

TOWN OF BLACK MOUNTAIN PLANNING BOARD

The Black Mountain Planning Board held its regular meeting on Monday, October 22, 2018 at 6:00 p.m. in Town Hall at 160 Midland Avenue, Black Mountain, North Carolina.

I. CALL TO ORDER

The meeting was called to order with the following members present:

Peter Vazquez, Chair
Lisa Milton
Jesse Gardner
Michael Raines

Absent:

Pam Norton, Vice Chair
Jennifer Willet
Scott Reed

Staff:

Jennifer Tipton, Zoning Administrator
Jessica Trotman, Planning Director

The meeting was called to order at 6:00 p.m. and duly constituted and opened for business with a quorum of four (4) members.

II. ADOPTION OF AGENDA

Jesse Gardner made a motion to adopt the agenda as presented. The motion passed with a vote of 4-0.

III. ADOPTION OF MINUTES

Michael Raines made a motion to adopt the September 21, 2018 minutes as written. The motion passed with a vote of 4-0.

Lisa Milton presented two changes to the September 24, 2018 minutes. Those changes were as follows:

- changing Mike and Carol Sobol to C. Michael Sobol and Carol Eubanks
- adding Section number 1.3.5 to Ms. Milton's question about non-conforming lots

Lisa Milton made a motion to adopt the September 24, 2018 minutes as amended. The motion passed with a vote of 4-0.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Proposed Text Amendments – Warning Notices

Jennifer Tipton presented the proposed text amendment regarding warning notices to the board. The amendment would require that all potential violators receive a warning notice before a notice of violation and will allow staff to have the same procedure across the board.

Jesse Gardner made a motion to adopt the Statement of Consistency that the amendment is consistent with the comprehensive plan because it clarifies the ordinance for staff purposes and it is reasonable and in the public interest because it makes the process equitable and fair. The

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motion passed with a vote of 4-0. Jesse Gardner made a motion to recommend the text amendment for Section 1.10.5 as written. The text amendment is as follows:

On determining that a violation exists, the planning and development department staff ~~may~~ **shall** provide the person alleged to be violating this code a written warning. ~~A warning of violation is not required to be issued prior to issuance of a notice of violation and correction order.~~

The motion passed with a vote of 4-0.

2. Proposed Text Amendments – Privilege Licenses and Building Codes

Ms. Tipton pretend the proposed text amendment regarding privilege licenses and building codes to the board. The amendment removes language that requires that contractors obtain a privilege license before obtaining a building permit. This language is now obsolete as the General Assembly removed the authority of cities to require privilege licenses. Ms. Milton asked how businesses had been billed for the last few years when the ordinance had not been changed to reflect the transition from privilege licenses to business registrations. It was decided that that issue as a separate matter and not at the purview of this board. Jesse Gardner made a motion to adopt the Statement of Consistency that the amendment is consistent with the comprehensive plan because it cleans up the land use code to be in compliance with state statutes and it is reasonable and in the public interest because it removes language that is unenforceable and obsolete. The motion passed with a vote of 4-0. Jesse Gardner made a motion to recommend the text amendment for Section 2.1.7 as written. The text amendment is as follows:

~~Any person, firm or corporation conducting construction, renovation, mechanical work, or installation for remuneration within the jurisdiction of the Town of Black Mountain must have a business privilege license issued by the town in accordance with title XI: Business Regulations [chapter 9 of the Code of Ordinances].~~

The motion passed with a vote of 4-0.

VI. COMMUNICATION FROM PLANNING BOARD

Lisa Milton asked that the final recommended language for text amendments be included in future minutes.

VII. COMMUNICATION FROM STAFF

Jessica Trotman addressed the board with some concerns about procedures and finding her footing with the board.

VI. ADJOURNMENT

Jesse Gardner made a motion to adjourn at 6:59 p.m. The motion passed with a vote of 4-0.

Prepared by:

Peter Vazquez, Chair

Jennifer Tipton, Zoning Administrator