

MINUTES
Tuesday July 6, 2010
Planning and Zoning Commission Meeting
County Administration Building
1400 Highway 180 East
Silver City, New Mexico

Commissioners Present

Chair David Gershenson
Lori Ann Bonomo
Ken Foster
Doug Abbott

Commissioners Absent

Alice Jones
Teri Matelson
Gillian Sherwood

Staff Present

Peter Russell
Alexandra Perrault
Luan Mitchell

The regular meeting of the Planning and Zoning Commission for the Town of Silver City was called to order at 7:05 p.m. by Chair David Gershenson. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

Approval of Agenda

Commissioner Bonomo moved to approve the agenda. Commissioner Foster seconded and the motion passed unanimously.

Approval of Minutes

Commissioner Abbott moved to approve the minutes of the June 1, 2010, meeting. Commissioner Foster seconded and the vote was unanimous to accept the minutes as written.

Old Business

Zan Perrault reported that Mr. Cassidy had appealed the denial of his variance request from the June 1st meeting and it will be heard by the town council on July 13th.

Public Hearings

NOI Ordinance #1165 Approval/Disapproval of Notice of Intent Ordinance No. 1165: An Ordinance amending Municipal Code Chapter 151, Section 151.031 (Land Use Code, Use Table) by modifying the "Use Table" to include child care centers as a conditional use in Residential A zoned districts within the Town of Silver City, Grant County, New Mexico.

Two people were sworn in for testimony. There was no ex parte conversation or conflict of interest among any of the commissioners.

Ms. Perrault explained that by definition, child care centers, which care for any number of children as licensed by the state, are only allowed in a commercial zone, or by conditional use

permit in RB, RC or Rural zones. A family child care home, is licensed by the state to care for at least five but fewer than 12 children for less than 24 hours and is allowed in all residential zones by right and in a commercial zone with a conditional use permit. The town council believes that child care centers are supportive of family life, economic development and the general welfare. Allowing child care centers in all residential zones with a conditional use permit will promote increased care and convenience for families. She read the additional standards that are in the Land Use Code for child care centers, including state license, safe and secure play areas and equipment, and parking and pick up areas.

Chair Gershenson commented that the only argument he could see against the amendment would be that 20 or 30 children next to a private residence could be annoying, but the conditional use provision allows that to be taken into consideration. Commissioner Abbott asked what was meant when Zan said that a child care center was not allowed in residential zones “by definition.” She explained that the definition of a child care center in the Town of Silver City Land Use Code includes that restriction. Commissioner Abbott moved to approve the NOI based on finding number seven, “The proposed amendment provides additional flexibility in meeting the objectives of this Land Use Code without lowering the standards of the Land Use Code.” Commissioner Bonomo seconded. Peter Russell asked if Commissioner Abbott wanted to include that the definition of child care centers be amended as well. Commissioner Abbott agreed and Commissioner Bonomo seconded that as well. The motion was passed by unanimous roll call vote.

New Business

Mr. Nick Susillo, Director of Sustainability jointly for Silver City and Grant County, explained his position, the grants he has been endowed with and what his mission is. The grants focus on energy audits and retrofits for public facilities and for homes, as well as education and planning.

Reports from Staff

Ms. Perrault announced that this would be her last meeting for some time as she will be out on maternity leave. Peter Russell announced that Andy Sauer, who has a degree in public policy, has been recruited to fill in for Zan in her absence. Andy was in the audience and stood to introduce himself.

Reports from Commission

None

Community Input

Andrea Sauer introduced herself as a program coordinator with the Grant County Health Council, specifically working with the Healthy Kids Healthy Communities program. Her grant from the Robert Wood Johnson Foundation is specifically targeted at childhood obesity for the next four years. She will be working with the community and the planning commission on related issues to see how they can be integrated with public health.

Mr. Jim Goodkind spoke to the question of what sustainability has to do with planning and the Land Use Code. The Land Use Code is a framework for the general welfare, of which

sustainability is a large part. He feels the commission will be seeing new initiatives relating to energy, especially regarding new developments. The general well being of the community is tied to energy, the economy and the environment.

Adjournment

Commissioner Abbott moved to adjourn the meeting. Commissioner Foster seconded. The meeting adjourned at 7:55 pm.

David Gershenson, Chair
Planning & Zoning Commission

Approved August 3, 2010