



**City of Rio Communities Planning and Zoning Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Thursday, December 02, 2021 5:30 PM**

**Agenda**

*Please silence all electronic devices.*

**ATTENTION:** In an effort to curb the spread of COVID-19 by practicing social distancing and limiting public gatherings, we are requiring MASKS to be worn while in the meeting. We encourage you to participate in the Planning and Zoning Meeting from the comfort and safety of your own home by entering the following link: @ <https://www.facebook.com/riocommunities>

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Approval of Agenda**

**Approval of Minutes**

**1. For November 18, 2021**

**Actions Items**

**2. Discussion, Consideration, and Decision – Animal Survey**

**3. Discussion, Consideration, and Decision - Accessory Building setbacks**

**4. Discussion – Zoning Grid**

**Public Comment:** The Commission will take public comments. These should be in written form via email through 4:45 PM on Thursday December 2, 2021 to [info@riocommunities.net](mailto:info@riocommunities.net). These comments will be distributed to all Commissioners for review. If you wish to speak during the public comment session in person: The Commission will allow each member of the public three (3) minutes to address the Commission. Both the public and Planning & Zoning Commission will follow rules of decorum. Give your name and where you live. The public will direct comments to the Commission. Comment(s) will not be disruptive or derogatory.

**General Commission Discussion/Future Agenda Items**

**Adjourn**

**Public We will be streaming live on Facebook Live @ <https://www.facebook.com/riocommunities>**

NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT CITY HALL, 360 RIO COMMUNITIES BLVD, RIO COMMUNITIES, NM 87002. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY OTHER FORM OF AUXILIARY AND OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE MUNICIPAL CLERK AT 505-861-6803 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.



**City of Rio Communities Planning and Zoning Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Thursday, November 18, 2021 5:30 PM**  
**Minutes**

*Please silence all electronic devices.*

### **Call to Order**

- Chairman Thomas Scroggins called the meeting to order at 5:48 pm.

### **Pledge of Allegiance**

- Mr. Lawrence Gordon led the Pledge of Allegiance.

### **Roll Call**

- Present: Chairman Thomas Scroggins, Vice-chair John Thompson (virtual), Secretary Scott Adair, and Vice-chair John Thompson – yes (virtual)
- Absent: Mr. Lawrence Gordon
- Present: City Manager Dr. Martin Moore and Deputy Clerk Amy L. Lopez

### **Approval of Agenda for November 18, 2021:**

- Vice-chair John Thompson – yes made a motion to approve the agenda. The motion was seconded by Vice-chair John Thompson – yes. Vote: Chairman Tom Scroggins- yes; Vice-chair John Thompson – yes; Secretary Scott Adair- yes; L. E. Rubin- yes. With a 4-0 vote the agenda for the November 14, 2021 Planning and Zoning Meeting was approved as amended.

### **Approval of Minutes for November 4, 2021:**

- Vice-chair John Thompson – yes made a motion to approve the November 4, 2021 Meeting Minutes as written. The motion was seconded by Vice-chair John Thompson. Vote: Chairman Tom Scroggins- yes; Vice-chair Thomson – yes; Secretary Scott Adair- yes; L. E. Rubin- yes. With a 4-0 vote the minutes from November 4, 2021 was approved as written.

### **Discussion, Consideration, and Decision – Animal Survey Information**

- Vice-chair Thompson began a discussion regarding the animal survey.
- Secretary Adair explained the most common issues people had with animals within the city and said we need to be able to enforce whatever we decide. He then asked if there were any other questions we need to ask now that we have this compiled information.
- Vice-chair Thompson said there are challenges to interpreting the data.
- Secretary Adair said a very small people put just smell, but 60% were collectively concerned about smell, animal treatment, noise, and potential property damage and continued the discussion.
- Secretary Adair said 15 of the 97 comments were about stray or dangerous dogs running around and we might need to present that to Council as well as what our recommendations are.

