

**ORDINANCE NO. 1127**

**AN ORDINANCE AMENDING THE TOWN'S OFFICIAL ZONING MAP BY REZONING FROM COMMERCIAL TO RESIDENTIAL B THE EASTERN 92.5' OF LOTS 5, 7, 9, 11, AND 13, BLOCK 55, FRASER ADDITION (320 E. BROADWAY ST.) BOUNDED BY BENNETT STREET TO THE EAST, BROADWAY STREET TO THE NORTH, AND GENERALLY EAST OF HUDSON STREET, AND NORTH OF SPRING STREET.**

**WHEREAS**, on November 6, 2006, the Planning and Zoning Commission of the Town of Silver City heard a request to rezone the tract of land described above from Commercial to Residential B; and

**WHEREAS**, the Planning and Zoning Commission recommends approving the rezoning of the requested area to Residential B; and

**WHEREAS**, the Council accepts such recommendation.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, THAT:**

A .26 acre tract of land being situated in Section 3, T.18S, R.14W, N.M.P.M., Grant County, New Mexico, being described more particularly as follows:

The eastern 92.5' of Lots 5, 7, 9, 11, and 13, Block 55 (.26 acres), Fraser Addition of Silver City, Grant County, New Mexico

is hereby zoned Residential B according to the provisions of the 2005 Code of Ordinances of the Town of Silver City, Title XV, Chapter 151, Section 151.092 (B), based on at least one of the following Findings:

**Findings**

1. The proposed amendment is in substantial compliance with the Town's Comprehensive Plan;
2. The proposed amendment will not adversely affect the implementation of the goals and policies of the Town's Comprehensive Plan;
3. The proposed amendment is justified in order to correct a mistake in the Town's Comprehensive Plan;
4. The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Land Use Code;
5. The proposed amendment responds to changed conditions, such as changes in assumptions on capital investments, road locations, population trends, land committed to development, density, use or further studies that have been completed since adoption of the Land Use Code;
6. The proposed amendment is necessary in order to respond to State and/or Federal legislation;

7. The proposed amendment provides additional flexibility in meeting the objectives of this Land Use Code without lowering the standards of the Land Use Code.

**PASSED, ADOPTED, AND APPROVED** by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 12th day of December 2006.

(SEAL)

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James R. Marshall, Mayor

Attest:

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Simon Wheaton-Smith, Town Clerk