

**ORDINANCE NO. 1165**

**AN ORDINANCE AMENDING MUNICIPAL CODE CHAPTER 151, §151.031 (LAND USE CODE, USE TABLE) BY MODIFYING THE “USE TABLE” TO INCLUDE CHILD CARE CENTERS AS A CONDITIONAL USE IN RESIDENTIAL “A” ZONED DISTRICTS WITHIN THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO.**

**SPONSORED BY MAYOR JAMES R. MARSHALL.**

**WHEREAS**, the Town Council finds that child care centers as defined in the Land Use Code of the Town (Municipal Code, Chapter 151) are supportive of family life, economic development, and the general welfare of the Town; and

**WHEREAS**, the Town Council of the Town of Silver City finds that location of child care centers within residential neighborhoods will likely facilitate increased care and convenience of children and their families by permitting more local and accessible child care; and

**WHEREAS**, child care centers are conditional uses of land within the Town in rural, Residential “B”, and Residential “C” zones, and are allowed by right in commercial zones; and

**WHEREAS**, the Town Council finds that there do not exist persuasive grounds for denying conditional use permitting for child care centers in Residential “A” zones; and

**WHEREAS**, the Town Council finds that the amendment described herein will be to the benefit of the Town and contribute to its health, safety and welfare;

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

**CHAPTER 151, §151.031** is amended by modifying Table 151.031 “Use”, to include Child Care Center(s) as a conditional use in Residential “A” zoning districts.

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**PASSED, ADOPTED AND APPROVED** by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 13th day of July, 2010.

(Seal)

TOWN OF SILVER CITY

/s/

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James R. Marshall, Mayor

ATTEST:

/s/

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Ann L. Mackie, Town Clerk