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- Vice-chair Thompson said City Council could say that it is not a broad enough response rate to make any decisions and began a discussion.
- Chair Scroggins said we need to figure out what kind of situation we have, we have several different ideas of that kind of City we have.
- Manager Dr. Moore explained the City of Roswell has a wide range of land, home and animal types and you are going to find that often in New Mexico. He then said one of the comments was that the residents are not responding and feels that is their way of saying it is none of your business or I don't care and said it makes making public policies difficult. The discussion continued.
- Chair Scroggins asked Secretary Adair what his impression was of the people that responded where for or against this animal ordinance.
- Secretary Adair said most of the surveys were a positive response and wanting to fix this and continued the discussion.
- Vice-chair Thompson said 64% think a fee should be charged for animal registration and we might need to ask how much we would charge.
- Secretary Adair said there are options, something reasonable, and we have to make sure our ordinance is enforceable.
- Vice-chair Thompson said we will need to ask what type of community most residents consider the City.
- Chair Scroggins said if another survey is done, we should ask about other pets, such as hamsters, turtles and began a discussion.
- Vice-chair Thompson said the city should not be involved in that.
- Secretary Chair said the idea that we should even attempt to regulate animals within the dwelling, but we need to address what we are going to present to Council.
- Manager Dr. Moore said you are talking about direct input from the residents of the City, and he recommends presenting the findings to the Council and ask them what direction they would like you to take in the December 9<sup>th</sup> meeting and continued the discussion.
- Chair Scroggins said the Governing Body should be the one that decides what type of city we have and asked if we should send them the collected summary and began a discussion.
- Mr. Rubin said a lot of work went into the report and thought it was interesting that some people's not answering the survey was their answer, and it comes down to how the animals are taken care of. Mr. Rubin said he used to think only dogs and cats should be allowed, but now he is thinking he might not want to regulate other animal types.
- Vice-chair Thompson asked if we want to change the ordinance at all.
- Manager Martin Moore suggested having just the animal survey on the agenda of the next meeting.
- Vice-chair Thompson said we have to create the zoning and began a discussion.
- Chair Scroggins said he would like to see Vice-chair Thompson and Secretary Adair to work together to answer some more of the questions and began a discussion.

### **Discussion – Accessory Building Setbacks**

- Manager Dr. Moore explained the Fire Chief said he will be willing to come to the next meeting to discuss setbacks, including RVs.

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### **Discussion – City Manager – Zoning Grid**

- Manager Dr. Moore explained the work is under way and it might be ready for the next meeting.

### **Discussion – City Manager (Special Workshop with Council 12/9/2021**

- Manager Dr. Moore explained .... Council does want to discuss the Comprehensive Plan ....
- Chair Scroggins asked if we want to discuss the letter and began a discussion.
- Manager Dr. Moore said we are going to discuss having a complete analysis of what we have accomplished in the current comprehensive plan.
- Vice-chair Thompson said as clarification to the public regarding the letter, we are asking Council to give us direction on the update of the comprehensive plan.

### **Public Comments**

- Tommy Westmoreland said regarding the animal survey, if people have a problem, they will speak out about it, he does not feel the animals need to be micromanaged. He then said the problem with the comprehensive plan, although it is well written, it is not being carried out; we make progress, and we fall back. He asked not to change the comprehensive plan but just follow through with it and asked that Planning and Zoning would consider Los Luna's peddlers ordinance so that we can control the amount of people roaming around the streets. He then said the amount of yard sale and yard work signs makes the city look bad. He then said he feels you are on the way to doing things the right way, but he will keep criticizing the areas that he feels need improvement. He then asked if Planning and Zoning had any input into the purchase of the land for the fire department.
- Vice Chair Thompson said no.
- Thomas Zanotti: Could not respond on city website. It did not work. Maybe if you had, you have had gotten better response. Consequently, my thoughts are not recorded.
- The Commission said that could be a consideration for the next meeting.
- Stacia Rountree Gonzalez: You could look at lot size in regard to the number of livestock allowed if you're debating rural vs suburban.

### **Commission Discussion/Future Agenda Items**

- Vice-chair Thompson said he has not attended in person for a while and because he was able to visit his homes that he has lived in the past. He explained the home he lived in within the County was absent of rules and saw the need for code enforcement, we need to have rules enforced. He said if we don't stay on top of it, it will be overwhelming in the future.
- Manager Dr. Moore said we have three properties that have abatement going on and are being prepared to be demolished.
- Mr. Rubin asked Manager Dr. Moore if the City will make the Code Enforcer position more attractive to get one to stay.
- Manager Dr. Moore said there are three types of code enforcement, zoning and development enforcement, nuisance enforcement and fire code enforcement. He continued to explain it is

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unfair for one part-time person to fill all three types of enforcers, we have to hire another one, but we can also have additional officers, such as help from the fire department. The discussion continued.

- Vice-chair Thompson asked if the fire department has the right to cite people.
- Manager Dr. Moore said yes if it is a safety issue and continued the discussion
- Manager Dr. Moore said we must be clear and let the residents know our ordinances will be enforced and continued the discussion.
- Tommy Westmoreland asked how many code enforcement officers can you have.
- Manager Dr. Moore as many as we can afford and continued the discussion.

### Adjourn

- Vice-chair Thompson motioned to adjourn and carry the neighborhood plan to the next agenda. Mr. Rubin second the motion and the meeting adjourned at 7:05 p.m. with a 4-0 vote.

Respectfully submitted,

\_\_\_\_\_  
Amy L. Lopez, Deputy Clerk

Approved:

\_\_\_\_\_  
Thomas Scroggins, Chairman

\_\_\_\_\_  
John Thompson, Vice-Chairman

\_\_\_\_\_  
Scott Adair, Secretary

\_\_\_\_\_  
Lawrence Gordon

\_\_\_\_\_  
L.E. Rubin

Date: \_\_\_\_\_

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11/22/2021

# City of Rio Communities Pet Survey:

Should the City Regulate Pets Other  
than Dogs and Cats?

