

# CHAPTER \_\_\_\_ : GREENVILLE COUNTY WIRELESS COMMUNICATION FACILITIES ORDINANCE

## ARTICLE 1: PURPOSE

The purpose of this Wireless Communication Facilities Ordinance is to:

- A. Preserve the character and appearance of the County while simultaneously allowing adequate wireless communication services to be developed;
- B. Minimize any adverse impacts;
- C. Provide standards and requirements for regulation, placement, construction, modification, and removal of Communication Towers and facilities including Personal Wireless Service facilities;
- D. Minimize the total number and height of freestanding Communication Towers throughout the community; and
- E. Provide incentive for collocation by means of using existing structures.

## ARTICLE 2: DEFINITIONS

**Architectural and Engineering Plans** – Plans certified by a South Carolina licensed professional engineer, created to show the design of a Wireless Communication Facility, and consisting of the materials described in Article 9.

**Balloon Test** – The raising of a balloon (or placement of a "crank up" tower, crane or temporary structure) equal to the height of the proposed Communication Tower for a period of 4 hours on a pre-determined date prior to the hearing for a special exception application. If a balloon is used the diameter shall be equal to the largest antenna/dish proposed for the Communication Tower or the width of the tower, whichever is larger. Said date will be established, including an alternative date due to inclement weather, at the time of the pre-application meeting with the Board of Zoning Appeals (BZA). The applicant will be responsible for placing a notice 1 week prior to the test on site (size, location, and type of notice will be determined by the BZA). The applicant will also be responsible for placing a public notice in at least one local publication and notifying abutters via US Mail at least 1 week prior to the test. Failure to notify or place the appropriate notices will result in a continuance of the public hearing of the special exception application until this requirement is met.

**Building, Roof, or Wall-Mounted Wireless Communication Facility** – A Wireless Communication Facility where antennas are mounted either on the roof or face(s) of a legally

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existing building or structure other than one which is accessory to a telecommunications facility.

**Collocation** – The act of placing antennas at a Wireless Communication Facility.

**Communication Antenna** – A device for transmitting and receiving electromagnetic waves, including but not limited to, antennas, whip antennas, microwave dishes, and antennas designed to be located on a widely distributed basis as opposed to on a central tower.

**Communication Tower** – A support structure including monopoles, self-supporting towers, or guyed towers used to attach antennas for the purpose of operating a Wireless Communication Facility.

**County Facility** – Any structure or land owned by Greenville County used for governmental purposes. This includes, but is not limited to, office space, garages, storage yards, parks, playgrounds, roads, or other County-owned property.

**Equipment Storage Shelter** – A structure used to house Wireless Communication Facility equipment. These shelters are not intended for human habitation.

**Guyed Tower** – A tower supported by guy wires.

**Height** – Shall mean, when referring to a Communication Tower, the distance measured from the mean ground level to the highest point on the structure, including antennas.

**Monopole** – A self-supporting structure composed of a single spire or column used to support telecommunications equipment.

**Telecommunications** – This term includes commercial mobile radio services, personal communications services (PCS), wireless telecommunications, conventional cellular telephone, WiFi/WiMAX, and related technologies.

**Wireless Antenna** -- A device for transmitting and receiving electromagnetic waves, including but not limited to, antennas, whip antennas, microwave dishes, and antennas designed to be located on a widely-distributed basis as opposed to on a central tower.

**Wireless Communication Facility** – A facility consisting of one or more of the following: a radio frequency configuration, wireless antenna (regardless of size), support structures (including telephone/electricity/cable poles as well as Communication Towers), equipment storage shelters, and accessory equipment required for the reception, switching, and/or transmission of wireless telecommunications including, but not limited to, paging, enhanced specialized mobile

radio, personal communications services, cellular telephones and similar technologies, but excluding personal and/or small business cell phone systems.

### **ARTICLE 3: APPLICABILITY**

This ordinance applies to all unincorporated areas of Greenville County, including both zoned and unzoned parcels.

