

**Town of Taos
Planning and Zoning Commission
By – Laws**

JULY 2006

Section 1. Annual Meeting

The annual meeting of the Commission shall be the first regular meeting in the month of January of each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as shall be scheduled by the Commission.

Section 1.1 Members of the Historic Preservation Commission

Pursuant to Town of Taos Land Use Development Code, section 3-2.3, there is an Historic Preservation Commission. The Town of Taos Planning and Zoning Commission acts as the Historic Preservation Commission with the addition of at least three (3) ex-officio members appointed by the Mayor to the Historic Preservation Commission with due consideration given to the individual's training, experience, knowledge or interest in the fields of architecture, archaeology, history, law, art, general contracting and business. Four (4) members of the Historic Preservation Commission shall constitute a quorum. Ex-Officio members shall have the duties and authority described in the Land Use Development Code, Ordinance 99-05 ("LUDC"), sections 3-2.3 through 3-2.5. Each Historic Preservation member may vote on all requests for alterations, demolitions, additions, and any items requiring action under the Land Use Development Code, section 4-22. (Historic Overlay Zone).

Section 2. Regular Meetings

Regular meetings of the Commission shall be held in the Town Council Chambers at 5:30 PM on the first Wednesday of each month. At such meetings the Commission shall consider all matters properly brought before the Commission. A regular meeting may be re-scheduled by the Commission at a prior meeting. The Commission shall meet no less frequently than once monthly.

Should the regular meeting of the Commission last until 10 p.m., the Commission shall continue the meeting until the next regular meeting of the commission or to a special meeting, scheduled at the time of the continuance. If any member of the Commission wishes to proceed past 10 p.m., he or she shall make a motion to proceed past 10 p.m. and the motion shall be voted upon by the full commission. If the Commission determines to continue, the commission shall proceed with the meeting until adjourned.

Section 3. Special Meetings

Special meetings shall be held at a time and place designated by the Chairman or Vice-Chairman. Written or verbal notice shall be given to all members not less than twenty-four (24) hours in advance of any Special Meeting. .

Section 4. Quorum

A majority of all the members of the Commission shall constitute a quorum at any meeting. The Chairman may appoint ex-officio members to meet the quorum. A quorum for the Historic Review Commission shall be Six (6) members. A quorum for the Planning and Zoning Commission only shall be Four (4) members. There shall be no proxy voting. (LUDC, § 3-2.1) No Action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.

Section 5. Voting

At all meetings of the Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice. In the event that any member shall have personal interest of any kind in a matter then before the Commission, he/she shall disclose his/her interest and be disqualified from voting upon the matter, and the secretary shall record in the minutes that no vote was cast by such member. The vote of a majority of those members present shall be necessary for adoption of any resolution or other voting matter. In the event of a tie, the motion shall be deemed to be defeated.

No commissioner shall participate in a final decision of the Planning Commission unless that commissioner has heard all of the evidence or read the record.

Section 6. Proceedings

- a. At any regular meeting of the Commission, the following shall be the regular order of business:
 1. Roll call
 2. Approval of Agenda
 3. Approval of Minutes
 4. Preliminary Public Hearings
 5. Public Hearings
 6. Old and new business
 7. Adjournment

- b. Each formal action of the Commission required by Town Ordinance shall be entered in full upon the Minute Book after the vote.

Section 7. Rules of Procedure

All meetings of the Commission shall be conducted in accordance with Robert's Rules of Order and the following guidelines:

- A. The petitioner, applicant, appellant or other person bringing a matter before the Planning and Zoning Commission, hereinafter the "Applicant" shall have a reasonable amount of time, not to exceed thirty (30) minutes, in which to present his, her, its or their position and shall speak first.

The chairman may at his/her discretion; increase the amount of time allotted an Applicant in complex matters that require additional presentation time.

- B. Opponents of applications shall have a cumulative thirty minutes (30).
- C. Rebuttal and cross-examination shall be permitted as allowed by the Land Use Development Code and in the discretion of the Chairman.
- D. The chairman shall have all members of the public who wish to address the Planning and Zoning Commission sign up to speak. The chairman shall then determine the amount of time a member of the public representing only his or her individual positions and a member of the public representing a group of three or more members of the public shall have to speak.
- E. The applicant shall have the right to respond to the statements of each member of the public which are adverse to his or her position. This time shall come after all members of the public have had their opportunity to speak. The Applicant shall have a reasonable time, as determined by the Chairman. In most cases; this time shall not exceed fifteen minutes, but, the Chairman may at his/her discretion extend the time allotted an applicant if appropriate.
- F. All speakers shall limit themselves to the time allotted them.
- G. The Chairman shall have the right to prevent repetitious or repetitive statements by asking any speaker who is being repetitious or repetitive to end his or her remarks and, if appropriate, to leave the podium or the place from which speakers are speaking.
- H. The chairman shall have the right to take any and all appropriate actions to insure that meetings and/ or hearing are orderly and fairly -conducted so that all persons having a right to speak shall have the opportunity to do so.

