



# PLANNING COMMISSION MEETING

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**TUESDAY, JANUARY 23, 2024 | 6 PM**

The Planning Commission will meet at 6:00 p.m.  
at the Mauldin City Hall at 5 East Butler Road  
in the Council Chambers.



**PLANNING COMMISSION AGENDA  
JANUARY 23, 2024**

1. **Call to Order** Chairman, Jonathan Paulsen
2. **Roll Call** Staff, David Dyrhaug
3. **Pledge of Allegiance**
4. **Opening Remarks** Chairman, Jonathan Paulsen
5. **Reading and Approval of Minutes**
  - a. Planning Commission Meeting:  
October 24, 2023
6. **Old Business**

None
7. **New Business**
  - a. Docket: PC-2024-01-TA  
Text Amendment to the Zoning Ordinance  
regarding Temporary Use Regulations
8. **Other Business**

None
9. **Adjourn**

**MAULDIN PLANNING COMMISSION  
MINUTES  
October 24, 2023 6:00 P.M.**

**MEMBERS PRESENT:** Jonathan Paulsen, Chauncelynn Locklear, Kevin Greene, Raj Reddy, Dan Chism

**MEMBERS ABSENT:** Randy Eskridge, Lyon Bixler

**CITY STAFF PRESENT:** David Dyrhaug

**CALL TO ORDER/OPENING REMARKS**

Mr. Paulsen called the meeting to order at 6:00 P.M. Mr. Dyrhaug held roll call.

**READING OF MINUTES**

Mr. Chism moved to accept the July 25, 2023, Planning Commission minutes.

Mr. Reddy seconded the motion.

The motion to accept the July 25, 2023, Planning Commission minutes passed by unanimous vote, 5-0.

**OLD BUSINESS**

No old business was discussed.

**NEW BUSINESS**

**Docket #:** PC-2023-06-PP  
**Location:** Approximately 113 acres at Fork Shoals Road and Union Church Road  
**Request:** Preliminary Plat Approval for Chestnut Reserve Subdivision

Mr. Dyrhaug introduced a request to approve the preliminary plat for the Chestnut Reserve subdivision located at Fork Shoals Road and Union Church Road. This subdivision will be on a 113-acre tract of land and will include 347 lots for detached single-family homes. This subdivision entails the tract of land that was previously approved for 351 lots for Section II and Section III of the Chestnut Ridge subdivision. The Chestnut Reserve subdivision will replace the previously approved subdivision on this tract.

Ms. Mackenzie Poston, with Bluewater Civil Design LLC, introduced herself as the project engineer and made herself available to answer any questions the Planning Commission members may have.

Mr. Paulsen opened the floor for public comments.

No public comments were offered.

Hearing no comments, Mr. Paulsen closed the floor for public comments.

Mr. Dyrhaug presented the staff report and a recommendation of conditional approval for this preliminary plat.

Mr. Chism asked if traffic will be managed by maintaining current ratios.

Ms. Poston explained the review by and coordination with SCDOT as it relates to the traffic management related to this project.

Mr. Chism asked if this project will come back to the Planning Commission.

Mr. Dyrhaug replied that after the project has received preliminary approval, it will not come back to the Planning Commission unless the applicant wish to substantially amend the subdivision.

Mr. Chism commented about and asked about the traffic delay expected at the intersection of Fork Shoals Road and Reedy Fork Road.

Mr. Reddy commented that it appears the traffic will be mitigated by the traffic improvements recommended in the traffic impact study and as required by SCDOT.

Mr. Greene asked if the detention ponds shown would also serve the future commercial development on the corner.

Ms. Poston responded that the detention ponds in the subdivision would not serve the commercial development but that the detention ponds would be adequate for the subdivision.

Mr. Paulsen asked for a motion.

Mr. Greene made a motion to conditionally approve the Preliminary Plat for the Chestnut Reserve subdivision. The conditions of this approval include:

1. The applicant shall satisfy the applicable conditions provided by the Greenville County Subdivision Advisory Committee.
2. The applicant shall provide the road improvements recommended in the traffic impact study prepared by Ramey Kemp Associates.
3. The full civil engineering and landscape plans shall meet the standards in the codes and ordinances for the City of Mauldin.

Ms. Locklear seconded the motion.

The motion to conditionally approve the Preliminary Plat for the Chestnut Reserve subdivision passed by a vote of 5-0.