Prepared by:  
PLANNING AND ZONING COMMISSION

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## Executive Summary

Rio Communities, a predominately suburban residential community, has seen an influx of non-traditional pet ownership that includes chickens, goats, sheep and horses— animals not typically seen as “pets,” but more suited to rural or farming communities. However, the city’s current animal control and welfare ordinance provides guidance largely on the ownership of dogs and does not reflect this growing trend.

To address this omission, the city’s Planning and Zoning Commission was tasked with developing a survey designed to illicit constructive feedback from city residents. To this end, a 16 question survey was mailed to 2,200 homeowner, of which the city received 200 responses, a 9% response rate.

Of the respondents, more than 80% live in single family homes with more than half (54%) living on lots that are less than or equal to one-quarter acre, while 39% have larger lots, ranging in size from one-half acre to over one acre. Just less than half own at least one dog, and a quarter own a cat. Interestingly, more than 85% of respondents do not own “other” pets, though most respondents (93.5%) think that the humane treatment of animals is “very important.”

Over 63% of respondents disapprove of their neighbors’ owning animals other than dogs and cats, while an equal number think that lot size is the determining factor to owning other presumed larger animals. Consistent with this attitude toward larger lot sizes, 75% think other pets should be restricted to neighborhoods with large lots, and 62% think the size and weight of the animal should be a controlling factor as well. Almost 10% think there should be no restrictions to owning *any* pet or animal.

As far as grandfathering-in existing “other” pets (exempt from future ordinance if such pets are prohibited), the respondents were equally split with 48% saying they should, and 47% saying they should not be grandfathered. As to charging an additional fee for owning other pets, 64% think a fee should be the charged.

Given the availability of larger lots (half acre or more), the range of acceptable “other” pets is quite varied. Number one on the list of acceptable pets is chickens (hens) at 26%. Rabbits, goats, various bird species and sheep are a collective second at 15%, 12%, 12% and 10% respectively. Remarkably, much smaller pets such as fish, turtles and assorted rodents (e.g., hamsters, ferrets, and guinea pigs)—pets one would think are less offensive and therefore more acceptable— less than 3% of respondents think such pets are acceptable, regardless of lot size. Additionally, 60% of respondents are equally concerned with smell, noise and potential property damage.

Finally, for a more comprehensive assessment of respondent’s individual concerns, see *Summary of Resident’s Comments* and *Discussion* section of this report.



## Introduction

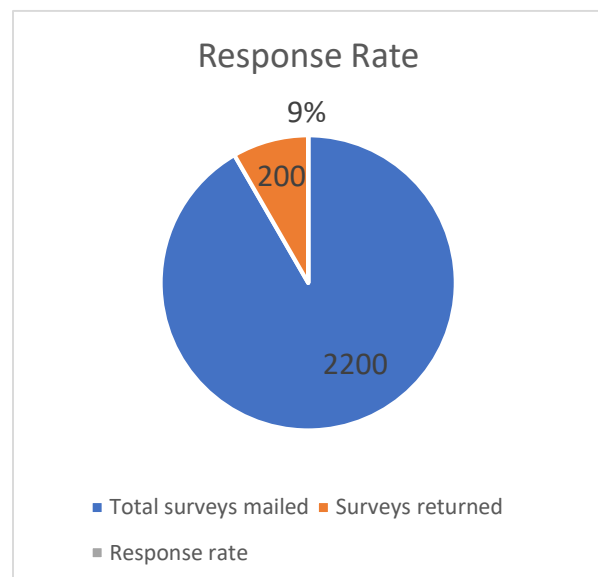
In recent years, the city of Rio Communities has grappled with the question of whether to regulate—or how to regulate— animals and pets other than dogs and cats within in a suburban residential setting. This growing trend away from traditional household pets such as dogs and cats, to more unconventional animals such as chickens, goats, sheep, and horses has become a vexing concern to both residents and city officials that is not easily resolved. As anecdotal information suggests, the city has regularly received approximately 150-175 calls over the past couple of years from residents voicing their complaints and displeasure with foul odors, excessive noise, property damage, and the proliferation of flies from their neighbors who own “other” animals.

**The Issue:** *Are these uncommon yard pets seen mostly as farm animals or livestock, and more appropriately relegated to larger rural settings and not within the confines of a suburban environment?*

## Survey Method and Response

Accordingly, the City Council tasked the Planning and Zoning Commission with developing recommendations that could reasonably and equitably address this issue. To this end, the Commission developed a simple 16 question survey designed to “test the waters” of public reaction allowing “other” animals/pets within the city. 2,200 surveys were mailed to residents and 200 were returned—a mere 9% response rate.

