

ORDINANCE NO. 1139

AN ORDINANCE AMENDING THE TOWN'S OFFICIAL ZONING MAP BY REZONING FROM RESIDENTIAL B TO COMMERCIAL PART OF THE NE1/4 NE1/4 OF SECTION 35 OF THE TOWN OF SILVER CITY (2830 HIGHWAY 15) BOUNDED BY PINOS ALTOS ROAD TO THE WEST, AND CANTADA ROAD TO THE NORTH, AND GENERALLY NORTH OF PINE STREET, AND WEST OF CHITALPA STREET.

WHEREAS, on November 6, 2007, the Planning and Zoning Commission of the Town of Silver City heard a request to rezone the tract of land described above from Residential B to Commercial; and

WHEREAS, the Planning and Zoning Commission recommends approving the rezoning of the requested area to Commercial; 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 1.6 acre tract of land being situated in Section 35, T.18S, R.14W, N.M.P.M., Grant County, New Mexico, being described more particularly as follows:

Part of the NE1/4 NE1/4 (1.6 acres) of Silver City, Grant County, New Mexico

is hereby zoned Commercial 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 27th day of November 2007.

(SEAL)

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk