

Minutes  
Building Codes Committee  
November 2, 2020  
4<sup>th</sup> committee meeting

Meeting Location: City Hall Upstairs Conference Room

Members present: Chairwoman Diane Kuzniar, Committee members Dale Black (no vote- present by Zoom) and Taft Matney. David Dyrhaug, Business and Development Services Director and Brandon Madden, City Administrator were also present.

1. Call to Order- Chairwoman Kuzniar
2. Public Comment- None
3. Reading and Approval of Minutes
  - a. Building Codes Committee Meeting: October 5, 2020

**Action: Councilman Matney made a motion to approve the minutes with Chairwoman Kuzniar seconding.**

**Vote: The vote was unanimous (2-0).**

4. Reports or Communications from City Officers
  - a. Department Reports

5. Unfinished Business

- a. An ordinance to establish the standards for the placement of small wireless facilities in covered areas in the City of Mauldin, South Carolina; and for other purposes

At its October 5 meeting, the Building Codes Committee reviewed an updated draft ordinance that would permit the installation of small cell wireless facilities within the public right-of-way. That draft ordinance had been updated to incorporate comments from AT&T and also had been reviewed by the City Attorney.

Just a little more than a week ahead of that Committee meeting, the S.C. General Assembly passed the Small Wireless Facilities Deployment Act. At that time, the Committee suggested for staff to evaluate the draft ordinance for compliance with the State Act and to make any necessary adjustments to ensure compliance.

The Mauldin draft ordinance has since been revised for compliance with the State Act and has been again reviewed by the City Attorney, AT&T, and Verizon Wireless. The new revised ordinance meets their approval.

**Action: Councilman Matney made a motion to send this item to Council with Chairwoman Kuzniar seconding.**

**Vote: The vote was unanimous (2-0).**

b. Appointments to boards and commissions

As part of the discussion of candidates for current openings on the Planning Commission and the Building & Zoning Board of Appeals, the Building Codes Committee discussed the procedures by which it appoints volunteers to the Board of Appeals and Planning Commission. This discussion at its October 5<sup>th</sup> meeting included discussion of interviewing candidates and qualifications for candidates. This discussion carried over to the October 19<sup>th</sup> meeting of City Council, where the Council expressed interest in the Building Codes Committee working on a more formal procedure for appointing applicants to the Planning Commission and Board of Appeals.

For the intent of facilitating further discussion on this issue, staff has prepared a draft policy for review by the Committee. This draft policy includes qualifications for membership on the Planning Commission and the Building & Zoning Board of Appeals as well as outlines procedures by which candidates will be appointed to either the Planning Commission or Board of Appeals.

Chairwoman Kuzniar said she would like the residency requirement to be more than 12 months. Councilman Matney asked if the City Attorney had been asked about the residency requirement. Mr. Dyrhaug said he has not talked about that requirement specifically. Councilman Matney said we might need to ask him that question.

Councilman Matney said it also needs to be discussed on whether multiple applications for commissions can be allowed. Mr. Dyrhaug said if that will be allowed, a separate application needs to be filled out for both commissions. Councilman Matney said applicants for Council have to declare the seat they will run for.

Councilman Black said the Board of Appeals qualifications are different from the Planning Commission. Some of the qualifications would prohibit multiple applications. Mr. Dyrhaug said that is by design. They are two different bodies that do totally different things.

Councilman Matney said he would like some stipulations added that there will be only one active application at a time per applicant and that interviews will be conducted in open session.

**Action: Councilman Matney made a motion to hold this item in committee pending legal advice and the revisions that have been discussed. Chairwoman Kuzniar seconded the motion.**

**Vote: The vote was unanimous (2-0).**

Chairwoman Kuzniar said there is one applicant for the Planning Commission- Brian Sofield. There is a current opening on the Planning Commission. Councilman Matney said his application is for BZA. Mr. Dyrhaug said he asked the applicants if they would be interested in another commission.

Chairwoman Kuzniar asked if he should fill out an application that says he would like appointment to the Planning Commission. Councilman Matney said he would like the applicant to fill out a new application for the Planning Commission. This appointment can be brought back to the committee in December.

## 6. New Business

- a. An ordinance to provide for the annexation of a portion of real property owned by Jan and Ronald Rigsby, and located at 237 Greenbriar Drive by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property

This is an annexation of .87 acres. There is a larger tract of land of about 20 acres adjacent to this that is in the City of Mauldin that is for a proposed subdivision. This additional .87 acres will be added to the proposed subdivision. It will be approximately 78 homes.

**Action: Councilman Matney made a motion to send this to Council with a recommendation of approval. Chairwoman Kuzniar seconded the motion.**

**Vote: The vote was unanimous (2-0).**

- b. Discussion of Building Exterior Color Regulation

Chairwoman Kuzniar said she thinks we need to be proactive regarding building colors now that City Center is starting to be developed. Councilman Matney said he is nervous as this becomes very subjective as far as people's tastes. He knows there has been some

discussion about one particular building in the City, but it is a difference of taste. We have exciting news to share with people soon that we didn't envision, and it may not fit within a mold. Chairwoman Kuzniar said she loves the color of the building he is referring to, but maybe it is too much of it, but she is talking about City Center and wanted to make sure everything looks good. Mr. Dyrhaug said there are some communities that have a review board to approve colors, but he doesn't recommend that. There are other communities that require specific colors and identify them in an ordinance, but that is usually for historic districts.

A City in Texas has a set of limited colors that are limited to accent colors and cannot make up more than 15% of the building. Chairwoman Kuzniar said she is passionate about our City and City Center and would like some restrictions on colors. Councilman Matney asked what colors she would not prefer. Chairwoman Kuzniar said some colors just don't fit. She doesn't really have a specific color in mind. Councilman Black asked what if we are trying to recruit a business that uses a color in their building that we restrict, would they turn away from Mauldin completely? That would go against us in recruiting businesses.

Chairwoman Kuzniar said she is talking about City Center only. Councilman Black doesn't want to restrict potential businesses. Chairwoman Kuzniar said businesses could still use their logo, but the building could be a different color that would be tasteful. Councilman Black asked if any surrounding Cities have an ordinance similar to this. He said he needs a lot more information before he could make a decision. Councilman Matney and Councilman Black both said they are glad to review this issue. Mr. Dyrhaug said he would ask surrounding Cities what they do regarding colors. Councilman Matney asked what the design standards for the Central Redevelopment District allow. Mr. Dyrhaug said the CRD has façade design restrictions regarding number of windows, modulating on the building, architectural treatments, two-story building requirements, and how the roof is designed, etc. Chairwoman Kuzniar said she thought there is a provision for brick or stone. Mr. Dyrhaug said brick, stone, and artificial wood are allowed. Split face and stucco are only allowed for accent.

Chairwoman Kuzniar got a color wheel from Sherwin Williams and showed it to committee. This was for discussion only.

#### 7. Public Comment

Joel Ann Chandler said the building they are referring to is a beautiful ocean blue, but is an unusual color.

#### 8. Committee Concerns- None

#### 9. Adjourn- Chairwoman Kuzniar adjourned the meeting.

Respectfully Submitted,  
Cindy Miller  
Municipal Clerk