



MINUTES

Planning and Zoning Commission

Tuesday, December 4, 2018
Grant County Administration Building
1400 Hwy 180 East
Silver City, New Mexico

Commissioners Present

Nickolas Seibel, Chair
Carmon L. Steven, Vice-Chair
Sam Castello, Member

Commissioners Absent

Otto Khera, Member

Staff Present

Jaime L. Embick, Community Development Director

The regular meeting of the Planning and Zoning Commission was called to order at 6:05 pm by Chair Seibel. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

Approval of Agenda

The Agenda was approved by a voice vote of 3/0.

Approval of Minutes

Commissioner Steven moved to approve the minutes of the August 7, 2018 meeting as submitted. Commissioner Castello seconded the motion and it passed by unanimous voice vote of 3/0.

Public Hearings

TA 18-01: A request for recommendation of an amendment to the text of the Land Use Code of 2010 to the Town Council. The applicant is the Community Development Department. The Notice of Decision is attached as Appendix A. Commissioner Steven moved to recommend approval with findings 1,2,4,5, 6 & 7 with the applicant being the Community Development Department. Commissioner Castello seconded the motion stating that it has brought up a lot of issues which need to be reviewed by the Commission. The motion passed with a unanimous voice vote of 3/0.

New Business

None

Community Forum

None

Reports from Staff

Mrs. Embick gave an update on staffing.

Reports from Commission

Commissioner Steven stated that she would like the issues that have come up discussed at the next meeting.

Community Input

None

Adjournment

Commissioner Castello moved to adjourn the meeting. Commissioner Steven seconded and the motion passed unanimously by voice vote of 3/0. The meeting was adjourned at 7:10 pm.

Nickolas Seibel, Chair
Planning & Zoning Commission

Date

Commissioner Seibel asked for clarification of the Alternative Parking Plan. Ms. Embick stated that it was instated in 2015 and allows for developers who can show their specific need for parking to receive adjustments.

Commissioner Castello asked if the sign permitting process is being removed. Ms. Embick stated, yes it is. Commissioner Seibel stated he has concerns about enforcing obsolete signs. He stated he is concerned with the vagueness of the wording. Commissioner Seibel would like to see the Town enforce the regulations and prevent property owners from only removing the face of the sign and not the derelict structure.

Commissioner Castello asked if real estate signs were still allowed. Ms. Embick stated that they are.

FINDINGS OF FACT:

The Community Development Director has requested a recommendation of an amendment to the text of the Land Use Code of 2010 to the Town Council.

The Planning and Zoning Commission has found that the proposed amendment;

- is in substantial compliance with the Town's Comprehensive Plan,
- will not adversely affect the implementation of the goals and policies of the Town's Comprehensive Plan,
- will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Land Use Code,
- responds to changed conditions, such as changes in assumptions on capital investments, road locations, population trends, land committed to development, density, use of further studies that have been completed since adoption of the Land Use Code and
- The proposed amendment is necessary in order to respond to state and/or federal legislation
- The proposed amendment provides additional flexibility in meeting the objectives of this Land Use Code without lowering the standards of the Land Use Code.

These findings fulfill the requirements stated in Section 6.3.2 of the Land Use and Zoning Code of 2010.

CONCLUSIONS OF LAW:

Section 6.3.2 of the Land Use and Zoning Code of 2010 provides a means for amending the text of the Land Use Code.

DECISION:

Commissioner Steven made a motion to recommend request TA 18-01 for approval with findings one, two, four, five, six and seven. Commissioner Castello seconded the motion. Roll call vote was held and the motion passed 3/0.

The Commission, with a unanimous roll-call vote of a quorum of three commissioners, hereby recommends to the Silver City Town Council that the applicant's request for a Text Amendment be approved. The recommendation will be made to the Town Council when the request is heard for a final decision.

Sincerely,



Jaime L. Embick
Community Development Director
December 17, 2018



For Nickolas Seibel
Nickolas Seibel
Commission Chair