



# BUILDING CODES COMMITTEE MEETING

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MONDAY, MARCH 7, 2022 | 6 PM

3rd committee meeting

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

Please note that members of the public may attend this meeting in-person but are encouraged to participate remotely. The meeting will be available remotely through Zoom. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.



## **Building Codes (BDS) Committee AGENDA**

### **March 7, 2022**

**Committee Members:** Diane Kuzniar (Chair), Taft Matney, Frank Allgood

1. **Call to Order** The Honorable Diane Kuzniar
2. **Public Comment** The Honorable Diane Kuzniar
3. **Reading and Approval of Minutes** The Honorable Diane Kuzniar
  - a. Building Codes Committee Meeting: February 7, 2022 (*Pages 2-4*)
4. **Reports or Communications from City Officers** The Honorable Diane Kuzniar
  - a. BDS Director David Dyrhaug
5. **Unfinished Business** The Honorable Diane Kuzniar

None
6. **New Business** The Honorable Diane Kuzniar
  - a. An ordinance to amend Section 6:4, Signs, of the Mauldin Zoning Ordinance to provide standards for the installation of banners on light poles and similar poles (*Pages 5-12*)
7. **Public Comment** The Honorable Diane Kuzniar
8. **Committee Concerns** The Honorable Diane Kuzniar
9. **Adjourn** The Honorable Diane Kuzniar

Building Codes Committee Meeting



Minutes

Building Codes (BDS) Committee

February 7, 2022

4<sup>th</sup> Committee Meeting

Committee Members: Diane Kuzniar (Chair), Taft Matney, Frank Allgood

Others present: David Dyrhaug, Business and Development Services Director, and Brandon Madden, City Administrator

1. Call to Order-Chairwoman Kuzniar
2. Public Comment- None
3. Reading and Approval of Minutes
  - a. Building Codes Committee Meeting: December 6, 2021

**Motion:** Councilman Matney made a motion to approve the minutes with Councilman Allgood seconding.

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

4. Reports or Communications from City Officers
  - a. BDS Director David Dyrhaug

Mr. Dyrhaug reported his department budget looks good.

He also reported there are two openings on the Planning Commission.

5. Unfinished Business- There is no Unfinished Business
6. New Business

- a. An ordinance to provide for the annexation of property owned by Zenith Holdings, LLC, and located at 220 Fowler Circle (Tax Map Parcel: M007.03-01-010.01) by one hundred percent petition method; and to establish a zoning classification of R15, residential, for said property.

The City of Mauldin has received a signed petition requesting the annexation of a tract of land consisting of one parcel pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 10 acres owned by Zenith Holdings LLC and is located at 220 Fowler Circle. The applicant has requested that this tract be zoned R-15, Residential, upon annexation into the City of Mauldin. Zenith Real Estate anticipates developing this property for 28 detached single-family homes with a starting sales price of approximately \$450,000. The applicant expects that NewStyle Communities will be the builder for this project and would establish an age-targeted community for adults ages 55 and up. NewStyle Communities provide maintenance-free all-brick homes. Maintenance of the homes and the community is paid for through the HOA.

Sewer is not presently available at this property. Zenith Real Estate expects to construct a new sewer line from W. Butler Road via Rose Circle that will connect to the rear of this property. Due to

## Building Codes Committee Meeting



the topography of the site in relation to the existing sewer line, a lift station will also be needed. There has been no study yet to determine the fee that may need to be levied on the future homeowners in order to be able to support the ongoing costs associated with a lift station.

Chairwoman Kuzniar said the concerns she had in November on this project still exist. Among those are stormwater issues, concerns from neighbors regarding townhomes, and concerns on the sewer lift station.

Colton Miller was present for Zenith Real Estate. He addressed some of the concerns. He said they have changed the product type since the townhome project was rejected. The density is less and the starting price has almost doubled. The average residents per home is 1.3 residents. The sewer lift station fee will not be burdensome as it is only a small percentage of what they will be paying to live in the community.

Chairwoman Kuzniar asked if he knew the cost for the sewer lift station. This would be a small community, so based on that, the cost would be divided between the residents. Mr. Madden said it would be levied on their tax bill and would be divided among the residents of the community.

Jay Martin of Arbor Land Design said this would be similar to the one in the community at Bridges and Bethel Roads. In the future, the community would provide easements so that when the community next to this one is ready, the lift station will be moved and work to provide for multiple developments.

