox"/> TIN	Social Security/Taxpayer ID Number	Type of Government-Issued ID	ID Number
State/Country of ID Issuance	ID Issuance Date	ID Expiration Date		

#### Legal Address

Cannot be a P.O. Box or Mail Drop.

Address Line 1		Address Line 2		
City	State/Province	Zip/Postal Code	Country	

#### Mailing Address Same as Legal Address

Complete only if different from Legal Address above.

Address Line 1		Address Line 2		
City	State/Province	Zip/Postal Code	Country	

#### Income Source, Affiliations and Associations *Industry regulations require us to ask for this information.*

Check one and provide information. Provide Income Source if retired or not employed.

Employed       Retired       Not Employed

Occupation	Income Source	Employer Name		
Address				
City	State/Province	Zip/Postal Code	Country	

Check all that apply and provide information.

- You are, or an immediate family/household member is, a senior foreign political figure.
- You are, your spouse, or any of your relatives (including parents, in-laws and/or dependents, etc.), living in your home (at the same address), is a member of the board of directors, is a 10% shareholder, or is a policy-making officer or can direct corporate management of policies of a publicly traded company (an "Affiliate"). You must provide the information below:

Company Name	CUSIP or Symbol
--------------	-----------------

- Check this box if any of these scenarios apply to you. You are registered with or employed by a Financial Industry Regulatory Authority ("FINRA") member firm ("associated person"), you are the spouse of an associated person, you are a child who resides in the same household or is financially dependent on the associated person, you are related to an associated person who has control over your account or an associated person materially contributes financial support to you and has control over your account, or you are affiliated with or employed by FINRA, any other self-regulatory organization ("SRO") or a municipal securities dealer.

Same as employer above. *If different, provide the information below.*

Company Name				
Address Line 1		Address Line 2		
City	State/Province	Zip/Postal Code	Country	

## 5. Resolutions

**Customer Identification Program Notice:** To help the government fight financial crimes, Federal regulation requires your Broker/Dealer to obtain your name, date of birth, address, and a government-issued ID number before opening your account, and to verify the information. In certain circumstances, the Clearing Firm or your Broker/Dealer may obtain and verify comparable information for any person authorized to make transactions in an account. Also, Federal regulation requires your Broker/Dealer to obtain and verify the beneficial owners and control persons of legal entity customers. Requiring the disclosure of key individuals who own or control a legal entity helps law enforcement investigate and prosecute crimes. Your account may be restricted or closed if the Clearing Firm or your Broker/Dealer cannot obtain and verify this information. The Broker/Dealer or the Clearing Firm will not be responsible for any losses or damages (including, but not limited to, lost opportunities) that may result if your account is restricted or closed.

**Certified copy of certain resolutions adopted by the board of directors or governing body or the members whereby the establishment and maintenance of trading accounts has been authorized. Resolved:**

**First:** That the individuals listed in Section 4 of this form are, and each of them hereby is, authorized on behalf of this Company to establish and maintain one or more accounts which may be margin accounts with the Broker/Dealer and National Financial Services "NFS." The account(s) will be used for the purpose of purchasing, investing in, or otherwise acquiring, selling (including short sales in margin accounts), possessing, transferring, exchanging, or otherwise disposing of, or turning to account of, or realizing upon, and generally dealing in and with any and all forms of securities including, but not limited to, shares, stocks, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, certificates of deposit, mortgages, evidences of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise.

The fullest authority at all times with respect to any such commitment or transaction, deemed by any of the officers and/or agents to be proper in connection with, is hereby conferred, including authority (without limiting the generality of the foregoing) to give written or oral instructions to NFS with respect to transactions.

The "authorized individuals" named in Section 4 are authorized to borrow money and securities and to borrow such money and securities from or through NFS and to secure repayment thereof with the property of the Company.

The authorized individuals may bind and obligate the Company to and for the carrying out of any contract, arrangement, or transaction, which is entered into by any officer and/or agent for and on behalf of the Company with or through NFS. The authorized individuals may pay by checks, and/or drafts drawn on the funds of the Company such sums as may be necessary in connection with any of the said accounts.

The authorized individuals may deliver securities and contracts to NFS and deliver securities to and deposit funds with NFS.

The authorized individuals may order the transfer or delivery of securities to any other person whatsoever, and/or to order the transfer of record of any securities, to any name selected by any of the said officers or agents, affix the corporate seal to any documents or securities to any name selected by any of the said officers or agents and affix the corporate seal to any documents or agreements, or otherwise to endorse any securities and/or contracts in order to pass title.

The authorized individuals may direct the sale or exercise any rights with respect to any securities and sign for the Company all releases, powers of attorney, trading authorizations, Margin Agreements, Options Contracts and/or other documents in connection with any such account, and to agree to any terms or conditions to control any account.

The authorized individuals may direct NFS to surrender any securities to the proper agent or party for the purpose of effecting any exchange or conversion, or for the purpose of deposit with any protective or similar committee.

The authorized individuals may accept delivery of any securities and appoint any other person or persons to do any and all things which any of the said officers and/or agents is hereby empowered to do.

**Second:** That NFS may deal with all of the persons directly or indirectly by the foregoing resolution empowered, as though they were dealing with the Company directly.

**Third:** That the Secretary of the Company is hereby authorized, empowered and directed to certify, under the seal of the Company, or otherwise, to NFS:

A. A true copy of these resolutions

B. Specimen signatures of each and every person by these resolutions empowered

C. A certificate (which, if required by NFS, shall be supported by an opinion of the general counsel of the Company, or other counsel satisfactory to NFS) that the Company exists, that its charter empowers it to transact the business by these resolutions, and that no limitation has been imposed upon such powers by the by-laws or otherwise.

**Fourth:** That NFS may rely upon any certification within these resolutions, NFS receives written notice of a change in or rescission of authority, no other form of notice is acceptable, nor shall the fact that any individual previously authorized ceases to be an officer of the Company or becomes an officer under some other title, in any way affect the powers hereby conferred. The failure to supply NFS with written notification of changes does not invalidate any transaction if the transaction is in accordance with authority actually granted.

**Fifth:** That in the event of any change in the office or powers of persons empowered, the Secretary shall notify changes to NFS in writing. When received, NFS will terminate the powers of the persons previously authorized, and to empower the persons taking the place of the previous persons.

