

CITY OF MULLINS

151 E. Front Street
P. O. Drawer 408
Mullins, South Carolina 29574



PHONE: (843) 464-9583
FAX: (843) 464-5202

City Council Meeting Raymond Pridgen Auditorium Tuesday, April 9, 2024 6:00 P.M.

AGENDA

1. **Call Meeting to Order & Welcome:** Mayor Woodbury
Pledge of Allegiance:
Invocation:
Civility Pledge:
2. **Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act:**
3. **Approval of Agenda:**
4. **Consent Agenda:**
 - (a) Approval of Minutes – March 12, 2024 – City Council Meeting
 - (b) Approval of Monthly Bills
5. **Old Business:**
 - (a) 1st Reading of ORDINANCE # 24-003 AN ORDINANCE TO AMEND ORDINANCE # 14-002, THE CITY OF MULLINS LAND DEVELOPMENT REGULATIONS FOR THE CITY OF MULLINS, SOUTH CAROLINA, AS AMENDED, TO INCLUDE PROVISIONS FOR REGULATIONS OF TINY HOMES.
6. **New Business:**
 - (a) Michelle Brewton-Smith – Pee Dee Coalition
 - (b) Don Strickland - PDRTA
 - (c) Fair Housing Resolution #24-004
 - (d) 200 & 228 N Main Street City Certification Resolution #24-005 / Re: Mayer's Garage
 - (e) Building Inspector Curtis Richardson – Re: Vacant Lots & Code Enforcement Tickets
7. **Committee Reports:**
8. **Mayor Reports:**
9. **Comments:**
 - (a) Venolia Jordan / King's Court
10. **Executive Session:**
 - (a) Curtis Rush - Mullins Downtown Development / Contractual
 - (b) Personnel – Contractual
11. **Return to Open Session:**
12. **Adjournment:**

**Minutes
City Council Meeting
Tuesday, March 12, 2024**

The regular meeting of the Mullins City Council was held Tuesday, March 12, 2024 at 6:00 P.M. The following were notified of the time, date, and place of the meeting: Mayor Robert L. Woodbury and Members of City Council, the City Staff, and the press. Present at the meeting were the following: Mayor Pro-Tem Carolyn Wilson, Council Members: Mayo Phillips, Kindra Brewton-Pompey, Albert Woodberry, Eddie Kitchen, City Administrator Holly Jackson, City Attorney Bob Corley, Clerk Felicia Sawyer-Norton, Chief Phil Mostowski, Fire Chief Robert Stetson, Special Events Coordinator Oglaretta White, and many others.

1. Call Meeting To Order & Welcome: Mayor Woodbury called the meeting to order and welcomed all present.

Fire Chief Robert Stetson gave The Pledge of Allegiance.

Council Member Mayo Phillips gave the invocation.

Mayor Pro Tem Carolyn Wilson read the Civility Pledge.

2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act: Mayor Pro Tem Wilson stated the local media had been contacted regarding the time, date, and place of the regular meeting for March 12, 2024.

3. Approval of Agenda:

Council Member Eddie Kitchen made a motion to accept the Approval of the Agenda. Council Member Kindra Brewton-Pompey seconded the motion.

4. Consent Agenda:

- (a) Approval of Minutes – February 13, 2024 – City Council Meeting
- (b) Approval of Minutes – February 29, 2024 – Recreation Committee Meeting
- (c) Approval of Minutes – February 29, 2024 – Street/Sanitation Committee Meeting
- (d) Approval of Monthly Bills

ORDINANCE # 24-003

AN ORDINANCE TO AMEND ORDINANCE # 14-002, THE CITY OF MULLINS LAND DEVELOPMENT REGULATIONS FOR THE CITY OF MULLINS, SOUTH CAROLINA, AS AMENDED, TO INCLUDE PROVISIONS FOR REGULATIONS OF TINY HOMES.

NOW, BE IT ORDAINED by the City Council of Mullins, South Carolina:

Section 1. Findings. City of Mullins wants to ensure that new developments for dwelling units known as "tiny homes" are meeting minimum standards that protect the life, health and safety of the residents. City Council finds a community benefit in design rules that include, but are not limited to, regulations promoting proper spacing, lot requirements, setbacks, access and parking, and adequate public infrastructure.

Section 2. The City of Mullins Land Development Regulations are amended to include the following definitions.

Accessory Dwelling Unit (ADU):

A secondary *dwelling unit* that is accessory to a primary *dwelling* on the same lot.

