



Mr. Muth: [unintelligible 00:00:00] into the WiFi station. The work session for the Apache County Planning and Zoning Commission. It is Thursday, 14 April, 2022.

Shanna: 7th April.

Mr. Muth: The time is 12:01.

Shanna: Excuse me, it's 7 April, not 14.

Mr. Muth: Did I say 7?

Shanna: You said 14.

Mr. Muth: 7 April, I do apologize, 7 April.

Speaker 1: I thought I'd lost a week already.

Mr. Muth: I wouldn't be the first for me.

Speaker 3: All right, [unintelligible 00:00:34].

Mr. Muth: Moving on to item number one, discussion of the P&Z agenda items, Mr. Fish.

[pause 00:00:42]

Mr. Fish: Mr. Chair, commission, I'm thankful to be here today. First and foremost, maybe to answer any questions, or clarify anything before we get started with the agenda items today, I do want to clarify one article in my staff report. I quoted the Alpine Community Plan as not having, or not wanting, or desiring any trailer parks. After further review and reading a little further, there's some contradicting information in there and there's also some information in there that says that our commercial development it gives some specific guidelines along 190 and 180 should be 300 feet off the road.

I did want to clarify that there is some conflicting information in the Alpine Community Plan and I apologize for my error in perpetuating that.

Speaker 3: Are you going to be bringing that up later in some more detail?

Mr. Fish: I will, yes sir. Any questions about anything on the open agenda today? [silence] Good. Current events, we continue to still meet with some renewable energy companies that have an interest in putting some solar, some wind generation in Apache County. Again, those are in the very premature stages of wind study, sun studies, communicating with the with the coal-fired power plants, the owners of the coal-fired power plants about tying into grids, and things like that, so that is on there.

Another current event is, as all of you know, we did pull an agenda item from today's meeting specifically speaking about the cannabis dispensary in Vernon, Terrapin, is

File name: pz4-7 copy.mp3



the company there. That was pulled as a discrepancy in notification from my department and it was the discussion of the county that once that was-- We wanted to make sure everything was on a level playing field, there wasn't any issues, or was there any dark clouds hanging over anyone, and so it was decided to pull that from the agenda. It is still in review, we have not got a date to put it back on the agenda. As soon as we do each and every one of you will be notified of that. I can answer any questions if you'd like there.

Then I guess we need to move on to the most important thing and that would be the discussion of Article 6 in Greer. Briefly, by the county, there has been some opportunity to make some revisions for Article 6 making it a little bit more specific, less ambiguous in some spots, namely definitions of things, manufactured homes, recreational vehicles. We did take out the prohibited uses of the current Article 6 and we tied those into the table or section 605, we went through and tied those in as well, and then we made some notes.

I guess the big one is the storage and occasional use of recreational vehicles. The county felt very strongly that there needed to be some type of avenue for Greer property owners to store at least one RV and occasionally use it. As many of you remember in my opening remarks from last planning zoning meeting we did have a few people comment that they do want to use their RVs occasionally to have extended family and stay, so we took the process of trying to do that.

We extended that further to not just recreational vehicles but we also clarified any type of trailers, gooseneck trailers, personal watercraft boats, utility trailers, horse trailers, things of that nature, and clarified that as well. There has been some discussion about trying to refine that even further with later recreational vehicles, maybe talking a little bit about building standards. A big one that we talked about is pulling some of the definitions, or--

The county feels very strongly that people that buy property in Greer need to realize they're buying a certain set of expectations. I took a couple of I think it's three paragraphs from Greer phase one and inserted those directly into Greer Article 6 that basically talks about that. It talks about the nature of Greer, what's you're buying into, so that specifically on there as well.

Mr. Muth: If I recall last meeting, excuse me, we discussed that probably at some point in Greer would it be advisable at this point to say dedicate one of our regular meetings to the Greer location, say, in the height of summer June-July, July would be of preference?

Mr. Fish: I can give you my preference on that but I'd really like to hear what the commission thinks first before I-- I'm going to go ahead and step out, I think it's a good idea.

Mr. Muth: We're starting over here, do you have an opinion to put the Greer meeting in July?



Speaker 3: I think most of the people that would be there would be able to attend the July I would imagine, so I think that would be a good recommendation.

Mr. Muth: Oscar?

Mr. Miranda: I agree.

Mr. Muth: We have consensus, we can see about scheduling the July meeting at the community center.

Mr. Fish: We'll do a July planning and zoning meeting specifically in Greer, have Article 6 as an agenda item in the open meeting.

Mr. Muth: Yes, sir.

Mr. Fish: I think that's a very good idea personally but that's just me.

Mr. Muth: Moving [unintelligible 00:08:33].

Mr. Fish: All right, so with my opening statement, can I answer any questions? Should we talk a little bit further about the RV situation, the Greer expectation situation here and those things?

Mr. Muth: It's my understanding that GCI is working on some things.

Mr. Freeman: If I may, Mr. Chair.

Mr. Muth: Please, go ahead.

Mr. Freeman: Mr. Fish said we and you said the county seven times it's creating this problem.

Mr. Fish: I meant the county, sorry.

Mr. Freeman: Let's be clear on that, so we got some confusion, held some things back and caused some misunderstandings, et cetera, et cetera. In a number of places throughout, and that would include Alpine as well, throughout the Apache County Comprehensive Plan adopted June 4th 2019 it states zoning strikes the balance between individual property rights and protections desired by the community. We called that Greer phase one. Going further, it says to implement community land plans through zoning ordinances along with each community creating its own community base. The point is there's five or six directions in the Apache County Comprehensive Plan, that it is a community plan, not county plan so that the basis is derived out of the stakeholders across, the property owners, and investors, and so and so forth. Then, of course, there's public oversight, but the basis has to come out of the community. I think we're already in agreement, tell me if I'm wrong or not.



Mr. Fish: I might disagree with you just on one point. We have the Apache County community plan and then we have sub-community plans.

Mr. Freeman: Community comprehensive plans.

Mr. Fish: Comprehensive plans, sorry. Yes. Then we have sub-community plans.

Mr. Freeman: As part of that comprehensive planning you have sub-area planning?

Mr. Fish: Correct.

Mr. Freeman: They're all--

Mr. Fish: I don't know if that's a disagreement. Maybe it's more of a clarification.

Mr. Freeman: Since we're talking about maybe to just real quickly clarify. They are the same block, all right, just different sections within the comprehensive plan.

Mr. Fish: Okay.

Mr. Freeman: There was a little kerfuffle, it's back on the rails now, don't you think?

Mr. Fish: Yes, absolutely.

Mr. Freeman: Okay. There was a little kerfuffle and that was based on prior history of going to the Greer community, it's charted and put together to create an ordinance which was Greer Phase One. I'm sorry, Article 6 after the Greer Phase One. Just because of that, the commissioners came down for two or three years with this team that was derived from a sub-committee actually from this commission worked on that Article 6 and they represented it here for approval after they were all done.

The commission, and actually if you want me to go into any details, I'm not sure I know them, rejected that plan, dismissed that group after two or three meetings as a working group and this cross-functional group of investors and observers, and then took over the plan. They made some changes that caused a little **[unintelligible 00:12:25]**. That is, of course, a background of what we're doing here. I want to make sure we don't set the stage for another one of those kerfuffles and be able to understand completely the mechanism that comes out of the community that there's a new private input and it's discussed thoroughly at this level. I think we're on the same page, are we?

Mr. Fish: Sure. I understand what you're saying.

Mr. Freeman: All right, but we are in agreement on the mechanisms, correct?

Mr. Fish: I don't think we have established a mechanism at this point in time.

Mr. Freeman: That's what I'm trying to do at this point in time. Do we agree that that's a good plan forward?



Mr. Fish: Establishing a mechanism?

Mr. Freeman: No, sir. The mechanism I described.

Mr. Fish: That's for you guys to decide not me.

Mr. Freeman: Do we agree that you don't disagree with that mechanism?

Mr. Fish: I think that it is up to the Planning and Zoning Commission to figure out how they want to go through and make the changes to Article 6.

Mr. Freeman: Do you oppose that mechanism?

Mr. Fish: If the Planning and Zoning Commission is not in opposition of it, then I wouldn't be.

Mr. Freeman: Mr. Chairman, is there a problem in letting **[unintelligible 00:13:40]**?

Mr. Muth: No, Article 6 is for the betterment of the community and it should at least have an active role with these proposed changes.

Mr. Fish: I'm asking just by way of clarification, are you saying that you're proposing Greer citizens make up a sub-committee and then take it to the Planning and Zoning Commission, or are you saying that the Planning and Zoning Commission does that? That's my confusion.

Mr. Muth: No, I think he's basically saying that the basis for the changes in Article 6 need to be first considered what's put forward by the Greer community.

Mr. Fish: I would agree 100% with that. If that's what you meant Mr. Freeman, I would agree with that, yes.

Mr. Freeman: Those changes derived or initiated from the community without unviewed oversight from the county. In other words, don't constraint on the inputs.

Mr. Muth: I think we're all on the same page, [crosstalk] We're just using-

Mr. Freeman: **[unintelligible 00:14:45]**.

Mr. Fish: Okay.

Mr. Freeman: Actually, Mr. Chairman I may have been in the middle directly on that **[unintelligible 00:14:58]** This becomes an important and a little punctuation can change the meaning of what you intend **[unintelligible 00:15:09]**

Speaker 2: Mr. Peters, I'd like a clarification on performance. Whatever that word comes from.

