



BUILDING CODES COMMITTEE MEETING

MONDAY, NOVEMBER 6, 2023 | 6:00 PM

1st committee meeting

The Committee will meet in the 2nd Floor Conference Room at Mauldin City Hall at 5 East Butler Road



Building Codes (BDS) Committee AGENDA November 6, 2023

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

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| 1. <u>Call to Order</u> | The Honorable Diane Kuzniar |
| 2. <u>Public Comment</u> | The Honorable Diane Kuzniar |
| 3. <u>Reading and Approval of Minutes</u> | The Honorable Diane Kuzniar |
| a. Building Codes Committee Meeting:
October 2, 2023 (<i>Pages 2-5</i>) | |
| 4. <u>Reports or Communications from City Officers</u> | The Honorable Diane Kuzniar |
| a. BDS Department Report, David Dyrhaug | |
| 5. <u>Unfinished Business</u> | The Honorable Diane Kuzniar |
| None | |
| 6. <u>New Business</u> | The Honorable Diane Kuzniar |
| a. Right-of-way reconfiguration at New Commerce
Court (<i>Pages 6-9</i>) | |
| b. Discussion of food truck regulations (<i>Pages 10-13</i>) | |
| 7. <u>Public Comment</u> | The Honorable Diane Kuzniar |
| 8. <u>Committee Concerns</u> | The Honorable Diane Kuzniar |
| 9. <u>Adjourn</u> | The Honorable Diane Kuzniar |

Building Codes Committee Meeting



Minutes

Building Codes (BDS) Committee

October 2, 2023

2nd Committee Meeting

Members Present: Chairwoman Diane Kuzniar and Councilmember Frank Allgood. Councilman Matney was not present.

Others present: David Dyrhaug, Business and Development Services Director and Seth Duncan, City Administrator.

1. **Call to Order**- Chairwoman Kuzniar

2. **Public Comment**

a. Myra McCrum, 695 Log Shoals Road, and Sandra Bone, 701 Log Shoals Road

They asked about the Log Shoals Road annexation. They are concerned about townhomes being built in front of their homes. There are already three subdivisions across from their houses. It seems excessive. Ms. Bone is in her seventies and puts all of her money into her home to keep it looking nice. When does the growth stop?

3. **Reading and Approval of Minutes**

a. Special Called Building Codes Committee Meeting: September 5, 2023

Motion: Councilman Allgood made a motion to approve the minutes with Chairwoman Kuzniar seconding.

Vote: The vote was unanimous (2-0).

4. **Reports or Communications from City Officers**

a. BDS Department Report, David Dyrhaug

The high number of building inspections continues. The pass rate is above 60%. 481 residential permits were issued, and 71 commercial permits were issued. 18 business licenses were issued. Councilman Allgood asked if anything new or special is being seen with these high number of permits. Mr. Dyrhaug answered no.

5. **Unfinished Business**- None

6. **New Business**



a. Annexation and Zoning Assignment for 14.3 at 635-689 Log Shoals Road

The City of Mauldin has received signed petitions requesting the annexation of tracts of land consisting of portions of four parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions include various owners owning approximately 14.3 acres in total located along Log Shoals Road.

The applicant has requested that these tracts be zoned R-10, Medium-Density Residential, upon annexation into the City of Mauldin. STYO Development, LLC, intends to develop these tracts for approximately 101 attached single-family homes (townhomes) on this tract. Stanley Martin will reportedly be the builder for these townhomes. The price-point for these homes is projected to average in the mid- to high-\$200s.

- i. An ordinance to provide for the annexation of property consisting of approximately 12.0 acres owned by Lesley P. Corn, and located at 635 Log Shoals Road (Tax Map Parcel: 0573.01-01-005.06) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property.
- ii. An ordinance to provide for the annexation of property consisting of approximately 1.5 acres owned by Lesley P. Corn and Vick H. Corn, and located at 635 Log Shoals Road (part of Tax Map Parcel: 0573.01-01-005.08) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property.
- iii. An ordinance to provide for the annexation of property consisting of approximately 0.03 acres owned by Emma Bonham and Joseph Love Bonham III, and located at 641 Log Shoals Road (part of Tax Map Parcel: 0573.01-01-005.18) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential for said property.
- iv. An ordinance to provide for the annexation of property consisting of approximately 0.8 acres owned by Ronald Spanton, and located at 689 Log Shoals Road (Tax Map Parcel: 0573.01-01-004.00) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property.

Councilman Allgood asked about the sewer pump and if we know the fee. Mr. Dyrhaug said the engineer would come up with a design for the pump station and then determine a cost. The pump station would be taken by Metro if they maintain the property as the sewer provider.

Building Codes Committee Meeting



Councilman Allgood asked about the lot size. Mr. Dyrhaug said this project is asking for R-10, which is 10,000 square foot minimum lots. Another subdivision similar to this originally asked for townhomes but ended up with detached single homes at 3.4 units per acre.

Councilman Allgood asked if Mr. Dyrhaug knew what the adjacent subdivisions were doing for sewer. Mr. Dyrhaug said Alston Chase has a gravity line. Stormwater for Alston Chase is at the east end. Alston Chase is served by Metro. Greenbriar does not have gravity lines. The subdivision uses septic tanks.

Motion: Chairwoman Kuzniar made a motion to deny these annexations. Councilman Allgood seconded for discussion.

Chairwoman Kuzniar said she does not feel the townhomes mesh with the surrounding homes. Councilman Allgood said he would like to see a buffer, but he likes the fact that there are different price points. He would like to hold this item in committee since Councilman Matney was not present.

Vote: The vote was 1-1 with Councilman Allgood dissenting.

Motion: Councilman Allgood made a motion to hold this item in committee. Chairwoman Kuzniar seconded for the sake of discussion.

She said rather than keeping this in committee, she would like the item to go to Council for everyone's feedback.

Vote: The vote was 1-1 with Chairwoman Kuzniar dissenting.

Motion: Chairwoman Kuzniar made a motion to send this item to Council with Councilman Allgood seconding.

Councilman Allgood said he would like this item to go to Council for discussion.

Vote: The vote was unanimous (2-0).

- b. An ordinance amending the business license ordinance of the City of Mauldin to update the class schedule as required by Act 176.

South Carolina's Act 176, the Business License Standardization Act, requires every municipality and county government with a business license tax to update its business licensing class schedule every odd-numbered year to go into effect the following year. As such, 2023 is a time to update the City's licensing practices remaining in compliance with state law.

Building Codes Committee Meeting



As required by Act 176, the class schedule updates are based on the latest statistical data on business profitability from the IRS, which then receives approval from the SC Revenue and Fiscal Affairs Office.

Each local government must adopt these updates by December 31, 2023, to address those licensing renewals that will take place for the license year running from May 1, 2024 – April 30, 2025. A few changes have been made on telephone and billiard tables.

Motion: Councilman Allgood made a motion to send this item to Council with Chairwoman Kuzniar seconding.

Vote: The vote was unanimous (2-0).

7. **Public Comment-** None
8. **Committee Concerns-** None
9. **Adjourn-** Chairwoman Kuzniar adjourned the meeting at 6:50 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk



BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: November 6, 2023

AGENDA ITEM: 6a

TO: Building Codes Committee

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

SUBJECT: New Commerce Court Right-of-Way Reconfiguration

BACKGROUND

As part of the development of the Parkside at Butler Apartments on New Commerce Court, the City permitted the developer to redesign the end of New Commerce Court. In accordance with the City's Land Development Regulations, the developer replaced the cul-de-sac at the end of New Commerce Court with a hammerhead or T-intersection configuration. This resulted in a better transition from New Commerce Court into the drives for Parkside at Butler.

REQUEST

At this time, the developer of Parkside at Butler and the City are seeking to clean up the right-of-way so that it matches the new T-intersection configuration. This includes the conveyance of 0.054 acres (2,315 square feet) from the City of Mauldin to the Parkside at Butler development, and the conveyance of 0.048 acres (2,074 square feet) from the Parkside at Butler development to the City of Mauldin. See the attached recombination plat for reference. (Please note in this plat, parcels "B" and "C" would be conveyed to the Parkside at Butler development and parcels "E" and "F" would be conveyed to the City of Mauldin.)

Under the direction of the City Attorney, Daniel Hughes, this conveyance will be accomplished through quit claim deeds. This is being presented to the City Council as an ordinance that will require approval at two readings.

Additional applicant request: The developer for Parkside at Butler is trying to close on the project before the end of November. Before they can close, this ordinance will need to be approved by City Council. The developer has requested City Council's consideration of scheduling a special-called meeting in November so that both readings of this ordinance can be completed in November.

STAFF RECOMMENDATION

Staff recommends that this matter be forwarded to City Council with a recommendation of approval.