Accessory Structure:

A *Structure* that is accessory to and incidental to that of the *dwelling(s)* and that is located on the same lot.

Building:

Any one- or two-family *dwelling* or portion thereof, including townhouses, used or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, or any *accessory structure*.

Dwelling:

Any Building that contains either one or two *dwelling units* used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes. Dwellings include Traditional Construction, Single-Family Modular Homes, and Manufactured housing alternative styles may include Geodesic Domes and Yurts.

Dwelling Unit:

A Single Unit providing complete and independent facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Pocket Neighborhood:

A pocket neighborhood is a type of planned community that consists of a grouping of smaller residences, often around a courtyard or common garden, designed to promote a close knit sense of community and neighborliness with an increased level of contact.

Structure:

That which is built, or constructed.

Tiny Houses:

A *dwelling* that is 400 square feet or less in floor area excluding lofts.

Section 3. Amend the City of Mullins Land Development Regulations to Add a New Section 7.19 "Tiny House" development regulations. The City of Mullins Land Development Regulations are hereby amended to add the following section as follows:

SECTION 7.19 TINY HOUSES

7.19.1 Application

Tiny houses are permitted within a planned residential development in a pocket neighborhood setting with individually owned (fee simple) lots in the zoned areas. Tiny house subdivision in the zoned areas shall follow the Planning Committee guidelines and requirements of the Zoning Ordinance. This ordinance is not inclusive of recreational vehicles, park models, campers or other seasonal use designs that are regulated by the Recreational Vehicle Industry Association (RVIA).

7.19.2 Review Process

A Preliminary Plan shall be submitted to Zoning Administrator, following the requirements and process described in Subdivision development, shall be the lead department in processing and approval. The Preliminary Plan shall be taken to Planning Committee for review and comments. The Preliminary Plan shall be taken to the City Council for review and approval. Zoning Administrator shall sign off on approved Preliminary Plans after consideration by the City Council.

7.19.3 Design Standards

The following design standards apply to all tiny house developments:

1. A minimum of 4 tiny houses and maximum of 30 tiny houses per pocket neighborhood.
2. Centralized common area. The common open space area shall include usable public spaces such as lawn, gardens, patios, plazas or scenic viewing area. Common tables, chairs and benches are encouraged, with all houses having access to it.
 - a. Four hundred square feet of common open space is required per unit.
 - b. Fifty percent of units must have their main entry on the common open space.
 - c. All units must be within five feet of common open space(s). Setbacks cannot be counted towards the common open space calculation.
 - d. The principal common open space must be located centrally to the project. Additional common open space can only account for twenty-five percent of the total requirement with trails and pathways connecting the total development. Passive trails are allowed and may count towards the common open space requirement.

- e. Community buildings or clubhouses can be counted towards the common open space calculation.
 - f. Tiny Houses must surround the common open space on a minimum of two sides of the green.
 - g. Common open space shall be located outside of stormwater/detention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than ten percent.
3. All houses must have both front and rear porches.
 - a. Front porches shall be oriented towards common open space or street and designed to provide a sense of privacy between units.
 - b. Secondary entrances facing the parking and sidewalk are required to have a minimum five- by-five-foot porch.
 4. Lot Requirements.
 - a. Area. Where public sewer is unavailable, the minimum lot area per dwelling unit shall be of (6,000) six thousand square feet or sized in accordance with DHEC minimum standards for septic tanks. In areas where public sewer is available, the minimum area lot size shall be (1,950) one thousand nine hundred and fifty square feet.
 5. Setbacks.
 - a. Front setback: shall be twenty feet to be used for front porch and parking.
 - b. Rear or next to common area the setback shall be five feet for the construction of a rear porch.
 - c. Side Setbacks: five feet
 - d. No portion of a building or appurtenance shall be constructed as to project into any commonly owned open space. No structure or portion thereof shall be closer than five feet to any structure on an adjacent lot.
 - e. No structure shall be erected within 25 feet from any external lot line; however, where land uses are the same as uses permitted in the adjoining properties outside the development, a lesser setback that is consistent with the required setback of the adjoining properties may be permitted by Zoning Administrator.
 6. Access & Parking.

No lot shall have direct access to an existing public street or highway. All lots shall have a minimum of 20 feet of access to and frontage on an approved access to a public street or on a private road constructed to current City road standards or private drive. A private drive shall have an improved surface width of 20 feet and meet the City Land Development Regulations for thickness and drainage for private roads. If roads are to be conveyed to City of Mullins, they shall be built in compliance with the public road standards of the City of Mullins Land Development Regulations. The use of any public road, sidewalk, or right-of-way for the purpose of parking or maneuvering vehicles is prohibited. A minimum of two parking spaces per lot is required. Visitor parking shall be provided in a ratio of ten percent of the total required parking for the development.

7. **Screening & Buffering.**
A wall, fence, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height alongside and rear exterior lot lines where located adjacent to a non-residential use (and/or district) shall be provided for screening and privacy purposes. A 20-foot landscaped buffer along the exterior property lines adjacent to residential uses and districts shall be maintained in accordance with LDR. The Tree Ordinance applies.
8. **Pedestrian Facilities.**
A continuous safe pedestrian walkway or sidewalk at least five (5) feet wide shall be provided along all internal access roads or drives. All pedestrian walkways or sidewalks shall be approved by the Zoning Administrator. Internal pedestrian connections shall take into consideration connectivity to public right-of-way for facilitation access to existing or future transit.
9. **Lighting.**
All streets within the Tiny House Development shall be lighted at night. For lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA "full-cutoff" (no light output above 90 degrees at any lateral angle around the fixture). Fixtures shall not be mounted in excess of 25 feet above finished grade. All other outdoor lighting such as floodlights and spotlights shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway.
10. **Signage.**
All signage shall be in accordance with the provisions set forth in the City Sign Ordinance.

7.19.4 Plan Elements

The plan shall be designed by a registered engineer/surveyor/landscape architect (with the State of South Carolina) to scale of not less than 100 feet to 1 inch and shall contain the following information:

- A. A vicinity map, title block, scale, north arrow, site size, and property line survey;
- B. The location of any utility easements;
- C. The land use for every part of the site and the number of acres devoted to each use including common areas;
- D. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress. It shall also include the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.;
- E. The site's parking plan, including the location, height, and type of all exterior light fixtures;
- F. the location of all proposed buildings or structures, their use, general exterior dimensions, and gross square footage;
- G. The location of all proposed residential structures, their general exterior dimensions, the

- number of residential dwelling units by type, and the number of the bedrooms in each unit;
- H. The site's pedestrian circulation plan, including the location of all sidewalks, paths, trails, etc. and the dimensions thereof;
- I. The screening and landscape plan for the site; including the location, size, and type of plant materials;
- J. The Location of fire hydrants;
- K. The location of street signs and free-standing signs.
- L. Elevations of proposed development;
- M. Topographic survey

7.19.5 Ownership and Maintenance

All land dedicated as common open space shall have land development restrictions. The easement shall run with the land, provide for protection in perpetuity, and be granted to the owning entity. The owner and developer or subdivider shall select land dedicated for common open space purposes and type of ownership. Type of ownership may include, but is not necessarily limited to, the following:

- A. Shared, undivided interest by all property owners within the subdivision.
- B. Homeowners Association (HOA), or cooperative associations or organizations;
- C. Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance;
- D. Other public jurisdictions or agencies, subject to their acceptance;
- E. The City, subject to acceptance by the governing body;

7.19.6 Maintenance of Common Open Space

The person(s) or entity identified above, as having the right to ownership or control over open space, shall be responsible for its continuing upkeep and proper maintenance.

7.19.7 Preliminary Plans

In addition to the requirements in Title 16 - SUBDIVISIONS AND ZONING, the following information must be provided at the time of submittal for preliminary approval:

All property designated for required open space shall be delineated on the preliminary plan. The open space on the preliminary plan should have meaningful dimensions, proportions, and placement. Only the required acreage to meet the Tiny House Common Open Space Requirements shall be identified as "Open Space". All other areas that will be owned and

maintained by the HOA shall be identified as Common Area. Areas to be wholly preserved, such as wetlands, endangered species habitat, or cemeteries, shall be identified as "Preserved Area - No Access" on the plans. Limited access will be provided to cemeteries for maintenance and family visitation.

7.19.8 Revisions to Approved Plans

Revisions that alter the basic concept and general characteristics of the development as to substantially affect the project functionality as approved may be required to resubmit for review as determined by the Subdivision Administrator.

7.19.9 Final Plats

For Tiny House Developments, when recording a Final Plat, in addition to the requirements in Title 16 - SUBDIVISIONS AND ZONING, the following apply:

- A. The recorded required acreage for common open space on each final plat must be proportional or greater to the total acreage being platted. Subsequent final plats must also meet the proportional requirements for the overall platted acreage.
- B. The following information must be shown on the final plat at the time of submittal:
 - 1. Open space table, using the same format as on the preliminary plan, and shall include the proportional acreage being recorded. As shown in the exhibit below.

<i>Tiny Home Development</i>	<i>Entire Development</i>	<i>This Plat</i>	<i>Cumulative (to date)</i>
Number of Lots Proposed	30	20	20
Required Open Space 400 square feet per Unit	12,000	8,000	8,000
Open Space Provided (square feet)	13,600	8,000	8,000
Total Acres	2	1.10	1.10

- 2. Notations indicating the delineated open space, including metes and bounds, are to be shown on the Final Plat;
- 3. Open Space Easements.

Prior to the recording of a subdivision final plat, an easement shall be placed on all lands used to satisfy the open space requirements of Tiny House development. The easement shall be solely for the purpose of ensuring the land remains undeveloped and shall not, in any way, imply the right of public access or any other right or duty not expressly set forth by the terms of the easement. The easement shall run with the land, provide for protection in perpetuity and be granted to a Homeowners Association, a City-approved non-profit land trust, other qualified organization approved by the City, or granted to the City, subject to acceptance. The easement shall include a complete metes and bounds of the property being designated as open space.

4. Notes to be included on the Final Plat:

- a. This development has been approved by the City Council as a Tiny House Development and has provided certain acreage of open space.
- b. The open space for this development is protected by an easement that has been recorded at the Marion County Register of Deeds Office (Instrument #) and as outlined in the Subdivision Covenants (Instrument#).

5. Subdivision Covenants.

The covenants for the subdivision shall include provisions for the maintenance of common areas and open space. A copy of the covenants is to be provided prior to the recording of a final plat.

Section 4. Severability. Should any section, paragraph, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 5. Effective Date. This Ordinance shall take effect on the date of its adoption.

1st Reading 3/12/2024
Final Reading 4/9/2024

Mayor Robert L. Woodbury

Robert Corley, Attorney

Clerk

**#24-004 FAIR HOUSING RESOLUTION
APRIL 2024**

WHEREAS, the City of Mullins desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and

WHEREAS, the City of Mullins rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status in the sale, rental, or provision of other housing services; and

WHEREAS, the State of South Carolina enacted the South Carolina Fair Housing Law in 1998; and

WHEREAS, April is recognized nationally as Fair Housing Month;

NOW, THEREFORE, BE IT RESOLVED, that the City of Mullins does designate April 2024 as Fair Housing Month.

Adopted this 9th day of April 2024 by City Council.

Mayor Robert L. Woodbury

ATTEST:

Felicia Sawyer-Norton, Clerk

RESOLUTION NO. 24-005

Certifying a Building site as an Abandoned Building Site Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended regarding the property located at 200 & 228 North Main Street, Mullins, South Carolina, Marion County Property Tax ID No. 4070314000000. (the "Property").

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act of 2013, as amended, (the "Act") was enacted in Title 12, Chapter 67 of the South Carolina Codes of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and,

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and,

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) "Abandoned Building" means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent (66%) of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five (5) years immediately preceding the date on which the taxpayer files a "Notice of Intent to Rehabilitate." For purposes of this item, a building or structure that otherwise qualified as an "abandoned building " may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned"

(2) "Building Site" means the abandoned building together with the parcel of land upon which it is located, and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building's income producing use.

...

(6) "Rehabilitation Expense" means the expense or capital expenditures incurred in the rehabilitation, demolition, renovation or redevelopment of the building site, including without limitations, the renovation or redevelopment of existing buildings, environmental remediation, site improvements, and the construction of new buildings and other improvements on the building site.

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible for a credit against certain income taxes; and,

WHEREAS, Webster Historical Properties, LLC, or its assigns, (the "Owner" or "Owners" or the "Taxpayer" or the "Taxpayers") owns real property located at 200 & 208 North Main Street, Mullins, South Carolina, Marion County Property Tax Number 4070314000000 (the "Property "); and,

WHEREAS, The Property consist of one (1) existing building with approximately 6795 square feet of finished space; and,

WHEREAS, the Property is located within the City of Mullins in Marion County, South Carolina; and,

WHEREAS, the Taxpayer plans to renovate or rehabilitate the existing building on the site and otherwise develop the site for retail, residential rental or other usage (the "Building Site").