Councilman Matney asked when other communities start using the lift station, would the annual cost be split among those residents as well, or would the original community continue to pay for the lift station. Brandon Madden said the fee would go down because it would be split between the original owners and residents of the other communities the station serves.

Councilman Allgood asked what the stormwater concerns were last time. Mr. Martin said Greenville County was concerned the detention pond was not big enough. With the proposed change in density, there is more area for the stormwater to go through, soak in and disperse. Developers are required to meet stormwater criteria.

**Motion:** Councilman Matney made a motion to forward this item to Council with Councilman Allgood seconding.

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

- b. An ordinance to provide for the annexation of property owned by David M. Cumbia and Karen G. Cumbia, and located at 110 Rose Circle (Tax Map Parcel: M013.02-01-014.00 and M013.02-01-014.01 by one hundred percent petition method; and to establish a zoning classification of RM1, residential, for said property.

The applicant has requested that this tract be zoned R-M1, Residential, upon annexation into the City of Mauldin. Zenith Real Estate has this property under contract for purchase. Zenith Real Estate anticipates developing this property for 34 detached single-family homes with a starting sales price of approximately \$450,000 (this is up from the 32 homes that would sell in the

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\$300,000s as was reported in November). The applicant expects that NewStyle Communities will be the builder for this project and would establish an age-targeted community for adults ages 55 and up. NewStyle Communities provide maintenance-free all-brick homes. Maintenance of the homes and the community is paid for through the HOA. The sewer lift station just talked about in the previous item would serve this community.

Chairwoman Kuzniar asked if this development would just consist of single family homes. Mr. Dyrhaug said RM allows for single detached homes and townhomes as well. Mr. Dyrhaug said this would be underdeveloped as to the zoning district they are requesting. Chairwoman Kuzniar said they could build townhomes if they wanted to. Mr. Dyrhaug answered yes. Councilman Allgood asked if the communities would connect. Colton Miller answered no, they would be totally separate neighborhoods.

Mr. Miller said because this item was tabled by Council and not rejected, it maintained the original zoning requested. The developer is amenable to changing the requested zoning.

The new request changed the plan from 32 to 34 homes. NewStyle will replace the Cumbia house with two new houses instead of keeping the house, which was the original plan. Mr. Dyrhaug suggested that R12 might be a better zoning that would keep the number of homes at 34. Mr. Martin said R12 would only allow single family homes as well and would be compatible zoning with the surrounding properties. Chairwoman Kuzniar said she would be more comfortable with R12. Mr. Martin asked for the change to R12. Mr. Dyrhaug said the City Attorney has in the past said Council has the authority to zone property however it wishes. Mr. Dyrhaug suggested a committee recommendation to R12 with the caveat that the City Attorney agrees.

**Motion:** Councilman Matney made a motion to forward this item to Council with Councilman Allgood seconding.

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

### c. Outdoor Lighting Standards

Staff has recently been asked to examine and explore the opportunity to consider outdoor lighting standards that could apply in residential neighborhoods. Presently, the City of Mauldin has some outdoor lighting standards prescribed in Section 6:3.1 of the Mauldin Zoning Ordinance. These provisions do not apply to single-family residential properties even though single-family residential properties may be the cause of glare and light pollution to other single-family properties. The City of Mauldin currently has some outdoor lighting standards prescribed in Section 6:3.1 of the Mauldin Zoning Ordinance. These provisions apply to new development and where new outdoor lighting fixtures are installed at existing development, except for single-family residential properties. These provisions also do not apply to street lighting installed by a governmental agency.

Most of the other nearby jurisdictions, including Greenville County, the City of Simpsonville, and the City of Greer, have comparable outdoor lighting standards to the City of Mauldin and exempt single-family residential properties from outdoor lighting standards. Only the City of Greenville

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provides lighting standards that also apply at single-family residential properties. The City of Greenville has limits on height and wattage.

Chairwoman Kuzniar said she has a neighbor with a light that is shining into her residence. She has had to expend money for blackout shades and curtains. She would like to see something in the ordinance to protect neighbors from unintentional intrusive lighting.

Mr. Madden said some provisions could be added to the City's existing ordinance. Mr. Dyrhaug can work with the police department and other municipalities to bring some language back to committee.

This item was left in committee.

