

ORDINANCE NO. 1288

An Ordinance to amend the Official Zoning Map from a Residential A Zoning District to Highway Commercial Zoning District for a tract of land described as: Lot Six (6) and the North nine (9) feet of Lot Five (5), Block One (1), Silver Heights Addition, Town of Silver City, Grant County, New Mexico. The property address is 1617 N. Juniper Avenue and the owner is W. Jay Garard.

WHEREAS, on November 6, 2019, the applicant, W. Jay Garard, filed an application requesting a Map Amendment/Zone Change which would rezone that area from Residential A to Highway Commercial Zoning 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 January 7, 2020 the Planning and Zoning Commission of the Town of Silver City heard a request to rezone the parcel of land described above from Residential A Zoning District to Commercial Highway Zoning District; and

WHEREAS, the Planning and Zoning Commission of the Town of Silver City recommended approval of the application; and

WHEREAS, the Planning and Zoning Commission recommends approving the rezoning of the requested area to Highway Commercial Zoning District with the findings that the proposed amendment is in substantial compliance (or not 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 (or it will 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 (or it will adversely impact the public health, safety, or general welfare and will not promote the original purposes of the Land Use Code); 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 The Town Council approves the application to re-zone the

subject properties as described above, from Residential A to Highway Commercial Zoning District.

PASSED, ADOPTED, AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 23rd day of January, 2020.

(Seal)

/s/ _____
Ken Ladner, Mayor

Attest:

/s/ _____
Ann L. Mackie, Town Clerk