### **ARTICLE 4: GENERAL REQUIREMENTS**

- A. The requirements established in this Section shall supersede all other requirements for facilities in the Greenville County Zoning Ordinance and/or Land Development Regulations.
- B. When an application may be required under Article 9, the applicant is strongly encouraged to meet with the Greenville County Board of Zoning Appeals at a pre-application conference to discuss the project, process, waivers, and submittal requirements.
- C. One and/or all of the parties involved as an applicant for this permit must have a current FCC license.
- D. A copy of the FCC license of the applicant(s) must be provided upon submittal of the application.
- E. An Environmental Assessment must be provided prior to issuance of a building permit if the facility location is in a defined environmentally sensitive area as defined by current NEPA standards.
- F. Access to the site shall be by a roadway which is passable in all seasons and which the applicant has a legal right to use. Roadway must have a minimum width of 10 feet. A gravel road is permitted.
- G. Traffic associated with the facility shall not adversely affect abutting ways.
- H. All new facilities shall be at least a distance of 500 feet from any residential structure.
- I. All new facilities shall be at least a distance of 500 feet from the property line of any school.
- J. Existing on-site vegetation shall be preserved to the maximum extent practicable.
- K. The equipment storage shelter and all accessory equipment shall be screened from abutting properties to the greatest extent possible.
- L. Night lighting of the tower shall be prohibited unless required by the Federal Aviation Administration (FAA).
- M. Any lighting required by the FAA shall be shielded to prevent an undue burden on abutting property owners. All other lighting associated with the facility shall not be visible beyond the property line.
- N. A minimum 6-foot high chain link fence will be required around the facility.

- O. No facility owner or lessee or employee thereof shall act to exclude or attempt to exclude any other provider from the same location.
- P. A facility owner or lessee or employee thereof shall cooperate in good faith to achieve collocation of antennas with other providers.
- Q. Non-reflective painting of any or all equipment is recommended in all installations and may be required to help the facility blend in with its surroundings.
- R. All structures and fixed equipment associated with a facility, with the exception of fencing, shall meet the setback requirements as set forth in the applicable Zoning District, if applicable, or be twenty (20) feet from any property boundary, whichever is greater.
- S. All towers must be engineered to fall at a pre-determined height, enabling the entire structure to collapse and be contained within the lot area of the lot on which it is located.
- T. To protect the character, appearance, and property values of property, concealment shall be the goal of the applicant and “stealth” or concealment technology is recommended and may be required.
- U. It is the expectation that all new or upgraded facilities will be provided with automatic backup power on site capable of powering the facility for a period of not less than one hundred twenty (120) hours, unless the facility is shown to be located in an environmentally sensitive area and the installation is not feasible.

## **ARTICLE 5: ALLOWED FACILITIES**

### **5.1 Wireless Communication Facilities Allowed in the Zoned areas of Greenville County.**

All Wireless Communication Facilities within zoning classifications that allow Wireless Communication Facilities by right or special exception shall abide by the general regulations set forth in Article 4 of this ordinance and the regulations set forth in this Article 5.1.

#### **A. Facilities Allowed by Right or Special Exception in Designated Zoning Classifications**

- 1. In zoning classifications that allow Wireless Communication Facilities as a matter of right or special exception, the following activities are allowed following review and approval of Architectural and Engineering Plans by the Board of Zoning Appeals (prepared in accordance with Article 9):
  - a. The collocation of a new facility or the addition of antennas or structures at an existing facility.
  - b. The replacement of any tower with another of the same height.

2. In zoning classifications that allow Wireless Communication Facilities as a matter of right or special exception, the following activities are allowed following review and approval of the Building Official (Architectural and Engineering Plans may be required, prepared in accordance with Article 9):
  - a. Regular maintenance of the Wireless Communication Facility.
  - b. Replacement of antennas, equipment storage shelters, and accessory equipment with like-kind materials used for the same purpose as those being replaced.

**B. Facilities Requiring a Special Permit**

1. In zoning classifications that allow Wireless Communications Facilities as a matter of right or special exception, a Special Permit shall be required, in addition to the review and approval of Architectural and Engineering Plans, for the following activities:
  - a. The creation of a new Wireless Communication Facility when collocation on an existing structure on property within a zoning classification that allows Wireless Communication Facilities by right or special exception is not an option because of limited structural and/or vertical space on existing structures or limits of network design. Any new Wireless Communication Facility must structurally allow for reasonable current or future collocation.
  - b. The height extension of a Wireless Communication Facility to a maximum height of 195 feet including all antennas, lightning rods, and any other attachments. Such an extension is subject to Articles 5.1(C)(2) and (3) of this Ordinance.