**Sixth:** That the foregoing resolutions and the certificates furnished to NFS by the Secretary of the Company are made irrevocable until written notice of the revocation has been received by NFS.

**Seventh:** That the Company and its officers indemnify and hold NFS harmless from any claim, loss, expense or other liability for effecting any transactions and acting upon any instructions given by the officers or Secretary of the Company.

**Make sure to sign the next page and return all pages to your Broker/Dealer.**

*continued on next page*

## 5. Resolutions *continued*

### Signature for Corporation and Unincorporated Organization

This certification must be signed by the President, Secretary or other authorized individual named in the Certification section. The individual signing below certifies that the information provided on this form is true, accurate, and complete.

Print Authorized Individual Name <i>First, M.I., Last</i>	
Authorized Individual Signature	Date <i>MM - DD - YYYY</i>
<b>SIGN</b> ▶	▶

#### For Correspondent Use Only

I \_\_\_\_\_, authorized individual for the Broker/Dealer, have reviewed the foregoing and hereby certify to NFS that (i) Broker/Dealer has performed the required due diligence of the account documentation pursuant to Broker/Dealer's obligation as set forth in the clearing agreement between NFS and Broker/Dealer; and (ii) nothing in this Corporate and Unincorporated Resolution conflicts with the applicable business certification document..

Authorized Individual Signature <i>for Broker/Dealer</i>	Broker/Dealer	Date <i>MM - DD - YYYY</i>

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** March 15, 2021

**AGENDA ITEM:** 9g

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**TO:** City Council  
**FROM:** M. Bryan Turner, Police Chief  
**SUBJECT:** Police Rotational Wrecker List - Fee Schedule

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### REQUEST

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Staff is recommending the attached fee schedule for wrecker services on the rotation list for the City of Mauldin. This fee schedule would be followed any time the Mauldin Communications Center contacts a wrecker service to tow a vehicle for police or fire purposes.

### HISTORY/BACKGROUND

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In January of 2021, the police department began gathering information on wrecker fees. This information was gathered due to request from a business currently on the City's rotation list for a new fee schedule for the calendar year 2021. SC Department of Public Safety (SCDPS) had previously updated their rates for Mauldin area wrecker services who were on the SC Highway Patrol towing rotation. In researching historical information, it was determined the last time the wrecker towing fees were updated was in 2006 and in 2014.

### ANALYSIS / STAFF FINDINGS

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Given that the last fee schedule adjust was approximately 7 years ago, the recommendation is to change the rates to be consistent with the new rate schedule established by SCDPS. The rates approved during 2014 and the new proposed rates are attached. The proposal still contains a stranded motorist fee which has been adjusted to a rate previously associated with a violation during daytime hours. The stranded motorist fee is something which is not covered in the SCDPS version, however due to the City's rotation wrecker services all being within the jurisdiction, Council may consider the adjustment due to the length of travel and overall financial burdens for the residents/motorists.

### FINANCIAL IMPACT

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None.

## RECOMMENDATION

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Staff recommends a rate increase be made for the towing services for companies on the wrecker rotation list. These new rates are adjusted to be comparable with the new rate schedule established by the SCDPS. The rate increase, if approved, would apply for all calls for wrecker services originating from the Mauldin Communications Center to include stranded motorists, vehicle collisions and violations. These fees will be reviewed, at a minimum, every three fiscal years.

<b>Incident Type:</b>	<b>Proposed Fee</b>	<b>Current Fee (2014)</b>
Stranded Motorist	Fee not to exceed \$175.00	\$130.00
Wreck (Day or Night)*	Fee not to exceed \$239.00	\$230.00
Violation/Arrest (Day)	Fee not to exceed \$239.00	\$175.00
Violation/Arrest (Night)*	Fee not to exceed \$239.00	\$200.00
Storage Fee	First 24hr included in fee; \$37.00 additional 24 hours	First 24hr included in fee; \$28.00 additional 24 hours
Standby Charge	\$30.00 per 1/2 hour	\$20.00 per 1/2 hour

\*nighttime (6pm - 7am)

## ATTACHMENTS

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2021 SCDPS Wrecker Rotation Fee Schedule



# South Carolina Department of Public Safety

S.C. Highway Patrol

240

## 2021 Wrecker Rotation Fee Schedule

In accordance with Section 38-600 of the South Carolina Code of State Regulations, the Department of Public Safety publishes a yearly Fee Schedule outlining the maximum allowable fees for each class of wrecker on the SCHP Wrecker Rotation List. The reasonableness of fees on the Fee Schedule is determined by the Highway Patrol on a comparative basis. The fees permitted for calendar year 2021 are listed below:

### 2021 MAXIMUM ALLOWABLE FEES FOR ROTATION LIST CALLS

Rates / Fees		
<b>Class A Wrecker</b>		
<b>Standard Towing Charge</b>	<b>*Special Operations</b>	<b>Storage</b>
\$ 239.00 Flat Fee	\$ 140.00 Per Hour	\$ 37.00 Per Day
<i>*Special Operations are billed at a per hour rate in 1/2 hour increments.</i>		
<b>Class B Wrecker</b>		
<b>Standard Towing Charge</b>	<b>*Special Operations</b>	<b>Storage</b>
\$ 331.00 Flat Fee	\$ 229.00 Per Hour	\$ 45.00 Per Day
<i>*Special Operations are billed at a per hour rate in 1/2 hour increments.</i>		
<b>Class C Wrecker</b>		
<b>*Standard Towing Charge</b>	<b>Special Operations</b>	<b>Storage</b>
\$ 491.00 Per Hour	**See below	\$ 62.00 Per Day
<i>*Standard Towing is billed at a per hour rate in 1/2 hour increments.</i>		
<i>**Although no Special Operations fee is set for Class C tows, a wrecker service may recover the actual cost of rented/subcontracted equipment or labor necessary to accomplish the job. Proof of these actual costs in the form of an itemized invoice or receipt from each third party providing such equipment or labor must accompany the tow bill.</i>		

**Class C services only.** Rates for all equipment usage should include the cost of an operator, operating expenses, and the cost to transport the equipment to and from the scene.

