

ORDINANCE # _____

AN AMENDMENT TO THE MAULDIN ZONING
ORDINANCE TO ESTABLISH A RESIDENTIAL-OFFICE
DISTRICT (SECTION 5:16) UNDER ARTICLE 5 AND
RELATED AMENDMENTS IN ARTICLE 6.

WHEREAS, the City of Mauldin Comprehensive Plan calls for more flexible zoning and development regulations to encourage live/work units; and

WHEREAS, the intent of the proposed Residential-Office (R-O) District is to promote and accommodate residential uses and offices, including live-work units, in areas that are not exclusively residential or nonresidential by nature; and

WHEREAS, the City of Mauldin finds that the proximity of jobs to housing in a Residential-Office District can achieve traffic reduction by the internal capture of home-work trips; and

WHEREAS, the City of Mauldin finds that the creation of cost-efficient alternative work spaces will provide an incentive for entrepreneurs, business owners, and other individuals to work in Mauldin and contribute to the City's economy; and

WHEREAS, pursuant to property published public notice, the Mauldin Planning Commission first considered the matter at a public hearing on November 27, 2018.

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 5, Zoning District Regulations, by the addition of Section 5:16, Residential-Office (R-O) District, as follows:

Sec. 5:16 – Residential-Office (R-O) District

5:16.1 Purpose and Findings

The Residential-Office (R-O) District is established to promote and accommodate residential uses and offices, including live/work units, in areas that are not exclusively residential or nonresidential by nature. Although nonresidential uses may be permitted, the intent of this district is preserve the residential character of the area through careful attention to the scale and form of development. Furthermore, it is the intent of this district to discourage uses that generate excessive traffic or other activity that would be largely incompatible with the residential nature of the district.

5:16.2 Uses Permitted

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 advisement 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 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 Conditional Uses

The following uses are permitted by Conditional Use in accordance with the provisions of Article 10 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

5:16.5 Development Standards Table

Table 5.4.4 Table of Dimensional Standards for Residential Zone: Residential-Office (R-O) District								
District and Use	Min. Lot Area (sq. ft.) [1]	Min. Lot Width (ft.) [2]	Minimum Required Setbacks [3]					Max. Height (ft.)
			Front (ft.)	Side (ft.)	Rear (ft.)	Side/rear (ft.) Accessory Structures	Corner side	
Dwelling, Detached Single-Family	6,000	40	20	8	15	5	½ of front setback	35
Dwelling, Two-family (Duplex)	7,500	40	20	8	15	5	½ of front setback	35
Non-residential uses	8,000	40	20	15	20	10	15	35
[1] Areas within a designated public right-of-way shall not be used to calculate compliance with the minimum lot size requirements.								
Minimum lot width shall be measured at the setback line, not the public right-of-way or edge of pavement for private drives. In cases where a lot is bound by two (2) or more streets, the minimum lot width is only required at the setback line for the front yard.								
[3] Conditional Uses: When more than one (1) setback or other design standard applies, the most restrictive standard shall be met as provided for in Article 10.								

5:16.6 Front Setback Reduction

In areas where buildings have been built closer to the road than the current setback requirement, the minimum front yard setback requirement may be reduced to the average front building line along the street.

This calculation shall typically just use the adjoining lot on each side of the subject property. However, where there is no building on the adjoining lot or when the Business & Development Services Director determines that the front building line on an adjoining lot is inconsistent with the pattern of the surrounding neighborhood, the average front building line of the lots on the same side of the street as the subject property for the entire length of the block may be used as the minimum front yard setback requirement for the purpose of considering a reduction.

5:16.7 Live/work Arrangements

Properties or buildings shall be permitted to be used jointly for residential and nonresidential purposes in a live/work arrangement provided the following standards are followed:

- A. The nonresidential use or activity is a permitted use within the zoning district;
- B. The residential occupant is the owner of the on-site business, or an employee of the on-site business, and that person's household;
- C. No portion of the live/work unit may be rented or sold separately; and
- D. The building and site shall meet the standards of the nonresidential design requirements of this zoning district.

Nonresidential uses or activities that are permitted within this zoning district shall not be subject to the home occupation standards of Article 10.

5:16.8 Nonresidential and Live/Work Unit Design Requirements

- A. **Roof Design.** Any new roof shall reflect the traditional character of the neighborhood. The roof shall be a type that is commonly found in the surrounding district as determined by the Business & Development Services Director.
- B. **Open Space.** In order to protect the residential form of this district, open space shall be provided at a rate of 20 percent of the total area of the subject property.

Land used for open space shall be landscaped and permanently maintained with trees, shrubs, indigenous plants and ground cover. Acceptable open space may include natural areas, greenways, playgrounds, plazas, courtyards, greens, and community gardens.