## **OTHER BUSINESS**

### **Rules of Procedure**

Mr. Dyrhaug introduced the existing rules of procedure for the Planning Commission and asked if the Planning Commission would like to make any changes to these rules at this time.

Mr. Greene made a motion to approve the rules of procedure as presented by staff.

Ms. Locklear seconded the motion.

Mr. Reddy asked if the Planning Commission members were subject to term limits.

Mr. Dyrhaug replied that the Planning Commission members are not subject to term limits.

The motion to approve the rules of procedure passed by a vote of 5-0.

### **Election of Officers**

Mr. Dyrhaug opened the floor to nominations for chairperson of the Planning Commission.

Ms. Locklear nominated Jonathan Paulsen for the position of chairperson.

Mr. Greene seconded the nomination.

Hearing no other nominations for chairperson, Mr. Dyrhaug closed the floor to nominations for chairperson.

The Planning Commission voted 5-0 to elect Jonathan Paulsen as the chairperson for the Planning Commission.

Mr. Dyrhaug opened the floor to nominations for vice-chairperson of the Planning Commission.

Ms. Locklear nominated Randy Eskridge for the position of vice-chairperson.

Mr. Reddy seconded the nomination.

Hearing no other nominations for vice-chairperson, Mr. Dyrhaug closed the floor to nominations for vice-chairperson.

The Planning Commission voted 5-0 to elect Randy Eskridge as the vice-chairperson for the Planning Commission.

### **December Meeting Date**

In the event that there is any business to review in December, Mr. Greene made a motion to move the December meeting date for the Planning Commission to December 19.

Ms. Locklear seconded the motion.

The motion to move the December meeting date for the Planning Commission to December 19 passed by a vote of 5-0.

No other business was discussed.

### **ADJOURNMENT**

Ms. Locklear moved to adjourn the meeting.

Mr. Greene seconded the motion.

The motion to adjourn this meeting passed by unanimous vote, 5-0.

**The Planning Commission meeting adjourned at 6:50 p.m.**

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

**AN AMENDMENT TO THE MAULDIN ZONING  
ORDINANCE ESTABLISHING REGULATIONS FOR  
TEMPORARY USES AND STRUCTURES.**

**WHEREAS**, temporary uses can be beneficial to local economic development and are often popular with the community; and

**WHEREAS**, this ordinance is intended to provide reasonable regulations and review procedures are necessary to ensure that temporary land uses do not become permanent or jeopardize public health, safety, and welfare; and

**WHEREAS**, the City is engaged in ongoing efforts to update and refine the City's zoning regulations; and

**WHEREAS**, pursuant to properly published notice, the Mauldin Planning Commission considered this matter at a public hearing on January 23, 2024; and

**WHEREAS**, pursuant to properly published public notice, the Mauldin Planning Commission considered this matter at a public hearing on January 23, 2024.

**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 Repeal.** Article 9, Temporary Uses and Structures, of the Mauldin Zoning Ordinance is hereby repealed in its entirety.

**Section 2 Amendment.** Amend Article 7, Allowed Uses, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that 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**

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**Sec. 7:3 – Temporary Uses and Structures**

**7:3.1 Purpose and Intent.**

Temporary uses can be beneficial to local economic development and can be popular with the community. At the same time, reasonable regulations and review procedures can be necessary to ensure that temporary uses and structures do not become permanent or jeopardize public health, safety, and welfare. This section allows for the establishment of

specific temporary uses of limited duration. The regulations in this section have the following intent:

- A. Reasonably allow land uses on a temporary basis that are not appropriate on a long-term/permanent basis.
- B. Maintain the health, safety, and welfare of the surrounding area and the greater community.
- C. Provide predictable outcomes for applicants and the community.
- D. Promote economic development.
- E. Encourage the use of underused land.

### 7:3.2 Applicability.

The standards in this section apply to non-permanent uses that take place on a temporary basis whether on the same site or in different locations in the City. The activities listed in this section require the issuance of a permit, except where exempted herein.

### 7:3.3. Authority

In approving a temporary use permit, the City Administrator, or his designee, is authorized to impose any of the following requirements, as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or aggravated by the proposed temporary use/structure.

- A. Provision of temporary parking facilities, including vehicular access and egress;
- B. Control of nuisance factors such as, but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, odors, gases, and heat;
- C. Prohibition of the storage or use of hazardous materials;
- D. Regulation of placement, height, size, and location of equipment;
- E. Provision of sanitary and medical facilities;
- F. Provision of solid waste collection and disposal;
- G. Provision of security and safety measures;
- H. Use of an alternate location or date;
- I. Modification or elimination of certain proposed activities;
- J. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this section; and
- K. Submission of a performance guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

### 7:3.4 General Standards for All Temporary Uses and Structures.

Any temporary use or structure shall generally meet the following standards.

- A. **Property owner permission.** The operator of the temporary use or structure must obtain written permission from the landowner of the property where the



temporary use or structure will be located prior to the establishment of the temporary use or structure. The operator must be willing and able to produce such written permission to the appropriate authority upon request.

- B. **Permits and licenses.** The operator of the temporary use or structure shall obtain the appropriate permits and licenses, including a City of Mauldin business license, from the City of Mauldin and other applicable agencies prior to the establishment of the temporary use or structure.
- C. **Protection of health, safety, and general welfare.** The temporary use or structure shall not be detrimental to other property or improvements in the surrounding area or to the public health, safety, or general welfare.
- D. **Maintain conditional use standards.** Where the property or use of the property is subject to any standards or conditions of approval, those applicable standards and conditions shall be maintained.
- E. **Permanent alterations prohibited.** Permanent alterations to the site, especially as would contradict the temporary nature of the use or structure, are prohibited.
- F. **Temporary signage.** Any signage for the temporary use or structure shall comply with the applicable standards and requirements for temporary signage.
- G. **Utility connections.** Any connections to water, sewer, electrical and other utilities shall meet the appropriate standards and obtain applicable approvals for those connections. Such written approval(s) must be available for inspection by the City upon request.
- H. **Parking and accessibility.** Adequate parking, including required minimum parking for both the temporary use/structure and existing uses/structures, shall be provided on-site or via written parking agreement(s) with an adjacent property owner(s). Existing fire lanes, ADA accessibility, pedestrian access, and vehicular access shall be maintained at the property where the temporary use or structure will be located.
- I. **Buffers and landscaping.** Any existing landscaping and buffer areas shall be protected and maintained at the property where the temporary use or structure will be located.
- J. **Restroom facilities.** Adequate restroom facilities shall be available on-site.
- K. **Trash collection and disposal.** Adequate trash collection and disposal shall be provided for the temporary use or structure.
- L. **Operating hours.** Any outdoor activities at a temporary use or structure within 500 feet of a residential use shall cease no later than 10:00 P.M.

### 7:3.5 Temporary Uses and Structures Exempt from Permit Requirements.

Temporary use permits are not required for the following activities (this exemption does not exempt the activity from any other required applicable permits or licenses, such as building permit, business license, alcoholic beverage license, health department approval, etc.).

- A. Outdoor promotional events with total anticipated assembly of less than 200 people. In addition to the general standards provided in Section 7:3.4, such events shall adhere to the following standards.
  1. **Permissible locations.** Such events are only allowed at non-residential properties.
  2. **Event duration.** Such events are allowed for up to two consecutive days.
  3. **Number of events.** The maximum number of such events allowed at the same property in a calendar year is four.
- B. Private events, such as weddings, private parties, funerals, etc., not open to the general public and lasting less than 12 hours.
- C. Events sponsored or hosted by the City of Mauldin. Events hosted by the City of Mauldin are still subject to a separate review and approval process administered by the department that manages the facility where the event will be hosted.
- D. Events at permanent places of worship, sports facilities, schools, auditoriums, or other similar established places of assembly.
- E. Events at common areas in residential neighborhoods organized and managed by the homeowners' association of that neighborhood.
- F. Events at the plaza for BridgeWay Station where such events operate with the permission of the management company for BridgeWay Station.
- G. Mobile food sales at construction sites or places of employment with 100 or more employees with the intent of solely serving food to the employees working at the construction site or place of employment. In addition to the general standards provided in Section 7:3.4, such sales shall adhere to the following standards.
  1. **Number of mobile food sales vendors.** The maximum number of mobile food sales vendors allowed at a site at one time is one.
  2. **Sales duration.** Such food sales are allowed for up to two hours on any given day.
- H. Construction-related structures or containers at a construction site with an active construction permit. Such structures or containers must be removed within 30 days following the issuance of the certificate of occupancy or certificate of completion for the construction project.