**C. Dimensional Requirements within Zoning Classifications that Allow Wireless Communication Facilities by Right or Special Exception.**

1. The maximum height of any Communication Tower shall be 150 feet, including all antennas, lightning rods, and all other attachments.
2. The height may be increased to 195 feet, including all antennas, lightning rods, and all other attachments only upon a written request for a waiver as per Article 10 of this Ordinance. Such request must be from the applicant at the time of submittal of the application to the BZA. The applicant must demonstrate the technological necessity for the additional height above 150 feet.

3. Any new Wireless Communication Facility must structurally allow for reasonable collocation space for a minimum of two additional licensed Wireless Communication providers now or in the future.
4. No minimum lot frontage shall be required for any new Wireless Communication Facility located within zoning classifications that allow Wireless Communication Facilities by right or special exception, but access must be via a legal, deeded right of way.

**5.2 Wireless Communication Facilities in the Zoned areas of Greenville County with Zoning Classifications that Do not Allow Wireless Communication Facilities by Right or Special Exception and Wireless Communication Facilities in the Unzoned Areas of the County.**

All Wireless Communication Facilities in zoned areas with classifications that do not allow Wireless Communication Facilities by right or special exception and in the unzoned areas shall abide by the general regulations set forth in Article 4 of this ordinance and the regulations set forth in this Article 5.2.

A. General Requirements.

1. The applicant must provide substantial proof that locating on property with a zoning classification that allows Wireless Communication Facilities by right or special exception is not technologically feasible or that collocation on existing structures is not technologically possible. Such proof shall be in the form of a technical report, including coverage plots of radio signal propagation for the Wireless Communication Facility. The report shall include all information requested by the BZA at the pre-application meeting, including but not limited to a written narrative explaining the rationale for the proposed location and height with respect to the Wireless Communication network design, if applicable.
2. For new Wireless Communication towers the applicant shall conduct a Balloon Test at the location of the new Wireless Communication tower.

B. Wireless Communication Facilities allowed in zoned areas with classifications that do not allow Wireless Communication Facilities by right or special exception and those allowed in the unzoned areas of Greenville County.

1. In zoned areas with classifications that do not allow Wireless Communication Facilities by right or special exception and in the unzoned areas of the County, the following activities are permitted following the review and approval of

Architectural and Engineering Plans by the BZA (such plans shall be prepared in accordance with Articles 5.2(A) and 9 of this ordinance):

- a. The collocation of antennas on an existing Wireless Communication tower that does not exceed 10 feet above tree line or 100 feet above the ground, whichever is less, and/or the addition of one or more accessory structures at an existing Wireless Communication Facility;
  - b. The replacement of any Wireless Communication tower with another of the same height; or
  - c. The installation of building, roof, or wall-mounted Wireless Communication Facilities subject to Article 4 of this ordinance provided that: No equipment, antennas, or structures associated with the Wireless Communication Facility shall exceed 10 feet above the height of the building or 100 feet above the ground, whichever is less; and all antennas and accessory equipment shall be fully screened to be harmonious and architecturally compatible with the building, including but not limited to painting equipment to match the building.
2. In zoned areas with classifications that do not allow Wireless Communication Facilities by right or special exception, the following activities are permitted following review and approval of the Building Inspector (Architectural and Engineering Plans may be required, prepared in accordance with Article 9 of this ordinance):
- a. Regular maintenance of the Wireless Communication Facility.
  - b. Replacement of antennas, equipment storage shelters, and accessory equipment with similar materials used for the same purpose as those being replaced.

C. Facilities Requiring a Special Permit

In zoned areas with classifications that do not allow Wireless Communication Facilities by right or special exception and in the unzoned areas, a special permit shall be required for all new Wireless Communication Facilities, except as set forth in Articles 5.2(B) and 6 of this ordinance.

D. Dimensional Requirements

1. The maximum height for a new Wireless Communication Facility shall be 10 feet above tree line not to exceed 100 feet, whichever is less, including all antennas, lightning rods, and all other attachments.
2. The height of a new or existing Wireless Communication Facilities may be 20 feet above tree line not to exceed 100 feet, whichever is less, including all antennas, lightning rods, and all other attachments only upon a written request for a waiver as per Article 10 of this ordinance. Such request must be from the applicant at the time of submittal of the application to the BZA. The applicant must demonstrate the technological necessity for the additional height.
3. Minimum lot frontage shall be required for any new Wireless Communication Facility.

