



MINUTES
Planning and Zoning Commission
Work Session

Tuesday, December 7, 2010
County Administration Building
1400 Highway 180 East
Silver City, New Mexico

Commissioners Present

Alice Jones, Chair
George Lundy
Alexandra Perrault
Sherry Clements

Commissioners Absent

Gillian Sherwood
Ken Foster
Lori Ann Bonomo

Staff Present

Peter Russell, Community Development Director
Luan Mitchell, Planner

Others Present

David Gershenson
Nickolas Seibel

The meeting of the Planning and Zoning Commission was called to order at 7:05 pm by Chair Alice Jones. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

Chair Jones said that former commissioner David Gershenson pointed out that according to an amendment on May 8, 2002, to the commission's bylaws, the chair can appoint someone to address the Town Council in the matter of an appeal of a commission's decision. He said the Town attorney, Robert Scavron, disagrees with that rule, averring that the commission can present written evidence only in the form of the Notice of Decision. More discussion followed and it was decided to discuss and amend the commission's bylaws at the January 4, 2011, meeting.

A new format for the staff report for public hearings was discussed. It was suggested that in the staff report, staff would make recommendations on whether the criteria is met on some of the findings. Specifically, staff would offer comments on finding No.4, the granting of the variance is in harmony with the Town's Comprehensive Plan, No. 5, the

granting of the variance is in harmony with the purposes and intent of the Land Use Code, and No. 7, the variance will not result in the extension, expansion or enlargement of a non-conforming structure in violation of Article VII, and will not authorize the initiation of a non-conforming use of land.

The role, duties and powers of the Planning and Zoning Commission was discussed next. Chair Jones asked the question, should the commission be more proactive?

Commissioner Lundy suggested that under Commission Reports on the agenda for meetings, different issues of importance to the community should be discussed, such as solar rights, water conservation, etc. He recommended that the commission start the discussion and then hand it off to the community members present. The purpose would be to inspire community participation and townspeople would be invited to suggest topics, which would be announced a month in advance.

Commissioner Clements asked about the findings for variances. Peter Russell explained that they are pretty standard all over the country, and noted that the finding stating that the variance is the minimum necessary to make reasonable use of the land has been eliminated from the new Land Use Code.

Adjournment

Commissioner Perrault moved to adjourn the meeting. Commissioner Lundy seconded and the motion passed unanimously. The meeting was adjourned at 7:50 pm.

Alice Jones, Chair
Planning & Zoning Commission

Approved January 4, 2011