

Planning and Zoning Commission Minutes
City Council Chambers Northside of City Hall
360 Rio Communities Blvd.
April 1, 2021

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

Call to Order

- Chairman Tom Scoggins called to order the Planning and Zoning Commission meeting at 6:42 p.m.

Pledge of Allegiance

- Chairman Tom Scoggins led the Pledge of Allegiance.

Roll Call

- Present- Chairman Tom Scroggins, Vice-Chairman John Thompson, Secretary Scott Adair, Lawrence Gordon, and L. E. Rubin.
- Present- City Manager Dr. Martin Moore and Deputy Clerk Amy Lopez

Approval of Agenda for April 1, 2021

- Chairman Scroggins asked for a motion for agenda approval and table item 8.
- Vice-chair Thompson said he would like to deal with item 8 when we get there and would like to move item 7 because we could spend a lot of time on it and began a discussion.
- Vice-chair Thompson made the motion to approve the agenda for March 18, 2021 as written. The motion was second by Vice-chair Thompson. Vote: Chairman Tom Scroggins - yes; Secretary Scott Adair – yes; Lawrence Gordon - yes; L. E. Rubin – yes. With 5-0 vote the agenda for the Planning and Zoning meeting on March 18, 2021 was approved as written.

Approval of Meeting Minutes from March 18, 2021

- Vice-chair Thompson made the motion to approve the Meeting Minutes for March 18, 2021 as written. The motion was seconded by Lawrence Gordon. Vote: Chairman Tom Scroggins - yes; Secretary Scott Adair – yes; Lawrence Gordon - yes; L. E. Rubin – yes. With a 5-0 vote the agenda for the Planning and Zoning meeting minutes from March 18, 2021 was approved.

Public Comment

- No comments were made.

Animal Welfare

- Chairman Scroggins said we are waiting for approval of our proposed survey by the Council and once we get that we can incorporate the response into the Ordinance and began a discussion.
- Commission began a discussion about preparing the surveys for mailing.
- Chairman Scroggins said he will have a meeting with the Manager to make sure we are prepared for the April 15th meeting and can wait on any further discussion until then.

Approval/non-approval of the variance request involving the construction of a see-through security fence. Legal Description: 480 Rio Communities Blvd #2

- Chairman Scroggins said we have tabled approval/non-approval of the variance request involving the construction of a see-through security fence. Legal Description: 480 Rio Communities Blvd #2.
- Vice-chair Thompson made a motion to keep it tabled until we receive the information that we need. Lawrence Gordon seconded the motion.
- Secretary Adair asked what information specifically, do we still need and began a discussion.
- A discussion began about the fence being grandfathered in.
- Vice-chair Thompson made a motion to keep it tabled until we receive the needed information. Lawrence Gordon seconded the motion. Vote: Chairman Tom Scroggins - yes; Secretary Scott Adair - yes; Lawrence Gordon - yes; L. E. Rubin - yes. With a 5-0 vote the motion to keep the item tabled until further information is received was approved.

General Discussion

- Vice-chair Thompson said Jill Cleary sent him an example of what they State wants from her. He explained Jill Cleary wants to obtain an RV license to sell tiny homes and the State is asking us to show that there is no reason for us not to grant her the request. He further explained there is nothing in our ordinance that rejects tiny homes, but if we were to issue her a conditional use the State would likely reject it, and maybe we have to rewrite our ordinance to include tiny homes.
- Mr. Rubin said in his opinion a tiny home may fall under the licensure of an RV, but it is not an RV, it will be parked and asked what, as a City, places tiny homes as an RV.
- Chairman Scroggins said if you look at 4-6-5 E, a mobile home parks are limited to mobile homes, park models, RVs and travel trailers and additional support facilities and in many ways, if she has a mobile home park, if you have tiny homes a support facility could be used as an office to buy the tiny homes. He said we were asked by Cleary to permit a license to deal tiny homes so that she can sell more than 4 a year.
- Secretary Adair said Construction Industry Division was looking to pass an appendix on tiny houses and he is trying find out if it has been adopted and began a discussion.
- Chair Scroggins said it is zoned MH-2, it seems it would be a permitted use.
- Vice-chair Thompson said she can purchase them at a lower rate if she has a dealer license and she would not have to pay out of pocket and if one type of tiny home is not selling, she could swap it out with a type that is selling, but she cannot do that without our approval.
- Secretary Adair said we can reference our codes and go to the tiny homes code and get her the right information and continued the discussion.
- Vice-chair Thompson said we will speak with the Manager and get that written.
- Tom Scroggins said we need to discuss the person wanting to drive through the easement to get to the back of his property and began a discussion.
- Secretary Adair asked who the easement belongs to and thinks it might be a legal issue.
- Chair Scroggins said sometimes you have to be allowed to have access to the back of your property, like the homes on Hwy 47.
- Deputy Clerk Lopez said the gentleman would like to know if the City has any ordinance against it and began a discussion.
- Chair Scroggins said if there is an easement he is driving through, we need to give him a definite answer, but we need to look into that to be able to give him an answer.
- The Commission began a discussion on who is responsible for Manzano.

- Secretary Adair said he googled easement as egress, easement appurtenant, that allows access to the home. He then said he would continue to research this.
- Vice-chair Thompson began a discussion regarding the letter for Jill Cleary who has met all the other requirements other than the proof of the letter.
- Secretary Adair said she will use the tiny homes for display and not necessarily keep them on her property once they sell, would the zoning be correct if they are not staying on the lot and does it make a difference if they don't.
- Chairman Scroggins said whoever owns Vista del Sol, they have bought new mobile homes for the park and renting them as a business, and how is that any different and continued the discussion.
- Mr. Rubin said he thinks she would need a one license to sell the tiny homes and one for the mobile home park.
- Chairman Scroggins began a discussion about getting training.
- Chairman Scroggins said he will discuss training when he speaks with the Manager.
- Mr. Gordon asked if there was any information regarding the grant that would go towards fixing the hole on Chamartin and began a discussion.
- Vice-chair Thompson said the newsletter came out and they did a wonderful job on describing what we do and inviting them to join the commission.
- Chairman Scroggins said we submitted a couple of names to Mayor Pre tem, but between Covid and the previous lack of a City Manager, it has been on hold. The discussion continued.
- Vice-chair Thompson said we need to put neighborhoods back on the agenda.

Adjourn

- Mr. Rubin motioned to adjourn and carry the neighborhood plan to the next agenda. Secretary Adair second the motion and the meeting adjourned at 8:04p.m. with a 5-0 vote.

Respectfully submitted,

Amy L. Lopez, Deputy Clerk

Date: _____

Approved:

Thomas Scroggins, Chairman

John Thompson, Vice-Chairman

Scott Adair, Secretary

L. E. Rubin

Lawrence Gordon