## **ARTICLE 6: EXEMPTIONS**

The following types of Wireless Communication Facilities are exempt from this Ordinance:

- A. Towers used in accordance with the terms of any radio services license issued by the Federal Communication Commission (FCC) for any amateur, personal, or private use, provided that the tower is not used commercially in any manner and is less than 100 feet in height.
- B. Satellite dishes and antennas for residential use.
- C. Any Wireless Communication Facility or related facility in existence before the adoption of this ordinance, until such time as that facility is altered.
- D. Police, fire, medical, and related emergency dispatch services operated by federal, state, county, or municipal entities.

## **ARTICLE 7: WIRELESS COMMUNICATION SIGNS**

All Wireless Communication Facilities must comply with any or all current applicable Greenville County ordinance for signs. No other signs are permitted other than those meeting the following criteria:

- A. All Wireless Communication Facilities must display minimally one sign that displays the following information:
  1. Identification of the facility – address

2. Facility Owner(s) and contact Phone Numbers
  3. A 24 hour Emergency Contact Telephone Number
  4. Operator(s) of the facility and contact Phone Numbers
  5. FCC License #'s of Operator(s), Tenant(s), Owner(s)
- B. No trespassing sign.
- C. Any signs required by the FCC, Federal Aviation Administration, or any regulatory agency having authority.
- D. No sign(s) shall be used for advertising.
- E. Sign(s) must be visible within 25 feet of the facility and/or from the facility access.

## **ARTICLE 8: NON USE.**

All unused towers or parts thereof or accessory facilities and structures which have not been used continuously for one year shall be dismantled and removed at the owner's expense.

## **ARTICLE 9: APPLICATION REQUIREMENTS.**

A complete application to the BZA is required, except for work described in Articles 5.1(B)(2) and 5.2(B)(2), which leave the application requirement to the discretion of the BZA. A building permit application is always required. Any application for a Wireless Communication Facility shall contain the following:

A. Architectural and Engineering Plans.

1. A title sheet with the following:
  - a. A title labeling the company, type of proposal (e.g., collocation to an existing Wireless Communication Facility), and location;
  - b. A vicinity map showing all major roadways within 2000 feet;
  - c. A sheet index describing all parties involved in the project; and
  - d. A project summary block labeling the applicant, facility address, owner, deed reference, facility parcel number, and current zoning district.
2. A general plan sheet showing the complete plan view of the proposal at a preferred scale of 1"= 20' or a scale appropriate to accurately portray the proposed facility. All setback lines, property lines, easement lines, and utility lines shall be shown.
3. A project area plan of the facility area that shows the detail of the facility area at a preferred scale of 1"= 5' or a scale appropriate to accurately portray the proposed facility.

4. Elevation plans showing the complete proposal at a scale appropriate to accurately portray the proposed facility.
5. Photo simulations from a highly visible location showing before and after. The location will be predetermined by the pre-application meeting with the BZA.
6. A view-shed map showing the affected areas within a 500 foot radius of the location.
7. Photos of relevant equipment associated with the facility, including, but not limited to, buildings, antennas, and other equipment outlined in the pre-application meeting.
8. An 8 ½" x 11" copy of a USGS quad map with a site arrow showing the location of the proposed facility.
9. Documentation of the applicant's radio frequency testing and mitigation measures to show the Wireless Communication Facility will comply with the requirements of the Federal Communications Commission.
10. Any other drawings deemed necessary at the pre-application meeting.

**B. Written Project Description.**

1. A description of the company and the type of service they are bringing to the community.
2. A written description of the proposed project and the method for choosing the proposed facility location and type of facility. The description shall include specific design features used to minimize the impacts of a Wireless Communication Facility within the proposed environment. This description shall include such things as include building dimensions, antenna dimensions, and any information that was required by the BZA at the time of the pre-application meeting.

**C. Completed Application For Special Permit, Variance or Other Relief, Including Required Project Documents where a Special Permit or Variance is Requested.**

**ARTICLE 10: WAIVERS.**

The BZA may waive strict compliance with the requirements set forth in this ordinance when in its judgment the application for the waiver meets all of the following criteria 1) the waiver is in the public interest, 2) the waiver consistent with the intent of the ordinance, and 3) the waiver is justified due to unusual circumstances relating to the lot, land, structures, or the network. Any waiver request must be made in writing at the time of application with supporting documentation. A waiver may be granted only after consultation with the Greenville County Planning Commission.