With such a low response rate— 200 households among a sample size of 2,200,— any conclusions drawn are immediately suspect, statistically. However, this is not to say that general trends and reactions cannot be collected as significant indicators or representations of the public’s attitudes on the subject of allowing other animals and pets. Certainly, given the unmediated personalized comments, valuable information is available upon which the city can make informed and equitable policy.



## Population and Sample Size

<http://www.city-data.com/city/Rio-Communities-New-Mexico.html#b>

Occupied Housing Units	1,904
Owner Occupied	1,447
Renter Occupied	457

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2,200— surveys mailed (sample size)

200— surveys returned

103— no comments

97— with comments

9.09%— response rate

## Questions/Responses & Raw Data

### 1. Homeowner Status

190- own (95%)

5- rent (2.5%)

### 2. Home type

165- single-family (82.5%)

21- townhome (10.5%)

7- patio (3.5%)

0- apartment

7- other (3.5%)

### 3. Lot size

109  $\leq 1/4$  acre (54.5%)

39  $\leq 1/2$  acre (19.5%)

10  $\leq 3/4$  acre (5%)

29  $\geq 1$  acre (14.5%)

### 4. Own dogs

92- yes (46%)

98- no (49%)

More than one

46- yes (23%)

44- no (22%)

### 5. Own cats

51- yes (25.5%)

149- no (74.5%)

More than one

22- yes (11%)

25- no (12.5%)

### 6. Own other pets

24- yes (12%)

171- no (85.5%)

### 7. Treatment of animals

187- important (very) (93.5%)

4- not important (2%)

4- don't care (2%)

### 8. OK if neighbor owns other pets

63- yes (31.5%)

127- no (63.5%)

**9. Lot size determines owning other pets**

127- yes (63.5)

66- no (33%)

**10. Other pets restricted by neighborhood**

150- yes (75%)

37- no (18.5%)

**11. Other pets restricted by:**

21- size (10.5%)

3- weight (1.5%)

124- both size and weight (62%)

1- smell (.5%)

19- prohibition off all other pets (9.5%)

10- no restrictions (5%)

1- restricted by number (.5%)

**12. Existing other pets be grandfathered**

96- yes (48%)

94- no (47%)

**13. Charge a fee**

128- yes (64%)

53- no (26.5%)

**14. Allowable other pets based on *your* neighborhood's lot sizes:**

71- none (35.5%)

53- hens (26.5)

31- rabbits (15.5%)

24- goats (12%)

24- birds (12%)

21- hamsters, gerbils, guinea pigs, and ferrets (10.5%)

19- sheep (9.5%)

12- ducks (6%)

7- turtles (3.5%)

6- horses (3%)

6- fish (3%)

4- pigs (2%)

3- reptiles (1.5%)

2- peacocks (1%)

1- rooster (.5%)

1- pony (.5%)

1- emu (.5%)

1- turkey (.5%)

1- lama (.5%)

- 4- any animal, no restrictions (2%)
- 1- any animal to supplement food (.5%)

#### 15. Biggest concern with allowing other animals

- 28- humane treatment (14%)
- 28- smell (14%)
- 19- noise (9.5%)
- 121- all of the above (60.5%)
- 7- flies (3.5%)
- 5- public health (2.5%)
- 3- impact property values (1.5%)
- 1- free run (.5%)
- 1- proper shelter (.5%)
- 1- cleanliness (.5%)

#### Key Take-aways

- First, the vast majority of respondents live in single-family dwellings upon lots of one-quarter acre or less, with about half owning a dog and a quarter owning a cat.
- Of possible significance, 39% of respondents live on lots larger than one-quarter acre;
- Dog ownership is the most prevalent at 46%;
- A vast majority of respondents do not own “other” pets;
- Overwhelmingly (93.5%) of people are concerned that all pets/animals are treated “very” humanely;
- A significant majority (63.5%) think lot size is the primary determinant in owning other pets or animals;
- Three-quarters (75%) of respondents think other pets should be restricted by neighborhood (presumably areas with larger lots)
- A clear majority (62%) think other animals should be restricted based on their size and weight;
- Opinions are split at 48%/47% for and against grandfathering in existing other pets/animals;
- 64% think a fee should be charged, though none is specified;
- A little over one-third (35.5%)<sup>1</sup> think no other pets other than dogs and cats should be allowed, regardless of lot size. This infers a sizable population of respondents support other pets or animals;
- Finally, 60.5% of respondents are collectively concerned with humane treatment, smell, noise, and damage to their property.

<sup>1</sup> This figure does not include 41 respondents who stated in the comments section their disapproval of all farm animals, and the 17 respondents who did not want any farms, ranches or rural zoning.

## Summary of Resident's Comments

Of the 200 surveys returned, 97 of the respondents included their personal responses in the comment section (question 16). In many instances, the responses were detailed and extensive. And, while a majority of the respondents offered clearly valuable comments, suggestions, and insights, a small number used this forum to address other concerns that were immediately and personally pressing to them. For council's consideration, these concerns are noted in this report as well.