Speaker 4: Google it.



Mr. Fish: Google it.

Speaker 3: [unintelligible 00:15:21]

Mr. Fish: You can tell you're a dad. Google it. That's my answer. Community center, I'm assuming would probably be the best place to do that. Mr. Freeman, any other venue that you think would be the center? Okay. For the July meeting.

Speaker 4: Yes, sir.

Mr. Fish: Okay. Any questions specifically about what we have got so far?

Mr. Freeman: Rather than getting [unintelligible 00:15:56] distribute what we have [crosstalk] form their own opinion and then they can reach out individually.

Mr. Fish: Very good. Individually?

Mr. Freeman: Individually.

Mr. Fish: Okay.

Mr. Freeman: [unintelligible 00:16:07]

Speaker 2: Who are they? A clarification on they?

Mr. Freeman: [unintelligible 00:16:30]

Speaker 2: When you said they, they're all the Greer community, I'm supposing. Then you said they added more of they, so I just didn't know which, is it the Greer Coalition that's doing this, or is it all community members?

Mr. Freeman: No. I believe those questions can be addressed when we are on recess, which is the [unintelligible 00:16:53].

Speaker 2: Okay. All right.

Mr. Fish: Okay.

Mr. Muth: Anything else, Mr. Fish?

Mr. Fish: We're on Article 6 now.

Mr. Muth: Anybody else have any discussion on Greer Article 6? All right. Continue the work session. What have we got 35 minutes?

Mr. Fish: I actually have one other question or one other-- Some of you-- The question was put before my department about doing work sessions or having work sessions in different areas. I'd like to talk a little bit about that to get out of public



meeting rules. Is it fair to say that we can have an on-site visit and call that a work session?

Mr. Muth: The way I understand the rules we can have work sessions. They still have to be posted just for the meeting but posting [unintelligible 00:17:58]. Some of these issues [unintelligible 00:18:03].

[pause 00:18:11]

Mr. Fish: Okay. That's it for me, Mr. Chairman.

Mr. Muth: All right. If nobody has anything else then let's go ahead and recess and reconvene at one o'clock. Any objection?

[crosstalk]

Speaker 6: You stop right now?

Speaker 7: It's not right with me.

Speaker 8: Oh, it's crazy.

[pause 00:19:09]

Rick: Hello. Oh, jeez. Thanks. I'm Rick Stojan Bower I live at 3417, East Hampton Court Gilbert, Arizona. Appreciate the commission for having me here today. Won't take the whole three minutes, here representing the item that was removed from the agenda for today, Terrapin. Our company has submitted pretty comprehensive plan to Director Fish and the commission understand that it was taken off the commission's agenda items for today due to a discrepancy. We would really like to see that put back on in a future agenda as soon as possible. We believe that we've submitted a rather comprehensive report and look forward to bringing it before this commission as soon as possible. Thank you very much.

Mr. Muth: Thank you. George Eddings.

George: Morning, Chairman and Board members, my name is George Eddings. I live at 73 Apache County Road 1324, Greer, Arizona. This is pertaining to what was brought up during the business meeting as far as Article 6. Going forward with the rewriting of Article 6 for Greer, I urge you all to look at wording that sets Greer residents up to live by CC&Rs for an HOA. This would help get rid of all the self-policing especially for members from the group coalition. Being a minority in Greer living there full time raising my family and having a powerful group of people like these organizations trample my constitutional rights, taking my RV situation, this is wrong.

I feel that we have been respectful, law-abiding citizens of Apache County and Greer. I still feel that I have the right to all three of my RVs. Leaving things up for interpretation like commonly incidental is against the Constitution. Things need to be

File name: pz4-7 copy.mp3



clearly written to avoid footholds for these organizations to further manage people's rights and lives. Also, when it comes to anything with Article 6 Greer community plan, or phase one, I think it would be only proper to have John Freeman step down from any decision making for it feels as a conflict of interest since he seems to have a personal agenda for Greer and works closely with the Greer Coalition. Thank you.

Mr. Freeman: Mr. Chairman would this be a good time to talk about the laws of the Apache County [inaudible 00:23:21].

Mr. Muth: During the call of public we are not to respond. [noise] [inaudible 00:23:41] Michelle Eddings. I'll just turn it right on.

Michelle: Hi. Michelle Eddings, 73 Apache County Road 1324. We are in the minority as raising a family in Greer, we've been singled out by those who prefer that this unincorporated area be governed as if it is an HOA or incorporated seemingly, with Mr. Freeman as the mayor, with much effective lobbying under him. My constitutional rights as a minority in this non-HOA unincorporated area have been violated due to the term commonly incidental that was admittedly up to interpretation. Then Mr. Fish prove that RVs are indeed commonly incidental, and that was in the winter months when RVs are sparse.

Again, Mr. Freeman has a powerful position with his commissioner job here and the Coalition influence combined not to mention his social media influence with the sole administrator of the highly censored I Love Greer page. Both my religion and my ethnicity has been attacked here in Greer, which is very common in America. However, what is not common is being persecuted for living peaceably in common family life in an area where the majority of people want it to be a different way. Things are written ambiguously and absolutely absurd to the point where we could not even legally have a garage sale on our 10-acre agricultural piece of property.

This is CC&R's for an HOA, not a county comprehensive area plan. Again, we ask that the influence of the private associations no longer be respected as law. There are those of us who are in the minority who are just living peaceably and quietly in common American fashion. An example of injustice was our RV situation, purchasing a piece of property big enough to house our three RVs, as well as our family lifestyle, was a criteria for purchase in 2017.

I even have an old email that states why we were making an offer on another property, which stated that we needed to fit those three RVs in our lifestyle? Now, five years later, my constitutional rights are being violated by telling me to remove them.

As our lawyer friend stated, "Parking private vehicles, trucks, cars, trailers, and RVs for personal use has always been a commonly incidental use of a permitted residential structure. To deny such would require such defined specific defined limitations. In this case, there are no specific limitations in the zoning that forbid the storing of an RV for personal use on a residential lot. To now interpret that provision to not include the storing of an RV for personal use, is arbitrary unreasonable and



violates our constitutionally protected property rights." Conclusively, phase one was poorly written, no document should be left to interpretation and therefore left for personal singling out and prejudices as has been done with us.

As you rewrite the county's objectives for Greer more clearly, I asked for you to make our three RV's grandfathered in without fees or permit since we purchased this property under the pretense that we could have them. We never had any intention of renting them out as we've been lied about. You can have that clause in there. Additionally, I also ask that you remove Mr. Freeman, respectfully, from taking part in anything that has to do with Greer, as it is an extreme conflict of interest. As we can see in the minutes by Mr. Peterson repeatedly asking for him to step down and yet Mr. Briggie, always, respectfully steps down when you ask him to step down but you don't and I don't feel that you're really here for us, all of us. I feel that you've been very disrespectful to me, am I allowed to address him?

Mr. Muth: Ms. Eddings, your time is up.

Michelle: I'm sorry.

Mr. Muth: [unintelligible 00:27:19]

Michelle: Should I keep standing here?

Mr. Muth: No.

[background conversations]

Mr. Freeman: It is off. Let me start over again so everybody hears. There should be if there isn't a clause in the public section there to respond to defamation. There should be the opportunity for a rebuttal and a response from the chair to prevent defamation. Everybody up here is a volunteer. Just to the point, the law prevails in all cases, and in the case of Greer, there are laws and those laws are sometimes enforced and in this case, they were and we'll just leave it at that, Mr. Chairman, I think that's enough time on this issue. It's much of an aside.

Mr. Muth: Thank you. Moving on to item number four approval of minutes from the 10 March 22 meeting.

Mrs. Hauser: Mr. Chair.

Mr. Muth: Yes, ma'am.

Mrs. Hauser: I have noted last week some-

Mr. Muth: I'm sorry Ms. Hauser, can we get a motion first before we discuss?

Mrs. Hauser: I move the approval of the amended minutes that were emailed to the commissioners last night.



Speaker 4: Second.

Mr. Muth: It's been moved and seconded. Discussion, Ms. Hauser.

Mrs. Hauser: Only that I had noticed some discrepancies in my minutes and talked to the office and so therefore we got the amended minutes last night.

Mr. Muth: Okay. Any other discussion?

Speaker 6: Mr. Chair.

Mr. Muth: Yes, sir.

Speaker 6: Can I have those amended minutes in front of you? They should be in red. I just want to make sure.

Speaker 7: We have them in email.

Mrs. Hauser: We have them.

Mr. Muth: Okay. Any further discussion? Good, call for the question, all those in favor?

Members: Aye.

Mr. Muth: Minutes stand as approved. Moving on to item five, public hearing consideration and possible recommendation approval conditional use permit, allowing Fred Gomez to develop and operate 113 space RV park on 11.8-acre parcel. The property is located at 42768 Highway 180 in Alpine, Arizona. Parcel ID number 10118010. I have a stack of comments. Each commentor will be given three minutes and I will call you up by me, starting with Chris Anderson.

Mr. Fish: Did you want a staff report?

Mr. Muth: We'll get a staff report when we go into deliberation.

Chris Anderson: Hello, Chris Anderson, 21 County Road, 2134, house one, Alpine. I'm here to speak today about Alpine and my feelings. I think the feelings you're going to see in this room today, but we all know how unique and special the property is. When I started thinking about Alpine and what I should say about it, I came up with words like uncongested, pristine, solitude, lack of commercial development, clean and unspoiled.

I think if you take all those words and you apply them to Alpine, you get the feeling for what this place is and how special it is. Alpine really hasn't probably changed for 150 years. I think we could go back in time it'll still look like it does today. I decided to build a home there in 2017 and I did it because of all the reasons I just mentioned, the things I liked about Alpine.



What's happening now is a proposal to put in 113 or 16 units that is a high-density development. I'm a real estate developer and I never would've proposed a high-density development in Alpine. I would've proposed something that made a little more sense, like residential lots, horse properties, something to that effect, but to put 116 units in the middle of Alpine in a pristine meadow that has been underserved for years and years will change the whole character and the ambience of Alpine.

If you read the room, you'll get the feel Alpine doesn't want it. Alpine doesn't need it. Mr. Gomez I'm sure is a nice man, but I think the reason he's attracted to Alpine is because of all the things that makes Alpine special. With him putting in all these units right in the middle of town, destroying a meadow that we get to look at when we drive an Alpine and see hundreds of elk, now we'll see a trailer park.

What is the disposition of a trailer park? Over time, trailer parks lose value. They depreciate, look run-down, trailers get older. They get run down. They depreciate property values. I stand opposed to everything concerned with high density in Alpine. If Mr. Gomez wants to come back with another principle that is based on lower density. I think that's reasonable and fair, but US county commissioners are the stewards of the county. You are in charge of what is important to people here and people who live here and people that reside here and you have a choice.

You have a choice of changing Alpine permanently forever in a way that we'll never be able to come back to them or you can do the right thing for the people of Alpine, the right thing for Alpine itself. I speak from the heart that I don't want to see Alpine change like this. I don't want to see Alpine become high density because a precedent may be set that will consequently lead to high-density development in the future, which I oppose. Thank you.

[applause]

Mr. Muth: Thank you. Tamara Kentell.

Tamara Kentell: At this time, if it's possible, I would like to yield my time to Frank Gonzalez.

Mr. Muth: Six. Mr. Gonzalez, you understand that you now have six minutes on the clock.

Frank Gonzalez: Thank you, sir. Mr. Chairman, honorable--

Mr. Muth: I need your name and address, please.

Frank: I'm sorry. Frank Gonzalez, 29 County Road 2082 in Alpine, Arizona. Mr. Chairman, honorable commissioners. Mr. Pearce, I thank you for the opportunity to speak here today. Regarding the Gomez's permit, you should have all received an email, hopefully, regarding some of the information I put together in a summary for based on the information provided in the Gomez application. The Gomez family, the Alpine Water and Sanitary District doesn't know and of course, you as the Planning



and Zoning Commission couldn't know the necessary information to decide on this permit at this time.

According to the Arizona Department of Water Resources and probably most of us all know this, the state of Arizona is in a recharge of the aquifer system. The RV park or based on this the Gomez application, the RV park will consume 16,000 gallons of water each day. Now, this is information that's provided on the Gomez application.

This does not include the laundromat they intend to put in or the showers. This is just based on the RVs in the park. This adds up to 4,780,000 gallons of water each year. This is 35% of the overall annual consumption output capability of the Alpine Water District. We don't know how many septic tank systems will be required for an RV park this size. Based on the recommendation of the Alpine Sanitary District Manager, an engineering report would be necessary to determine whether or not one or two septic tank systems would be required.

As of last Tuesday, the district manager still does not have any information from the Gomez family on whether or not an engineering report has been provided to determine whether or not two septic tanks is necessary. The application that was provided by the Gomez family simply copied a US Force service report based on 27 homes that are not always occupied in the Alpine area.

This application or this septic tank report does not have any RVs on it and these residential homes aren't occupied year-round. There's an issue on water consumption changes from RVs to park models. In the application that was submitted, there's mention that the Gomez family plans to change all these 113 spaces to permanent park model homes. Most park model homes come with dishwashers and washing machine setups. There is no information provided on how much more water would be consumed by park models.

There are floodplain issues. An example of this is that the Army Corps of Engineers required the Arizona Department of Transportation to put a culvert underneath the highway to avoid flooding issues going over the highway. This culvert feeds directly onto the Gomez property. It has been undetermined whether or not the Gomez property is actually in a floodplain or directly next to a floodplain. There's been considerable back and forth on whether that actually occurred.

However, the Corps of Engineers thought it was important enough to put a culvert to avoid flooding on the highway and it flows directly onto the Gomez property. Based on the information provided in this application that Gomez family doesn't know, the Alpine Water and Sanitary District doesn't know and of course you haven't been provided enough information so you couldn't know whether or not to provide a sound decision based on the information on this application, you just don't have enough information.

We were informed of this zoning change on January 15th. The community did not know this was coming and so we as a community did not have the opportunity to even research this ourselves in the last few weeks. We have put together this

File name: pz4-7 copy.mp3



information just in the last couple of months. We are asking you to please allow us the opportunity to research and protect our most important resource, well water and not end up in a situation like Pine in Strawberry, Arizona, where they go to turn on a tap and no water comes out.

We're at a pivotal point in our situation at this time that we are looking at what could happen to us 10 years down the road or maybe even 20 years down the road. These large RV developments and residential development could affect us, so please disapprove this permit at this time. Thank you.

[applause]

Mr. Muth: Thank you. Linda Whitetrifaro.

Linda Whitetrifaro: Pretty good. My name is Linda Whitetrifaro. I live at 5 County Road 2078 in Alpine, Arizona. Shanna, ready? I have a short little PowerPoint. With water being a west-wide issue, I decided to look at the precipitation history for Alpine. This information was compiled from NOAA database, the one that is available to everyone. Next. That's not it. It should be average yearly precip rain and snowmelt. That's it. Give me more time.

The Alpine Valley is the headwaters of the San Francisco River. We get no moisture other than what falls here to feed the springs and brown waters we use. Looking at the chart from 1904, the long-term average yearly precip in pink is 21.02 inches, while the 40-year average noted above is 19.84, that's when many of Alpines at least pre-COVID population moved into the Alpine Valley. I've color-coded numbers so you can follow a little bit or hopefully. Next slide.

Here again, we have the 40-year average in green. Next is the average for the 10-year period from 2010 to 2019, a 15.94 inches. Lastly is 12 inches is the average yearly preset for the last two years. Surprisingly, there is a loss of almost exactly four inches in the average yearly precip between each of these shortening periods, 40 years, 10 years, two years. This represents an exponential decrease in Alpines precipitation. The only thing that saved us last year was record summer rains.

Next slide. Changes in Alpines average yearly precip. Looking at the changes in percentages, the 6% drop in pink from the long-term 40-year period is statistically the same, minus 6%, not a big deal. However, a 20% drop from the 40-year period to the next 10 years is a substantial decrease. The last two-year period in turn is a highly significant drop of 40% and you can see how NOAA classified those periods in terms of precip.

The next thing is I looked at just one-year precip because groundwater recharge in Alpine is almost entirely from snowpack. Starting in 2000 average winter precip is even more telling of what is happening relative to long-term water recharge in Alpine. In the last 22 years, since 2000, we were down by a critical 63% in precip, so Alpine now receives only about 37% of the winter moisture and the forecast is for more the same. You can flip it, the last one.

File name: pz4-7 copy.mp3



[applause]

Mr. Muth: Ron Ramsey.

Ron: Yes, sir. I'm not going to be able to speak today. I would ask the commission a question. By show of hands, how many of you have been over to Alpine and seen this RV area that is in question? Thank you. I'd like yield my time.

Shanna: Point us to the next speaker Mitchell White.

Mr. Muth: Yes, you can. Mitchell?

Mitchell White: Hi. Good afternoon. My name is Mitchell White. I'm-

Mr. Muth: You are aware you have six minutes.

Mitchell: Six minutes? Okay, thank you. My name is Mitchell White. I live at number 5, County Road 2078 in Alpine, Arizona and I lived in there in Alpine for the last 26 years. Shanna? As you can see, I have a map to Gomez's plan development that's not showing up on the screen. Anyway, what really struck me when looking at their plan was there's going to be 100,500 square feet of road surface and 40,680 square feet of RV pads to be constructed. Using their information, there's a total of a little more than three acres on this site will be just in roads and RV pads.

It's not 11.8 acres in total RV space. It's going to be even crowded here. With four to six inches of gravel on top of roadbed and RV pads, this equates to about 2,200 cubic yards of gravel that would have to be transported and hauled into the site to make these roads and pads. Mr. Gomez also proposes to enlarge the silted-in pond. You can see the pond in the picture on the left and you can see it on their map. He proposes to reroute the natural drainage for nearly 270 feet and the threat of channel migration and/or downcutting due to erosion during these times of heavy rain is likely.

According to his map, Mr. Gomez will also be installing two 36-inch culverts in the old drainage way after he reroutes the new one so that he can use the original drainage way for a road alignment according to his map. Next slide, please. This table displays some of the characteristics of the subsoil or the soil substrates that have been identified as engineering concerns occurring on the Gomez property and this information comes from the US Forest Services soil survey of the Apache-Sitgreaves National Forests and from Apache County's own soil survey.

Clay soils, these are predominantly clay soils. Clay soils are not recommended for such things as campgrounds, dwellings without basements, unsurfaced roads, septic tanks, because of severe shrink-swell and frost action and because they have the ability to become saturated with water, so they're too wet. Clay soils are not recommended for such things. Gravel roads and RV pads will tend to sink into clay soils when they get wet.



Gravel roads need continuous maintenance. 113 high-density sites will produce high runoff rates on the clay soils with overland flows carrying all types and amounts of pollutants from petroleum products and garbage onto the Forest Service land and ultimately into the San Francisco River and down to Luna Lake. Next slide, please. In the image on the right, the blue marker indicates the point at which the yellowed watershed drainage enters the property on the south side of Highway 180.

This watershed is less than one square mile in size. Below and to the left looking north upstream at the intermittent drainage at the nearest the box culvert down to highway 180 and the red arrow indicates the direction of flow, south. Below the picture and below and on the right looking south downstream at the drainage way as it exits the box culvert under the highway 180 directly onto Gomez's property and the red arrows indicate possible direction of flows because that pond that's silted-in the direction of flows are south, southwest and southeast. Now this pond was silted in after a storm event in 2011 after the wildfire.

Floods are a common and costly natural hazard in Arizona, whatever the cause the result of flooding can be devastating in terms of lives lost and property damage. Next slide, please. This table presents is peak flow report for the yellow small watershed drainage that discharges directly onto Mr. Gomez's property. This data comes from a research study and the modeling that they developed, and anybody can access on the internet on the web. It talks about the likelihood, the column on the left is the likelihood of occurrence, the return interval, and then you have your volumes of those.

I've highlighted the two-year flood event, which is you have a 50% chance every year having a flood or not. Then the results from this analysis revealed that even a two-year flood event with a 50% likelihood can generate 124 gallons per second of flow coming down that small watershed, that small drainage. While larger incidences like the 100, 200, and 500-year flood events are less likely to occur likelihoods of 1%, half percent, 2% respectively, you can see on the table. However, when they do occur, they generate tremendous flows with estimated magnitudes of over 1,200, 1,500, and just under 2,000 gallons per second of flow through that drainage.

Mr. Muth: Your time has expired, sir.

Mitchell: Okay, last slide, if you don't mind. Thank you very much.

Tom White: Mitch, did you need more time?

Mitchell: I could use--

Tom White: District Chairman, my name is Tom White 241, County Road, 2311, Alpine. I was scheduled to speak, may I cede my three minutes to the speaker.

Mr. Muth: You may, sir.

Mitchell: Thank you, Tom. Thank you.

File name: pz4-7 copy.mp3



Mr. Muth: Three minutes on the clock, please.

Mitchell: Looking at the magnitudes that potentially could flow down this small drainage directly onto this property and the channel, when this property has been eliminated and Mr. Gomez's plans have diverted. He's going to clean out the pond according to his proposal, when you look at the magnitudes of 1,200, 1,500, and just under 2,000 cubic feet per second, think about your bathtub, it runs about four to seven gallons per minute. This is an incredible amount of flow that would just wipe out that trailer park and we've had flooding across this particular drainage, these incidents by the 2011 flows that covered that stock pond.

Floods happen irregularly, it's not a matter of if but when and how severe they're going to occur. One of the primary goals of planning and zoning should be to eliminate or at least minimize the threat of injury and damage to life and property as a response to that's why we have zoning and planning to prevent these sorts of things. The Gomez proposed project, I'm a private landowner myself, and I'm not opposed to people doing what they want on their property but there has to be an activity that's appropriate to the environmental setting. The environmental setting for this type of high-density development is not on this particular spot. Please do not recommend the application for approval. I appreciate it, thank you very much.

Mr. Muth: Thank you.

[applause]

Mr. Muth: [unintelligible 00:54:23] and Boyd Gersh did I say that right?

Boyd Gersh: Yes, you did.

Mr. Muth: Close enough? Name and address.

Boyd: Hello, I'm Boyd Gersh. We live at 2068 lot 13 Village of Alpine. What I like to discuss today is that he has 20 something cabins right now, the Gomez family does. They don't police or control that after-hours, now what would this RV park be like? They get parties that go to late hours, and nobody's controlling any of that. RVs, ATVs running around there late hours in the evening and nobody's policing it. Who's going to police this RV park. It's already been discussed about the elk in that valley all the time. I just think it'd be a detriment, like these other folks have said, if this happened. Thank you for your time.

Mr. Muth: Thank you, sir.

[applause]

Mr. Muth: Kathy Cross.

Kathy: Good afternoon. My name is Kathy Cross. I live at 23 County Road, 2066 in Alpine. I'm a 10-year resident, full-time. I feel this cup application is an injustice to



our community. I do not understand how buying 11.8 acres on an agricultural land should mean you can do whatever you want with it. The Gomez plan will impact our entire community and our tourism industry. Would a landing strip on this property be okay? A toxic waste dump?

Many of us in Alpine consider a 113-site park model development to be just as destructive and toxic. This will not be a development for RVs, fifth wheels or campers of any kind. It will not host the type of rig that visits in the summer and is taken back to the valley for the winter. The Gomez family is clearly planning a park model development. A true RV park requires pull-through spaces, one-way roads, and more than one restroom. None of this is present on the site diagram that you have seen submitted by Mr. Gomez.

He stated specifically at his onsite January 15th meeting, that RVs will be allowed in the beginning. Then shortly, it will be all park models. Park model homes are placed permanently in a location for seasonal use only. With the weather conditions in Alpine, snow, monsoon rains, freezing temperatures, and very high winds, these homes will deteriorate quickly and we will be left with a trailer slum. The numbers he is proposing are also wrong for our small community.

This 113-site mobile home park would be the second-largest such development in all of Apache County and located in a community with the least amount of infrastructure. With a 2020 census for Alpine of 154 residents, whether you believe it or not, this would triple our population in one summer. A volunteer subcommittee surveyed 13 of our Alpine businesses for their comments on this development. The results show that not one business has future plans for expansion, including the taco shop, which has our two gas pumps that are busy all summer and see long lines.

The potential increase in customers is seen only as a benefit if the lack of staffing every business is facing could be improved. The most common concerns for the businesses are the increases in traffic on our roads, and that this development is not in the culture of Alpine. I do not oppose growth in Alpine. If this were to be a true RV park, half the size, in a location in the pines and away from the open meadows, there would be much less opposition. Again, this development is in the wrong place, a bad design, and too large for Alpine to absorb. Thank you.

[applause]

Mr. Muth: Betsy McKenzie.

Betsy: Hi, I don't have any planned comments. I did write you this beautiful six-page letter full of quotes and summaries of what I--

Mr. Muth: Sorry, ma'am. Can I get your name and address please?

Betsy: I apologize. Betsy McKenzie, I live at number 224 County Road, 2117 in Alpine.



Mr. Muth: Thank you.

Betsy: Thank you, sir. The first thing I just wanted to ask if by any chance you guys had any questions. I know you have to spend a lot of time and I tried to present facts. Maybe there's something I can clarify out of that letter. Oh, good. It looks like everybody's covering this really well. I don't want to repeat what other people have said. I don't want to repeat what's in my letter. I would like to help Mr. Fish clarify what in fact is said in the Alpine Community Plan about the density and the housing requirements.

I'll just quickly read on page 17, under goals. Focus commercial development within 300 feet of existing US highways, starting from Judd's Cabins of Coronado Trail Cabins, to the Outpost RV Park. That's commercial development. It does appear that the county emphasizes highways as an appropriate location for commercial developments. I think people in Alpine might take an exception to that. On page 22, under strategies, the Alpine Community Plan again states, prohibit mobile homes except in existing mobile home parks.

On page 28, under permitted uses, single-family residence, except for mobile homes as defined in this ordinance. On the next page under prohibited uses, mobile home parks or subdivisions, except in areas approved by the Board of Supervisors. I think that goes very nicely to the responsibility that you folks carry out to be able to take the county, which is zone primarily agriculture, and to thoughtfully figure out how it's going to grow in the future. Hopefully not by spontaneous and instantaneous decisions. I just also want to point out since I'm here, page 33, again, in the Alpine Community Plan, under density, the maximum multi-family or multi-building density on any lot or parcel--

Mr. Muth: No, ma'am. You still have about 10 seconds.

Betsy: 10 seconds. I would also like to read out of the County Comprehensive Plan under community plans, the land area of Alpine county is large and diverse and the following area or community plans are being adopted and incorporated into the Comprehensive Plan. This comprehensive plan does not address the land covered in the area plans, and these plans are the controlling planning document for these communities. Greer Community Plan, Alpine Community Plan, and two others. That actually wasn't even in my letter. Thank you very much for your time.

[applause]

Mr. Muth: Briefly, could you call her back just briefly? Betsy, could you come back?
Mr. Freeman.

Mr. Freeman: Very brief question, Betsy. You were here for the public input earlier when a person was very disturbed about ordinances impacting within Greer. How would you address somebody that looked at their property rights and their use of their properties as opposed to a community, or how would a community work to ensure those people were represented?

File name: pz4-7 copy.mp3



Betsy: I'll try to keep it brief. I grew up in a state where the motto was live free or die. That's the state of New Hampshire. I lived out in the woods, not as small a town as Alpine, about 5,000 people. We had lakes, not meadows there. If you didn't like the view on the other side of the lake, you better own that property. As development grows and people live closer and closer together, I think there's a spectrum of, I can do what I want, to people that don't even want dogs in their town or some other special interest group.

I think you folks have a hard time ahead of you to try to find the balance between the property owner's rights that doesn't tread on the surrounding property owner's rights for their expectations, and to reasonably enjoy their property. Does that find common ground?

Mr. Freeman: That's a good answer. That is a spectrum. How would you solve that problem? Particularly for the unincorporated communities?