**ARTICLE 11: REVOCATION.**

The BZA may revoke a Special Permit if the Building Inspector or Zoning Enforcement Officer finds a violation of the permit. The Building Inspector or Zoning Enforcement Officer must notify permittee of evidence in writing within 14 days of permit violation. The permittee must correct violation and provide evidence to the Building Inspector or Zoning Enforcement Officer within 30 days. If the permittee believes that no such violation exists, it may petition the BZA during the 30 day cure period. If the permittee does not provide evidence to the Building Inspector or Zoning Enforcement Officer that it has corrected the violation or if it has petitioned the BZA that no violation exists, a revocation hearing shall be conducted by the BZA upon 30-day written notice to the permittee. The permittee shall have the right to legal counsel and present such evidence appropriate and relevant at the time of the hearing to show that no violation exists. At the conclusion of the revocation hearing, the BZA will notify permittee and all relevant parties of its decision in writing within 14 days of the hearing.

## **ARTICLE 12: PERFORMANCE GUARANTEES AND FEES.**

- A. Applicant shall pay or reimburse the County for all expenses incurred by the BZA in reviewing the application and installation of the applicant's facility. Expenses may include, without limitation, engineering, planning, technical, or legal services. In the event the BZA determines that circumstances necessitate such expert review, all reasonable expenses shall be paid by the applicant. The BZA shall notify the applicant in writing of the estimated costs of the review. The applicant shall be responsible for the cost of all review fees, and the fees shall be paid to the County within ten (10) days of receipt of notification. The BZA may request additional funds if needed to cover the cost of an outside review in the same manner as above. Failure by the applicant to make timely payments shall be adequate reason to deny the application.
- B. A maintenance bond shall be posted for the access road(s) valid for the duration of the permit in an amount approved by the BZA.
- C. Prior to issuance of a Building Permit for a Wireless Communication Facility, the applicant is required to post with the County Treasurer a bond or other form of financial security for an amount up to \$50,000.00, as set forth by the BZA. The bond will be to cover demolition in the event that the Building Inspector condemns the tower or parts thereof or accessory facilities and structures or deems it unused continuously for more than a year. The Building Inspector shall give the applicant 90 days written notice in advance of any demolition action.

- D. Wireless Communication Facility shall be insured by the owner(s) against damage to persons or property. The owner(s) shall provide a Certificate of Insurance to Greenville County on an annual basis.

**ARTICLE 13: SPECIAL PERMIT REVIEW.**

Special permits issued under this ordinance shall be subject to a safety and compliance review every five years by a registered engineer. Written results of the reviews shall be given to the BZA. As a result of the reviews, additional conditions may be added if deemed necessary by the BZA. The review should be initiated by and shall be paid for by the owner of the Wireless Communication Facility.

**ARTICLE 14: CITIZEN NOTIFICATION AND PARTICIPATION.**

**Section 14.1 Purpose.**

The purpose of the Citizen Participation Plan requirement is to:

- A. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications for Wireless Communication Facilities, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the surrounding community;
- B. Ensure that citizens have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the review and decision-making process;
- C. Facilitate ongoing communication between the applicant, interested citizens, County staff, the Board of Zoning Appeals (BZA), and elected officials throughout the application review process; and
- D. Encourage applicants to be good neighbors and to allow for informed decision-making. This Article is not intended to produce complete consensus on all applications, and compliance with its requirements does not guarantee approval or denial of any application.

**Section 14.2 Applicability.**

A. Every application for a Wireless Communication Facility that requires a Special Permit from the BZA under this Ordinance shall include a Citizen Participation Plan that must be implemented prior to the BZA public hearing on the application.