Description of Service, Labor or Equipment	Rate / Fee	
Additional Wrecker	\$ 485.00	Per hour
Dump Truck, Dump Trailer or Drop Dumpster	\$ 264.00	Per hour
Rotator/Crane or equivalent	\$ 681.00	Per hour
Truck Tractor with Box Trailer or equivalent	\$ 306.00	Per hour
Truck Tractor with Flat Trailer or equivalent	\$ 303.00	Per hour
Truck Tractor with Landoll/Lowboy/Tilt Trailer or equivalent	\$ 346.00	Per hour
Skid Steer or equivalent	\$ 254.00	Per hour
Forklift or equivalent	\$ 253.00	Per hour
Backhoe or equivalent	\$ 292.00	Per hour
Service Truck (includes all tools and equipment on board)	\$ 184.00	Per hour
Tower Light System	\$ 165.00	Per hour
Complete Air Bag Unit	\$ 807.00	Per hour
Additional Labor (General)	\$ 96.00	Per person/per hour
Additional Labor (Specialized)	\$ 130.00	Per person/per hour

**NOTE:** This fee schedule lists the maximum fee that may be charged for each class of wrecker. A lesser fee may be charged at any time in the wrecker service's discretion.

## 2021 Wrecker Rotation Fee Schedule

**Standard Tow:** A standard tow is defined as responding to the scene, hooking up the vehicle, performing a general clean up if the call involves responding to a collision scene and providing responsible assistance to the vehicle occupants. In the absence of Special Operations as defined below, the maximum fee for a Class A or B tow is the flat rate listed above. Fees for Class C tows are billed at an hourly rate.

**Special Operations:** Special Operations are operations involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle and/or the recovery of a load which has spilled, or the off-loading and reloading of a load from an overturned vehicle performed to right the vehicle. A wrecker service must receive confirmation on-scene at the time of the tow from the investigating Trooper or an SChP supervisor that Special Operations are required to perform the tow in order to recover such fees. Special Operations shall **not** be charged for a Class C tow. However, a wrecker service may recover the actual cost of rented/subcontracted equipment or labor necessary to accomplish the job. Proof of these actual costs in the form of an itemized invoice or receipt from the third party providing such equipment or labor must accompany the tow bill.

Charging additional fees other than those shown on the Fee Schedule is prohibited. If fees beyond those shown on the Fee Schedule are performed (e.g., hazardous waste cleanup, transportation of vehicle, cargo, or occupant(s) to an agreed upon location other than the one required by the Regulation), those services must be billed on a separate invoice.

**Storage:** Wrecker services may charge a daily storage fee, commencing 12 hours after the vehicle is towed to the storage area and terminating when the vehicle owner or vehicle owner's designee offers or attempts to pick up the vehicle and offers to pay the wrecker service's legitimate accrued charges.

**A COPY OF THIS FEE SCHEDULE SHALL BE KEPT IN EACH WRECKER AT ALL TIMES AND MUST BE PRESENTED UPON REQUEST TO ANY PERSON FOR WHOM TOW SERVICES ARE PROVIDED, HIS OR HER AGENT, OR ANY DEPARTMENT OF PUBLIC SAFETY EMPLOYEE. ANY COMPLAINTS MUST BE IN WRITING AND FORWARDED TO THE SChP TROOP COMMANDER.**

On behalf of the wrecker service named below, I acknowledge that I have received and agree to be bound by the South Carolina Highway Patrol 2021 Wrecker Rotation Fee Schedule and the Department of Public Safety's Wrecker Rotation Disciplinary Policy. Further, I certify that I am authorized to bind the wrecker service named below to the terms of this Fee Schedule and the Department of Public Safety's Wrecker Rotation Disciplinary Policy.

\_\_\_\_\_  
Owner/Representative Name (Printed)      Owner/Representative Signature      Date

\_\_\_\_\_  
Name of Wrecker Service

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** March 15, 2021

**AGENDA ITEM:** 9h

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**TO:** City Council  
**FROM:** Community Development Director Van Broad  
**SUBJECT:** Mauldin's Beachin' Christmas

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### REQUEST

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The Council is requested to approve an electrical upgrade for the Cultural Center in an amount not to exceed \$15,000 to launch Beachin' Christmas, improve the use and coordination of City sponsored festival activities (e.g., BBQ Festival, Summer Market, Beachin' Friday's), and use of the Cultural Center grounds.

### BACKGROUND

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The City of Mauldin established a Beach Music Series in 2016. The series has grown and exceeded its initial estimate of increasing use and awareness of the cultural center and amphitheater as a connecting point for citizens and tourism. Keira Heider, Center Director shared with staff information regarding a Christmas Beach festival held each year in Jacksonville, Florida. The festival is called, "Deck the Chairs", and would be a good program to coincide with the Center's beach music series.

Staff investigated opportunities to launch the festival in 2018 and made considerations again in 2019 but various challenges halted plans. In 2020, with the onset of COVID-19 it was decided to once again put this project on hold. With new vaccines in place, the opening of businesses, festivals and the addition of an event coordinator on staff, it seemed that 2021 might be the best opportunity to tackle the new venture.

### ANALYSIS/ STAFF FINDINGS

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The Jacksonville festival features 30-40 Christmas decorated and lighted lifeguard sized beach chairs situated along the beach grand strand. Utilizes local business to sponsor a chair and decorate with unique features. The event has over 60,000 visitors throughout the holiday season. Using their festival as a model, Center staff can implement this event during the upcoming holiday season in a coordinated effort with City stakeholders within the business community, including:

- Mauldin Chamber of Commerce
- Greenville Woodworkers Guild
- GBS Supply/lumber

The electrical upgrade will not only allow for the opportunity to launch Beachin' Christmas, it will also allow better use and coordination of festival activities from BBQ, to summer market and Beachin' Friday's. The electrical upgrades will impact the overall use of the grounds. Beachin' Christmas would be a regional and upstate tourist destination event.

**FINANCIAL IMPACT**

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The current cost estimate to date from Excel Electrical is \$13,824. Three bids will be secured in order to gain best possible pricing for the upgrades. Using cost savings realized this year within the Community Development budget, funding is available to absorb this cost.

**RECOMMENDATION**

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It is the recommendation of staff that council to approve an electrical upgrade for the Cultural Center in an amount not to exceed \$15,000 to launch Beachin' Christmas.