Betsy: I was very pleased to see that Alpine, I am a relative newcomer, I was very pleased to see that Alpine has a Community Plan, and it is part of the county ordinances, and it's part of the County Comprehensive Plan. I'm hoping that this issue might be a stepping-off point for people in Alpine, I'm looking at you guys, to actually try to politely and calmly move forward to updating that community plan. It's not going to be elk and feeding deer, there's going to be a need for commercial growth. It'd be nice to have it maybe create one of those character areas, the community village areas, close to the center of the town.

Mr. Freeman: Thank you very much.

Betsy: Thank you. You're very welcome. [applause]

Mr. Muth: Mr. Fish and then--

Speaker 2: Mr. Fish, your question.

Mr. Fish: Just one bite.

Mr. Muth: As soon as he's done

[crosstalk].

Mr. Fish: Most of what the speaker just quoted from is the Alpine overlay ordinance, but to my knowledge was actually never adopted. It wasn't adopted. It's not ordinance.

Mr. Muth: Your question, Mr. Fite.

Mr. Fite: That was my question to Mr. Fish. The Alpine Community Plan is not an ordinance. It's an outline.

Mr. Fish: Correct.

File name: pz4-7 copy.mp3



Mr. Fite: Is that correct? Okay.

Mr. Fish: Much of what was [crosstalk] Alpine overlay ordinance that was basically abandoned in the community plan, but was never adopted.

Mr. Fite: Okay, so Alpine is not a zone? Zoning, except for agricultural.

Mr. Fish: Alpine is under the same zoning ordinances that the [crosstalk].

Mr. Fite: The rest of the county is, and it's not an ordinance. The overlay, the community plan, it's an outline.

Mr. Fish: It's an outline. It's a guide. The stuff that you look at-

Mr. Fite: Okay, that's all I wanted to clarify.

Mr. Fish: -to make the decision.

Mr. Muth: Thank you, gentlemen.

Speaker 9: Excuse me, [inaudible 01:06:08]

Mr. Muth: Ma'am, I'm sorry. You haven't been recognized.

Speaker 9: Pardon?

Mr. Muth: You have not been recognized. We need to move on with Joe Petty.

Joe Petty: My name is Joe Petty. I reside at number five County Road, 2089, Alpine, Arizona. I've been there for 17 years. I've worked in Alpine as a private contractor for Arizona Game and Fish for 19 years. We must be protective of our open spaces, water resources, and the ambience of our small town. Many of our residents have expressed dismay and concern regarding this project. Many, including myself, have done due diligence, research, and documented legitimate concerns, some of which I will lay for you.

Our fire department is responsible for 45 square miles of coverage from Nutrioso to the next New Mexico border. 113 space RV park packed into 11.8 acres with one entrance and the same exit is a major concern for them. The roads and spaces will be narrow and parking limited. If any vehicle were not parked off the interior roadway, allowing complete access for the Alpine fire department, the results could prove to be catastrophic for the RV park, for the surrounding grasslands, and for the community of Alpine.

Mr. Gomez has stated that he does not plan to have security personnel assigned to this development, thus no one to enforce parking or any other regulations he may put in place. Any major increase in traffic will be hazardous for residents and travelers on Highway 180. Highway 180 is a major delivery route from points east



and it's heavily traveled by large 18-wheelers, including delivery trucks, logging trucks, construction equipment, gravel dumps, and RV's headed elsewhere.

The RV lifestyle usually includes ATV, UTV, or bicycle traffic, thus increasing potentially hazardous traffic on the highway and in our neighborhoods. There is not a law enforcement presence in the Alpine valley, and response time is generally one and a half to two hours to any incident requiring them. Who is going to respond immediately to any incident or problem occurring in a tightly packed 113-space RV park? The location of this project will impact the riparian area of the San Francisco river drainage and onto Luna lake.

Mr. Gomez will cover the acreage with some type of gravel or asphalt material, which will allow any spillage of hazardous materials, waste products, gas and oil leakage, et cetera, to be flushed into the river, thus onto Luna lake. This will damage the water quality in the river and the lake, and potentially poisoning them, rendering them sterile of life forms. The impact of an additional recreationist from 113 space RV park on Luna lake could also be catastrophic on this small body of water. One-third of the lake is closed from February 15th to July 31st as a waterfowl breeding refuge, rendering this useful space on the lake smaller. Luna Lake is of major importance to the area's wildlife and migratory species.

Mr. Muth: Your time is expired, sir.

Joe Petty: Someone want to defer his time, please?

Mr. Muth: Next up is Kim Ames. Would you like to use your time?

Kim Ames: Can I give him part of my time?

Joe Petty: [laughs].

Mr. Muth: Well, you've got three minutes. What portion would you like to give him?

Kim Ames: The first one minute.

[laughter].

Joe Petty: Thank you.

Mr. Muth: 60 seconds.

Joe Petty: Okay. Migratory species includes sandhill cranes, pelican swans, does, and other stuff off to rest. The lake also supports beavers that actually use Luna lake as a breeding area. Those beavers move up and down the San Francisco river, creating ponds in the open meadows. Mr. Gomez is going to plant grass according to his statement on each space because he feels it rains enough. Not so.

Water usage by the park will be copious and impact the entire system in our valley. Mr. Gomez project, if not denied, should at least be put on hold with no additional

File name: pz4-7 copy.mp3



construction until he has a complete independent hydrology study done to ensure our valley continues to have an adequate water supply for now and into the future. In closing, I would like to ask, have you asked yourself, do you want 113 space RV park with support buildings lighting up the sky in your neighborhood? Thank you.

[applause]

Mr. Muth: Thank you.

Mr. Gomez: Chairman Muth.

Mr. Muth: Sir.

Mr. Gomez: I just have one question for him. You made the statement that the Alpine fire department was opposed to this project.

Joe Petty: I did not say they were opposed, sir.

Mr. Gomez: Oh, okay. You said that they--

Joe Petty: They had been to and they had concerns.

Mr. Gomez: Okay.

Speaker 3: I just was wondering if we had some kind letter or something if you don't mind, from the fire department.

Speaker 4: Yes, they do have [crosstalk].

Mr. Muth: Okay.

Speaker 3: Their complaints have been reviewed by them.

[background conversation]

Mr. Muth: Kim Ames, I assume?

Kim Ames: Yes.

Mr. Muth: You have two minutes. When I tell you, while we're waiting. When I tell you, give us your name and address first.

Kim Ames: Okay. I think she's going to start appraisal for me as well because I only have two minutes and I have to talk really fast.

Mr. Muth: Really fast, but we're going to wait until everything gets settled and she brings it up so that you don't have to compromising your time.

Kim Ames: Thank you. I appreciate that.



[pause 01:12:47]

[background conversation]

Mr. Muth: You may proceed, ma'am.

Kim Ames: Okay. Thank you.

Mr. Muth: You're welcome.

Kim Ames: My name is Kim Ames, and I am an Alpine resident. I live at 2 County Road, 2081. Thank you for allowing me to speak today. I am speaking about the Gomez proposed RV park and the reason that I am opposed to it. Shauna. My presentation is satellite or sorry, drone photos of the general area, just so that you guys can see what we're dealing with and how we live today and how uncompromised the area is in terms of population and density. Today, as you know, that diamond-looking area next to that metal building, which represents the Gomez's warehouse, is the area that they're talking about for their proposed 113-unit RV park or park models later on.

This is, from the application that Mr. Gomez provided you and on this, again, that diamond that you saw earlier, this is the 113 units that would include, their office, shower house, bathrooms, laundry, a couple of dumpsters, and drainage channel with the culvert. You can see the culvert off to the left, very low left-hand corner next to the road. What Frank was pointing out earlier-- No, it might have been Mitchell. You can see the circular dark spot that is filled with salt. Is that correct? Salt. That is where the drainage is provided today.

Currently, if you look at the image, you're going to see the warehouse, the shipping containers and the under highway culvert, which I just pointed out to you, which brings water flows from the up drainage into the Gomez property pond filled with salt. This is another view, so this-- [timer rings] Oh no, Joe. Can you go to the last slide and just shows on the image.

Mr. Muth: Mr. White did not use his entire time, Keep going.

Speaker 3: Actually, he went over and got an additional minute. [laughs]

Kim Ames: That last slide, please don't take our serenity away and provide it with commercial buildings to line the **[unintelligible 01:15:36]**

Mr. Muth: Thank you, ma'am.

[applause]

Mr. Muth: Dan Cross?

Dan Cross: Good afternoon? Dan Cross, I'm at 28 County Road, 2066. 10-year full-time resident, and thank you for the chance to speak today. I'm carefully stating what

File name: pz4-7 copy.mp3



I've learned with no disrespect to the knowledge of the commission members. I'm here to object to the Gomez mobile home development. One argument that I've heard is just a few people, is that it's his property, he can do whatever he wants with it. I researched that, mostly to educate myself and maybe someone else.

My reference is a comprehensive analysis of historical American property rights by Gerald Friedman, a professor of economics, UMass. Our property rights are based on two common law maxims often cited in legal decisions. The welfare of the people is the supreme law, use your own so as not to injure another. In 1851 in a recognized Massachusetts Supreme Court ruling consistently supported laws since then, the chief justice issued this classic statement on the power to regulate development.

It is a settled principle growing out of the nature of a well ordered civil society, that every holder of property holds it under the implied liability that his use of it may be so regulated that it should not be injurious to the equal enjoyment of others having an equal right to the enjoyment of their property nor injurious to the rights of the community. This development proposal is terribly injurious to the people of Alpine. This is one's person's will versus the collective will of a small town.