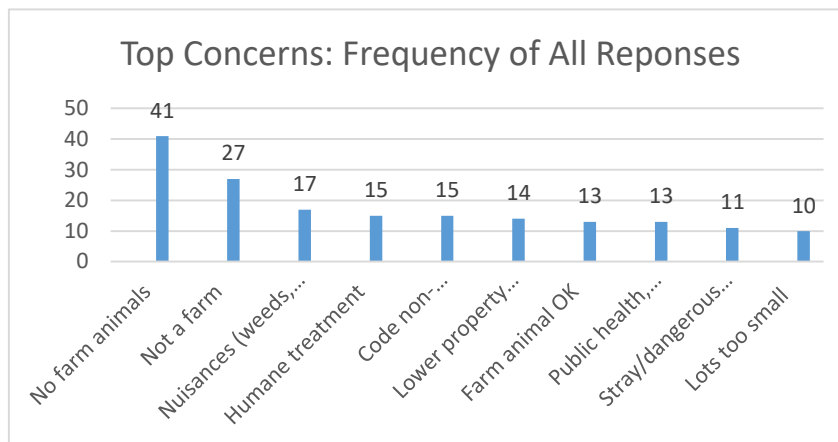
As many of the comments were each a full handwritten page, with a few even longer, to make the myriad comments more digestible, we identified major repetitive key points and gave numerical values to each instant the phrase or word(s) or their similarities were referenced (their frequency of use).

In descending sequence are the more common. At the bottom of this list, some plainly one-of-a-kind, memorable comments.

- No farm animals- smell, noise, dirty, unkempt, lack of shelter, inhumane treatment (chickens are many times number 1 nuisance)- 41
- No farm, rural, ranch, farm animals- 17
- Nuisance: trash, junk (and **junk cars!**), and weeds (burning too)- 17
- Inhumane/humane treatment of animals- 15
- Dog nuisance (poop, barking)- 15
- Non-enforcement (animal control and general codes)- 15
- Lower property values due to non-traditional animals- 14
- Live and let live, but be responsible, ensure humane treatment, shelter, use common sense, have large enough land (east side)- 13
- Public health, disease, safety, flies, contamination- 13
- Stray, free running dogs (dangerous)- 11
- This is residential- not farm- 10
- Lot sizes too small- 10
- Two pet limit (or reasonable limit)- 7
- Pet owner responsibilities- 6
- Hens OK, but keep them clean, healthy, well housed- 4
- Fix roads- 4
- Animals (generally) destroying property- 4
- Stray cats, nuisance defecating in neighbors' yards- 4
- Livestock used- 4
- RC is an embarrassment (run-down properties, abandoned homes, RVs)- 3
- Hens and goats OK for self-sufficiency- 3
- Poor support and response from animal control- 3
- Fireworks ban- 3
- Spay, neuter and vaccinate pets- 3

- Allow horses, goats and sheep on land large enough to support (1-acre minimum) with strict guide lines- 3
  - This is a suburb or a city- 3
  - Neighbors-inhumane treatment of dogs and cats-enforcement- 2
  - Theft and crime and speeding cars- 2
  - Monthly check health welfare of larger animals- 2
  - Public parks- 2
  - Small in-door other pets (rabbits, guinea pigs etc. OK )- 2
  - We pay plenty of taxes, don't need to be in our business- 2
  - Support having animals of any size, as long as they are well provided and clean, best thing about moving to this areas and for our children- 2
  - Dog Park- 2
  - NO Roosters-2
  - ATVs-2
  - Can't enforce junk cars, trash, and weeds- how can you enforce farm animals, and poor roads- 2
  - Allow livestock in commercial zone
  - Copy Belen's Animal Control Ordinance
  - Equestrian Park
  - Exception- live on mesa, room enough for other animals (pay taxes, no fee)
  - New business (grocery store) as promised
  - Tierra Grande instead (allow)
  - Yardwork program to help seniors
  - Return to AC Disposal
  - Neighbor's pet cruelty to natural wildlife (frogs, birds)
  - Neighbor's yard smells like a dairy farm
  - What's next...Over-reach is about power
  - Room to roam
  - No deadly animals
  - This is the county, not the suburbs, county rules.
-

All top concerns referenced in the comments section ten times or more



Clearly, a majority of respondents are concerned over the question of whether to allow, as they say, “farm animals” at all; and a significant number are concerned with creating a farming/rural community as a subsection within the city. Consistently, respondents gave near equal weight to a long spectrum of concerns: humane treatment, consistent code enforcement, impact on property values, public health, stray and dangerous dogs, and the lack of properly sized lots. However, it should be noted that 13 respondents (3 times less than those who disfavor farm animals) were in favor of allowing “farm animals,” with restrictions.

