



**City of Rio Communities Planning and Zoning Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Thursday, August 18, 2022 4:00 PM**  
**Minutes**

*Please silence all electronic devices.*

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**Call to Order**

- Chairman Thomas Scroggins called the planning and zoning meeting to order at 4:08 pm.

**Pledge of Allegiance**

- Chairman Thomas Scroggins led the Pledge of Allegiance.

**Roll Call**

- PRESENT: Chair Thomas Scroggins, Secretary Melodie Good, Member Scott Adair.  
ABSENT: Vice Chair Ralph Fernandez, Member L.E Rubin.
  - Present: Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair.

**Approval of Agenda**

- Motion made by Member Adair to approve the agenda. Seconded by Secretary Good. With a unanimous vote the agenda was approved for the planning and zoning meeting as presented.

**Approval of Minutes for June 23, 2022, July 7, 2022 & July 21, 2022**

- Motion made by Secretary Good to approve the minutes as stated above. Seconded by Member Adair. With a unanimous vote the minutes for June 23, July 7 and July 21, 2022, were approved as written.

**LEAF & Flower Special Use Permit (recommendation to move to Council)**

- Chairman Scroggins explained that Attorney DeFillippo and Manager Dr. Moore will be explaining more about the special use permit.
- Attorney DeFillippo explained this is the first cannabis permit brought before the commission as well as the city. He continued by saying Dr. Moore had his team review the planning and zoning ordinance for special use permit as well as the 2-year cannabis ordinance that is currently in place with the city. He then gave the commission a final conclusion that was drafted by staff to help look at applications as well as the other requirements needed. He went on by saying there are requirements in regards to the cannabis ordinance which is, time, place, and manner and further said this application in question it certainly meets all the ordinance requirements.
- Secretary Good asked if there was there ample parking space in that area.
- Attorney DeFillippo said according to the application it identifies 10 to 15 parking spaces which meet the requirements.
- Chairman Scroggins asked Manger Dr. Moore if the gentlemen who is doing ionized water still in business.
- Manager Dr. Moore said he believes he is and continued with the discussion.
- Manager Dr. Moore explained that he and the attorney talked this morning, and they were positive on the findings and as far as comments he has not received comments from the public in any direction or origin. He continued to say the next step is notification of surrounding

property owners prior to the city councils public hearing as well as general public notification of the hearing.

- Chairman Scroggins asked if this is a proposed recommendation for the city.
- Manager Dr. Moore said with reviewing this with the Assistant to the City Manager, since we don't have a formal planning director, we did a thorough review of the application and continued the discussion.
- Secretary Good asked about number 6 in the ordinances, is this another operation in Rio Communities or is this in Belen.
- Attorney DeFilippo explained that the nearest cannabis is located in Belen.
- Member Adair asked what the hours are.
- Francine Gabaldon from Leaf & Flower explained that her and her sister have been licensed with the State for medical usage and all the stores they have are opened from 10am to 7pm every day and explained the process of the regulations and licenses as well as gave detail about how long her and her sister have been in the business.
- Member Adair asked if there was military or senior discounts.
- Mrs. Gabaldon replied yes we do, we have senior Sundays which are 15% off and military get 15% off all the time.
- Member Adair asked if they were planning on interior remodels or alterations.
- Mrs. Gabaldon replied they will be installing security shutters on the entrance and windows as well as security cameras that cover every inch of the location that is backed up by a DVR that holds 90 days of footage.
- Chairman Scroggins asked if they are going to handle cookies, brownies and things like that.
- Mrs. Gabaldon explained they do not manufacture them due to not having the license to do so but its easier to get a manufacturing license to do so.
- Secretary Good asked when do they anticipate in opening.
- Mrs. Gabaldon replied depending on the process of the hearing but if got the go ahead hoping to open by the end of the year.
- Member Adair asked in their growing do they use any type of energy efficient lighting.
- Mrs. Gabaldon replied we recently switched from high pressure sodium lights to LED and continued the discussion.
- Chairman Scroggins said this is a easy recommendation from us to council but we need a motion to approve and send to council.
- Motion made by Member Adair, Seconded by Secretary Good.  
Voting Yea: Chair Scroggins, Secretary Good, Member Adair. with a 3-0 vote the special permit has been approved to send to council.

### **Comprehensive Plan**

- Manager Dr. Moore asked to skip the section 5.4.2 being that we are working on this with the public safety task force and coming up with specific recommendations and began a discussion.
- Secretary Good asked if the economic development committee is meeting again.
- Manager Dr. Moore explained this is a task force but 2 members that are part on the EDC are participating in the task force as well.
- Chairman Scroggins asked for clarifications on exactly what they need to do.
- Manager Dr. Moore said you can leave it as is until you receive the recommendation.
- Commission began a discussion on Aesthetic Community.