We simply don't have the roads, the water, the gasoline, or the general resources to support this proposal. We have a history of common sense incremental development in our unincorporated community. We need a majority of the commissioners to put this to rest. Please, if you approve this it won't be the last one of these proposals you will face. We have an abundance of open pasture land ripe for people of financial means to also monetize and exploit the last pristine mountain town in Arizona. Thank you.

[applause]

Speaker 4: Road 2051.

Anna: Anna. Mine is going to be very short and I expect the same clapping everyone has done.

[laughter]

Anna: I'm a business owner, and as a business owner in the town of Alpine, I worship somebody to bring people up there. Businesses are falling apart. They can't keep businesses going and all these people are afraid that all these people are going to come up at once. What in the world makes you think there's going to be 113 people sitting in his park all the time? It brings revenue to our town, it brings people to our town that may want to come up and build up there. You have to accept growth, it's not going away. The elk that have been in that field haven't been there for years. I've been here 13 years since they put the flycatcher fence up. No, no, no, no. Since they put the flycatcher field up, there hasn't been a bull elk in that field [crosstalk]

Speaker 5: Speak to us [crosstalk].



Mr. Muth: Ma'am?

Anna: I'm sorry, you're right, but she didn't have the right to say that either. There hasn't been the bull elk in there in a long time and I'm not the only that sees it. The people that ranch around here, they don't like the elk. The elk eat their horses and their cows' pastures down. I understand that they're beautiful animals, but I also know progress, and it has to be made. I also know that this town has to grow or it will become a ghost town because everybody up here is our age, if not over. I'm sorry. I think what Fred's doing is a great job because it's going to bring revenue up to our town. That's all I have to say.

Mr. Muth: Thank you, ma'am.

[applause]

Mr. Muth: Art Cattel.

Art Cattel: Good afternoon. My name is Art Cattel, I live at Elsie Ranch Road. It's used to be the 4277 address in US Highway 180. We lived there for 25 years and I hate to say this, but I have elk going by my back door every single night. When a developer chooses to take away my rights by exercising his, then it's time for you guys to decide. When Mr. Gomez was building his garage for months, we did nothing but pull trash out of our fences and out of our trees and flowers, whatever, because he didn't clean up after. What's the 113 spaces going to do to our property?

That property is also metal land and anybody who's lived in the mounts for very long knows that if you try to pull the truck with a 40-foot travel trailer onto metal land you ain't going to get very far in the monsoon season. You're not going to be able to get out. He also states that dust issues are not a problem because of the moisture we have in Alpine. I'd like to invite him to my house. He can walk with my dog and see what dust my dogs kick up. Unfortunately, we live Northeast of where his property is. Any dust and trash that is kicked up is going to be flown right into my yard and my house.

The other thing that I want to bring up is the traffic. The traffic has been mentioned, but if you look at his access, it is uphill onto the highway. Anybody pulling a trailer is going to have to take across both lanes to get into the lane going into the east or to the west. That is a blind corner. Like they said, there's semis, there's locked trucks, there's trucks pulling trailers. It's not a matter of if, it's a matter of when there's a collision there. When there is a collision, there is no detour to get around Alpine. That will be stopped until police show up, which is a minimum of 30 minutes.

The other thing I wanted to mention was in good years, that property is very sub-irrigated and any solvents, petroleum, coolant, which we all know happens when you have our ATVs and UTVs, are going to be soaking into the ground and are going to be headed to San Francisco river. That needs to be addressed. I know you have a tough decision. I've been in planning and zoning myself, but in this case, I think it's



clear where the decision needs to go. He has the money and he has the wherewithal to make his travel trailer, but that is not the place to put it. Thank you very much.

[applause]

Mr. Muth: Thank you. Dan. Hansing.

Dan Hansing: Thank you, Mr. Chairman. Dan Hansing, number 2 County Road, 2080. Full-time resident, 23 years, retired there 23 years ago. The reason I retired there is because how Alpine existed. I was a planner for 30 years in the valley and I didn't want to deal with growth and all the crime and the issues and so forth. I guarantee everybody else that bought property here is probably thinking the same way. Like to be able to keep that community like it is.

It's going to grow, but it needs to be controlled growth and reasonable growth based upon the community views and goals as stated in this comprehensive plan. It's a guide, but it's the citizen's guide that we recommend that you control and view how you approve development or disapprove development.

Alpine 1920 census, 147 people. A hundred years later, 2020, we gained about seven people full-time residents. We have a huge population of summer people, 2,000 to 3,000 people. It's been hard to estimate that exact. As far as this comprehensive plan, some of the things that are important, the goal of the Alpine Community Plan is to direct the orderly, sensitive growth of the-- [clears throat] excuse me, of the area while protecting its natural beauty, rural character, existing quality of the mountain area environment. The intent to achieve proper balance between manmade and natural environments by ensuring development is sensitive to the natural resources and constraints.

As far as the vision statement, the desire of the Alpine residents to maintain and enhance the community economic stability, scenic beauty, high quality of life. To achieve the desired conditions, residents of Alpine see a need to address increasing the density of subdivisions, the future aesthetic qualities of the community, improved transportation, utility infrastructures, water supply, and protection from catastrophic wildfires.

Under the environmental element. The goal is the mountain residents and investments are attracted by spaciousness available between homes and between developments. The views and openness are a significant part of the areas quality of life because of its important visual qualities development through out the Alpine area should be designed to compliment the landscape, not degrade it. [timer rings] Lastly-

Mr. Muth: Please be brief. Your time has expired.

Dan Hansing: -some of the goals under the residential maintain, protect important open spaces, connect open spaces with corridors, linkages, minimize habitat fragmentation, set large open spaces. Under the strategies, provide for increased yard setbacks at minimum 50% of the open space on any lot or parcel. This is 10



dwelling units to the acre. Apartments down the valley typically are 20 to 25 dwelling units per acre. This is, can you imagine, our multi-family recommendations as mentioned was not to exceed 4 dwelling units pre acre. Thank you.

Mr. Muth: Thank you, sir.

[applause]

Mr. Muth: Having no more public comment cards, Mr. Fish.

Mr. Fish: Staff doesn't wish to recommend anything or [unintelligible 01:27:30] further comment.

Mr. Muth: Is the applicant present?

Speaker 4: Mr. Chairman, there was one thing staff had said that there was some contradictions and they would clear them up. I'd like to hear what those were and have them cleared up if you would.

Mr. Fish: I'm sorry, I thought they were cleared off already.

Speaker 4: I missed them. That went right over my head.

Mr. Fish: In the outlined community plan, staff quoted what was an appendage. the Alpine overlay ordinance in his recommendations or in his staff report. Then just wanted to back that up by saying in the community plan itself, focus commercial development within 300 feet of existing US highways, starting from Judd's Cabins of Coronado Trail Cabins, to the Outpost RV Park, which is in a T basically along the main highways, probably extending a half a mile to mile, both in the Northeast and the Southwest direction of 190, the Coronado Trail. Then the Outpost RV Park extend way past the applicant's proposed site, down much closer to Luna lake on the 180. That was the clarification.

Speaker 4: Okay. Mr. Chairman, that's another reason Mr. Young needs to be here. There's been a differentiation between the appendix of the proposed ordinance and the plans. My understanding's that the plan and the appendix are one document, and that's why Mr. Young needs to be here.

Mr. Muth: Duly noted. Is the applicant present? Please step forward, sir. Name and address for the record, please.

Mr. Gomez: My name's Fred Gomez. I live at house number 3, 2053, Alpine, Arizona.

Mr. Muth: Thank you.

Mr. Gomez: I didn't know I said so much at those meetings. First of all, I don't buy park models. Individually my park models. Paul Ritz has an RV park. I don't think there's more than two or three park models in it. The same with the others. As far as

File name: pz4-7 copy.mp3

water, I don't propose to move the water at all. It goes right past there. The problem is that's a preliminary plan, it was dug with a grater at one time, there are two channels there. They'll both be combined for water.

Number two, about 500 feet to the south of me and to the west of me, there are eight-foot elk fences. I call them elk fences because that's what they're trying to keep out of the willows. They can't come in there except to cross 180, and they don't do that very often because they're boxed in. They know it ,and they won't do it. I know, I've owned the property for quite some time. I'm surrounded on three sides by a US forestry service. They were brought in, they had no problem with what we were doing.

Speaker 2: Incorrect, I know for the [unintelligible 01:31:15]

Mr. Muth: Ma'am. [bangs gavel]

Mr. Gomez: The representative for the forestry service that was there had no problem with my development.

Mr. Muth: Mr. Gomez, please address us.

Mr. Gomez: I'm sorry.

Mr. Muth: Ma'am, your last warning.

Mr. Gomez: Okay, she had a couple of comments. One was the fencing along my boundary and the forestry. They don't want automobiles of any kind, motorized vehicles of any kind out there. The reason there is a plan in there that states it, I think site three plan, is because that is the model that I'm going to be using on there. It does not contaminate the soil, it is pumped to the sewer lines just like everybody else and it goes to the waste site. My water will come from Alpine Water.

You're talking about contamination of soil from oils and such. Most of the subdivisions they live in are all oil streets. They talked about flooding in 2011. You can still go down to Alpine east and you will see huge concrete barriers put up. In 2011, the water came down the mountain right through Alpine east. Anything can be flooded. You do the best you can in order to control the water. Hydrology is not a perfect science.