B. The following applications are exempt from the Citizen Participation Plan requirement of this Article, but remain subject to all other applicable notice requirements of this Ordinance and applicable state and local law:

1. Eligible Facilities Requests qualifying for approval as a matter of right under 47 U.S.C. § 1455(a) (the “Section 6409(a)” process) that do not require a Special Permit;
2. Collocations on existing approved Communication Towers or support structures where no new tower, new ground equipment compound, or increase in tower height is proposed;
3. Routine maintenance, repair, or in-kind replacement of equipment that does not materially alter the height, profile, or visual character of an approved Wireless Communication Facility;
4. Facilities otherwise exempt from this Ordinance under Article 6; and
5. Emergency repairs necessary to restore service or address an immediate public safety hazard, provided that the applicant shall provide written notice to the Greenville County Planning and Development Department within five (5) business days of completion of such emergency work.

C. An applicant may, at its discretion, submit a Citizen Participation Plan and begin implementation prior to formal BZA application submittal. However, this shall not occur until after the pre-application conference with the BZA described in Article 4(B) of this Ordinance.

**Section 14.3 Plan Contents.**

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A. Every Citizen Participation Plan submitted under this Article shall include the following information:

1. A description of which residents, property owners, neighborhood associations, interested parties, and public agencies may be affected by the proposed Wireless Communication Facility and the basis for that determination;
2. A description of how the parties identified in paragraph 1 of this subsection will be notified that an application has been or will be submitted, including the method of notification and the proposed mailing or posting date;
3. A description of how those parties will be informed of the nature of the proposed Wireless Communication Facility, including its type, height, design, siting rationale, and potential visual and operational impacts;
4. A description of how the affected parties identified in paragraph 1 will be provided a meaningful opportunity to meet with and discuss the applicant's proposal with the applicant, and to express any concerns, issues, or problems they may have in advance of the BZA public hearing;
5. The applicant's proposed schedule for completion of all citizen participation activities, including mailing dates, any community meeting date, and the date by which the Citizen Participation Report required by Section 14.4 will be submitted; and
6. A description of how the applicant will keep the Greenville County Planning and Development Department informed as to the status of the applicant's citizen participation efforts.

B. Notification Area. The level of citizen interest and the appropriate area of involvement will vary depending on the nature of the application and the facility's proposed location. The notification area shall be determined after consultation with the Greenville County Planning and Development Department, subject to the following minimum requirements:

1. For applications involving a new freestanding Communication Tower: written notice shall be provided to all owners of record of parcels within 1,500 feet of the proposed facility site, consistent with the minimum residential setback established in Article 4(H) of this Ordinance;

2. For all other applications subject to this Article, including Building-, Roof-, or Wall-Mounted Wireless Communication Facilities and modifications to existing approved facilities: written notice shall be provided to all owners of record of parcels within 500 feet of the proposed facility site;

3. In no case shall the notification area be less than the minimum required by applicable County code or state law;

4. The applicant shall notify any registered neighborhood or homeowners' associations whose territory includes or abuts the notification area; and

5. The applicant shall notify any other persons, organizations, or agencies as deemed appropriate after consultation with the Greenville County Planning and Development Department.

C. The requirements of this Article apply in addition to, and not in lieu of, any other notice provisions required by this Ordinance or other applicable County ordinances, including without limitation the public hearing notice requirements applicable to BZA proceedings.

D. Written Notice Requirements. All written notices required under this Article shall:

1. Be sent by first-class United States mail, postmarked no fewer than fifteen (15) calendar days before the BZA public hearing or any required community meeting;

2. Include the name, telephone number, and email address of the applicant or authorized representative;

3. Include a plain-language description of the type and purpose of the facility proposed, including the proposed height, support structure type, and general location;
4. Include the date, time, and location of any community meeting required under Section 14.3(E) and of the BZA public hearing (if known at the time of mailing);
5. Describe how and where written comments may be submitted and the applicable deadline therefor; and
6. Include the following disclaimer in substantially the following form: "This notice is provided in fulfillment of the Greenville County Wireless Communication Facilities Ordinance, Article 14. It is intended solely to inform you of a pending or proposed application and to provide you an opportunity to participate in the County review process. It does not indicate that the application will be approved or denied. The Board of Zoning Appeals will make the final decision after a public hearing held in accordance with applicable law."

E. Community Meeting. For all applications involving a new freestanding Communication Tower requiring a Special Permit, the applicant shall conduct at least one community meeting prior to filing the complete BZA application. The community meeting may, at the applicant's discretion and with the consent of the BZA, be combined with the pre-application conference described in Article 4(B) of this Ordinance. At the community meeting, the applicant shall at minimum:

1. Present the proposed project in sufficient detail to enable attendees to understand its nature, height, design, visual impact, and siting rationale, including by displaying or making available any photo simulations required under Article 9 of this Ordinance;
2. Provide all attendees a reasonable opportunity to ask questions and to submit oral or written comments; and
3. Maintain a sign-in sheet recording the name and mailing address of each person in attendance.