- C. ***Driveway Design.*** In order to create a safe environment for both vehicles and pedestrians, the width of the driveway on a nonresidential property within this district shall not exceed 27 feet throughout the right-of-way and the required streetscape buffer, except for driveways at facilities for emergency response vehicles.
- D. ***Parking Location.*** In order to protect the residential character of this district, parking is encouraged to be located behind the building. Any parking area that contains more than five (5) parking spaces and is not located behind the building shall be screened from the view of any public or private right(s)-of-way and from any adjacent residential use. Such screening shall be accomplished through the use of evergreen plant materials, fences, walls, or a combination thereof. The height of such screening shall be at least five (5) feet above the grade of the parking area.
- E. ***Parking Area Surface Material.*** Parking areas shall generally be surfaced with asphalt, bituminous, brick, turf block, or concrete material to minimize nuisance from dust.
- Parking areas that do not contain more than ten (10) parking spaces may be surfaced with stone or pebble aggregate where geosynthetics, or similar stabilizers, are utilized to reinforce the aggregate and provide stabilization, separation, and confinement of the parking area. The type and the size of the aggregate shall be acceptable to the Fire Marshal and shall not give rise to dust and debris. Each parking space shall be clearly marked with a concrete wheel stop or similar means.
- Handicap accessible parking spaces and associated accessible routes shall be surfaced with a smooth, hard material such as asphalt, bituminous, brick, turf block, or concrete.
- F. ***Building Orientation.*** In order to protect the residential character of this district, the main entrance of each principal building shall face the adjacent street. On corner lots, the main entrance may face either of the streets or be oriented to the corner. For buildings that have more than one main entrance, only one entrance must meet this requirement.
- G. ***Outdoor Storage and Display.*** The outdoor display or storage of goods and products shall be strictly prohibited.
- H. ***Prohibited Activities.*** The retail sale of food and/or beverages to customer arriving on-site is strictly prohibited. This does not include online (Internet) sales, mail order, or catering preparation.

Section 2 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 that is NOT ~~struck through~~ or underlined is not be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged):

6:1.1.2 Minimum Off-Street Parking Requirement

Table 6:1.1.2(A): Off-street Parking Requirements [1]			
Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
		Square footage refers to total gross floor area	
RESIDENTIAL USES			

<u>Live/work</u>	<u>All live/work arrangements</u>	<u>2 per unit plus 1 accessible parking space</u>	<u>See DAP</u>
PUBLIC AND INSTITUTIONAL USES			

6:2.8 Transition Buffers Between Incompatible Uses

Table 6:2.8(b): Table Transition Buffer Determination			
Note: RL = Residential Low: R-20, R-15, R-12 RH = Residential High: R-10, R-8, R-6	Adjacent Zoning and Required Transition Buffer		
Proposed Development Site Zoning	RL	RH	RM-1, RM, <u>R-O</u>
RL*	N/A	N/A	N/A
RH*	A	N/A	N/A
RM-1, RM, <u>R-O</u>	A	N/A	N/A
CRD, C-2, O-D	B	A	A
S-1, I-1	B	B	B
* Unless otherwise required by the Land Development Ordinance or other standards set forth in this ordinance			

6:3.2 Exterior Building Façade

Exterior building facades which for all structures other than a one- or two-family dwelling, including a 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 – ~~No~~ Brick veneers or simulated brick shall be permitted is acceptable

Stone – Natural stone or manufactured stone are acceptable

SFCB – Split-Faced Concrete Block

Tilt up precast concrete panels

Stucco – ~~Cementitious only, no s~~ Synthetic material allowed 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	<u>Wood</u>
RM ₂ , RM-1, R-O	Yes	Yes	Y <25%	No	Y <25%	Yes	Yes	No	<u>Yes</u>
RM-1	Yes	Yes	Y <25%	No	Y <25%	Yes	Yes	No	
O-D ₂ , POD	Yes	Yes	Y <25%	No	Y<25%	Yes	Yes	No	<u>No</u>
POD	Yes	Yes	Y <25%	No	Y<25%	Yes	Yes	No	
CRD	Yes	Yes	Y <25%	No	Y <25%	Yes	Yes	No	<u>No</u>
C-1 ₂ , C-2	Yes	Yes	Yes	No	Y <25%	Yes	Yes	Yes – Rear	<u>No</u>
C-2	Yes	Yes	Yes	No	Y <25%	Yes	Yes	Y – Rear	
S-1 ₂ , I-1	Yes	Yes	Yes	Yes	Y <25%	No	Yes	Yes – Rear & Side	<u>No</u>
I-1	Yes	Yes	Yes	Yes	Y <25%	No	Yes	Y – R & S	

Section 3. 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: _____
Dennis Raines, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

REVIEWED:

John Duggan, City Attorney

City Administrator

Sec. 5:16 – Residential-Office (R-O) District

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The Residential-Office (R-O) District is established to promote and accommodate residential uses and offices, including live/work units, in areas that are not exclusively residential or nonresidential by nature. Although nonresidential uses may be permitted, the intent of this district is preserve the residential character of the area through careful attention to the scale and form of development. Furthermore, it is the intent of this district to discourage uses that generate excessive traffic or other activity that would be largely incompatible with the residential nature of the district.

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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 advisement services

Information technology, computer software, and similar services

Insurance-related services

Investigation and security services

Legal services

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Personal care services including hair, nail, and skin care

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CRD	Yes	Yes	Y <25%	No	Y <25%	Yes	Yes	No	No
C-1 ₂ , C-2	Yes	Yes	Yes	No	Y <25%	Yes	Yes	Y Rear	No
S-1 ₂ , I-1	Yes	Yes	Yes	Yes	Y <25%	No	Yes	Y Rear & Side	No