ATTACHMENTS

Recombination Plat
Ordinance



MAULDIN ORDINANCE _____-2023

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF ANY AND ALL INTEREST IN CERTAIN REAL PROPERTY IN THE CITY OF MAULDIN

WHEREAS, the City of Mauldin (“City”) owns certain road right-of-way property lying and situate within the city limits of Mauldin, County of Greenville along New Commerce Court identified as Parcel “B” and Parcel “C” on the “Recombination Plat for Parkside at Butler Phases 1 and 2” attached hereto as Exhibit “A;” and,

WHEREAS, Parkside at Butler, LP (“Parkside”) owns certain property lying and situate within the city limits of Mauldin, County of Greenville along New Commerce Court identified as Parcel “F” on the Recombination Plat for Parkside at Butler Phases 1 and 2” attached hereto as Exhibit “A;” and,

WHEREAS, New Commerce Properties, LLC (“New Commerce”) owns certain property lying and situate within the city limits of Mauldin, County of Greenville along New Commerce Court identified as Parcel “E” on the Recombination Plat for Parkside at Butler Phases 1 and 2” attached hereto as Exhibit “A;” and,

WHEREAS, Parkside and New Commerce desire for the City to convey its interest in Parcel “B” and Parcel “C” to Parkside to facilitate the development of Parkside at Butler; and,

WHEREAS, in exchange for the City’s conveyance of Parcel “B” and Parcel “C,” Parkside agrees to dedicate Parcel “F” to the City and New Commerce agrees to dedicate Parcel “E” to the City as new right-of-way to be added to the existing right-of-way of New Commerce Court; and,

WHEREAS, pursuant to S.C. Code § 5-7-40, a municipality may convey or dispose of property it owns by Ordinance; and,



WHEREAS, the Mayor and City Council find that it is in the best interest of the City of Mauldin to convey Parcel “B” and Parcel “C” to Parkside by the quit-claim deed attached hereto as Exhibit “B” in exchange for the dedication of Parcel “E” and Parcel “F” to the City by New Commerce and Parkside, respectively, as additional right-of-way of New Commerce Court.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Mauldin, that the Mayor of the City is hereby authorized, empowered, and directed to execute, acknowledge and deliver the quit-claim deed attached hereto as Exhibit “B.”

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

Terry W. Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

Introduced by: _____

First Reading: _____

Second Reading: _____

Approved as to form: _____
Daniel R. Hughes



BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: November 6, 2023

AGENDA ITEM: 6b

TO: Building Codes Committee

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

SUBJECT: Food Truck Regulations

BACKGROUND

This agenda item is being presented for review and discussion of the City of Mauldin’s temporary event permit and food truck requirements.

CURRENT MAULDIN STANDARDS

Presently, the City of Mauldin regulates temporary events and food trucks in accordance with Article 9 of the Zoning Ordinance. This Article is titled “Temporary Uses and Structures” and was adopted in 2014 and amended in 2017.

Temporary Events

The City’s ordinance categorizes events into different categories:

1. City-sponsored events or events on City-owned properties
2. Non-commercial fundraising events
3. Private non-commercial events
4. All other short-term temporary events

The following table summarizes the regulations for each category of events:

Category	Stipulations	Permit Requirement
City-sponsored events or events on City-owned properties	None	Approved through separately managed City process for special events
Non-commercial fundraising event	<ul style="list-style-type: none"> • Must be in non-residential district • Cannot exceed 3 consecutive days 	No permit required
Private non-commercial events	<ul style="list-style-type: none"> • Must be on private property • Cannot be longer than 8 hours • No more than 6 events allowed at a single location in a year 	No permit required unless: <ul style="list-style-type: none"> • Event is more than one day; • Attendance will be more than 100 people; or • Food trucks will be present
All other short-term temporary events	<ul style="list-style-type: none"> • No more than 4 events allowed at a single location in a year • Event cannot be longer than 14 days 	Permit required



Food Trucks

Food trucks are generally only allowed to operate at permitted events. There are two exceptions to this: (1) food trucks at construction sites, and (2) ice cream trucks or similar food trucks that do not stop anywhere for more than 15 minutes. The general requirements for food trucks include:

- Maintain a DHEC-approved commissary
- Pass a fire inspection with the Mauldin Fire Department
- Obtain a Mauldin business license
- Remit hospitality taxes

In the application for a Mauldin business license, the applicant must provide the following:

- Name and address of the commissary
- A color photograph of the applicant
- A ten-year background check
- A ten-year driving record
- A copy of the vehicle’s registration and insurance
- Color photographs of the inside and outside of the vehicle

Food trucks are subject to the following restrictions:

- Food trucks are strictly prohibited from selling beverages that contain alcohol.
- Food trucks are not allowed to set up within 250 feet of a restaurant without that restaurant’s permission.
- Access to restrooms must be provided within 300 feet of the food truck.
- Food trucks are not allowed to set up within 200 feet of a residence unless part of a neighborhood event.
- Food trucks are not allowed to operate more than 90 days in a year.
- Food trucks are cannot operate before 7:00 a.m. or after 10:00 p.m.
- Food trucks must be set back at least 15 feet from the public right-of-way.

