



**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**  
**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 Planning and Zoning Meeting. We encourage you to participate in the Workshop 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**

**For December 2, 2021**

**Actions Items**

1. **Discussion, Consideration, and Decision – Accessory Building Setbacks**
2. **Discussion, Consideration, and Decision – Zoning Grid**
3. **Discussion, Consideration, and Decision – Peddler's Permit**

**Public Comment:** The Commission will take public comments. These should be in written form via email through 4:45 PM on Thursday December 16, 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.

**Commission Discussion/Future Agenda Items**

**Adjourn**

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

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**City of Rio Communities Planning and Zoning Meeting**  
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**Rio Communities, NM 87002**  
**Thursday, December 2, 2021 5:30 PM**  
**Minutes**

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### **Call to Order**

- Chairman Thomas Scroggins called the meeting to order at 5:31 pm.

### **Pledge of Allegiance**

- Mr. Lawrence Gordon led the Pledge of Allegiance.

### **Roll Call**

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

### **Approval of Agenda for December 2, 2021**

- Secretary Scott Adair made a motion to approve the agenda for December 2, 2021. The motion was second by Vice-chair John Thompson. Vote: Chairman Tom Scroggins- yes; Vice-chair John Thompson – yes; Secretary Scott Adair- yes; Mr. Lawrence Gordon; Mr. L. E. Rubin- yes. With a 5-0 vote the agenda for the December 2, 2021, Planning and Zoning Meeting was approved as written.

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

- Mr. Lawrence Gordon made a motion to approve the November 18, 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 5-0 vote the minutes from November 18, 2021, was approved as written.

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

- Vice-Chair Thompson said he believes Secretary Adair did a great job and it is ready to go to Council and began a discussion.
- Vice-chair made a motion to pass the Animal Survey on to City Council and ask them what they need to do next. Mr. Gordon seconded the motion. 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 5-0 vote the motion to send the survey to Council and ask for direction was approved.

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

- Manager Dr. Moore said he has spoken with the Fire Chief, and he has requested standards from the Fire Marshall and has not received them and

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- Vice-chair Thompson made a motion to continue the discussion of accessory building setback to the next meeting. Secretary Adair second the motion. 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 5-0 vote to continue the discussion at the December 16<sup>th</sup> meeting was approved.

### **Discussion –Zoning Grid**

- Vice-chair Thompson explained he has been thinking about what permits are required when it comes to the construction or renovation of a building.
- Secretary Adair explained there might be times when a special use permit might need to be required, but for the most part a building permit is only required for new construction. He then explained the zoning grid will be to give a quick aide to look up what is permitted in specific areas and continued the discussion.
- Vice-chair Thompson said this is a long document, pointed out some changes needing to be made on Section 4-3-5, and said he feels they will need some time to dissect. He then said he believes Economic Development should be included because it might affect them and began a discussion.
- Secretary Adair said if we can modify the zoning grid to make sense, such as having more than one zone that a bakery can be in, and each type of zone should have an easy-to-understand paragraph summary.
- Chair Scroggins said we need to be clear what is permitted so that people can easily understand what is required and continued the discussion.
- Vice-chair Thompson said some things might require a permit, things that might be hazardous and create a problem for the fire department and began a discussion.
- Chair Scroggins began a discussion regarding industrial zones.
- Chair Scroggins said it is hard to tell the difference between C-1, C-2, C-3, I-1 and I-2
- Manager Dr. Moore said he would be willing to bring examples of definitions from other places at the next meeting.
- Vice-chair Thompson said we really need to eliminate ambiguity and suggested passing it on to the EDC once P&Z looks it over and continued the discussion.
- Chair Scroggins said Economic Development could explain the definition of the zones.
- Secretary Adair said they are already defined and continued the discussion.
- Chair Scroggins asked if the descriptions of the city are clear compared to other cities.
- Manager Dr, Moore said they are not as clear as they should be, but they could most likely be defended in court, but the ordinance should be clearer so that it will without a doubt be defensible in court. The discussion continued.
- Chair Scroggins said if there is ever a time where conditional use permit is required, they would have to come before the commission anyway.
- Manager Dr. Moore said if it is not clearly zoned for a specific type of use, they must come before the commission. He explained the grid was just to make it easy to figure out what is permitted in a specific zone and because the grid did not exist before the ordinance was written, it would have to be added to the ordinance and continued the discussion.
- Chair Scroggins began a discussion regarding codification of the zoning ordinance.

