

**ORDINANCE NO. 1107**

**AMENDING ARTICLE VI, SECTIONS 6.2.17 (EXPIRATION OF PERMITS) AND 6.2.18 (EXPIRATION OR VACATION OF FINAL PLATS) OF THE LAND USE CODE OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO**

**WHEREAS**, on January 12, 1999, the Town Council approved Ordinance 1017, adopting the Land Use Code; and

**WHEREAS**, the Land Use Code was adopted with the understanding that amendments would be necessary and forthcoming as the Code was implemented; and

**WHEREAS**, the Planning & Zoning Commission of the Town of Silver City conducts periodic reviews of the Land Use Code and identifies issues that require modification and clarification; and

**WHEREAS**, under Article VI, Section 6.1.1 G) 5) of said Code the Planning and Zoning Commission is empowered to make recommendations to the Town Council concerning amendments to the text of the Land Use Code; and

**WHEREAS**, it is in the best interests of the Town that projects for development in the Town and its extra territorial jurisdiction have an expressed time for completion.

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

The following amendments to the Land Use Code are hereby adopted, as follows:

Section 6.2.17 is amended as follows:

Delete the introductory sentence of Section 6.2.17 A) and replace it with the following language:

Section 6.2.17 A) All permits issued pursuant to the terms of this Land Use Code, regardless of type and placement within any Article of this Land Use Code shall expire automatically if, within one year after the issuance of such permits:

**AND,**

Section 6.2.17 A) 2) is amended by deleting the last sentence of the subsection, which reads:

With respect to phased development, this requirement shall only apply to the first phase.

**AND,**

Section 6.2.17 A) is amended by adding a new subsection which reads:

3) Notwithstanding the provisions of subsections A) and B) of this section, the use authorized by such permits shall result in completion of the entire project for which the permit was issued within a time period of three (3) years, unless otherwise provided for by the terms of this Land Use Code.

Section 6.2.17 C) is amended by deleting “The planning director may extend...” and replacing it with “The Planning and Zoning Commission may extend...”.

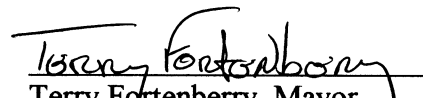
Section 6.2.18 is amended as follows:

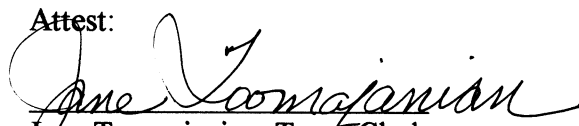
Delete the introductory sentence to subsection 6.2.18 B), and replace with:

B) Recorded Final Plats shall be eligible for vacation or partial vacation by action of the Town Council if, within three (3) years of their recording:

The proposed amendments will not adversely affect the implementation of the goals and policies of the Town’s Comprehensive Plan, but will instead assist in the implementation of those goals and policies. The aforementioned amendments to the Land Use Code, designated as Supplement 14, shall be inserted into the Land Use Code according to the appropriate format.

**PASSED, ADOPTED AND APPROVED** this 12th day of July 2005.

  
Terry Fortenberry, Mayor

Attest:  
  
Jane Toomajian, Town Clerk

