

Minutes
Building Codes (BDS) Committee
May 6, 2024
2nd Committee Meeting

Committee Members present: Mark Steenback (Chair) and Taft Matney. Councilman Frank Allgood joined via Zoom.

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

1. Call to Order- Chairman Mark Steenback

2. Public Comment- None

3. Reading and Approval of Minutes

a. Building Codes Committee Meeting: April 1, 2024

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 Department Report, David Dyrhaug

Mr. Dyrhaug reported Neely Village is complete with 69 townhomes.

Building inspection numbers have increased.

Business license renewals are being finished up. The deadline was April 30th. 9 new businesses moved into the City in April.

Mr. Duncan has been advised of some vacant properties that are becoming dilapidated. The department is going to look into ways that it can help the properties stay compliant with codes.

Councilman Allgood asked if committee could receive more information regarding the vacant properties. Mr. Duncan said in some instances there are known owners, some instances the owners may be out of town. The department is going to look at the International Property Maintenance Code to see if the City can use that to help properties come into compliance, or if there may be additional tools somewhere else.

5. Unfinished Business

a. None

6. New Business

- a. An Ordinance to rezone a property consisting of approximately 3.3 acres located at Miller Road (Tax Map Parcel #M002.01-02-002.00) and providing an effective date

The City of Mauldin has received a signed petition requesting the rezoning of a tract of land pursuant to Section 4:2 of the Mauldin Zoning Ordinance. This petition includes rezoning a 3.3-acre tract along Miller Road from the S-1 district to the RM district. The intent of the applicant is to develop this property for attached single-family homes.

This tract is presently a wooded undeveloped lot. It lies between a commercial strip center at 109 Miller Road that includes Tato's Pizza and Staten Plumbing Heating and Electrical, a telecommunication tower at 129 Miller Road, and the Summer Stone Townes 201 Miller Road.

Councilman Allgood asked Mr. Dyrhaug what the property could be used for if the zoning remained S1. Mr. Dyrhaug answered an office for a contractor or something similar to that. The property is not large enough for a lot of things that would be allowed in the S1 district.

Councilman Allgood asked about if the 25-foot buffer could be increased and if the site was going to be clear-cut.

Developer Barrett Wood was present and said the plans can be altered. There is a cell tower fall zone, which gives a little bit of a challenge. The layout plans have not been finalized.

Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

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

- b. An Ordinance to provide for the annexation of property owned by the City of Mauldin and located at Adams Mill Road (Tax Map Parcel: M006.02-01-035.01) by one hundred percent petition method; and to establish a zoning classification of R-15, residential, for said property

The City of Mauldin has received signed petitions requesting the annexation of a tract of land (one parcels) pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 0.2 acres at Adams Mill Road and W. Golden Strip Drive.

This property was conveyed to the City of Mauldin in 1967 and is largely wooded with a creek that bisects the property. It is not inside the city limits presently, but this ordinance would remedy that.

Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

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

- c. An Ordinance to provide for the annexation of property owned by the City of Mauldin and located at Fowler Circle (Tax Map Parcel: M007.03-01-011.04) by one hundred percent petition method; and to establish a zoning classification of R-20, residential, for said property

The City of Mauldin has received signed petitions requesting the annexation of a tract of land (one parcels) pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 10.6 acres at Fowler Circle.

This property was conveyed to the City of Mauldin in 2014 and is directly contiguous to Sunset Park, which is a City-owned park. At that time the back portion of the tract consisting of approximately 6.9 acres was already inside the City limits. The front portion of this tract consisting of approximately 10.6 acres was not in the City limits and has remained outside the City limits to this day.

Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

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

- d. An amendment to the Mauldin Land Development Regulations establishing procedures for subdivisions and to invoke the pending ordinance doctrine

The City of Mauldin currently regulates the subdivision of land through its Land Development Regulations which were originally adopted in 1967 and were last amended in 2018. When these regulations were last amended in 2018, the City at the time copied and pasted select sections of Greenville County's Land Development Regulations, but not all sections of their regulations. This has contributed to context and standards missing from the City's current Land Development Regulations.

Among these missing elements, the City's Land Development Regulations are presently void of any criteria to guide the decision of the Planning Commission as it reviews preliminary plats for new subdivisions except to say that the Planning Commission simply considers the recommendations of the Greenville County Subdivision Advisory Committee

and the staff of the City.

The primary impetus for this text amendment is to introduce review criteria on which the Planning Commission can base its decisions as it reviews preliminary plats for new subdivisions. This will add strength and defense to decisions made by Planning Commission if their decisions are ever appealed through circuit court. Additionally, it provides more predictability for applicants to know the criteria that will be considered by the Planning Commission.

In addition to the introduction of these review criteria for preliminary subdivision plats, this proposed amendment to the Land Development Regulations also provides greater clarity, context and organization to the procedures for reviewing and approving new subdivisions.

The pending ordinance doctrine is attached to this ordinance as well because there are some pending subdivisions going through the process right now.

Councilman Matney asked Mr. Dyrhaug if he has talked with the Home Builders Association or the Association of Realtors and asked for their thoughts on this. Mr. Dyrhaug said he has talked with some developers to make sure they understand the process.

Councilman Matney asked if there would be a moratorium on new developments until this is dealt with. Mr. Dyrhaug answered no.

Councilman Allgood asked the difference between a public and private provision. Mr. Dyrhaug answered a public provision would be State, County or City Laws. The higher standard between our LDR and any governing laws prevails. Private provisions would be HOA covenants. Again, the more stringent law will apply.

Motion: Councilman Matney made a motion to send this item to Council with a recommendation of approval. Councilman Allgood seconded the motion.

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

7. Public Comment- None

8. Committee Concerns- Councilman Allgood asked about the public meeting on the property on Fowler Circle. He asked why the meeting was held in a private events space instead of at a public property. Mr. Dyrhaug answered the meeting is normally held at the library or a similar space, but none were available. A private space was used.

Councilman Allgood said he was concerned about the distance of the venue from the project.

9. Adjourn- Chairman Steenback adjourned the meeting at 6:39 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk