



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, February 03, 2022 5:30 PM
Minutes

Please silence all electronic devices.

Call to Order

- Chairman Scroggins called the meeting to order.

Pledge of Allegiance

- Chairman Scroggins led the Pledge of Allegiance

Roll Call

- PRESENT: Chairman Thomas Scroggins, Vice Chairman John Thompson (Virtual), Secretary Scott Adair, Member L.E Rubin (Virtual)
Present: City Manager Dr. Martin Moore, Municipal Clerk Lisa Adair

Approval of Agenda

- Motion made by Secretary Adair motioned to approve as presented. Vice Chairman Thompson seconded the motion.
Voting Yea: Chairman Scroggins, Vice Chairman Thompson, Secretary Adair, Member Rubin.

Approval of Minutes for December 16, 2021 and January 6, 2022

- Approval of the Minutes of 12/16/2021 Motion made by Vice Chairman Thompson, Seconded by Secretary Adair. Voting Yea: Chair Thomas Scroggins, Vice Chair John Thompson, Secretary Scott Adair, Member L.E Rubin
- Approval of the Minutes of 1/6/2022 Motion made by Vice Chairman Thompson, Seconded by Member Rubin. Voting Yea: Chairman Scroggins, Vice Chairman Thompson, Secretary Adair, Member Rubin

Accessory Building Setbacks

- Manager Dr. Moore had information from the fire chief on the accessory building setbacks for fire safety for separation of housing, which included the 10-foot space for building separation, a 5-foot separation if someone who has a generator. He did mention he has yet to find anything about the standard fence recommendations but is still looking into the details for an answer.
- Vice Chair Thompson asked what about a fence that was made of cinder block, that would be good as fire raided.
- Manager Dr. Moore said there were 2 questions related to RV storage and corals/stables and those are some types of problems we have right now.
- Vice Chairman Thompson stated with everything Dr. Moore had explained we should write it up and make it an ordinance, what I really liked is the phrase 'common sense' and if we can rely more on this then I think we can be a better community.
- Mr. Rubin stated down Nancy Lopez a bunch of people have built concrete fences along the side of the water pipes, so if there is any problem with water pipes then they will have to have the fence knocked down, there needs to be something stating it can not be next to water pipes and such.

- Manager Dr. Moore said one of the recommendations should be in our zoning code check to see if there are any underground utilities or pipes where the structure is sitting.
- Mr. Rubin said he does not know how they can fix the properties on Nancy Lopez that have concrete fences that are too close to the street.
- Secretary Adair asked if you have a case by case and you approve their exemption is that conditional or special.
- Manager Dr. Moore said this is a really good question even for permit usage.
- Chairman Scroggins said he thinks about the utility easement and that's what the 5-foot is in place for the utilities, this started a discussion.
- Secretary Adair asked if there is a code that states that only a percentage of the lot can be used.
- Manager Dr. Moore explained yes there are several zoning codes that do, and that might even go with number of sensory buildings.
- Chairman Scroggins said that would help with lot sizes and we say it has to be a certain size but with this it can help with zoning.
- Secretary Adair asked do we combined the percentage and the 5% to 10% setbacks, this started a discussion.
- Vice Chairman Thompson said the State has been issued building permits that are going around the City and we were talking about how we can stop them from continuing.
- Manager Dr. Moore explained that this issue goes across the several agencies, but we have been trying to get a meeting with at least the state representatives to inform them that it needs to stop.
- Manager Dr. Moore said maybe we need to pick a zone and just deal with one zone at a time, started a discussion.

Peddler's Permit

- Manager Dr. Moore said he has been wrestling on this area and needs to be addressed. He also stated this can go with our ordinance for business license as well.
- Municipal Clerk Adair said it would not be difficult to create a license for peddlers and could even be a neckless badge or travel size of some sort, this started a discussion.
- Mr. Rubin asked we get a plethora of businesses to the northside of the fire station selling fruits and such, but they do not have licenses and come out when City Hall is closed.
- Municipal Clerk Adair stated we do have a vendor's license for anyone who wants to do curb side.
- Manager Dr. Moore stated due to temporary structure, which can catch fire or cause an accident, personal recommendation on that type of peddling we should deal with it being a business ordinance, continued the discussion.
- Vice Chairman Thompson said he sees it 3 types of vendors permits/ business licenses, type 1 would be with the contractors, type 2 would be a temporary store, and type 3 would be a door-to-door salesperson. He then asked if a plumber would come to fix a leak in a home would they need a permit, this led to a discussion.

Planning and Zoning 2022 Meeting Schedule

- Chairman Scroggins said he does not think this will work due to people applying.
- Manager Dr. Moore said as long as you have a quorum you may, we are looking at coming up to the Council and talking to them about the 3 applicants on February 14th.

- Manager Dr. Moore said the next meeting is currently on the 17th, we have a public hearing or two and with the Deputy Clerk out due to COVID we are trying to get everything pulled together. Can we meet on the 24th instead so we can have more time to advertise.
- Municipal Clerk Adair stated we cannot have a in person meeting as of right now, but in the future, they will be stated virtual.
- Chairman Scroggins said so what your proposing is instead of the 17th we meet on the 24th of February.
- Mr. Rubin said he would have no problem on the 24th only if we keep the same time.
- Manager Dr. Moore said yes, we can, and an example was the governor was giving a Mayors summit and they to move it from in-person to virtual in 2 to 3 days and had success with presentations and all.
- Vice Chairman Thompson said the 24th is fine and I'm very flexible and support any decision that will be made, maybe in the future we may give an option for the presentations to be either virtual or in-person.
- Secretary Adair said he is fine with whatever you guys decide.
- Motion made by Vice Chairman Thompson, Seconded by Secretary Adair.
Voting Yea: Chairman Scroggins, Vice Chairman Thompson, Member Rubin

Public Comment

* No public comments

Commission Discussion/Future Agenda Items

- Future agenda items: Accessory Building Setbacks - R1 Zoning changes, Peddler's Permit amending business licenses and business registration ordinances. Planning and Zoning 2022 Meeting Schedule
- Mr. Rubin asked has there been any discussion or do we know if the Mayor has any applicants for P & Z.
- Manager Dr. Moore explained there are 3 applicants and will be talked about in the Council meeting on the 14th.

Adjourn

- Motion made by Vice Chairman Thompson, Seconded by Member Rubin. All in favor to adjourn at 6:40 pm.

Respectfully submitted,

Amy L. Lopez, Deputy Clerk
(Taken by Lisa Adair, Municipal Clerk, Transcribed by
Cheyenne Sullivan, Assistant Clerk)

Date: _____

Approved:

Thomas Scroggins, Chairman

John Thompson, Vice-Chairman

Scott Adair, Secretary

L.E. Rubin