

**ORDINANCE NO. 2019-17**

**AN ORDINANCE ADOPTING AMENDMENTS  
TO THE CARLSBAD CODE OF ORDINANCES,  
CHAPTER 56 – ZONING ORDINANCE  
PURSUANT TO CODE OF ORDINANCES  
SECTION 56-150 AND SECTION 3-17-1 AND 3-  
18-1 NMSA 1978.**

WHEREAS, in Section 3, Article 17 NMSA 1978, the State of New Mexico enables municipalities to adopt ordinances and resolutions not inconsistent with the laws of New Mexico for the purpose of providing for the safety, preserving the health, promoting the prosperity and improving the morals, order, comfort and convenience of the municipality and its inhabitants. Section 3, Article 18 NMSA 1978 states that a municipality may protect generally the property of its municipality and its inhabitants; and

WHEREAS, in 2011, the City of Carlsbad adopted Ordinance No. 2011-15, known as the Zoning Ordinance, and incorporated into the Code of Ordinances as Chapter 56, to govern the zoning of land within the City limits and use regulations regarding residential and commercial activity; and

WHEREAS, Chapter 56, Section 150 of the Zoning Ordinance, provides a process for amending the text of this Zoning Ordinance; and

WHEREAS, the Carlsbad City Council adopted amendments to Chapter 56, the Zoning Ordinance, at the October 22, 2013 Council meeting, creating the requirements under Temporary Use for Temporary Housing; and

WHEREAS, the Planning Department, along with City Councilors, City Staff and with input from the public, had compiled suggested changes and prepared a revised version of the Temporary Housing requirements within Chapter 56, the Zoning Ordinance, containing proposed amendments to the text of this Ordinance; and

WHEREAS, on March 26, 2019, the Carlsbad City Council considered the proposed amendments during a public hearing; and

WHEREAS, the Council voted to approve and adopt the proposed amendments to Section 56 of the Carlsbad Code of Ordinances, the Zoning Ordinance; and

WHEREAS, legal notification of the adoption of this ordinance has been provided in accordance with Code of Ordinances Section 56-150(b)(1)(c);

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that Code of Ordinances Chapter 56, Zoning Ordinance, is hereby amended as stated above.

INTRODUCED, PASSED, ADOPTED AND APPROVED this 26th day of March, 2019.

/s/Dale Janway  
DALE JANWAY, MAYOR

ATTEST:

/s/Nadine Mireles  
CITY CLERK