

Planning and Zoning Commission Minutes
City Council Chambers Northside of City Hall
360 Rio Communities Blvd.
July 8, 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 6:30 p.m.

Pledge of Allegiance

- John Thompson led the Pledge of Allegiance.

Roll Call

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

Approval of Agenda

- John Thompson made the motion to approve the agenda for July 8, 2020 as amended. The motion was second by Scott Adair to approve the agenda for July 8, 2020. Vote: Chairman Thomas Scroggins - yes; Vice Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Dennis Kintzler - yes. With a 6-0 vote the agenda for the Planning and Zoning meeting was approved as amended.

Approval of Meeting Minutes from June 18, 2020

- Secretary L. E. Rubin made the motion to approve the Special Meeting Minutes from February 6, 2020 as amended and the Regular Meeting Minutes from June 18, 2020 amended. The motion was second by Scott Adair. Vote: Chairman Thomas Scroggins - yes; Vice Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Dennis Kintzler - yes. With a 6-0 vote the Special Meeting Minutes from February 6, 2020 as amended and the Meeting Minutes for the Regular meeting on June 18, 2020 was approved.

General Commission Discussion

- John Thompson passed out a handout regarding tiny homes to use as a template for future reference; he asked if the newsletter is being biased to the home developer and began a discussion.
- Tom Scroggins said we have a meeting with Council on July 29, 2020 at 10 a.m. and began a discussion.
- L. E. Rubin was concerned with the time of the meeting with Council and began a discussion.
- Tom Scroggins introduced Code Enforcer Reeves to speak.
- Code Enforcer Reeves handed out Article 9: Non-Conforming Use, Article 5 Requirements for Accessory Building, and a Nonconformance use permit and explained the permit and began a discussion.
- L. E. Rubin said that it had to be revisited every year when a new permit is obtained, it does not transfer to a new owner in a sale, but new owners may apply.

- Code Enforcer Reeves said it is a case by case basis, he will be bringing some of these accessory building issues to the P&Z Commission, but we need to address some of these accessory buildings and began a discussion.
- A discussion began regarding building sizes and unfinished buildings.
- L. E. Rubin said at least two years ago we approved a fence, at some point if he is not going to complete the project, we need to have Code Enforcement get involved and solve the problems.
- John Thompson asked if there is a time limit in our ordinance.
- Code Enforcer Reeves said it would be up to P& Z, as the Code Enforcer can look into the permit and speak to the owner and possibly send him back to P&Z and began a discussion.
- Tom Scroggins asked if there has to be a hearing if there is a nonconformance permit that comes before the commission and began a discussion.
- Scott Adair mentioned the article in the newspaper regarding Belen's vacant building, explaining they want to charge property owners a fee for the vacant building but not use the money for something related to vacant building issues and began a discussion.
- Scott Adair asked if we are wanting to make things difficult for the citizens or make money, just to keep the City safe and looking decent and began a discussion.
- Scott Adair asked if there was a fee.
- Tom Scroggins said we should look into vacant properties and fee.

Public Comment

- Richard Henderson: How about the burned trailer on Hillandale?
- Tom Scroggins said the Code Enforcer can look into that and to please send the address to info@riocommunities.net.

Old Business – Commission Discussion and Consideration Action

Abatement

- Tom Scroggins began a discussion about the documents considered for use in the abatement ordinance.
- Tom Scroggins said the reasons we like these three because they all have pieces that we like, we can highlight what we want, send it to Council and he can send it to the lawyer; we have to comply with the international building code, maybe today we need to come up with our mission statement for Abatement and began a discussion.
- L. E. Rubin said it isn't out purpose to go into the demolition business, but we want to give the Code Enforcer enough teeth to do something accomplished and began a discussion.
- Tom Scroggins said he doesn't know what the City can do if the property is unsafe or unsightly.
- Code Enforcer Reeves said he would have to talk to the owner what their plan is, if it structurally not sound, it might be my recommendation that it needs to come down.
- John Thompson asked if the City would be liable if something happened with a problem property.
- Scott Adair said maybe we need to come up with general headings, let the lawyer come up with the appropriate wording, unless we find out what we want to do and how we want to do it.
- Tom Scroggins said he does not know if the City has the right to tear down someone's property.

- L. E. Rubin said the City needs to have the ability to take down unsafe buildings.
- Tom Scroggins asked if we might be able to use what procedures the Code Enforcer needs and write the ordinance using that information and began a discussion.
- John Thompson said the City would have to have a budget for Abatement.
- Code Enforcer Reeves explained a case where there is a burnt building, but the owners are nowhere to be found and now we have to take more steps to figure out what is next and began a discussion.
- Code Enforcer Reeves asked Scott Adair to put a draft together.
- Scott Adair said that we should all go through them, pull out the headings we want use out of the copy Bill Brown gave us, and get it ready to give to the Council for review before sending it to the lawyer and began a discussion.

Annexation

- John Thompson said he met with Martin Sisneros, one of the owners of the industrial park, and he said he would like to have the land annexed for the reason that he has ideas for 15 different products he can manufacture but the county has a timely zoning process and we would be able to get things done a more quickly, but the unknown question is if the county property tax is lower than the City's and how that would affect the industrial park; he then said the next steps are to go to meet with the owners of the industrial park and see what they need.
- L. E. Rubin said the industrial park could put in 6 businesses and employ 3,000 people.
- Tom Scroggins said that if that area were part of the City, we could expect that he could begin manufacturing relatively soon.
- Dennis Kintzler said the Ron Gentry wanted to be annexed as well.
- L. E. Rubin explained that there is money for the training tower, but we want the training tower to be on property within the city and began a discussion about the Fire Department.

Neighborhood Plans

- John Thompson handed out maps of Rio Communities neighborhoods and said the intent is neighborhood homogeneity and give the neighborhoods.
- Tom Scroggins said one thing about neighborhoods is zoning, it would make sense, with the diverse size of lots in the City, to break it up into neighborhoods.
- John Thompson said we want creativity, but we do want similarities, so as we fill in the lots there is homogeneity.
- Scott Adair said we want to maintain some consistency and asked if someone can put a tiny home in a neighborhood where all the other homes are large homes and began a discussion.
- L. E. Rubin said the City doesn't enforce the covenants, but we might want to consider some of the covenants while writing the plan.

Adjourn

- L. E. Rubin moved to adjourn. Scott Adair second the motion and the meeting adjourned at 8:06 p.m. with a 6-0 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