- Manager Dr. Moore said that by adding the zoning grid to the zoning ordinance it would become a legal document and began a discussion.
- A discussion began regarding hotels, motels, and bed and breakfasts.
- Vice-chair Thompson asked if a P means it is permitted and a C or and S would mean they would need a Conditional or Special Use Permit.
- Manager Dr. Moore said if something is not permitted in an area, it needs to be spelled out clearly and continued the discussion.
- Chair Scroggins began a discussion regarding planned development zoning.
- Manager Dr. Moore said he recommended having clear definitions that would be added to the zoning ordinance so that everything is consistent across the board and began a discussion.
- Chair Scroggins said going through the zoning grid page by page and look for problems and began a discussion.
- Chair Scroggins said he believes a finished product could be produced within a month or two.
- Vice-chair Thompson disagreed and began a discussion.
- Commissioners decided the zoning grid would be added to the agenda for the next meeting.

### **Public Comments**

- Mr. Westmoreland said he thinks when the comprehensive plan is going to be rewritten, public safety should be number one. He then explained Belen has a new subdivision going in and it is beautiful but explained their Future Land Use Management map that showed outside the city-limits that connected to the City. He then said that is something that will come up for Rio Communities and began a discussion.
- Mr. Westmoreland said last week in Los Lunas a woman asked for a peddler's permit and felt Rio Communities needs to have one as a deterrent to crime. He then said he still wants his questions about right-of-way's and asked what lands the city is trying to acquire.
- Manager Dr. Moore explained we are trying to acquire land considered open space and continued the discussion.
- Mr. Westmoreland asked if property owners were responsible to the edge of the road.
- Manager Dr. Moore explained yes, you clean to the curb and if you are on an alley, you cleaned to halfway through the alley.
- Mr. Westmoreland said he would like to see a five-year plan and asked how long it will take.
- Vice-chair Thompson said we have requested guidance from Council and go from there.
- Chair Scroggins thanked Mr. Westmoreland for taking the time to look into his concerns and trying to help.
- Mr. Westmoreland said a big issue is code enforcement and continued the discussion.

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

- Vice-chair Thompson said the next agenda items would include peddler's permit and zoning grid.
- Mr. Gordon asked about the hole on Chamartín.
- Manager Dr. Moore said we are waiting for a DUNS number to be able to get the federal money, the engineering is done, and everything is done on our side. He then explained the process of the actual construction.

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- Mr. Gordon asked if the plans for the construction will consider the future development of that road.
- Manager Dr. Moore said yes and continued the discussion.
- Manager Dr. Moore explained the three types of compliance issues and how the City is restructuring those issues by having the fire fighters designating for writing up violations regarding fire, we are sending out a letter to every resident, owner of every empty lot to thank them for keeping their lots clean, or a letter of notice to clean up their lot with a certain number of days, and we will be working with people that are not able to. He then said we will work with people who are diligently to clean up and will be writing citations to those who are not complying. He explained we want to work with the residents, but they must reciprocate; we are going to try to make sure we have the proper people responding to the different type of violations. The discussion continued.
- Mr. Gordon asked if the Code Enforcer job description was posted.
- Manager Dr. Moore said yes.
- Vice-chair Thompson said the brown building by the river is coming down and asked if the building next to it was coming down as well.
- Manager Dr. Moore said we are currently talking to the property owner, there are some unique issues with the property, but it is not something that would be eligible for abatement.
- Vice-chair Thompson asked if that area could be zoned as a park and began a discussion.
- Mr. Gordon said we would not be able to do anything with that property without having completed a water sample.
- Manager Dr. Moore said that is not necessarily true and began a discussion.
- Chair Scroggins said changing zoning on that property might create a lawsuit and continued the discussion.
- Vice-chair Thompson asked if Del Fuego Park was ever zoned R-2.
- Manager Dr. Moore said I believe its zoned open space 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 7:05 p.m. with a 5-0 vote.

Respectfully submitted,

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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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