- I. The chairman shall have the right to limit speakers to those who are affected by the matter before the Planning and Zoning Commission.
- J. To the extent feasible, all interested members of the public having an interest in the matter before the Planning and Zoning Commission shall be given the right to speak.
- K. The chairman shall enforce the rules.
- L. The chairman may appoint a Sergeant at Arms to assist him/her in enforcing these rules.
- M. To the extent that anything in these By-Laws is contradicted by the LUDC, the provisions of the LUDC shall govern.

Section 8. Officers

The officers of the Commission shall consist of a Chairman and a Vice-Chairman, elected by the Commission at the annual meeting for a term of one year. The use of the term "Chairman" or "Vice-Chairman" is based upon the requirements of Roberts' Rules of Order and shall not be construed to identify or describe the gender of the person filling the position of Chairman. The Code Administrator appointed by the Mayor with the consent of the Town Council shall be the Secretary of the Commission. In the event the Secretary shall be absent from any meeting, the officer presiding shall designate an acting Secretary.

Section 9. Duties of Officers

The duties and powers of the officers of the Planning Commission shall be as follows:

A. Chairman

- 1. To preside at all meetings of the Commission.
- 2. To call Special Meetings of the Commission in accordance with these By-Laws.
- 3. To sign documents of the Commission.
- 4. To see that all actions of the Commission are properly taken.
- 5. Review the agenda suggested by the Code Administrator prior to meetings to review the applications submitted and to make a determination as to their completeness prior to placement on the agenda.

B. Vice Chairman

During the absence, disability or disqualification of the Chairman, the Vice-Chairman shall exercise or perform all the duties and be subject to all the responsibilities of the Chairman.

C. Secretary

1. To keep the minutes of all the meetings of the Commission in an appropriate Minute Book.
2. To give or serve all notices required by law or by these By-Laws.
3. To prepare the agenda for all meetings of the Commission.
4. To be custodian of Commission records.
5. To inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.
6. To handle funds allocated to the Commission in accordance with its directive, the law, and Town regulations.

Section 10. APPEARANCE OF IMPROPRIETY AND CONFLICTS OF INTEREST

In order to avoid any public appearance of impropriety or conflict of interest, any commissioner who has a direct personal or direct or indirect financial interest in a matter before the commission shall recuse him or herself from participating in the discussion or voting on the matter before the commission. In the event that a commissioner has an application pending before the commission, the commissioner shall appoint an agent to represent him or her and shall leave the meeting room during the discussion and voting on the matter. The Commissioner who has an application before the commission or otherwise has a personal or financial interest in a matter before the commission shall refrain from discussing the case or the matter with any commissioner prior to or during the pendency of the case or matter. It is preferable that any commissioner sitting on the commission refrain from bringing matters before the commission during the term of service.

SECTION 10. VACANCIES

Should any vacancy occur among the members of this Planning Commission by reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the Mayor by the Secretary. Vacancies on the Commission shall be filled by appointment as set forth in the Land Use Development Code (Article III Section 3-2.1). Should any vacancy occur among the officers of the Planning Commission, the vacant office shall be filled in accordance with Section 8 of these By-Laws, and the officer appointed shall serve the unexpired term of the office in which such vacancy has occurred.

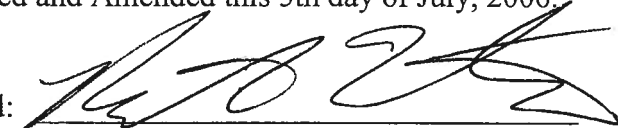
Amendments

Section 11. Amending By-Laws

These By-Laws may be amended at any meeting of the Commission provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.

Adopted and Amended this 5th day of July, 2006.

Signed:



Chair, Town of Taos Planning Commission



Town of Taos

RESOLUTION NO. 06-45

A RESOLUTION OF THE TOWN COUNCIL

WHEREAS, the Town of Taos Council, met in regular session on this 15th day of August, 2006 at 6:30 p.m.; and

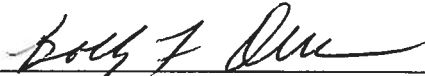
WHEREAS, the Town Council has reviewed the Planning and Zoning Commission By-Laws and

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

The Town is authorized to adopt the Town of Taos Planning and Zoning Commission By-Laws.

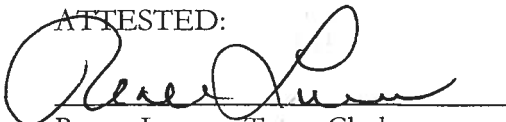
Passed by the TOWN OF TAOS COUNCIL this 15th day of August 2006 in regular session.

TOWN OF TAOS



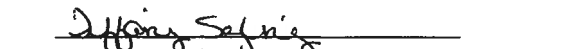
BOBBY F. DURAN
MAYOR

ATTESTED:



Renee Lucero, Town Clerk

APPROVED AS TO LEGAL FORM:



Renee Barela-Gutierrez, Town Attorney