

ORDINANCE NO. 1292

An Ordinance to amend the Official Zoning Map from a Rural Zoning District to Open Space District of Town owned property on Boston Hill for tracts of land described as: Quarter: SE S: 3 T: 18S R: 14W PT SEQ Quarter: SW S: 4 T: 18S R: 14W PT SWQ MINE: NEW ISSUE-MS 71 PT NEW ISSUE MS 71 9.508 AC; Quarter: NE S: 3 T: 18S R: 14W PT SWQ MINE: GLOBE LODGE-MS 1329 14.858 Mine Acres PT GLOBE LODGE 14.858 AC; All of the Star of the West Mining Claim, M.S. 60, lying within the Atlantic Lode, M.S. 1585, situate in Section 10, T. 18S., R. 14W., N.M.P.M., Town of Silver City, Grant County, New Mexico. Applicant is the Town of Silver City.

WHEREAS, on January 21, 2020, the applicant, The Town of Silver City, filed an application requesting a Map Amendment/Zone Change which would rezone that area from Rural Zoning District to Open Space 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 March 3, 2020, the Planning and Zoning Commission of the Town of Silver City heard a request to rezone the parcel of land described above from Rural Zoning District to Open Space 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 Open Space Zoning 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 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 Rural Zoning District to Open Space Zoning District.

PASSED, ADOPTED, AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 28th day of July, 2020.

(Seal)

/s/ _____
Ken Ladner, Mayor

Attest:

/s/ _____
Ann L. Mackie, Town Clerk