**ATTACHMENTS**

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Excel Estimate

Pictures of Jacksonville Deck the Chairs Festival

Lifeguard Chair Format

Video link of 2020 Deck the Chairs: <https://youtu.be/eyRx4SH6ncw>



January 28, 2021

Mauldin City Public Works

RE: TO-21010 Install Underground for Events

Mr. Walker,

I want to thank you for the opportunity that you have presented to us at Excel electric. Please see the below inclusions.

**Underground Install:**

- Provide the labor and materials to install conduit from the 400amp panel to 3 locations
  - Location 1 is under the live Christmas tree
  - Location 2 is 150ft from panel to a new in ground box
  - Location 3 is Approx. 250ft from panel to a new in ground box
- Provide the labor and materials to install (2) new post with 3 dedicated outlets for Christmas lights to plug into
- Provide the labor and materials to pull all wire appropriately sized to (2) in ground box locations
- All main conduit runs will be install by Advance Underground
- Provide private locates for the project
- Install (1) 13x24x18 Quazite box beside the side walk
- Install Breakers in panel for main feeders
  
- Please note that the price of wire is very volatile right now, Due to this the price may be higher or lower at the time of the job approval. I recommend using this price as a budgetary number and allow some extra just in case the price of copper goes up. Hopefully the price will drop which will make the total price drop.

The cost for this scope of work is (\$13,823.74) work to be performed during normal business hours Monday through Friday.

**Exclusions:**

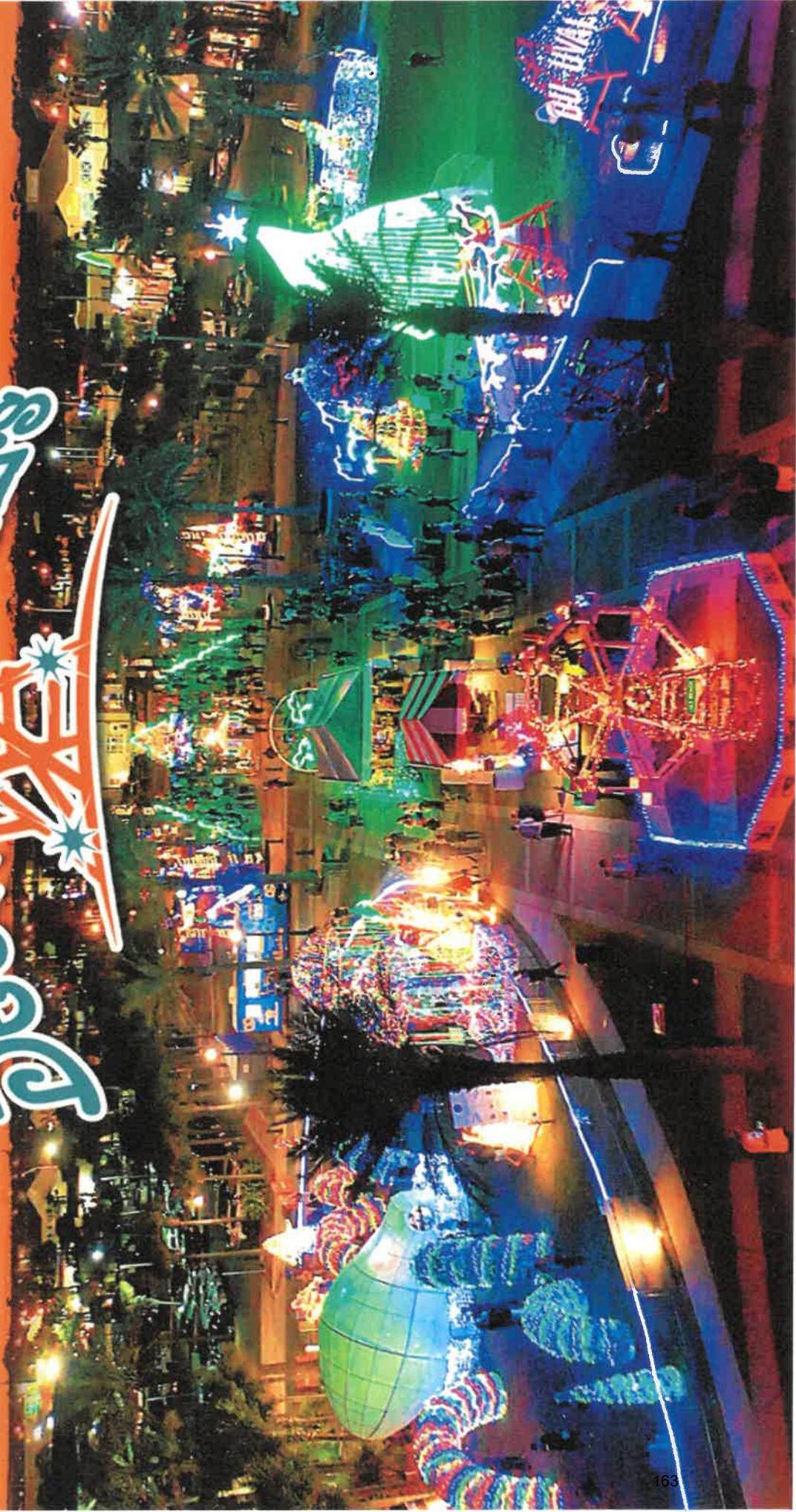
- Permits/Fees
- No other electrical work included