7. Public Comment- None

8. Committee Concerns- None

9. Adjournment- Chairwoman Kuzniar adjourned the meeting at 8:07 p.m.

Respectfully Submitted,  
Cindy Miller  
Municipal Clerk



# BUILDING CODES COMMITTEE AGENDA ITEM

**MEETING DATE:** March 7, 2022

**AGENDA ITEM:** 6a

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**TO:** Building Codes Committee

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

**SUBJECT:** Light Pole Banners

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## BACKGROUND

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Banners attached to light poles are known by several names including: light pole banners, street pole banners, pole banners, avenue banners, etc. These banners are sometimes used in other communities to promote cultural and civic events while also producing a festive appearance along streets.



Recently the City has been approached by a public agency wishing to erect banners on the light poles in front of their facility similar to what you might see in downtown Greenville or at some high schools like J.L. Mann High School. Some of the City Officials have expressed interest in amending the City ordinances to allow for this type of display.



## **CURRENT REGULATION**

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Currently, banners attached to light poles are not identified as an allowed form of signage in the Mauldin zoning ordinance.

## **DRAFT ORDINANCE**

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The attached ordinance would amend the Mauldin zoning ordinance to allow banners attached to light poles. Below are some of the highlights of the proposed ordinance.

1. The City of Mauldin and civic institutions, including local public agencies and local non-profit and charitable groups, are eligible to display banners on light poles.
2. Banners must promote an activity, event, or program located within the City limits of Mauldin.
3. Maximum banner width is 30 inches.
4. Maximum banner length is 72 inches.
5. Sponsorship and corporate name and logo recognition(s) cannot occupy more than 20 percent of the banner. (The name and logo of local public agencies and local non-profit groups are not subject to this standard).
6. Only one banner can be displayed on a light pole at a time. Notwithstanding, two banners may be displayed on the same light pole if the banners are identical in size and dimensions and placed at the same height on the pole on exact opposite sides of the pole.
7. Banners must be displayed vertically.
8. There must be a minimum clearance of 8 feet between the bottom of the banner and the ground underneath (unless the banner is closer than 18 inches to the curb, then a minimum clearance of 16 feet is required).
9. Banners in the same vicinity shall maintain similar heights and orientation.
10. Banners must be secure at both the top and the bottom of the banner.
11. Banners advertising events can be displayed for up to 30 days.
12. Banners advertising community information, public facilities, or civic pride can be permitted for a year at a time.
13. Banners must be located on the property of the event or facility or in the right-of-way directly in front of the event or facility (except for banners displayed by the City of Mauldin).
14. Banners must be maintained in good condition and removed when torn, frayed, faded, damaged, etc.

This draft ordinance has been reviewed by the City Attorney, Daniel Hughes. The attached ordinance has incorporated his comments.

## **ATTACHMENTS**

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Draft Ordinance





**ORDINANCE # \_\_\_\_\_**

AN ORDINANCE TO AMEND SECTION 6:4, SIGNS, OF THE MAULDIN ZONING ORDINANCE TO PROVIDE STANDARDS FOR THE INSTALLATION OF BANNERS ON LIGHT POLES AND SIMILAR POLES

**WHEREAS**, the Mauldin City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and

**WHEREAS**, the City of Mauldin recognizes the need to regulate signs to maintain aesthetic standards, and promote public safety; and

**WHEREAS**, the City of Mauldin desires to amend its zoning ordinance to allow for light pole banners which promote cultural and civic events while preserving and improving the aesthetics of city streets and rights-of-way; and,

**WHEREAS**, the City of Mauldin desires to promote and improve aesthetic standards by allowing for colorful and appealing graphic art impressions to be attached to light poles; and

**WHEREAS**, the City of Mauldin finds that the following amendment to the sign ordinance promotes the health, safety, and welfare of the citizens and residents of the City of Mauldin; and

**WHEREAS**, pursuant to properly published public notice, the Mauldin Planning Commission considered this matter at a public hearing on February 22, 2022.

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

**Section 1 Amendment.** Amend Section 6:4.1.13, Special Provisions for Non-Residential Signs, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and \*\*\* represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

Sec. 6:4.1.13. Special Provisions for Non-Residential Signs.

The following signs shall be permitted in accordance with the following standards but require the issuance of a sign permit prior to display of such sign(s):

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E. Light Pole Banners. Banners may be installed on light poles or similar poles only in accordance with the following standards.



- 1) Intent. The purpose of allowing banners to be installed on light poles or similar poles is to describe and notify citizens of local community services; announce cultural, education, major sporting and civic events, including City-sponsored and co-sponsored events; and provide information concerning available services or programs sponsored by the City and local non-profit groups. It is also the intent of these provisions to produce a festive appearance along streets in the promotion of cultural and civic events and community pride. This is generally accomplished through the display of multiple banners along the street in a coordinated and consistent manner.
  
