



MINUTES

Planning and Zoning Commission

Tuesday, February 3rd, 2026
City Hall Annex Second Floor Conference Room
1203 N. Hudson St.
Silver City, New Mexico

Commissioners Present:

Susan Moody, Chair
Dave Stone, Vice Chair
John Balas
Dale Lane
Laura Schoen

Staff Present:

Susan Mittelstadt, Community Development Director
Emily Hickle, Mapping and Planning Technician

The regular meeting of the Planning and Zoning Commission was called to order at 6:00 pm. The Pledge of Allegiance and the State Pledge were recited. A roll call from commissioners was taken, and a quorum was present.

Approval of Agenda:

Madam Chair Moody made a motion to amend the agenda, moving the staff report of The Proposed Changes to the Land Use and Zoning Code of 2025 to Continued Business. The motion passed by a unanimous voice vote of 5/0.

Approval of Minutes:

Commissioner Stone made a motion to move the officer election to the top of the agenda. Commissioner Balas seconded, and the motion passed by a unanimous voice vote of 5/0.

Community Input:

Joanne Demichal, a housing advocate and President of the Land of Enchantment Manufactured Homeowners Organization, provided testimony regarding the protection of manufactured home communities. She noted that these communities represented the largest source of affordable housing in New Mexico but were increasingly at risk. She shared her personal experience of purchasing a home in Silver City in 2021, only to have the underlying land sold six months later without notice or an opportunity to purchase. She explained that because residents typically owned their homes but leased the land, they remained highly vulnerable to investors, including private equity firms, who purchased the land to increase rents or repurpose the property.

Ms. Demichal cited examples of economic eviction, including a community in Florida where 900 homes were bulldozed for a new development and a case in Aztec, New Mexico, where an out-of-town investor raised rents by 73%. She stated that her organization introduced legislation in 2023, 2025, and 2026 to establish an "opportunity to purchase," which would allow residents to

buy the land when it went up for sale to preserve affordability. She concluded by appealing to the Commission to prioritize the protection and preservation of existing affordable housing alongside any efforts to expand it.

Holly Noonan, the Executive Director of the Crooked Forest Institute, addressed the Commission regarding the necessity of community-owned land to ensure permanently affordable housing in Grant County. She explained that the current low-income housing tax credit system only required affordability for a window of seven to thirty years before units transitioned to market rates. She urged the city and county to mandate permanent affordability, noting that Vermont was currently the only state to do so. Ms. Noonan advocated for the Community Land Trust (CLT) and resident-owned cooperative models as the only viable methods to guarantee that housing remained affordable in perpetuity. She described how her nonprofit's solution involved building small adobe homes using vocational education students to reinvigorate indigenous building styles. She detailed the CLT model's benefits, explaining that it turned renters into owners who accrued equity while agreeing to sell only to other low-income families. She concluded by stating that a CLT would invite various housing solutions, including multi-family units and safe manufactured housing, and recommended the model based on its success in hundreds of communities worldwide.

Mary Ragins, a resident and former municipal land use planner, offered three constructive suggestions for the Commission's update to the Land Use Code based on observations from previous hearings. First, she recommended further defining the word "harmony" in the approval criteria to exclude existing non-conforming uses or previously approved conditional use permits from being used as benchmarks. She argued that since these uses were often merely tolerated or out of compliance with current standards, they should not serve as justification for new proposals. Second, she advocated for establishing greater distance requirements between cannabis establishments and locations housing youth-serving activities. Citing census data that showed nearly 26% of Grant County youth lived in poverty, she expressed concern that the recent approval of cannabis retail and manufacturing near the Youth Mural Program sent a negative message to underserved youth. She pointed to Missoula, Montana, as a model for increasing such buffers from 500 to 1,000 feet to protect public health and community character.

Finally, Ms. Ragins addressed procedural transparency, urging the Commission to avoid entering closed sessions to discuss pending cases. She noted that while the Commission often cited the New Mexico Open Meetings Act to enter executive sessions, they frequently failed to specify the relevant section of the statute or provide the required public notice. She suggested that conducting difficult discussions in public, rather than behind closed doors, would alleviate public concerns regarding transparency.

Public Hearings:

None

Continued Business:

Ms. Hickle presented research from similar municipalities, such as Bisbee and Globe, Arizona, noting that successful ordinances required highly specific definitions for terms like "vacant" and "structurally unsound" to remain legally enforceable. The discussion detailed several potential features for the ordinance, including a mandatory inventory where owners would register vacant properties and pay progressive fees that increased the longer a building remained empty. Debate

ensued; the Commission covered several points regarding personal sentiments and ideas on drafting a vacancy ordinance.

New Business:

The Commission reviewed its goals for the upcoming year. Commissioner Stone proposed that revitalizing the downtown area should include the regulation of vacant buildings as a major subtopic, noting its importance to the district's overall success. The Commission discussed the possibility of resuming site visits, which had been restricted previously. Commissioner Stone emphasized that housing should be the town's highest priority, referencing the strategic housing plan, which stated that housing shortages were stifling Silver City's success. Madam Chair Moody motioned to hold a dedicated work session to review the provided research packets and begin outlining the specific definitions and penalty schedules for a draft ordinance. Commissioner Balas seconded, and the motion passed the unanimous voice vote, 5/0.

Reports from Staff:

Ms. Mittelstadt reported that the town had begun selling small parcels of land and officially initiated the comprehensive plan revision process. She noted that initial input was being sought from various town departments and committees to ensure a broad perspective. The report highlighted a close collaboration with code enforcement to address derelict buildings and mentioned the ongoing orientation of new commissioners. Finally, staff and the Commission acknowledged the upcoming retirement of the planning technician, Ms. Maira Stacy, and reiterated their commitment to maintaining regular communication with the Commission.

Reports from Commission:

None

Adjournment:

Commissioner Stone moved to adjourn the meeting. Commissioner Schoen seconded the motion, and it passed by a unanimous voice vote of 5/0. The meeting was adjourned at 7:25 pm.

Susan Moody, Chair
Planning & Zoning Commission

Date