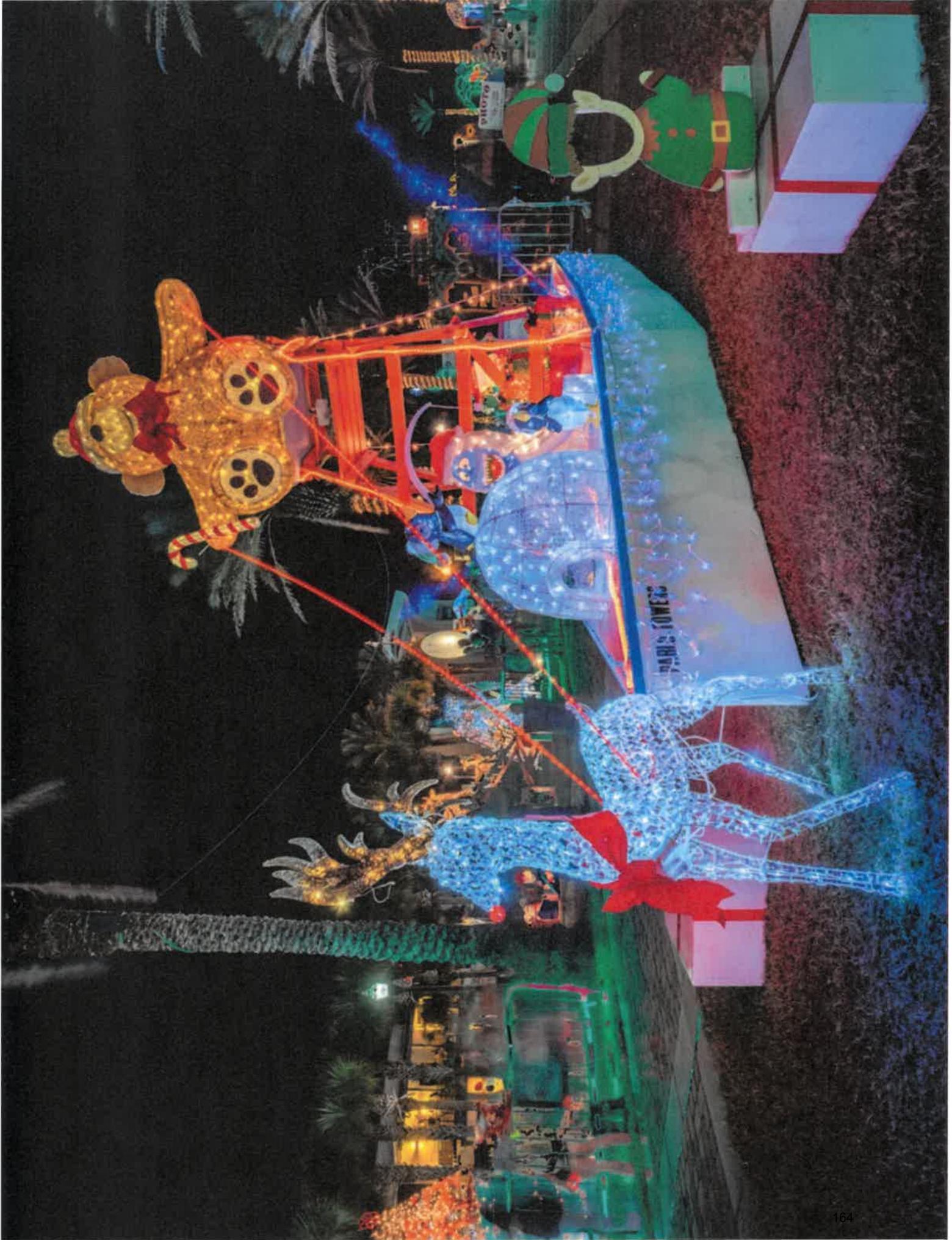
We thank you for this opportunity to be of service, and if I can be of further assistance, please feel free to reach me anytime at:

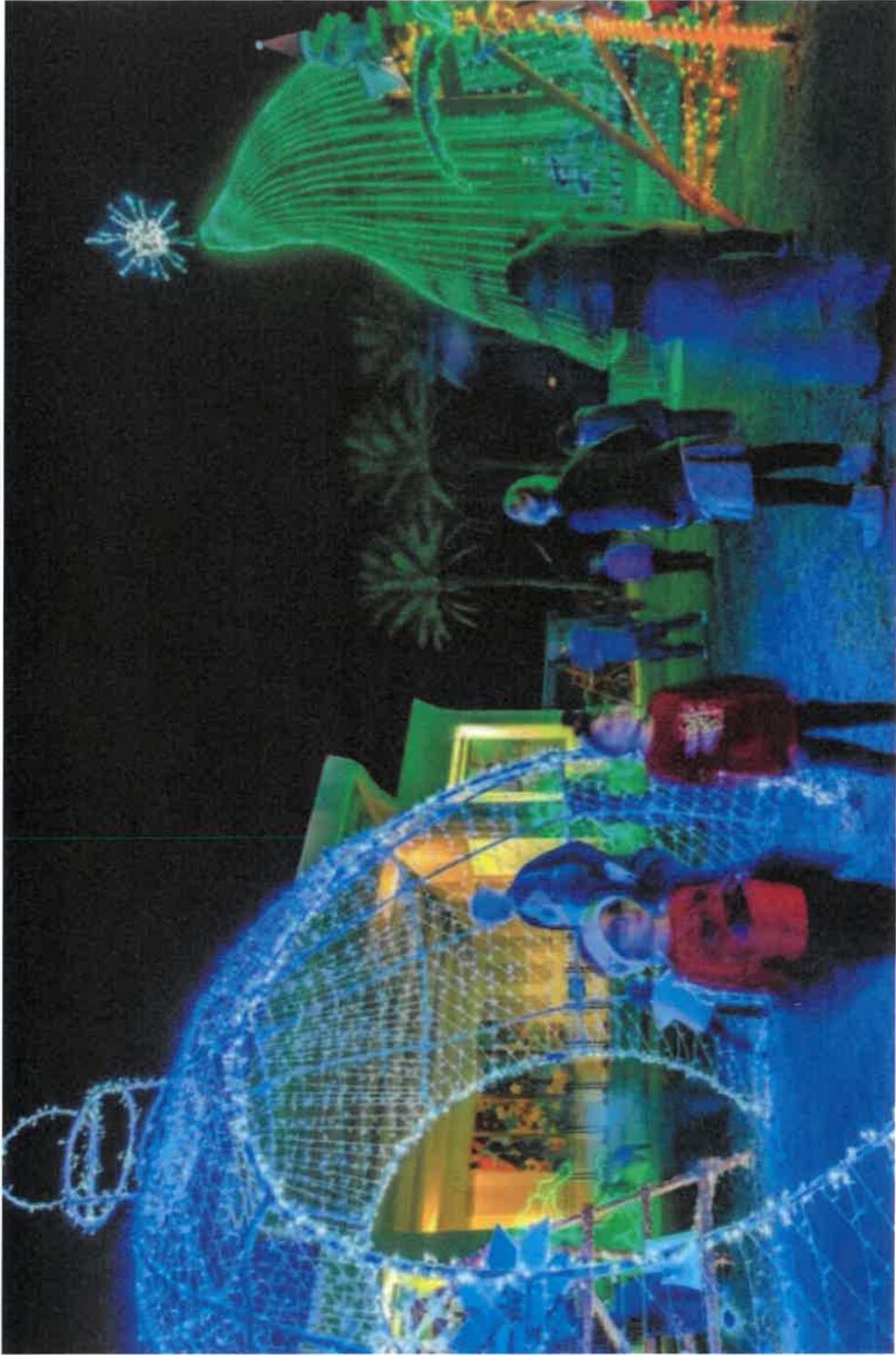
Sincerely,

Travis Owens  
Project Manager  
Excel Electric Company, Inc.  
Office: 864-234-8101  
Mobile 864-395-1417