- 2) Eligibility.
  - a. The City of Mauldin and civic institutions are eligible to display banners on light poles or similar poles in accordance with the standards herein. Civic institutions include local public agencies and local non-profit and charitable groups.
  - b. Banners must promote a public activity, event, or program located within the city limits of Mauldin that promotes the corporate interests and welfare of the City.
  
- 3) Permissions.
  - a. Banners shall only be placed with the permission of the entity, company, or agency that owns the pole where the banner will be placed.
  - b. Banners shall only be placed on private property with the permission of the owner of that property.
  
- 4) Prohibitions.
  - a. Banners shall not be placed or displayed in a manner that interferes with the visibility of traffic signals or signs.
  - b. Banners shall not attempt to direct or influence street traffic in any way.
  - c. Banners shall not be installed on poles that support traffic control signals or pedestrian-crossing signals.
  - d. Banners shall not be reflective or emit light.
  
- 5) Size, design, and material.
  - a. Banners shall not exceed a width of more than 30 inches.
  - b. Banners shall not exceed a length of more than 72 inches.
  - c. Sponsorship and corporate name and logo recognition(s) shall not exceed more than 20 percent of the banner size. The name and logo of local public agencies and local non-profit groups are not subject to this standard.



- d. Banner material shall be at least two-ply 12-ounce vinyl banner sheeting sewn together with a minimum 1-1/2 inch border hem, or a commercial heat sealed hem. Comparable or better material which is durable, fade- and weather-resistant, and will not stretch or distort out of shape, may be considered.

6) *Placement and installation.*

- a. Only one banner shall be displayed on any light pole at a time. Notwithstanding, two banners may be displayed on the same light pole provided that the banners are identical in size and dimensions and placed at the same height on the pole on exact opposite sides of the pole. See illustration below.



- b. Banners shall be displayed vertically, meaning that the longest edge of the banner shall be parallel to the pole and perpendicular to the ground.
- c. Banners shall maintain a minimum clearance of at least 8 feet between the bottom of the banner and the grade of the land immediately below the sign. Notwithstanding, if the banner is within 18 inches of the face of any street curb, the banner shall maintain a minimum clearance of at least 16 feet between the bottom of the banner and the grade of the land immediately below the sign.
- d. Banners shall be positioned at least 24 inches above any existing sign on the same pole.
- e. Banners shall be positioned at similar heights as other light pole banners in the vicinity.
- f. Banners shall maintain a similar orientation in relation to the street as other light pole banners in the vicinity.
- g. Banners shall be attached to the light pole by a mounting structure or hardware that, at a minimum, shall secure the top and the bottom of the



banner. The mounting hardware shall be a similar color to the light pole and shall be positioned below the light arm or light fixture.

7) Location and display period.

- a. Banners which advertise specific events or activities may be displayed for up to 30 days. Banners must be located on the property where the event will be held or in the portion of the right-of-way directly in front of the property where the event will be held.
- b. Banners which provide community information, promote public programs, or promote civic pride may be permitted for one year at a time. Banners must be located on the property of the agency or organization displaying the banners, or in the portion of the right-of-way directly in front of the property of the agency or organization.
- c. Banners displayed by the City of Mauldin are exempt from these location and display period restrictions.
- d. Nothing herein shall exclude or prevent the Mauldin City Council from approving the display of light pole banners in rights-of-way that are not directly adjacent to the subject property.

8) Maintenance. Banners shall be maintained in good condition, clean, free of holes, tears, fraying, sagging, or other damage or deterioration. Should a banner become loose or begin to fall, develop holes, become excessively faded, become torn or frayed, or otherwise become defaced, damaged, or impaired during its display, the banner shall be removed within 48 hours upon notice from the City. If the banner is not removed within 48 hours, the City may remove and discard the banner. The City shall not be held liable for any damages to a banner that occur during the removal process. If there is time remaining for the permitted display period, the applicant may be allowed to replace the banner for the remainder of the permitted display period.

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

Passed on First Reading: \_\_\_\_\_

Passed on Second Reading: \_\_\_\_\_

CITY OF MAULDIN, SOUTH CAROLINA

Building Codes Committee Meeting



BY: \_\_\_\_\_  
Terry Merritt, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
John Duggan, City Attorney