



**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**  
**Agenda**

*Please silence all electronic devices.*

**ATTENTION:** In an abundance of caution, due to a COVID issue the Planning and Zoning on Thursday February 3, 2022 may be virtual and/or limited to in-person attendance by the Commission, Administrative Staff, City Attorney, and credentialed members of the press. you can 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 December 16, 2021 and January 6, 2022**

**Actions Items**

- 2. Discussion, Consideration, and Decision – Accessory Building Setbacks**
- 3. Discussion, Consideration, and Decision – Peddler's Permit**
- 4. Discussion, Consideration, and Decision – Planning and Zoning 2022 Meeting Schedule**

**Public Comment:** The Commission will take public comments. These should be in written form via email through 4:45 PM on Thursday February 3, 2022 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:** Please contact the deputy clerk for a **virtual link**. The Commission will allow each member of the public three (3) minutes to address the Commission. Both the public and 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.

**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, December 16, 2021 5:30 PM**  
**Minutes**

*Please silence all electronic devices.*

### **Call to Order**

- Chairman Thomas Scroggins called the meeting to order at 5:35 pm.

### **Pledge of Allegiance**

- Vice-chair John Thompson led the Pledge of Allegiance.

### **Roll Call**

- Present: Chairman Thomas Scroggins, Vice-chair John Thompson, Secretary Scott Adair, and Mr. Lawrence Gordon
- Absent: Mr. L. E. Rubin
- Present: Deputy Clerk Amy L. Lopez

### **Approval of Agenda for December 16, 2021**

- Secretary Scott Adair made a motion to approve the agenda for December 16, 2021. The motion was second by Mr. Lawrence Gordon. Vote: Chairman Tom Scroggins- yes; Vice-chair John Thompson – yes; Secretary Scott Adair- yes; Mr. Lawrence Gordon. With a 4-0 vote the agenda for the December 16, 2021, Planning and Zoning Meeting was approved as written.
- Vice-chair Thompson asked if the Peddler's Permit would be something Planning and Zoning would handle.
- Chair Scroggins explained most ordinances originate in Planning and Zoning and then send recommendations to Council and began a discussion.

### **Approval of Minutes for December 2, 2021:**

- Secretary Adair made a motion to approve the December 2, 2021, Meeting Minutes as written. The motion was seconded by Vice-chair John Thompson. Vote: Chairman Tom Scroggins- yes; Vice-chair John Thompson – yes; Secretary Scott Adair- yes; Mr. Lawrence Gordon – yes; Mr. L. E. Rubin- yes. With a 4-0 vote the minutes from December 2, 2021, was approved as written.

### **Discussion, Consideration, and Decision – Accessory Building Setbacks**

- Vice-chair Thompson explained the Commission is waiting on the Fire Chief to provide some information regarding accessory building setbacks and suggested to leave it on the agenda for the next meeting.
- Commissioners agreed to add it to the next agenda for the January 6, 2022 meeting.

### **Discussion, Consideration, and Decision – Zoning Grid**

- Chair Scroggins asked Secretary Adair if any changes had been made since it was last discussed.

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- Secretary Adair explained there have been no changes and we were waiting on the City Manager to provide some definitions. He then said there was some more work to be done with wording and continued the discussion.
- Vice-chair Thompson suggested moving it to a future meeting.
- Mr. Gordon suggested working on the definitions.
- Vice-chair Thompson suggested working on the definition for transfer station and explained there are many types of transfer stations and began a discussion.
- Mr. Gordon explained an electric station could be electric, bus or train, or garbage and we would need to differentiate those and continued the discussion.
- Vice-chair Thompson suggested holding off on the rest of the definitions.
- Chair Scroggins suggested coming into the next meeting with the definitions.
- Commissioners agreed to add it to the next agenda for the January 6, 2022 meeting.

#### **Discussion, Consideration, and Decision – Peddler’s Permit**

- Mr. Gordon asked if there was a form for what we have already.
- Chair Scroggins explained the City does not currently have one, but we are getting complaints about door-to-door salesmen and have been asked to consider having a permit to be able to do so. He then said there needs to be a clear definition of who is a peddler and began a discussion.
- Vice-chair Thompson began a discussion regarding the need to ensure peddlers are from a legitimate company because of fraud and began a discussion.
- Mr. Gordon said a peddler’s permit would help cut down on fraudulent companies and continued the discussion.
- Chair Thompson said we should come to the next meeting with examples and began a discussion.
- Vice-chair Thompson gave an example of who would be consider a peddler and explained there is no fee for a peddler’s permit in California. He then suggested continuing the discussion at the next meeting and began a discussion.

#### **Public Comments**

- There were no public comments.

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

- Vice-chair Thompson asked if we should consider food truck permits while we are considering peddler permits.
- Deputy Clerk Lopez explained the City does have food truck permits.
- Chair Scroggins thanked Mr. Gordon for being a member of the Commission. He then explained Mr. Rubin is in the hospital and is not sure how long he will be in there.
- Mr. Gordon asked the City Manager how large the City could grow to, because there is nothing in the comprehensive plan regarding education and there needs to be.
- Mr. Gordon said it has been a pleasure to be part of the Commission for the past four and a half years and thanked the Commissioners. A discussion began.
- Vice-chair Thompson suggested having a Christmas decorating contest in the future and began a discussion.

**Adjourn**

- Mr. Gordon motioned to adjourn and carry the neighborhood plan to the next agenda. Secretary Adair second the motion and the meeting adjourned at 7:38 p.m. with a 4-0 vote.

