



**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 explained the information he received from the Fire Chief on the accessory building setbacks for fire safety for separation of housing, including the 10-foot setback between buildings as well as a 5-foot separation for a generator. He continued to explain the Chief has yet to find anything about the standard fence recommendations but is still looking for an answer.
- Vice-chairman Thompson asked if a cinder block fence would be considered fire rated.
- Manager Dr. Moore said there were 2 questions related to RV storage and corals/stables which are some types of problems we are having right now.
- Vice-chairman Thompson stated the Dr. Moore provided we should be written into an ordinance and continued the discussion.
- Mr. Rubin stated concrete fences on Nancy Lopez are being built along the side of the water pipes, meaning if there are any problems with water pipes, they will have to tear down the fences. He then suggested having something that states fences cannot be next to water pipes.
- 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 there can be a case-by-case assessment that would take place to approve or disapprove their exemption as conditional or special use.
- Manager Dr. Moore said this is a really good question even for permit usage.
- Chairman Scroggins said he thinks it is important to keep the 5' easement clear for utilities and began 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 might include the number of accessory buildings allowed.
- Chairman Scroggins said that information would help us to use lot size to determine what would be allowing in a particular zone and continued the discussion.
- Secretary Adair asked do we combined the percentage and the 5% to 10% setbacks and began a discussion.
- Vice-chairman Thompson said the State has been issuing building permits that are going around the City and we were talking about how we can stop then 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 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 this issue needs to be addressed and suggested it 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 necklace badge or travel size of some sort and began 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 the need for 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 and began a discussion.

### **Planning and Zoning 2022 Meeting Schedule**

- Chairman Scroggins said he does not think this will work due to new people applying for the Commission.
- Manager Dr. Moore said as long as you have a quorum you may move the time, and then explained we will be speaking with Council about the 3 applicants on February 14<sup>th</sup>.

- 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. He then asked if the Commission would be willing to meet on the 24th instead so we can have more time to advertise for the hearings.
- 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 asked if Manager Dr. Moore was proposing to have the meeting on the 17<sup>th</sup> moved to the 24<sup>th</sup> of February.
- Mr. Rubin said he would have no problem on the 24<sup>th</sup> if we keep the same time.
- Manager Dr. Moore said yes, we can keep the meeting at the same time and began a discussion.
- Vice-chairman Thompson said the 24th is fine, he is flexible and supports any decision that will be made, and 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 is decided.
- Motion made by Vice Chairman Thompson to move the meeting from the 17<sup>th</sup> to the 24<sup>th</sup> of February. 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 regarding the applicants for Planning and Zoning or if the Mayor has any more applicants.
- Manager Dr. Moore explained there are 3 applicants and will be talked about in the Council meeting on the 14<sup>th</sup>.

#### **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

DRAFT