- Chairman Scroggins said how far did we get on 3.08 which says, replacing all stop signs with standardized poles and highly reflective materials and continued with the discussion.
- Manager Dr. Moore said that's still something we need to do and have it part of the budget.
- Secretary Good asked about the 3.06 if it still exists which is a home maintenance program and continued the discussion.
- Manager Dr. Moore said somethings do step on the lines of anti-donations.
- Secretary Good said she doesn't think it should be in the plan at all.
- Secretary Good asked what about 3.05 which is develop and implement an abandoned building revitalization program.
- Manager Dr. Moore explained there are somethings we can do but as far as revitalizing unless it is city property then we cannot be involved.
- Chairman Scroggins asked about 3.02 which is clean up and asked if we still have the trash dumpsters outside.
- Manager Dr. Moore said yes, we still do.
- Secretary Good asked would we combined the clean up with highway beautification or leave them separate.
- Manager Dr. Moore said he believes they are separate.
- Chairman Scroggins said we should put in the newsletter awareness of the right-aways because it's not being enforced and continued with the discussion.
- Manager Dr. Moore said that is the reason it is not being enforced due to lack of knowledge.
- The commission questioned 3.11, they chose to strike this area out and stated the city doesn't have staff to reach this goal and continued the discussion.
- Member Adair asked if we can look at potential lots if someone would want to come out and takeover.
- Chairman Scroggins said maybe have an economic developer who can start a 501C.
- Municipal Clerk Adair said that might be considered moving into the diversity of the local economy and continued the discussion.
- Manager Dr. Moore said if the Water Conservation came up and asked us to do a community garden for the city then that's fine, but if the city must develop it then no.
- Chairman Scroggins said this is a good indication on the comprehensive plan of something do in the future.
- Secretary Good said she's not sure if they would ever want to establish this.
- Member Adair said it would be good if someone can't purchase produce at the grocery store, they can go to the garden instead.
- Secretary Good said maybe once the parks are developed then we can have this combined but as of right now I do not see this happening.
- Chairman Scroggins suggested revising 3.09 with partnering with Belen schools as well as UNMVC, to create a volunteer forced aid and cleanup along the highways. He continued by explaining more do with the UNMVC since they are adults but the public school we have is for young children and began a discussion.
- Municipal Clerk Adair said but you do have the kids from the community that go to the middle and high school and partnering up with the Belen Schools. She continued to say it shouldn't say just Belen Schools it should say Belen School District until Rio Communities gets their own district.
- Chairman Scroggins asked if that will be an insurance problem.

- Manager Dr. Moore said he strongly recommends creating public or private partnerships to volunteer with a cleanup program.
- Municipal Clerk Adair said we already have a community cleanup program but would that be the same thing.
- Manager Dr. Moore said no but could fall under that only this falls under creating public partnerships and would be a definite measurable objective.
- Member Adair said it would be public and private partnerships to create volunteer workforce.
- Chairman Scroggins said he thinks it would be wise to include churches and continued the discussion.
- Manager Dr. Moore said yes, as well as non-profits and someone in the neighborhood too.
- Member Adair asked if we have 4H or boy scouts/girl scouts in the area.
- Municipal Clerk Adair said yes but they do not have them in schools anymore. She continued by asking the commission what they would like to fix on the 3.09 section and continued the discussion.
- Manager Dr. Moore said we have drafts from the economic development task force but are not as clean and neat yet.
- Municipal Clerk Adair said 4.10 to 4.13 are all about LEDA and are in hopes to pass that next meeting.
- Secretary Good asked what does LEDA stand for.
- Municipal Clerk Adair said Local Economic Development Act.
- Manager Dr. Moore said they changed the laws about 3 years ago.

#### **Public Comment**

- A public comment from Facebook was from the cannabis special use permit part which says, “yes please open more money to be made, you know its true, let this place open money, money, money.”

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

- Manager Dr. Moore explained that the NMML will be in conference will be August 31<sup>st</sup>, September 1<sup>st</sup> and 2<sup>nd</sup> so the meeting will have to be canceled due to this unfortunately. He continued to let the commission know there is an item that needs to be discussed at the next meeting.
- Chairman Scroggins said the next meeting will be September 15<sup>th</sup>.
- Municipal Clerk Adair said with talking with the attorney, he is recommending a person from the commission be at the hearing.

#### **Adjourn**

- Motion made by Member Adair to adjourn. Seconded by Secretary Good. With a unanimous vote the planning and zoning meeting was adjourned at 5:30 pm.

Respectfully submitted,

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Elizabeth F. Adair, Municipal Clerk  
(Transcribed by Cheyenne Sullivan, Assistant Clerk)

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

Approved:

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Thomas Scroggins, Chairman

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Ralph Fernandez, Vice-Chairman

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Melodie Good, Secretary

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Scott Adair

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L.E. Rubin

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