- I. Real estate sales/leasing office at a residential development project under active construction. In addition to the general standards provided in Section 7:3.4, such offices shall adhere to the following standards.
  1. **Permissible locations.** Such offices are only allowed at residential development projects under active construction.
  2. **Permissible operations.** The use of the office must only be for the initial sale or lease of properties within the residential development at which the office is located.
  3. **Duration.** Such offices are allowed only for the period during which the development project is under active construction.
  4. **Minimum setbacks.** The structure shall meet the required setbacks for the underlying zoning district to the extent practicable. The Business and Development Services Director may grant alternative setback requirements when he determines that such alternative setback requirements are necessary to accommodate any existing structures or proposed improvements on the site.
  5. **Mobile structure requirements.** Underpinning, skirting, or other curtain wall materials must be installed around the entire perimeter of any mobile structure.
  
- J. Construction office at an active construction project. In addition to the general standards provided in Section 7:3.4, such offices shall adhere to the following standards.
  1. **Permissible locations.** Such offices are only allowed at development projects under active construction.
  2. **Permissible operations.** The use of the office must only be as an office for those contractors and construction personnel working at the development site where the office is located.
  3. **Duration.** Such offices are allowed only for the period during which the development project is under active construction.
  4. **Minimum setbacks.** The structure shall meet the required setbacks for the underlying zoning district to the extent practicable. The Business and Development Services Director may grant alternative setback requirements when he determines that such alternative setback requirements are necessary to accommodate any existing structures or proposed improvements on the site.
  5. **Mobile structure requirements.** Underpinning, skirting, or other curtain wall materials shall be installed around the entire perimeter of any mobile structure.
  
- K. Garage sales or yard sales. In addition to the general standards provided in Section 7:3.4, such sales shall adhere to the following standards.
  1. **Permissible locations.** Such sales are only allowed at a residential dwelling or in the common area of a residential neighborhood with the permission of the homeowners' association.

2. **Number of days.** Such sales are allowed for up to a maximum of 30 days in a calendar year. The aggregate number of days a sale is conducted at the same property is subject to this maximum number of days.
  3. **Merchandise for sale.** Only general household goods may be sold at such sales.
- L. Intermittent food sales by an ice cream truck that does not park or sit idle for more than 15 minutes at any one location.
- M. Portable storage containers. In addition to the general standards provided in Section 7:3.4, such containers shall adhere to the following standards.
1. **Permissible locations.** Such containers are only allowed at residential properties.
  2. **Duration.** Such containers are only allowed for up to 30 consecutive days.
  3. **Number of occurrences.** Containers cannot be placed at the same property more than two separate occurrences in a calendar year.
  4. **Placement.** Containers must be placed on the driveway or behind the dwelling. Exception: A container may be placed in the front yard or side yard for a maximum of 48 hours provided the container does not impair the visibility of any motorist, cyclist, or pedestrian at any street or driveway intersection.
  5. **Number of containers.** No more than two containers may be placed on a single lot at one time.
  6. **Prohibited materials.** Non-residential materials and substances, including but not limited to hazardous materials, explosives, and/or unlawful substances and materials, shall not be stored or transported in such containers.

#### 7:3.6 Temporary Uses and Structures Allowed by Permit

Each of the temporary uses and/or structure provided in this section require a temporary use permit and are subject to the standards provided herein.

- A. Seasonal outdoor sales for the sale of Christmas trees, pumpkins, or similar agricultural products. In addition to the general standards provided in Section 7:3.4, such sales shall adhere to the following standards.
1. **Permissible locations.** Such sales are only allowed at non-residential properties.
  2. **Hours of operation.** The hours of operation for such sales shall be limited to 7:00 AM until 10:00 PM.
  3. **Duration.** Such sales are only allowed for up to 60 consecutive days.
  4. **Number of occurrences.** No more than two such sales events may be permitted at the same location in a calendar year.
- B. Large events with an anticipated assembly of 200 people or more or a duration of two or more days on an individual parcel or site. In addition to the general

standards provided in Section 7:3.4, such events shall adhere to the following standards.

1. **Permissible locations.** Such events are only allowed at non-residential properties.
2. **Duration.** Such events are only allowed for up to 14 consecutive days.
3. **Number of occurrences.** No more than four such events may be permitted at the same location in a calendar year.
4. **Liability insurance.** The applicant must provide proof of liability insurance.