## Discussion

This whole endeavor of a survey was started and developed arguably around this question: *Should, what are essentially farm animals be allowed, and can they be fairly regulated within a suburban environment?*

A cursory review of the survey data might first suggest that a majority of respondents support a restriction on non-traditional/other animals. However, only 35.5% of respondents think no other pets should be allowed. But, from the comments section, 68 out of 97 respondents (70%) adamantly oppose allowing any “farm animals.” Conversely, a deeper dive into the data might well suggest otherwise.

Though supported by only 13 respondents from the comments section, the idea of restricting, what are essentially farm animals, to much larger east-side lots ( $\geq 1$  acre), provided the animal is properly sheltered and cared for, the lot fully maintained, and does not create a nuisance to surrounding property owners, is significantly supported by the collective raw data.

If we accept the proposal for allowing farm animal as stated above, one of the qualifiers is ensuring their humane treatment. Overwhelmingly 93.5% of respondents think the humane treatment of all animals is “very important.”

Another qualifier is large lots ( $\geq 1$  acre) as exclusively found on the east side of Highway 47. A significant majority (63.5%) think lot size is the primary determinant in owning other pets or animals. Additionally, 75% think other pets should be restricted by neighborhood presumably areas with larger lots, and 62% think other animals should be restricted based on their size and weight. Taken as a whole, there is almost a grudging acceptance that if other animals are allowed, residents think we should do so objectively and responsibly that satisfies the animal owner and their neighbors.

### Legal Considerations: What is a pet?

Throughout this report the word pet is used but is never clearly defined. Understandably, most of us have a similar understanding of what a pet is and is not. But what does New Mexico law say about pets? New Mexico statutes offer little on this subject other than to declare that dogs are personal property. NMSA, 1978 77-1-1 However, the N.M. Supreme Court defined pet, in part, quoting from the Oxford English Dictionary, "... as a domestic or tamed animal kept for companionship or pleasure." Adding, "[t]he definitions do not state that pets cannot also have utility... [and] also kept as a source of companionship or pleasure can be a pet." *Eldorado Cmty. Improvement Ass'n, Inc. v. Billings*, 374 P.3d 737 (N.M. App., 2016). Or more simply: a pet can not only offer companionship or pleasure, they can also be kept to provide useful services (utility) that benefit the owner. This opens up a can of worms (pun intended).

This two-fold definition of a pet is sweeping if you define the following terms: "domestic or tamed animal" and "utility."

- A domestic animal is any animal that has undergone a change at the genetic level due to selective breeding to better suit a human interest. <https://pethelpful.com/exotic-pets/wild-domesticated-animals>
- Whereas, a tame animal has been behaviorally modified to interact with humans and still be controlled by humans. But these animals are still wild. <https://virily.com/animals/the-difference-between-domesticated-tamed-and-wild-animals/>
- Lastly, a pet can have "utility" in that it can be "useful, profitable, or beneficial... especially through being able to perform several functions... functional." <https://www.google.com/search?q=unity+definition>

Taken as a whole, the combined definition of a pet could easily be:

*Any domesticated (the list is long) or tame animal that provides comfort or pleasure or helps its owner.* It's noteworthy that most of the animals listed in question 14 are domesticated.

### Considerations

- Whatever the Council's decision on this issue, it will no doubt be contentious. At the very least, a decision must be:  
Fully supported in law;  
Beneficial to the most while burdening the least; and  
Enforceable.



- Concerning smaller animals such as rabbits, ferrets and the like, possibly even small “harmless” reptiles... reasonably, the type of pet or animal a homeowner chooses to own within the privacy and confines of their physical abode or dwelling is beyond the legal authority of a municipality so long as such ownership does not infringe upon the right of others.
- A cursory review of the legal literature suggests that livestock are not pets (you don’t eat your pets), and in most municipalities, ownership of livestock is well regulated. In Rio Rancho “[y]ou cannot own domestic livestock, unless your property is zoned for it. This includes farm animals (horses, pigs, goats, sheep, cows), fowl (ducks, chickens, geese, peacocks).”
- If you consider lot size as a qualifier in owning farm animals, the measurable qualifying “lot size” should be the actual enclosure or corral for the animal(s) and not the legal property description/size.
- So much of this issue centers on whether Rio Communities should be considered a rural or suburban residential community, and lot size is integral to this discussion.
- Each of us should have free and unfettered enjoyment of our property, so long as our actions do not infringe upon others, and the rights we expect from others we should likewise return to them.
- According to a 2015 Gallup poll, 80% of Americans believe the welfare of farm animals is important, and 50% believe that farm animals deserve the same considerations as pets.  
<https://www.faunalytics.org>

Finally, one comment to a letter we received attached to a survey. It is particular and remarkable in its scope and detail. Hopefully, without offending the author, his main point is:

All reasonable “common sense” animals are allowed so long as they are treated humanely (100%), and strict sanitary conditions are maintained (100%). Here the term humanely is meant to encompass a range of objectifiers: adequate and proper room (lot size), exercise, shelter, protection, and the animal’s health and wellbeing. This is a high bar, and enforcement is an unknown variable in whatever direction the council takes. As another resident remarked... “all animals should be allowed until they become a nuisance.”

City of Rio Communities: Allowable Businesses & Services by Zone	Key:											
	Permitted Use (P)				Conditional Use (C)				Special Use (S)			
BUSINESS/SERVICE BY TYPE	ZONE CLASSIFICATION											
	R-1	R-2	MH-1	MH-2	P/R	C-1	C-2	C-3	I-1	I-2	I-3	PD
Accessory Building (Storage)	P	P	P	P	P	P	P	P	P	P	P	P
Adult Entertainment								C				
Airport												
Amusement Park							C					
Animal Hospital & Clinic							P					
Apartments (≤16 Units)		P					P	P				
Asphalt Batch Plant											S	
Athletic Club (Gym)		S										
Auditoriums								P				
Auto Sales, Service & Repair								P				
Auto Parts Store												
Auto Parking Lot							P					
Auto (Car) Wash						S	C					
Auto Wrecking (Junk) Yard											C	
Auto Equipment & Rental								P				
Auto Body & Repair								P				
Aviation Facility												
Bakery						P						
Ballfields	P	P										
Banks & Financial Institutions							P					
Bank Drive-up Windows							C					
Bathhouse		S										
Bed & Breakfast Inn	S	P										
Bicycle & Pedestrian Paths					P							
Boarding House		P										
Boat Storage, Sales & Service							P					
Body Art (Tattoo Parlor)								C				

	R-1	R-2	MH-1	MH-2	P/R	C-1	C-2	C-3	I-1	I-2	I-3	PD
Bookstore						P						
Bowling Alley							C					
Bus Terminal & Freight								P				
Butcher						P						
Cannabis: Medical												
Cannabis: Recreation												
Catering Services						P						
Child Care Center	S	P				C	C					
Chiropractic Clinic		P				P						
Christmas Tree Sales						C	C					
Church (Occupancy >9)		P				C	C					
Clinics: Medical or Dental		P				P						
Clothing & Apparel Store							P					
Club (Private Residents only)		C				P						
Cluster Home		P										
Columbarium (Cremation urns)							P					
Communication Tower							P		P	P		
Commercial Sand & Gravel Yard											S	
Community Building	S	S				P					P	
Community Center												
Concrete Read-Mix Plant									P	P		
Condominium (≤16 Units)												
Construction/Contractor's Office												
Construction/Contractor's Yard								P				
Convalescent Center		S					P					
Convenience Store (≤1000 sq ft)		C				P						
Convenience Store (≤2000 sq ft)		C				P						
Convenience Store (≤3000 sq ft)	S	S				P						
Convention or Exhibition Hall							P					
Correctional Facilities									S	S		
Country Club		P										
Courts (Tennis or other)	P	P										
Custom Manufacturing												

	R-1	R-2	MH-1	MH-2	P/R	C-1	C-2	C-3	I-1	I-2	I-3	PD
Dance Hall							P					
Daycare Center (≤6 children)		C										
Department Store							P					
Drainage & Greenbelt					P							
Driving Range					P							
Drive-in Theater							C	P				
Dry Cleaning Store								P				
Electrical Shop/Contractor									P	P		
Fabrication (Sheet Metal) Shop							S	P				
Farm/Ranch Supplies								P				
Fast Food & Drive-ins							P					
Feed, Grain,& Seed Processing											P	
Festivals (Seasonal)		C										
Fireworks Sales						C	C					
Firewood Sales (<5 cords)							C					
Firewood Sales (>5 cords)								P				
Flea Market							S					
Food Service (Restaurant)						P						
Freight Warehouse or Dock									P	P		
Frozen Food Locker/Warehouse							P					
Funeral Home (Mortuary)							P					
Furniture Assembly & Sales							C					
Furniture & Home Items Sales							P					
Game Room (Private)		C										
Garage/Yard Sales (4 per year)	P	P	P									
Gas Pumps (Convenience Store)		S				S						
Gas Station							P					
General Professional Office/Service						P						
Glass Cutting & Service							P					
Golf Course		S			P							
Golf Course (Miniature)							C					
Green House-Commercial					P	P						
Green House-Residential	P	P	P									