WHEREAS, the Taxpayer has filed a Notice of Intent to Rehabilitate with the South Carolina Department of Revenue to rehabilitate the Abandoned Building located on the identified parcel and will incur Rehabilitation Expenses as defined in S.C. Code Section 12-67-120(6); and

WHEREAS, the Taxpayer has requested the City of Mullins, by way of a binding resolution pursuant to Section 12-67-160(A) of the Act, to certify that the Building Site is an Abandoned Building Site as defined by Section 12-67-120.

NOW, THEREFORE, BE IT RESOLVED BY THE MULLINS CITY COUNCIL, this 9th day of April, 2024 as follows:

Section 1: The Taxpayer has submitted to the City's Planning and Development Services Department a request for a binding resolution to certify the Site pursuant to Section 12-67-160 of the Act (the "Request to Certify").

Section 2: The Property contains one (1) Abandoned Building Site as defined by Section 12-67-120(1) of the Act; and,

Section 3: The geographic area of the one (1) Building Site is consistent with Section 12-67-120(2) of the Act.

BE IT FURTHER RESOLVED that the words used in singular number include the plural, and words used in the plural include the singular.

Mayor Robert L. Woodbury

ATTEST:

Felicia Sawyer-Norton, Clerk

MONTHLY REPORT

March 2024

Building Department



MONTHLY SUMMARY

A total of 17 permit applications were processed in March.

\$109,822.08 Projects Value submitted and approved in the month of March.

\$1,005.00 Total Building Fees collected for the month of March.

Commercial Applications

Building Permits 5

Residential Applications

Building Permits 11

Residential Demo 1

Commercial Demo 0

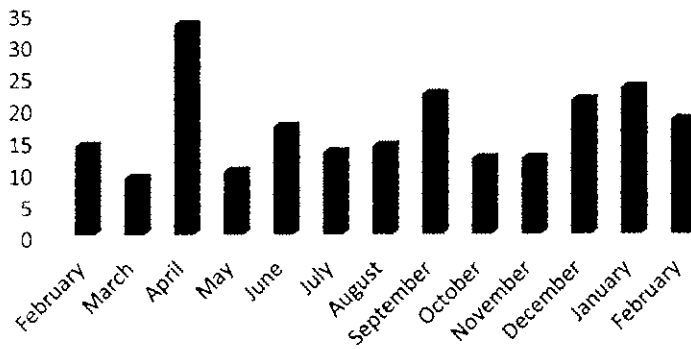
Mobile Home Park

Setup 0

Building Permits 0

MEP Permits 0

Total Permits Issued Monthly



March Highlights

1. Dollar General Completed. – CO issued. Awaiting issuance of Business License.
2. Specialty Convenience Store open at 215 W McIntyre St.
3. Mexican Restaurant to open at 508 McIntyre St. @ Week of 8 April 2024
4. Convenience Store open at 339 S Mullins St.

Future projects or programs

1. Implementation of OCCUPANCY CLASSIFICATION AND USE code for all buildings in the City of Mullins. (Ongoing)
2. Proposed adoption of Vacant Property Registration and Fees. (Awaiting Council Review and Decision)
3. Proposed adoption of Rental Property Registration. (Awaiting Council Review and Decision)
4. Proposed ordinance for Boarded-Up Structures (Awaiting Council Review and Decision)
5. Proposed Contract for Wrecker Service (Awaiting Council Review and Decision).
6. Asbestos Sampling initiated – Barnes St. (Processing samples for delivery to Lab)
7. Court process for summary court delayed due to inconsistent interpretation of Rule, Regulation, Municipal authority and State Law. (Need legal support from Municipal association)

Code Violations

1. Several Code Violations Cited – Pending corrections or further sanctions.
2. Four (4) "Stop Work" orders issued – Pending corrections.

March 2024



Administration

Metadata project continues. Museum inventory has begun.

Building Maintenance

None.

Exhibits

Prof. Felton Eaddy's I Love Africa Travelling Museum was showcased during the Easter egg hunt.

Gift Shop/donations

March donations of \$145, gift shop sales of \$146.

Publicity/Media/Outreach/Programs

14 people took part in the History Hike.

We had ~65 in attendance for Professor Eaddy's travelling museum.

Events and meetings:

Meeting with Chamber about the Easter egg hunt.

Visitors

We had 147 visitors during March including the history walk and travelling museum.

Coming in April and beyond:

SC 250 committee

Movie in May TBD.

Repeat of History Hike in May.

Paint Date @ The Art Barr, April 23rd.

Respectfully submitted,

Ronda Bain

Ronda Bain

