Members present were Chairwoman Diane Kuzniar, Committee members Taft Matney and Dale Black. David Dyrhaug, Business and Development Services Director and City Administrator Brandon Madden were also present.

1. Call to Order- Chairwoman Kuzniar

2. Public Comment- None

3. Reading and Approval of Minutes
   a. Building Codes Committee Meeting: December 2, 2019
      Councilman Matney made a motion to approve the minutes with Councilman Black seconding. The vote was unanimous (3-0).

4. Reports or Communications from City Officers
   a. Budget Review- No report. Councilman Black asked how everything was going with RCI. David answered very well. The expenditure has been lowered significantly.

   b. Department Reports
      i. Planning Commission Comprehensive Plan Resolution

      The Planning Commission has been reviewing the Comprehensive Plan and decided in December that the timing is not ideal to adopt a new plan right now. The commission will wait until the 2020 Census is completed. The County is also going to adopt a plan soon, and we want to wait to work with the County’s comprehensive plan.
Councilman Black asked about the timeline. David answered the Comprehensive Plan has to be updated every ten years. The City adopted an update in 2014, so we have plenty of time.

David said the software implementation is not going as smoothly as hoped, but the department is still working on it.

Councilman Matney asked if Council needed to take any action on this item and David said the attorney has said no.

5. Unfinished Business
   a. Planning Commission Vacancy- Two applications were included in the packet and one came in today. There are three applicants for the vacancy. Elizabeth Wiygul has resigned. Her seat expires at the end of June and this seat needs to be filled for the interim.

   Chairwoman Kuzniar said Scott Crosby’s application is dated January 30, 2019. David said it was hand delivered on December 30, 2019. This is a scrivener’s error.

   Randy Eskridge is currently serving on the Zoning Board and has applied for the Planning Commission. If he is appointed, a Zoning Board seat will be open.

   Councilman Black made a motion to send this item to the Council meeting for action. Councilman Matney seconded the motion and the vote was unanimous (3-0).

6. New Business
   a. Annexation at Loblolly Circle and Laurel Drive- The City of Mauldin has received signed petitions requesting the
annexation of a tract of land consisting of three parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions include approximately 14 acres owned by various individuals and is located at Loblolly Circle and at Laurel Drive.

The applicant has requested that this tract be zoned R-M, Residential, upon annexation into the City of Mauldin. The applicant has already begun development of a townhome project called Parkland. These tracts will be added to the Parkland development project. Parkland is already planned for approximately 121 homes in phase 1, approximately 82 homes in phase 2, and approximately 42 homes in phase 3. This annexation would enable the applicant to expand phase 1 by approximately 41 homes and phase 3 by approximately 54 homes. The price-point for homes is expected to average over $200,000 (low- to mid-$200s).

Councilman Black asked about sewer to the property. David said the sewer is in the City and will tie-in to a ReWa line. Councilman Matney asked what a traffic study would show on the existing road. Jamie McCutcheon is the engineer for the project. He has had a traffic study done and said it showed a turn lane was not warranted at the new intersection or at Laurel Drive. Laurel Drive is a secondary access. The primary will be a new entrance. Mr. McCutcheon said the new road from Laurel Drive to Ridge Road will be a City of Greenville road. The rest will be Greenville County. The road will be widened. Mr. McCutcheon met with the developer and they are purchasing the triangle between Laurel and Ridge for a pool or clubhouse. Chairwoman Kuzniar asked how many total units would be here. Mr. McCutcheon said 300-350 units. Chairwoman Kuzniar asked if there is a traffic light there now. Mr. McCutcheon answered no. Chairwoman Kuzniar asked if there would be one installed. McCutcheon said it is not warranted.
Councilman Black asked if some documentation could be included before the Council meeting. Mr. McCutcheon answered that a draft of the plan will be sent to Council at a minimum. If any comments are sent from DOT, they will be sent to Council as well. There is currently a traffic light at Ridge Road and Mauldin Road on both ends.

Councilman Matney made a motion to send this item with a recommendation of approval of all three parcels to Council. Councilman Black seconded the motion and the vote was unanimous (3-0).

a. Small Cell Wireless Facilities Ordinance- The next wave of communications technology consisting of 5G technology utilizes higher frequencies with the capability to accommodate significantly higher data needs than current 4G/LTE technologies. The physical limits of the higher frequencies require that the transmitters be installed with much closer spacing than the 2± miles or greater distances that 4G/LTE technologies accommodate. The result of this physical need is that the public rights-of-way represent a convenient location for the required equipment. On September 26, 2018, the Federal Communications Commission (FCC) adopted a Declaratory Ruling and Third Report and Order, FCC 18133, titled “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment” (the Order). The order outlines the extent to which local agencies may or may not regulate the installation of small cell wireless communication facilities within the public rights-of-way and the use of existing public infrastructure.
Municipal aesthetic requirements will not be preempted if they are: (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; and (3) objective and published in advance. There is a model ordinance from MASC on how to regulate the small cell wireless facilities. David does not think the model ordinance offers enough protection, so he has drafted an ordinance that puts in standards for aesthetics for the equipment, procedures for permitting, regulation, removal, etc.

We don’t want the rights-of-way to be overly cluttered with pole. Chairwoman Kuzniar asked if these could go into neighborhoods. David said they potentially can. There are requirements on how that could be done in the draft ordinance. David also recommends instead of a square equipment box that it be more cylindrical to hug the pole a little better. Chairwoman Kuzniar asked how many of these does David think we would have. David said Verizon is looking at installation of six poles in various places and he is afraid that is just the beginning. There could end up being a lot. Chairwoman Kuzniar asked if we should consider this when City Center comes. David said we need to consider it.

Councilman Matney said the FCC has wielded its hammer. How much leeway would we have? Would the design requirements hold up against what the FCC says? David said he does not know the answer. The City Attorney has not given feedback on this yet. David said the draft is a compilation on various ordinances throughout the country. He doesn’t know if they have been challenged in court yet.

Councilman Matney asked if the equipment was attached to our existing poles, would there be compensation to the City for that? David said yes, typically the City would ask for
compensation for use of the pole. The draft ordinance calls for an annual permit fee as well. Chairwoman Kuzniar asked if we would make the pole ready and then get reimbursed. David said the City may have to do something to make the pole ready, and, if there is a need to do that, we would be compensated.

Councilman Black said if the building is tall enough, they might be able to mount on buildings. David said that could be encouraged because they are hidden better on buildings. That would be governed by the zoning ordinance. The ordinance tonight would be added into the code of ordinances. Councilman Black asked if once one company comes in, could other companies come in to do the same thing? David said yes, they would have to leave room for another vendor to share the existing poles. Councilman Black asked how the equipment would be fed. David said connected to the power supply by wires and cables.

Councilman Matney made a motion to send this to council with the expectation of having a legal opinion by the meeting. Councilman Black seconded the motion. The vote was unanimous (3-0).

7. Public Comment

Chris Paglia lunga: Most of you know me. I am Chris Paglia lunga. I have put in an application for the Planning Commission. I would like to represent the City in that regard. Let me know if you have any questions for me. You can ask me now, or email or call me. I appreciate it.

8. Committee Concerns- None

9. Adjourn- Chairwoman Kuzniar adjourned the meeting.
Respectfully Submitted,

Cindy Miller
Municipal Clerk