	R-1	R-2	MH-1	MH-2	P/R	C-1	C-2	C-3	I-1	I-2	I-3	PD
Grocery Store (<3,000 SF)		S										
Grocery Store (>3,000 SF)												
Group Home	P	P	P									
Gymnasium							P					
Hair & Body Salon	S	C	S			P						
Halfway House		S				S						
Hardware Store												
Heavy Equipment Repair/Service								P				
Heavy Manufacturing											P	
Historical, Archeological Sites					P							
Home Appliance sales & Service							P					
Homeless Transit Shelter												
Hospital & Clinic						S	P					
Hotel & Motel							P					
Institution (Public or Private)						S	P					
Insulation Shop								P				
Insurance Agency							P					
Jewelry (Light Manufacturing)							P					
Jewelry Store							P					
Junk Yard												
Kennel (Hobby)	P		P									
Kennel (Commercial)								P				
Laboratory							P					
Laundromat												
Law Office							P					
Lessons (Art, Music, Dance, etc.)							P					
Library						P						
Light Manufacturing									S	S		
Liquor (Package) Store						S						
Liquor (Tavern/Package) Store							P					
Lodge (Private/B&B)		C				P						
Lumber & Construction Sales							P					
Manufacture Clay/Cement Products											P	

	R-1	R-2	MH-1	MH-2	P/R	C-1	C-2	C-3	I-1	I-2	I-3	PD
Manufacture Consumer Goods									P	P		
Manufacture Lumber Products											S	
Meat Packing (No slaughtering)											P	
Meat Shop or Market						P						
Medical Center							P					
Metal/Scrap Recycling								S				
Microwave/Radio Tower							P		P	P		
Mining/Mineral Excavation Office									P	P		
Motion Picture Theater							P					
Motorcycle Sales & Service							P					
Motor Freight Terminal									P	P		
Music Academy							P					
Newspaper Publishing & Distribution						P	P					
Nursery (Plants, Trees & Shrubs)		P	S			C	C					
Nursing Home		S					P					
Packaging (Food & Sundry Products)									P	P		
Paint Store/Sales							P					
Paint Shop (Mixing & Application)									C	C	C	
Park (City Owned & Non-Profit)		C	P		P							
Parking Garage							P					
Petroleum or Natural Gas Plant											P	
Pet Shop & Grooming							P					
Pharmacy						P	P					
Photographic Studio							P					
Physician's Office							P					
Plastic Injection Molding												
Playgrounds & Play Fields	P	P			P		P					
Plumbing & HVAC Services								P				
Poolhall & Billiards							P					
Post Office						P						
Printing & Publishing							P					
Process Plant (Food, Bakery & Candy)									P	P		
Professional Offices		S										

	R-1	R-2	MH-1	MH-2	P/R	C-1	C-2	C-3	I-1	I-2	I-3	PD
Public Facilities					P						P	
Radio/TV Broadcasting Studio							P					
Racetrack (Motor Speedway)									S	S		
Railroad Facility												
Real Estate						P						
Recycling Center							P					
Rehabilitation Center		S										
Restaurant												
Retail Store												
Retirement Home		S					P					
Roofing & Sheetmetal Office (only)							P					
Roofing & Sheetmetal Officer & Shop								P				
School: Public	S	S	S			S	C					
School: Private	S	S	S			S	C					
School: University/College	S	S	S			S	C					
School: Junior Collage	S	S	S			S	C					
School: Parochial	S	S	S			S	C					
School: Vocational	S	S	S			S	C					
Shopping Center <2 Acres						C	C					
Shopping Center >2 Acres & <5 Acres						S	C					
Showroom and Sales							P					
Skating/Hockey Rink							P					
Skateboard Park					P							
Small Business/Service						P						
Smoke Shop						P						
Spa (Full range of body treatments)							P					
Sporting Goods Store							P					
Stables-Commercial												
Stationary & Business Products						P						
Steam Cleaning Service							P					
Stockyard												
Storage (Vehicles, RVs & Boats)	P	P	P									
Storage (Vehicle/Junk Yards)									S	S		

	R-1	R-2	MH-1	MH-2	P/R	C-1	C-2	C-3	I-1	I-2	I-3	PD
Storage: Exterior Commercial						C			C	C	C	
Storage: Interior Commercial									P	P		
Storage: Rented Units							C					
Swimming Pools (Public & Private)	P	P	P			C	C					
Tailor, Clothier, Haberdasher							P					
Tavern (Bar, Cocktail Lounge							P					
Taxicab (Uber, Shuttle, Chauffeur)								P				
Telegraph and Messenger Service							P					
Telephone Exchange Station							P					
Tire Sales & Service							P					
Title and Abstracting Service							P					
Towers: Communication (Commercial)							P		P	P		
Tower: Radio (Residential)	P	P	P									
Tower: Television (Residential)	P	P	P									
Trails/Paths					P							
Transfer Station												
Travel Agency							P					
Truck Terminal												
Upholstery Shop							P					
Variety Store							P					
Vehicle Dismantling Yard												
Warehouse & Storage							P					
Wholesale Distribution Warehouse								S	P	P		
Watch, Clock Sales & Service							P					
Welding Shop							C	P				
Yard/garage Sales (4 per year)	P	P	P									



