

Planning and Zoning Commission Minutes
City Council Chambers Northside of City Hall
360 Rio Communities Blvd.
August 6, 2020

This meeting was streamed on Facebook Live
<https://www.facebook.com/riocommunities>

Call to Order

- Chairman Thomas Scroggins called to order the Planning and Zoning Commission meeting at 6:34 p.m.

Pledge of Allegiance

- Secretary Rubin led the Pledge of Allegiance.

Roll Call

- Present- Chairman Tom Scroggins, Secretary L. E. Rubin, Scott Adair, Lawrence Gordon, and Dennis Kintzler
- Absent- Vice-Chairman John Thompson
- Present- Deputy Clerk Amy Lopez

Approval of Agenda

- Secretary Rubin made the motion to approve the agenda for August 6, 2020. The motion was second by Scott Adair. Vote: Chairman Thomas Scroggins - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Dennis Kintzler - yes; Lawrence Gordon a - yes. With a 5-0 vote the agenda for the Planning and Zoning meeting was approved.

Approval of Meeting Minutes from July 16, 2020

- Secretary Rubin made the motion to approve the Meeting Minutes for July 16, 2020 as amended. The motion was second by Lawrence Gordon. Vote: Chairman Thomas Scroggins - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Dennis Kintzler - yes; Lawrence Gordon a - yes. With a 5-0 vote the agenda for the Planning and Zoning meeting was approved.

General Commission Discussion

- Tom Scroggins said our agenda tonight is largely due to the meeting we had with City Council; we received a letter about animal control, mainly discussing livestock, we also talked about registering vacant properties, and Councilor Winters asked us for a zone grid; there is a potential variance hearing coming up regarding an eight foot high fence.
- Lawrence Gordon said if the person is not asking for a variance then the homeowner should be taken to court and began a discussion.
- Scott Adair said we should not be involved in citations unless the homeowner does come to petition the commission for a variance.
- Tom Scroggins said he attended a virtual meeting yesterday with a woman named Ida from MRCOG, who spoke about having training for us, but wanted to discuss it with the commission; he further said training is important and asked when training should be.
- Scott Adair asked if the meeting would be here.
- Tom Scroggins said that it would most likely be virtual and began a discuss.
- Tom Scroggins asked the Commission what their thoughts we about training and began a discussion.

- L. E. Rubin thought it would be better just to have it on a separate Thursday, because the regular agendas keep them busy enough.
- Dennis Kintzler said we have a certain amount of liability to the community and if we have proper training we are less of a liability.
- Tom Scroggins said we all seem to agree to meet at another night and continued the discussion.
- Tom Scroggins said August 27, 2020 is the earliest we could start training and asked if a Thursday doesn't work is there another night of the week and began a discussion.
- Tom Scroggins said one of the main things for a P&Z to do is a comprehensive plan, keeping track of it and keeping it current, and believes the comprehensive plan should be reviewed; he will try to arrange the training with MRCOG and began a discussion.
- A discussion began about the City Council/P&Z joint meeting covering agenda items.
- Tom Scroggins asked when they would be able to meet with the Council again.
- Lawrence Gordon said a night meeting would be best.

Public Comment

- No public comment.

Animal Control

- Tom Scroggins read a letter from Arturo Sais about animal control in city-limits and explained the current animal control ordinance only deals with dogs and cats and not the other types of animals in the city and began a discussion.
- Scott Adair asked if we modify the ordinance, will those people with farm animals be grandfathered in and began a discussion.
- Scott Adair said we will have to address emotional support animals and began a discussion.
- Tom Scroggins said we will have to consider lot sizes and other things like if the animals are providing the food.
- L. E. Rubin said we were not grandfathered in with the trash ordinance, why would we have to grandfather in animals.
- Lawrence Gordon said that we can't tell people they can't have pets but might be able to tell them they cannot replace the animal once it is gone and began a discussion.
- Scott Adair said that he got an ordinance online about livestock in urban areas, so we should take into consideration what the guidelines are for how much land certain animals need and that might help us handle some of the problems.
- Tom Scroggins asked if anyone has read anything for Belen and Los Lunas and began a discussion.
- Tom Scroggins would like the commission to think about and research this item between meetings and next meeting have some thoughtful ideas, including wild animals, and maybe have a list of what we would want or need to include so that we can be productive.
- L. E. Rubin asked Scott Adair why in the original ordinance, it only included dogs and cats and how much thought went into that and how many.
- Scott Adair said that we did not want to get so deep into animal control at that time because we were just starting out and continued the discussion.
- Tom Scroggins said we need to get focused, even if we cannot come to a conclusion and if we cannot, we at least will know why.
- Dennis Kintzler said animal noise control is one of the issues as well.
- Lawrence Gordon asked who would be enforcing the animal ordinance.
- L. E. Rubin said it would be the Code Enforcer.

- Tom Scroggins explained the Code Enforcer can only enforce what he can see without going on to the property and began a discussion.
- Dennis Kintzler asked if the original ordinance was written to cover the whole city or allow certain animals within certain zones.
- Scott Adair said it covered the whole City and began a discussion about zoning.
- Tom Scroggins said we will discuss this again next time.

Vacant Property

- Tom Scroggins said we have discussed this in the past, we want to look at foreclosed properties, in particular, to help the code enforcer keep up with these properties.
- Scott Adair said the point of registration would be to identify their status, whether abandoned, snowbirds or foreclosed.
- L. E. Rubin said that would also help identify the vacant building that don't need garbage pickup.
- Tom Scroggins said there is a problem that properties are quickly changing hands and it is hard to find the correct owners to take care of these properties and began a discussion.
- Dennis Kintzler said only about six properties are refusing to pay for their trash service.
- Tom Scroggins said that vacant properties is another item that we should try to narrow our focus down to be able to write an ordinance and began a discussion.
- L. E. Rubin asked if it was just buildings or properties as well.
- Scott Adair asked if there is anything specifically that we need to focus on.
- Tom Scroggins said this might be something we might need to think about creating an ordinance for and began a discussion.
- Scott Adair asked what the concern over empty lots would be other than overgrowth.
- Tom Scroggins said that there might be drainage issues or other erosion issues, but basically vacant properties would be unoccupied buildings and continued the discussion.
- Tom Scroggins said we need to think of what the City would do with that information.
- Scott Adair said other than keeping the vegetation down what concern is it of P&Z, it is essentially covered in vacant buildings, and asked if we need to add to that and why.
- Tom Scroggins said we do have a vacant property ordinance and I will look into what that covers and began a discussion.

Zone Grid

- Tom Scroggins said Jim Winters asked us to look into this because you can find out if a specific type of business without having to dig through the ordinances and explained how the grid worked; he then said we might have to make changes to the example and mentioned the zone grid would be added to the agenda for next time.

Adjourn

- L. E. Rubin moved to adjourn and carry the neighborhood plan to the next agenda. Dennis Kintzler second the motion and the meeting adjourned at 8:02 p.m. with a 5-0 vote.

Respectfully submitted,

Taken by Amy L. Lopez, Deputy Clerk

Date: _____

Approved:

Thomas Scroggins, Chairman

John Thompson, Vice-Chairman

L. E. Rubin, Secretary

Scott Adair

Lawrence Gordon

Dennis Kintzler