### 7:3.7 Mobile Food Sales

Mobile food sales, including any vehicle, truck, trailer, cart, or other movable structure or device used for the sale of food and beverages, are only allowed to set up and operate at outdoor temporary use activities provided in Section 7:3.5 and Section 7:3.6. In addition to the general standards provided in Section 7:3.4, mobile food sales shall adhere to the following standards.

1. **Placement.** Mobile food sales must be set back at least 15 feet from any fire hydrant, utility box or vault, handicap accessible ramp or aisle, and building entrance or exit. Additionally, mobile food sales shall placed such that they do not impair the visibility of any motorist, cyclist, or pedestrian.
2. **Mauldin business license.** A valid annual City of Mauldin business license is required prior to setting up or operating a mobile food unit within the city limits of Mauldin. Valid licenses shall be displayed in a visible location at the mobile food unit.
3. **Inspection.** Prior to the issuance of a City of Mauldin business license, any vehicle, truck, trailer, cart, or other movable structure or device used in the sale of food and beverages must be inspected by the Fire Department for compliance with the City's Fire Code.
4. **DHEC compliance.** Mobile food sales vendors shall meet all applicable DHEC regulations for mobile food units and possess a valid DHEC permit where applicable. Any mobile food vendor or vending unit that has been issued a notice of health violation by any department of the State of South Carolina, which remains uncorrected upon a subsequent inspection, shall not be allowed to operate within the city limits of Mauldin.
5. **Discharge of substances.** Fat, oil, grease, or waste water is not allowed to be discharged into the sanitary sewer system or stormwater collection system. All waste shall be properly stored and disposed of at a properly designated and authorized disposal location.
6. **Sale of alcoholic beverages.** The sale of alcohol beverages is prohibited unless the proposed location of the sale of alcoholic beverages has been approved by the South Carolina Department of Revenue Alcohol Beverage Licensing and the sale of alcoholic beverages complies with the conditions of such approval. The issuance of a license by the South Carolina Department of Revenue is subject to a review by the Mauldin

Police Chief who will review the location, set-up, and operations of the proposed sale of alcoholic beverages. If he determines that the proposed activity does not protect the health, safety, or general welfare of the community, he may deny the sale of alcoholic beverages.

**Section 3 Amendment.** Amend Section 3:3, Definitions, of Article 3, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that 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

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#### Sec. 3:3 – Definitions

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~~*Food trailer (concession style).* An enclosed attached or detached trailer that is equipped with facilities for the preparing, cooking and selling of various types of food products.~~

~~*Food truck.* An enclosed motor vehicle equipped with facilities for preparing, cooking and selling of various types of food products.~~

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~~*Intermittent mobile food sales.* Food transactions from a mobile vehicle where the vehicle only remains idle for a period of fifteen (15) minutes or less (e.g. ice cream trucks, food vendors at construction sites).~~

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*Mobile food sales.* The preparation, cooking, serving and/or sale of food from a portable stand, vehicle or trailer.

~~*Mobile food vendor vehicle.* A self-contained, motorized vehicle mounted food service unit that returns daily to its base of operations (Commissary) as approved by DHEC and is used for either the preparation or the sale of food products, or for both.~~

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~~*Mobile market food truck.* An enclosed motor vehicle equipped with facilities for the sale of locally grown fresh produce. The produce sold is in its original form and has not been altered or cooked in any other way inconsistent with it coming fresh from the fields and/or gardens in which it was grown.~~

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Portable storage container. A purpose-built, box-like container that is designed for temporary storage of goods, materials, and equipment. Usually these containers are designed for ease of loading to and from a transport vehicle.

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Promotional event. An occasion that draws attention to a particular business, service, or product(s).

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~~Short term temporary use.~~ A use (and/or structure containing a use) that is temporary in nature and only active for a specified period of time.

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~~Special event.~~ A temporary event is an activity sponsored by a governmental, charitable, civic, educational, religious, business, or trade organization which is infrequent in occurrence and limited in duration. Examples include arts and crafts shows, community festivals, carnivals, fairs, circuses, concerts, conventions, exhibitions, trade shows, outdoor religious events, and other similar activities.

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~~Temporary event.~~ An single day or multi-day event such as but not limited to: fundraisers, promotional events, arts and craft shows, carnivals, fairs, circuses, concerts, trade shows, outdoor religious events, and other similar activities.

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Temporary structure. A structure that is erected without any foundation or footings and is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Temporary use. A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

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**Section 4.** 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:

\_\_\_\_\_  
Daniel Hughes, City Attorney