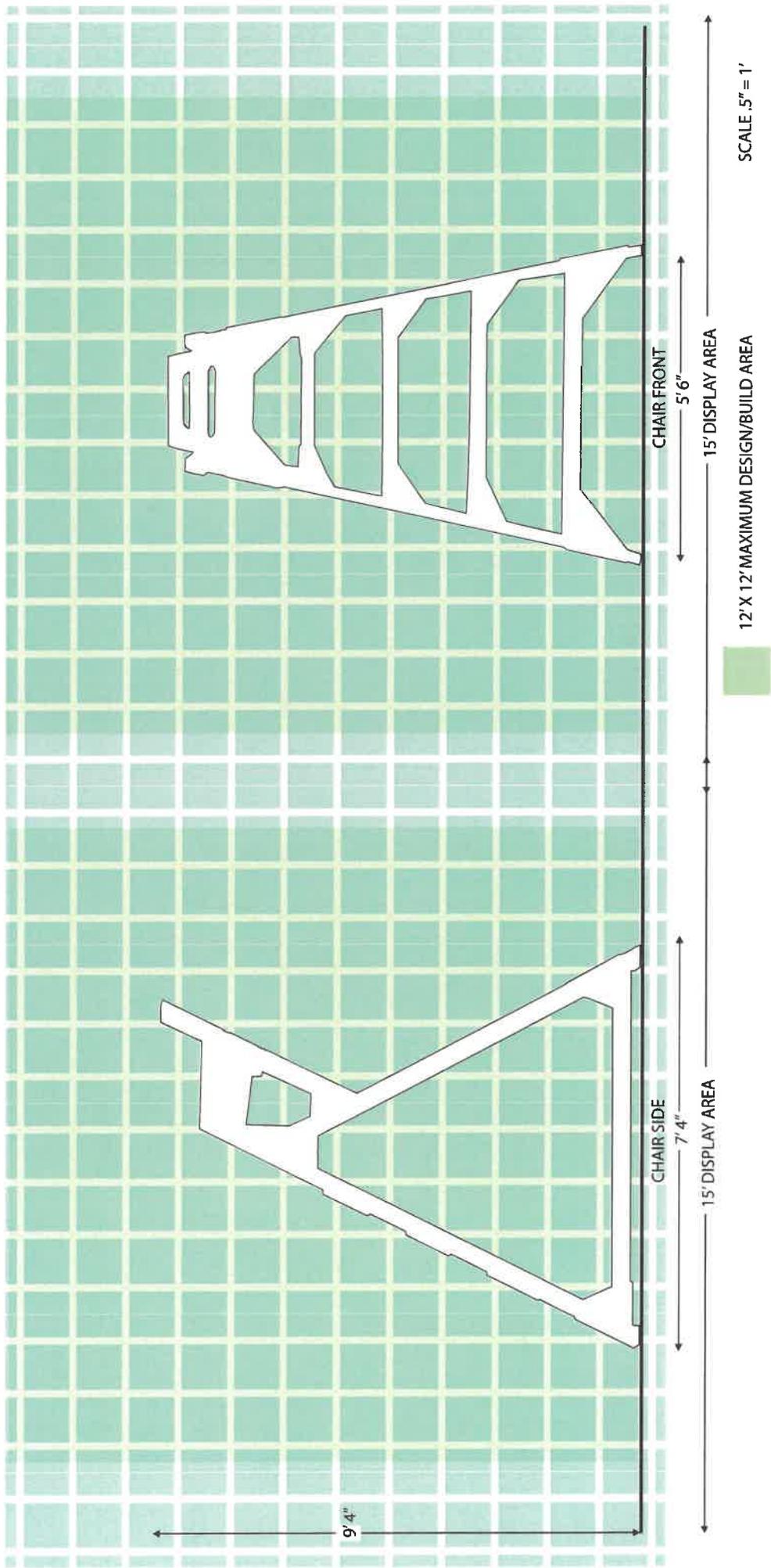
# JACKSONVILLE BEACH Deck the *the* Chaining











# CITY COUNCIL

## AGENDA ITEM

**MEETING DATE:** March 15, 2021  
**AGENDA ITEM:** 9i

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**TO:** City Council  
**FROM:** Public Works Director, Matthew Fleahman  
**SUBJECT:** Amendment to Engineering Agreement

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### REQUEST

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Authorization is requested to approve an amendment to the agreement dated March 17, 2015 between the City of Mauldin and Frazier Engineering, P.A.

### HISTORY/BACKGROUND

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In the Council approved FY2021 budget, \$300,000 was budgeted in the Sewer Division of the Public Works Department for sewer rehabilitation.

### ANALYSIS or STAFF FINDINGS

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The City of Mauldin (City) and Frazier Engineering (Engineer) entered into an Agreement dated March 15, 2015 for Engineering-Construction Management Services related to the City's Sewer Rehabilitation Program. Amending the contract to allow for the Engineer to provide general engineering services related to the City's overall rehabilitation program and providing design and construction management services for the City's sewer rehabilitation construction projects.

The amendment will authorize the Engineer to implement the Project to prioritize the required manhole rehabilitation and perform the rehabilitation work. Staff is requesting that Council approve the amendment – see attached amendment.

### FINANCIAL IMPACT

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The cost associated with this item will not exceed the budgeted amount of \$300,000.

### RECOMMENDATION

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Staff recommends the City Council approve the amendment.

**EXHIBIT D**  
**AMENDMENT No. 2 TO THE AGREEMENT DATED MARCH 17, 2015**  
**BETWEEN**  
**THE CITY OF MAULDIN AND FRAZIER ENGINEERING, P.A.**

**Engineering - Construction Management Services related to the City's Sewer  
Rehabilitation Program**

**Project Background**

The City of Mauldin (City) and Frazier Engineering (Engineer) entered into an Agreement dated March 15, 2015 for Engineering-Construction Management Services related to the City's Sewer Rehabilitation Program. The Scope of Work included in the Agreement included providing general engineering services related to the City's overall rehabilitation program and providing design and construction management services for the City's sewer rehabilitation construction projects.