GREENVILLE (CITY) STANDARDS

Temporary Events

The City of Greenville requires permits for the following types of events:

- Festival or major event (for events over 200 people)
- Races, walks, or parades
- Single day events (for events under 200 people)
- Neighborhood block party
- Events on private property

Food Trucks

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Liability insurance coverage required.
- An event permit is required unless the food truck is located in the MX-, MXS-, BG, BH, IX, CV, CM, or PK districts.
- The use of a generator is prohibited within 100 feet of a residential district (RH-, RN-, or RC-).
- Required to remit hospitality tax.



GREER STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Allowed at permitted events or active construction sites.
- Allowed in the CG, OP, BT, ML, RC, and CC districts without an event permit.
- Not allowed at vacant or undeveloped properties.
- Audio amplifiers are not allowed.
- Required to remit hospitality tax.

SIMPSONVILLE STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Must indicate location of operations at the time of their license application.
- Allowed on commercial properties for up to 30 days at a time. 30 days required in between events with food trucks.
- Permit required for food trucks at neighborhoods.
- Required parking must be provided.
- Access to restrooms must be provided.
- Required to remit hospitality tax.

TRAVELERS REST STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Only permitted at approved events.
- Required to remit hospitality tax.

ROCK HILL STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Permitted at pedestrian-oriented areas approved by the Planning Commission.
- Permitted at approved special events.
- Permitted at retail centers over 100,000 square feet or at craft breweries.
- Access to restrooms must be provided.
- No overnight parking.
- Required to remit hospitality tax.

NEWBERRY STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Sale of alcoholic beverages prohibited.
- Amplified music not allowed.
- No overnight parking.
- Cannot operate before 7:00 a.m. or after 9:00 p.m.
- Written permission required from restaurants within 100 feet.
- Must be set back at least 100 feet from any residence or residential district.
- On-site food preparation must be conducted inside the food truck (no grills outside the truck).
- Access to restroom must be provided if the food truck stays for more than 2 hours.
- Adequate parking required.
- Required to remit hospitality tax.

AIKEN (CITY) STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Only permitted in commercial or industrial districts.
- Allowed at schools, hospitals, or churches with property owner permission.
- Catering trucks allowed at private events.
- Allowed at approved special events.
- Sale of alcoholic beverages prohibited unless permitted by SC Dept of Revenue.
- Cannot operate before 5:00 a.m. or after 10:00 p.m. (12:00 a.m. on weekends).
- Amplified music/noise not allowed.
- Cannot sell to persons in vehicles.
- Written permission required from restaurants within 100 feet.
- Must be set back at least 100 feet from any residence or residential district.
- Cannot occupy more than 500 square feet or 3 parking spaces.
- Required parking must be provided.
- Required to remit hospitality tax.



SUMTER (CITY) STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Background check required; may be denied for a felony criminal record.
- Must submit pictures of the food truck and a drawing of the site layout.
- Only allowed at commercial and industrial properties.
- Not allowed on vacant or undeveloped lots.
- Required to remit hospitality tax.

SUMMERVILLE STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- No overnight parking.
- Cannot sell to persons in vehicles.
- Amplified music/noise prohibited.
- Catered, private events exempt.
- Required to remit hospitality tax.

CAMDEN STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Location must be approved by City.
- Sale of alcoholic beverages prohibited.
- Special event permit required for more than one food truck on same lot.
- Required parking must be provided.
- No overnight parking.
- Amplified music/noise prohibited.
- Catered, private events exempt.
- Required to remit hospitality tax.

REQUEST

Staff is seeking direction from the Committee and/or City Council as to whether they wish for the City's food truck regulations to be amended. Please note that the Planning Commission will need to review any amendments before they can be approved by City Council.

ATTACHMENTS

None

BEAUFORT STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Liability insurance coverage required.
- Prohibited in residential districts.
- Must be set back at least 20 feet from any residence or residential district (except for permitted community events).
- Must be set back at least 10 feet from any building or structure.
- Must be set back at least 200 feet from any permitted community event.
- Must be set back at least 20 feet from the street right-of-way.
- Amplified music/noise prohibited.
- No overnight parking.
- Required to remit hospitality tax.

FLORENCE (CITY) STANDARDS

- Business license required.
- Fire inspection required.
- Must meet all SCDHEC requirements.
- Allowed in commercial and industrial districts.
- Allowed at permitted special events.
- Not allowed in residential districts.
- Prohibited in the public right-of-way.
- Prohibited within 500 feet of a restaurant.
- Prohibited within 200 feet of a school during school hours, except with written permission of school.
- If within 400 feet of a residential district, cannot operate before 9:00 a.m. or after 9:00 p.m.
- Required parking must be provided.
- Cannot sell to persons in vehicles.
- Amplified music/noise prohibited.
- Catering, private events exempt.
- Required to remit hospitality tax.