Respectfully submitted,

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Amy L. Lopez, Deputy Clerk

Approved:

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Thomas Scroggins, Chairman

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John Thompson, Vice-Chairman

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Scott Adair, Secretary

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Lawrence Gordon

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

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



**City of Rio Communities Planning and Zoning Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Thursday, January 6, 2022 5:30 PM**  
**Minutes**

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### **Call to Order**

- Chairman Thomas Scroggins called the meeting to order at 5:35 pm.

### **Pledge of Allegiance**

- Vice-chair John Thompson led the Pledge of Allegiance.

### **Roll Call**

- Present: Chairman Thomas Scroggins, Vice-chair John Thompson, and Secretary Scott Adair
- Absent: Mr. L. E. Rubin
- Present: Municipal Clerk Adair

### **Approval of Agenda for January 26, 2021**

- Vice-chair John Thompson made a motion to move Public Comments to the beginning of the meeting to be the first action item to allow the guests to speak. The motion was seconded by Secretary Scott Adair. Vote: Chairman Tom Scroggins- yes; Vice-chair John Thompson – yes; Secretary Scott Adair- yes. With a 3-0 vote the agenda for the January 6, 2021, Planning and Zoning Meeting was approved as amended.

### **Approval of Minutes for December 16, 2021:**

- There were no minutes for approval.

### **Discussion, Consideration, and Decision – Accessory Building Setbacks**

- Chair Scroggins began a discussion regarding setbacks.
- Manager Dr. Moore said the State Fire Marshall will be coming down to give us information on a variety of issues and he will know more about that soon.
- Vice-chair Thompson mentioned the fire hydrant that cannot be opened because a fence was built too close.
- A discussion began regarding the walk through with the Fire Marshall on January 18<sup>th</sup> and possibly moving the meeting date.
- Vice-chair Thompson asked about what is happening with the property that is on the corner of Rio Communities Blvd and River Road.
- Manager Dr. Moore explained we are waiting for testing on the water quality of that property before anything can be done and continued the discussion.
- Chair Scroggins asked what the public hearing is about that is scheduled for the next meeting.
- Municipal Clerk Adair explained the hearing is regarding combining three lots of unequal size and divide it into two equally sized properties and began a discussion regarding advertising for that meeting.

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### **Discussion, Consideration, and Decision – Zoning Grid**

- The zoning grid will be moved to the next meeting.

### **Discussion, Consideration, and Decision – Peddler's Permit**

- Vice-chair Thompson said that by City Ordinance, under business licenses, so there is no need for a peddler's permit if all businesses are required to have licenses. He then said people would just need to ask for the license from peddlers.
- Municipal Clerk Adair explained we would need to let residents know they can and should ask the peddler for their license. She then explained it is a little different for girl scout cookies and things like that.
- Vice-chair Thompson said there should not need to be any more discussion about a peddlers permit and continued the discussion.

### **Public Comments**

- City Manager Dr. Moore introduced Sandy Pofahl, a landowner and potential home builder wanting to build many homes off of the Manzano Expressway and explained the zoning will need to be changed from future development to R-1 and some commercial use.
- Mr. Pofahl began a presentation, explaining the purchase of 51 acres total, with most of the land being used for 234 homes, including a 2.5-acre park, and also 9.6 acres for retail/commercial use and continued the discussion.
- Mr. Pofahl explained the land is located across from the Presbyterian church on Manzano Expressway and continued up to within 550 feet of La Merced. He continued to explain he has talked to Bobby with the water department regarding water and sewer and asked the Commissioners if they had any questions.
- Mr. Pofahl explained he is having a topographic map being done by drone and have found the land is very flat and began a discussion regarding utilities.
- Mr. Pofahl said there were several places the subdivision would be able to connect to the sewer and the best connection seems like it would be near the school.
- Chair Scroggins expressed concern regarding sewer capacity.
- Mr. Pofahl said New Mexico Water Service had explained there is enough capacity to support the subdivision.
- Manager Dr. Moore explained after speaking with New Mexico Water Service they have the capacity for these new homes, but that would put them near the 75% capacity that would require them to start needing to expand the sewer plant. He then said once we surpass the 500 homes they can support, then something will have to be done to expand the sewer capacity and continued the discussion.
- Mr. Pofahl said as key points come up in the development of the subdivision, we will work with you to have some sort of presentation to show interested in Rio Communities to help promote the city and began a discussion.
- Secretary Adair asked about renewable energy and energy efficiency within the new subdivision.
- Mr. Pofahl said those things would be up to the builders of the homes, but he can request that the builders do everything they can to make the homes energy efficient and continued the discussion.
- The presentation on the proposed subdivision continued.

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- Vice-chair Thompson asked about the portion set aside for commercial and if the homes will be multi-story.
- Mr. Pofahl said the retail/commercial property will most likely be built out after the homes go in and the homes will mostly be single story.
- A discussion began regarding pricing and home size.
- A discussion began regarding placing homes on sewer that are on septic and expanding sewer capability.

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

- There was no discussion.

#### **Adjourn**

- Vice-Chair Thompson motioned to adjourn and carry the neighborhood plan to the next agenda. Secretary Adair second the motion and the meeting adjourned at 7:55 p.m. with a 3-0 vote.

Respectfully submitted,

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Amy L. Lopez, Deputy Clerk

Approved:

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Thomas Scroggins, Chairman

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John Thompson, Vice-Chairman

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Scott Adair, Secretary

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L.E. Rubin

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

DRAFT

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