The Engineer provided design and construction management for the City's 2015 Sewer Bond Project and has provided continuous, ongoing engineering services to the City related to the City's overall sewer evaluation and rehabilitation program, including program review meetings, master planning, sewer system evaluation surveys (such as smoke testing and manhole inspections), flow monitoring, and coordination with ReWa including developing the City's yearly annual report and presentation to ReWa. Amendment No. 1 added \$225,000 to the Agreement to perform additional manhole rehabilitation work throughout the City's sewer system. This Amendment No. 2 adds additional services to the Agreement so the work can continue.

**Scope of Work added by Amendment No. 2**

The City has approximately \$300,000 budgeted for manhole rehabilitation in FY21. The Project is identified herein as the 2021 Mauldin Manhole Rehabilitation Project (the Project). This Amendment No. 2 will authorize the Engineer to implement the Project to prioritize the required manhole rehabilitation and perform the rehabilitation work to include the following services:

- **Design and Construction Management Services for the Project** will be provided under this Amendment No. 2. The Engineer will review the available manhole inspections and list of known manhole defects, will meet with the City to review their manhole repair backlog and list of priorities, and will work with the City to inspect additional manholes to identify the priority defects in need of repair. It is anticipated that the repairs will be focused in Basins 3, 4, 5, 6 and RG2 followed by Basin 12. These basins coincide with where ReWa has identified that additional I/I removal is needed.

The Engineer will develop Manhole Rehabilitation Work Orders to identify the work to be performed with estimated costs. The costs will be monitored continuously to ensure the City's budget is not exceeded. The Engineer will inspect the manhole

rehabilitation work in the field as the work is performed to confirm it meets the Engineer's specifications and standards and to verify the work is acceptable for payment. The Engineer will bill for work performed at the standard hourly rates below:

Project Manager = \$140 per hour  
Senior Engineer = \$130 per hour  
Construction Inspector = \$95 per hour  
SSES Field Crew = \$145 per hour  
Mileage Rate = \$0.56 per mile (current IRS rate)  
Expenses = at cost

- **Manhole Rehabilitation Work:** Manhole rehabilitation work will be performed based on the Manhole Rehabilitation Work Orders issued by the Engineer. The rehabilitation work may include any of the rehabilitation work items included on the attached 2021 Mauldin Manhole Rehab Project – Unit Price Schedule. All work will be performed in accordance with the Engineer's standard specifications and details for this work including those utilized for completion of the City's 2015 Sewer Bond Project. All manhole rehabilitation work will be performed by Central Carolina Underground, Inc. (CCU) of Statesville, North Carolina. CCU has performed sewer and manhole rehabilitation work on the Engineer's projects since 2002 and is highly capable and experienced to perform all work included in this Project. CCU performed the manhole rehabilitation work completed under Amendment No. 1.

The work will be paid based on the actual work completed at the unit prices listed on the attached 2021 Mauldin Manhole Rehab Project – Unit Price Schedule. The work and final quantities will be determined by the Engineer as issued on the aforementioned Manhole Rehabilitation Work Orders. The Engineer will inspect the work as it is being performed to confirm it meets the Engineer's specifications and standards and to verify the work is acceptable for payment.

### **Compensation**

This Amendment No. 2 establishes an upper limit amount not to exceed \$300,000 previously authorized by the Mayor and City Council in the fiscal year 2020-2021 budget. Any changes in amount to be paid for these services will require the approval of the Mayor and City Council. The Engineer will continuously monitor the work being performed under this Project so that the budget is not exceeded. All work will be paid at the hourly rates and unit prices as previously defined herein.

### **Project Schedule**

The Engineer and CCU are both fully operational during the current COVID-19 crisis. The Engineer will begin providing services for this Project immediately upon authorization. CCU is available to begin immediately when the first manhole rehabilitation work order is issued, pending any delays out of their control due to the COVID-19 virus. The work will continue diligently with the hope of utilizing the City's budget by June 30, 2021.

**IN WITNESS WHEREOF**, the parties hereto have caused their names to be set as of the day and year first below written.

**City of Mauldin**

**Frazier Engineering, P.A.**

By: \_\_\_\_\_

By: Aaron M. Frazier

Printed: \_\_\_\_\_

Printed: Aaron M. Frazier, P.E.

Title: \_\_\_\_\_

Title: President

Date: \_\_\_\_\_

Date: 2/1/21

Attachment: 2021 Mauldin Manhole Rehab Project – Unit Price Schedule (2 Pages)

**2021 MAULDIN MANHOLE REHAB PROJECT  
UNIT PRICE SCHEDULE**

For furnishing all new materials, labor and equipment that may be incidental to and for the construction of sanitary sewer facilities as specified and outlined below:

ITEM	DESCRIPTION	QUANTITY		UNIT PRICE	
1	FOR INSTALLING 1" THICK CEMENTITIOUS MORTAR ON EXISTING MANHOLE WALLS & BENCHES, AS SPECIFIED AND IN ACCORDANCE WITH DETAIL SS-13, ANY LOCATION, COMPLETE IN PLACE.				
	A.				
	1)	STANDARD MATERIAL	1	VF	\$155.00
B.	IN EXISTING 5-FOOT-DIAMETER MANHOLES				
	1)	STANDARD MATERIAL	1	VF	\$170.00
2	FOR RESETTING EXISTING FRAMES AND COVERS AS SPECIFIED, INCLUDING COMPLETE RESTORATION OF PAVED OR UNPAVED AREAS AS SPECIFIED AND IN ACCORDANCE WITH DETAIL SS-10A, COMPLETE IN PLACE.				
	A.	MANHOLES IN PAVED AREAS	1	EA	\$1,050.00
	B.	MANHOLES IN UNPAVED AREAS	1	EA	\$400.00
3	FOR REPLACING EXISTING MANHOLE FRAMES AND COVERS WITH NEW 24-INCH-DIAMETER CAM-LOCK WATERTIGHT FRAMES AND COVERS, AS SPECIFIED, INCLUDING COMPLETE RESTORATION OF PAVED OR UNPAVED AREAS AS SPECIFIED AND IN ACCORDANCE WITH DETAIL SS-10A, COMPLETE IN PLACE.				
	A.	WATERTIGHT COVERS IN PAVED AREAS	1	EA	\$1,250.00
	B.	WATERTIGHT COVERS IN UNPAVED AREAS	1	EA	\$1,050.00
4	FOR REPLACING EXISTING MANHOLE FRAMES AND COVERS WITH NEW 24-INCH-DIAMETER SOLID FRAMES AND COVERS (NO VENT HOLES OR PENETRATING PICK HOLES), AS SPECIFIED, INCLUDING COMPLETE RESTORATION OF PAVED OR UNPAVED AREAS AS SPECIFIED AND IN ACCORDANCE WITH DETAIL SS-10A, COMPLETE IN PLACE.				
	A.	SOLID COVERS IN PAVED AREAS	1	EA	\$1,100.00
	B.	SOLID COVERS IN UNPAVED AREAS	1	EA	\$850.00
5	FOR RAISING EXISTING MANHOLE COVERS WITH BRICKS OR CONCRETE GRADE RINGS, HEIGHT OF ADJUSTMENT AS NOTED, AS SPECIFIED, INCLUDING COMPLETE RESTORATION OF PAVED OR UNPAVED AREAS AS SPECIFIED AND IN ACCORDANCE WITH DETAIL SS-10A, COMPLETE IN PLACE.				
	A.	MANHOLES IN PAVED AREAS			
	1)	0 TO 1 VERTICAL FOOT	1	EA	\$1,050.00
	2)	GREATER THAN 1 VERTICAL FOOT, PAYMENT FOR EACH FOOT OVER 1 VERTICAL FOOT, ADD TO ITEM 5(A)(1) ABOVE	1	VF	\$580.00
	B.	MANHOLES IN UNPAVED AREAS			
1)	0 TO 1 VERTICAL FOOT	1	EA	\$500.00	
2)	GREATER THAN 1 VERTICAL FOOT, PAYMENT FOR EACH FOOT OVER 1 VERTICAL FOOT, ADD TO ITEM 5(B)(1) ABOVE	1	VF	\$300.00	

**2021 MAULDIN MANHOLE REHAB PROJECT  
UNIT PRICE SCHEDULE**

For furnishing all new materials, labor and equipment that may be incidental to and for the construction of sanitary sewer facilities as specified and outlined below:

ITEM	DESCRIPTION	QUANTITY		UNIT PRICE
6	FOR BUILDING CONCRETE SLIDES IN MANHOLES FOR EXISTING SERVICE LATERALS AND INCOMING SEWERS AS SPECIFIED ON THE DRAWINGS AND/OR WHERE DIRECTED BY THE ENGINEER IN ACCORDANCE WITH DETAIL SS-7A, ANY CONFIGURATION, INCLUDING BYPASS PUMPING, COMPLETE IN PLACE.			
A.	6" OR LESS (INVERT OF PIPE TO BENCH)	1	EA	\$275.00
B.	6" TO 12" (INVERT OF PIPE TO BENCH)	1	EA	\$375.00
C.	12" TO 24" (INVERT OF PIPE TO BENCH)	1	EA	\$650.00
7	FOR REBUILDING EXISTING MANHOLE BENCHES AND INVERT CHANNELS, ANY CONFIGURATION, INCLUDING BYPASS PUMPING, AS SPECIFIED, COMPLETE IN PLACE PER DETAIL SS-7.			
A.	IN EXIST 4-FOOT-DIAMETER MANHOLES	1	EA	\$425.00
B.	IN EXIST 5-FOOT-DIAMETER MANHOLES	1	EA	\$550.00
8	FOR PLUGGING EXISTING ABANDONED/INACTIVE SEWERS CONNECTING TO MANHOLES, PIPE DIAMETER AS NOTED, AS SPECIFIED, COMPLETE IN PLACE.			
A.	EXIST 4-INCH TO 8-INCH-DIAMETER SEWERS	1	EA	\$100.00
B.	EXIST 10-INCH TO 15-INCH-DIAMETER SEWERS	1	EA	\$125.00

# City of Mauldin

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  
CITY OF MAULDIN

RESOLUTION \_\_\_\_\_

## ALLOCATION OF GREENVILLE COUNTY CDBG AND HOME FUNDS FOR PROGRAM YEAR 2021

WHEREAS, the City of Mauldin participates in the Greenville County Urban County Program; and

WHEREAS, the funds received by the Greenville County Redevelopment Authority available for allocation by the City of Mauldin are as follows:

	<u>CDBG</u>	<u>HOME</u>
City Allocation	\$184,002	\$70,565
Program Income	\$ 16,000	\$26,000
<hr/>		
Total Estimate	\$200,002	\$96,565

WHEREAS the HOME funds may only be used to increase the supply of decent affordable housing for low- and moderate-income persons and households, and Community Development Block Grant (CDBG) funds may only be used to assist low- and moderate-income persons, reduce or eliminate slum and community blight, or meet an urgent community need where no other funding is available; and

WHEREAS, the Mayor and Council of the City of Mauldin have discussed and reviewed projects for which these funds should be allocated by the Greenville County Redevelopment Authority;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City of Mauldin accepts the allocation of funds as set forth above and budgets use of the funds as follows:

HOME funds in the projected amount of \$96,565 or such other amount as may be received in HOME funds in the 2021 program year to be used for new construction of affordable/workforce housing and rental reserve for eligible properties in the City of Mauldin; and

CDBG funds for the projected amount of \$200,002 or such other amount as may be received in CDBG funds in the 2021 program year to be used for the following activities; \$94,502 for infrastructure improvement, \$15,000 for Façade Improvement Program; \$50,000 for Economic Development – revolving loan; \$25,000 for owner

occupied rehabilitation program; and \$15,500 in CDBG funds to be allocated for public service activities/programs in the City of Mauldin.

ANY CHANGE in CDBG and HOME funding allocations, increase or decrease in funding, will be distributed on a pro rata basis to all activities.

PASSED, ADOPTED AND APPROVED, by the Council of the City of Mauldin on this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

Attest:

\_\_\_\_\_  
Terry Merritt, Mayor

\_\_\_\_\_  
Cindy Miller, Municipal Clerk

Reviewed:

\_\_\_\_\_  
Brandon Madden, City Administrator