F. Balloon Test Notice. For any application requiring a Balloon Test as defined in Article 2 of this Ordinance, the applicant shall additionally provide written notice of the Balloon Test date, time, and location to all parties entitled to notice under Section 14.3(B), postmarked no fewer than seven (7) calendar days prior to the test, and shall post notice on the subject property for the same period. Proof of compliance shall be submitted to the BZA prior to the Balloon Test date. Failure to comply with this subsection shall result in a continuance of the BZA public hearing as provided in Article 2.

G. On-Site Posting. The applicant shall post a weatherproof notice sign on the subject property facing the primary abutting public right-of-way, measuring not less than 24 inches by 36 inches, for a period of no fewer than fifteen (15) calendar days prior to the BZA public hearing and continuing through the date of the hearing. The sign shall display the information required by Section 14.3(D)(2) through (D)(5).

**Section 14.4 Citizen Participation Report.**

A. When a Citizen Participation Plan is required under this Article, the applicant shall provide a written Citizen Participation Report, satisfactory to the Greenville County Planning and Development Department, documenting the results of the citizen participation effort. The Report shall be submitted to the BZA prior to the notice of the BZA public hearing on the application, and shall be made a part of the administrative record of the proceedings.

B. The Citizen Participation Report shall describe the methods the applicant employed to involve the public, including:

1. The dates and locations of all meetings at which citizens were invited to discuss the applicant's proposal, including the duration of each meeting and the number of attendees;
  
2. The content, dates mailed, and number of mailings, including all letters, meeting notices, and other written materials distributed in connection with the application;

3. A description of where the residents, property owners, and other interested parties who received notices or other written materials are located relative to the proposed facility site;
  4. The number of people who participated in the process; and
  5. A copy of the sign-in sheet and all comment sheets provided to interested parties who chose to participate in the process.
- C. The Report shall summarize the substance of all concerns, issues, and problems expressed during the citizen participation process.
- D. The Report shall describe how the applicant has addressed, or intends to address, the concerns, issues, and problems expressed during the process, including any modifications to the proposed facility design, siting, or operational parameters made in response to community input.
- E. The Report shall identify which concerns, issues, and problems the applicant is unwilling or unable to address, if any, and shall state the reasons why such concerns cannot be addressed.
- F. The Report shall include as attachments all sign-in sheets and comment sheets provided to interested parties by the applicant during the citizen participation process.

**Section 14.5 FCC Shot Clock Compliance.**

- A. Nothing in this Article shall be construed to require the County or any applicant to take any action inconsistent with applicable federal law, including the shot clock provisions of 47 U.S.C. § 332(c)(7) and 47 C.F.R. § 1.6003, or to prohibit or have the effect of prohibiting the provision of personal wireless services within the meaning of 47 U.S.C. § 332(c)(7)(B)(i)(II).
- B. An application shall not be deemed complete for purposes of triggering the applicable FCC shot clock until the applicant has submitted (i) the Citizen Participation Plan required by Section 14.3, and (ii) proof of compliance with the written notice requirements of Section 14.3(D),

including a certificate of mailing identifying all parties notified, their mailing addresses, and the date of mailing.

C. The Citizen Participation Report required by Section 14.4 shall be submitted sufficiently in advance of the BZA public hearing to permit its review and inclusion in the administrative record. Where the timing of citizen participation activities would, under the specific circumstances of a pending application, create a risk of exceeding an applicable FCC shot clock deadline, the applicant shall promptly notify the BZA in writing, and the BZA and applicant may negotiate a mutually acceptable adjusted schedule consistent with 47 C.F.R. § 1.6003(c).

**Section 14.6 Waiver.**

Consistent with the waiver standards of Article 10 of this Ordinance, the BZA may waive or modify any specific procedural requirement of this Article upon a written showing by the applicant that strict compliance is not feasible under the particular circumstances and that the proposed modification will afford a substantially equivalent opportunity for public notice and participation. Any such waiver shall be in writing, supported by specific findings, and made a part of the official record of the application.