

**ORDINANCE NO. 1258**

**An Ordinance to amend the Official Zoning Map for several tracts of land from a Commercial District to the Residential A Single-Family (RA) District described as: A 4.343 acre tract of land being situated in the SE ¼ SE ¼ of Section 26, T.17S, R.14W, NMPM, Grant County, New Mexico (a map of the area is attached as Appendix A).  
The applicant is the Turkey Creek, LLC.**

**WHEREAS**, on March 24, 2017, the property owner, Turkey Creek, LLC, filed an application requesting a Map Amendment/Zone Change which would rezone that area within the Commercial District. Said application was deemed complete by the Community Development Department and forwarded to the Planning and Zoning Commission for action thereon; and

**WHEREAS**, the property owners in and around the affected area were contacted by mail to elicit public comment and concerns about the proposed zone change; and

**WHEREAS**, on May 2, 2017, the Planning and Zoning Commission of the Town of Silver City heard a request to rezone the parcel of land described above from Commercial to Residential A Single-Family (RA) District; and

**WHEREAS**, the Planning and Zoning Commission recommends approving the rezoning of the requested area to Residential A Single-Family (RA) District with the findings that the proposed amendment is in substantial compliance with the Town’s Comprehensive Plan; the proposed amendment will not adversely affect the implementation of the goals and policies of the Town’s Comprehensive Plan; 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; the proposed amendment responds to changed conditions, such as changes in the assumptions on capital investments, road locations, population trends, land committed to development, density, use of further studies that have been completed since the adoption of the Land Use Code; and the proposed amendment provides additional flexibility in meeting the objectives of this Land Use Code without lowering the standards of the Land Use Code; and

**WHEREAS**, the Town Council of the Town of Silver City, after the public hearing and an opportunity to review the record in its entirety, accepts such recommendation from the Planning and Zoning Commission and adopts the findings made therein;

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

The Town Council adopts the findings and recommendation of the Planning and Zoning Commission in their entirety, and that property addressed as 3305 Pinos Altos Road, Silver City, New Mexico, is hereby rezoned Residential A according to the provisions of the Land Use and Zoning Code of 2010, Section 6.3.2.

The property is a 4.343 acre tract of land being situated in the SE ¼ SE ¼ of Section 26, T.17S, R.14W, NMPM, Grant County, New Mexico, being described more particularly as follows:

Beginning at Corner No. 1 from whence the Southeast Corner of Section 26 bears S. 54°52'34" E., 1090.54 ft. distant;  
Thence N. 89°38'00" W., 421.60 ft. to corner No. 2;  
Thence N. 0°03'00" E., 477.65 ft. to Corner No. 3;  
Thence S. 89°26'00" E., 308.90 ft. to Corner No. 4;  
Thence S. 0°03'00" W., 199.47 ft. to Corner No. 5;  
Thence S. 89°38'00" E., 188.36 ft. to Corner No. 6, a pointy on the west line of New Mexico, Highway No. 15; thence S. 15°12'07" E., 286.84 ft. along the West line of New Mexico Highway No. 15 to the point and place of beginning.

**PASSED, ADOPTED, AND APPROVED** by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 13<sup>th</sup> day of June, 2017.

(Seal)

/s/ \_\_\_\_\_  
Ken Ladner, Mayor

Attest:

/s/ \_\_\_\_\_  
Ann L. Mackie, Town Clerk

# 3305 Pinos Altos Rd.