I don't plan on planting grass. The roadways and that, you can cover 50% of your property. You have to contain the water on your property that does not run off. All this has to be done. That is a preliminary plan. Hydrology report will be done ADOT. I have a plan going in, it's actually in the packet. I think it's 60, and I don't know if it's per day or per hour, but I don't know the criteria. It's 60 ingress and egress, but I don't know in what span. The report isn't completed. They talk about these alpha hunters, retirees that come in during the summer. Nobody wants to be there during the winter except us permanent residents, I guess. If there's any questions, I'd be glad to answer them. I don't know what else.



Mr. Muth: Mr. Marley.

Mr. Marley: I just want you to clarify what it is you're going to put into-- Some people have mentioned park models, some people trailers, some people combination of both. Can you clarify that for me?

Mr. Gomez: Park models are considered RVs because they're less than 400 square feet. However, Paul Ritz, like I said, and the other RV parks don't have very many.

Speaker 1: The preliminary plan, what do you expect to have in the final plan?

Mr. Gomez: There's a few problems with that. I have to get a topographic map and a few other things, hydrology report. Everybody is so doggone busy these days, I don't know when the heck I'm going to be able to get it done, to be very honest with you, sir.

Speaker 1: When were you to open?

Mr. Gomez: When I get my final plan and it gets approved by the--

Speaker 1: 2022, 2023, just whenever it sounds good?

Mr. Gomez: Yes, sir. Right now.

Speaker 1: One other question, I've heard a lot talked about the flood zone and so forth. What is the flood zone? Do you have copies of the FEMA flood map?

Mr. Gomez: I do not, but I did check it out. It is out of the floodplain.

Speaker 1: Mr. Fish, did the County see the FEMA flood map?

Mr. Fish: County engineering department contacted us to see the floodplains. I can get them for you.

Speaker 1: That's all.

Mr. Fite: I have a question, Mr. Chairman.

Mr. Muth: Mr. Fite.

Mr. Fite: Mr. Fish, I have a question for you.

Mr. Muth: Give to Mr. Fish, please.

Speaker 3: He still has to do his final plat. The approval on this, if it is approved or denied, whatever it is, do we have to wait for that final or we do the preliminary? Which one?

Mr. Fish: That's up to you folks.



Speaker 3: Is it either or one of the other?

Mr. Fish: Yes, sir. It's a [unintelligible 01:36:58].

Speaker 3: That was my question.

Mr. Muth: Thank you.

Mr. Paterson: I have a question for Mr. Gomez. I didn't see anything in the [unintelligible 01:37:10] about maybe having that condition of years or age of the RVs. I've seen in some other places they'll say it can only be 10 or 12 years old and if it's older than that it has to be moved out. There's some stipulations. Would you be willing to do something like that?

Mr. Gomez: Yes, sir.

Speaker 5: What do you consider reasonable as far as the age and those kinds of issues?

Mr. Gomez: Normally, they use 10 years. If your rig is 10 years or older, of course, that's up to the discretion of the owner. However, I have seen a few things done in the county that I do not like. Number one, they build decks, and it's legal. They go clear over the trailer and they park the trailer underneath. I'm not going to allow that for one reason. If they don't come back the following year, I've got a structure I have to tear down and throw it away. They've talked about larger lots. Here's the problem with a larger lot, you can park more vehicles on it.

You can put a bigger storage shed and then I'll guarantee you they'll put bunk beds in there and you have 12, 13 people in there. I plan on putting a 10x10 storage ship. They can put the barbecue, the spare tire, whatever is unsightly in there. They have room for two automobiles, period. They will be parked on the lot. Normally, you have a RV is towed with a vehicle. That's it. You only have to have one parking space. By putting a 10x10 storage, they can't make it into living quarters.

55 feet is more than ample for most trailers that are on the road today. Width-wise, they're not more than eight feet. It's illegal to drive anything down the road eight feet or wider without wide load permits, oversized loads. That's why the lot sizes are that size. There are three RV parks in Alpine. When I built my cabins, I got the same opposition and it was tabled and everything, and I finally got them put in. They're not an eyesore. I have planted some trees. The elk like them. They tear them right down to the ground. I have them gone through the cabins, they did a wonderful job in mowing the grass, knocking down everything, but they're there. My cabins did not disturb them one bit.

In Alpine, they're all over the place, into town proper. I don't know what else I can say. When it comes to RV parks, I know real well what I'm doing. My dad had one and I worked for him for many years. They're not unsightly if you have the right rules and regulations in place. They're not ugly. Not any uglier than some of the-- I believe



I gave some pictures to you. There's some pretty nice buildings right down the middle of town. They're unpainted, they're old, they're falling down, but you know what, to each his own. I don't run around with my nose in everybody else's business. I figure they're going to fix it whenever they are able to. That's about it. I don't know.

Mr. Muth: Mr. Dobson and then Mr. Freeman.

Mr. Dobson: Mr. Gomez?

Mr. Gomez: Yes, sir.

Mr. Dobson: Did you say 56 foot by 8?

Mr. Gomez: 50? The lot?

Mr. Dobson: Yes.

Mr. Gomez: No.

Mr. Dobson: Where they're going to be putting their trailer on.

Mr. Gomez: They're 55 feet long by 36 feet wide, and will accommodate an RV and will accommodate the vehicle that's hauling it.

Mr. Dobson: Okay, I thought you said 8 foot wide. I'm like, "Hmm," because you said you can drive down the road but we all know they love to slide out.

Mr. Gomez: Oh, they do.

Mr. Dobson: I had one, and they pop out and they're blocked. **[unintelligible 01:41:57]**? The other issue that we returned from people was the pull out when they're going **[unintelligible 01:42:05]** the grass from that area pulling out onto the highway. Is it on a curb? I think it is on a curb.

Mr. Gomez: No.

Mr. Muth: No.

Mr. Gomez: No, it's not on the curb.

Mr. Dobson: Yes, sure.

Speaker 6: **[unintelligible 01:42:18]**

Mr. Dobson: I didn't see the **[unintelligible 01:42:20]**.

Mr. Gomez: I'm waiting for the ABLT to complete the 204 form, to sign off on it. At that point in time, it becomes a commercial egress and ingress. It's probably as good as, if not better, than most of the other RV parks in the area.

Mr. Dobson: Also, the transfer sheets, we've heard one gentleman talking about bad stuff going out. Did you know what [unintelligible 01:42:51]? I don't know if you're thinking about maybe doing some changes like maybe having a little enclosed area for your trucks or [unintelligible 01:43:01] to stay inside their area. I've seen some on Greer done that way and other areas too. [unintelligible 01:43:10] Just thoughts that I was writing down. People were saying the floodplains stopped due to the fires up there, it's flooded anywhere.

In fact, they did have a hydrologist come in for service, did a lot of putting new borders and stuff and new [unintelligible 01:43:37] that were washed out and all kinds of things happened with the fires that they had up there. Flooding issues is a big one too, especially out across the meadow. I know I've got a lot of meadows [unintelligible 01:43:49]. That soil that you're going to be using come back into your lot and stuff. I don't know [unintelligible 01:44:00].

Mr. Gomez: I believe, I don't know for sure. 12 feet around the perimeter will have a barn to contain the water inside. However, any culvert can be filled with trash. When the trash builds up enough, it's going to jump the road, it's going to go across houses, it's going to do whatever it wants to. I've had hydrologists tell me it's not an exact science, there's too many variables.

Mr. Muth: Mr. Freeman.

Mr. Freeman: Mr. Chairman, I'm not sure this is significant. Some of it is over my head. Did you say, sir, that these RVs would not be park models? Did I hear you say that?

Mr. Gomez: They're not. I don't buy park models. This is just an RV park, sir.

Mr. Freeman: I understand, but Will, in your definition of RV, I thought I heard something about a dimension. If it's under 400 feet, it's considered an RV. Is there going to be an allowance for park models or will we have park models on this site?

Mr. Gomez: If the county so states that I cannot have park models, then that's fine. I don't have a problem.

Mr. Freeman: My understanding that you don't care or you would include park models at this point?

Mr. Gomez: Pardon me, sir?

Mr. Freeman: Is it my understanding that without the county restricting you, you would indeed have park models on this site?

Mr. Gomez: If someone buys a park model and wants to put it in, how would it be-- I guess I could tell him no. If that's it. I'm asking.



Mr. Freeman: Mr. Chairman, I'd interpret that as yes, there will be park models here. Thank you.

Mr. Muth: Any other questions for the applicant?

Mr. Knight: I have one additional question.

Mr. Muth: Mr. Knight.

Mr. Knight: With the fencing and track going across, would you be willing to put up some type of, not camouflage fencing but decorative fencing maybe along the highway, or do you intend to do anything like that to make less trash in addition to maybe just conceal from the roadway and so forth? Any plan for that?

Mr. Gomez: I didn't think about putting up a solid fence along the highway, no. I had not.

Mr. Knight: Would you be open to such condition?

Mr. Gomez: Yes, sir.

Mr. Knight: Mr. Chairman, would it be possible just do a quick poll of the public? Because I know some people like fencing to conceal things and some people would rather not have fencing because fencing can be intrusive.

Mr. Muth: If you'd like to pull the public, feel free to do so.

Mr. Knight: Everybody in favor of having fencing to conceal property and contain trash, could you please indicate by raising your hand?

Mr. Gomez: The highway is elevated above his property. The fencing is not going to hide anything.

Mr. Knight: All opposed, raise your hand to fencing? [crosstalk]

Mr. Gomez: What does that mean?

Mr. Knight: That's why I asked. I'd like to know. That's all. Thank you.

Mr. Gomez: Pretty much the room.

Mr. Muth: Mr. Peterson.

Mr. Peterson: This is a comment more than anything else. We heard a lot about elk in RV park. I do love traveling. I've lived in apache County for years and I still do a lot of traveling with my family. Elk Valley California and Northern California, I don't know how big this trailer park is. My wife and I stayed in it a couple of times now. I've still got a pretty good scratch down the side of my trailer and on my bumper on my truck because when they [unintelligible 01:48:20].



People would tell me that elk will not migrate through and moving around RV parks, we need to go see Elk Valley California. I don't [unintelligible 01:48:38] up north. As I say, I've got marks on my truck and trailer. I was looking for my pictures [unintelligible 01:48:48]. Anyway, that's just to calm down.

Mr. Muth: Mr. Gomez. Thank you, sir.

Mr. Gomez: Thank you.

[applause]

Mr. Muth: All right. At this time, we the commission shall deliberate. Chair, will entertain a motion at this time.

Mr. Fish: We close the public hearing.

Mr. Muth: Public hearing is closed.

Mr. Fish: You want to go first, Oscar?

Mr. Miranda: Do I want to go first? I can make a couple of comments and a couple of comments would be that we have some unfinished questions that were raised, one of them having to do with a floodplain, the other one having to do with trash, another one having to do with trash, drainage, flooding while the water I think we have the director of the Alpine Water Base. I think he's already left.

Mr. Fish: No, he's back there.

Mr. Miranda: That question is pretty much settled as far as water. We have some opinions. There's other things like the entrance and exits that egress to the facility itself by the highway, which hasn't been finalized. I think there's a little bit more footwork to do.

Mr. Fite: Mr. Chairman, I have a few comments.

Mr. Muth: Okay. Mr. Fite.

Mr. Fite: I might be a few minutes.

Mr. Fish: Tap into the mic.

Mr. Muth: Make sure you're speaking to the mic, please.

Mr. Fite: Well, to start with, we've owned our property in Alpine since 1945. Myself, I had a business in Alpine for over 40 years. Since the '40s, our family has seen a lot of things happen in Alpine, and I'm going to touch on that in just a few minutes. I want to go through a couple of things where there's-- Personally, I told quite a few people out here that live in Alpine, "Come, voice your opinion." Everybody is entitled to their own opinion, whether it be in favor of a guest or indifferent. It doesn't matter.

File name: pz4-7 copy.mp3



Everybody's entitled. Same thing goes with this board. Everybody will have a difference of opinion, but it takes a consensus.

Now, there's been a tremendous matter where the creek, in a lot of these letters, the creek and the stream has been addressed, that damage to the stream and the creek. Mr. Gomez stated in areas. If you look at it, behind his property to the south, he's surrounded by national forests on three sides, state highway 180 on the north. To the south of his property, right to the south is Forest Service, Meadow. To the north side of the stream, there's an eight-foot fence that goes to Larry Joe Moore Road to the Alpine State Road.

On the south side of that creek stream, there's an eight-foot fence that goes from that road, Larry Joe Moore, to the Alpine State's. That whole section between those two roads is cut off from a corridor for the elks. They can't get through it because they have to go around the fence, or they have to come from the north. Anybody who lives there knows that. There's a lot of them, come from the north. I know FSs have been there for many, many years, and they're covered up with elks. We were too. The whole town is, a matter of fact. Okay, that's the elk issue.

The highway issue, talking about the uphill grades coming out of this piece of property. Both two of the other RV parks are both uphill grades, going on to the highway 191 and the highway 180, Bobby Nelson's and Paul Richards. They face the same thing that Mr. Gomez is going through on access to the highway. They have it, and the RV parks are doing okay with it. Now, there's been comments about, you don't need another RV park, that the RV parks in Alpine have plenty of spaces.

Paul Rich just cut them off, March 31st because he booked solid through all summer and into the fall. Bobby Nelson turns them away. Okay. It's been brought up about density of this, 113 on 11.5 acres. Bobby Nelson's RV park is 3.91 acres with 56 spaces. That doesn't jive with me, his being too dense. Because if you take these figures, Bobby Nelson's is a whole lot denser than the one proposed. So we take care of that. There's been a lot of referrals to the Alpine Community Plant. That's why I wanted Mr. Fish to clarify it a while ago. It's not an ordinance. Correct me if I'm wrong, Mr. Fish. It's not an ordinance and Alpine is not zoned. It's agricultural. This conditional use permit is an application for, in an agricultural zone, right?

Mr. Fish: Yes, sir.

Mr. Fite: That's what it is. Lot of comments, referrals to the Alpine community plant. What I did find out in this plan, I have it right here is that a lot of the statements from a lot of the letters and the things that they addressed were in this plan, but they were picked out deliberately like the 50-- We just want the top. No, They were deliberately picked out of this plan. Everything in this plan is in here.

Now, I'm going to refer it back to page 17 under future commercial goals in the Alpine community plan. The first two sentences, the first one was read a while ago. Focused commercial development within 300 feet of existing highways starting from



Judge cabins to the Coronado Trail cabins to Outpost RV park, that puts this proposal right dead center in that stretch, almost dead center.

The next sentence that has been overlooked and not read is, "Designate the Forest Service and state land and the above defined area as open space and not developable. It says Forest Service and state land. It doesn't say anything about private land not being developed and in this plan it says commercial development should be in this stretch.

I'm sorry. Why wasn't that addressed in some of these comments or picked up and told. The next thing, I'm going to lay a couple more things on here. There's been issues about the fire district not being able to support or take care of added numbers, like it's being proposed. The fire chief, his name is Travis North. He has already told the county, he's told Mr. Davis. That he doesn't have an issue with taking care of this, period. He told me that yesterday.

They did a study, Alpine Fire Department did structural protection plan study. It was done between December of '21 and February of '22. It's Alpine Fire District structural protection plan. In this plan, one section covers Alpine, the other covers Nutrioso because fire district covers both areas. Alpine only in this plan, they went around and counted structures, outbuildings, and travel trailers. Now, the total structures in Alpine, 1013, the total outbuildings, 1,415, the total travel trailers, 307. 307 travel trailers between December and February at Alpine. Now, this is factual count.

That means that these numbers will increase. That's through February, after February, everybody knows that it's going to increase. What that tells me is there's almost one-third, the number of travel trailers in Alpine compared to the total number of structures in Alpine. One-third, so that makes travel trailers harmonious with the area. If there was 10 or 12, no, it wouldn't, but one-third, the number of structures, that's a bunch.

Speaker 2: Mr. Chairman, you may kick me out, but I object to what Mr. Fite is doing. He's got a vote. Let him vote. Why would he want to-- [crosstalk]

Shanna: Excuse me, sir. Mr. Fite, please.

Mr. Muth: We sat here and politely listened to every comment from every citizen [unintelligible 02:00:16]. All I ask is that you do-- Sir, please excuse yourself from me. Thank you.

Mr. Fite: Like I told you, everybody's entitled to their own opinion. This is a discussion between board members, right?

Mr. Muth: Correct.

Mr. Fite: That's what we're doing right now. We're trying to show some points and issues on both sides, irregardless. Irregardless isn't a word. Regardless what it is. Okay? Okay. I did a fact-finding mission the last couple of weeks, and I really tried to



do some homework, and I never did homework in my life. Anyway, that's the trailer issue from the fire department. The next thing, let's talk economics. No. I did a survey last week myself of the businesses in Alpine. I went to them and talked to them.

I said, "Hey, I'm on the Planning and Zoning board. We have a big meeting coming up, and I want your opinion. I don't care whether your opinion is for it or against it or indifferent. I don't care. Whatever you say, I don't care, but I would just like to note for my own information, so I don't sit up here and talk and not know what I'm talking about." So I did. Out of 12 businesses in Alpine that I talked to, I did not talk to motels, and I did not talk to cardboard cabins, and I did not talk to the Alpine Tavern, and I didn't talk to Alpine Cabins, but I put their view down here. I know what it is.

Okay. Out of the 12, I said, "You tell me what your opinion is." Eight of the businesses out of the 12 were 100% in favor of this RV park, two of them were dead against, and one of the two is the Alpine Cabins, which I know they're against, and two more were indifferent. They had issues against it, and they had issues for it. Eight out of the 12, that's what, three-fourths? Three-fourths of the businesses are in favor, and two of them are in the middle, and two opposed.

Okay. The businesses in Alpine have to make their living and make it from spring, summer, into the fall. I've been here for so long that some of the winters get pretty tough and some aren't tough at all. They have to make it through the spring, summer, and fall, to make it through the winter. I have a problem with a lot of the summer people that come up just for the summer. Where are they at in the wintertime, through the winter, to help these businesses make it?

The permanent residents are really the ones that are there through the whole year. Like I told you, a lot of people, I'm going to make some enemies over this deal, but I'm sorry. That's what I feel about it. I think I've covered everything except the most important one in my view. In my view, the most important-- Let's see. Hang on, just a second. Well, yes. We were talking economics. Oscar?

Mr. Miranda: Please.

Mr. Fite: Okay. Assessed valuation of Apache County varies tremendously. Alpine valuation is going up and up and up and up and up, assess valuations. When they assess a property in Alpine, part of that property is broken down to county tax then it goes to the sub-districts, school districts, fire districts, library districts, sanitation districts and they all receive a portion of that assessed valuation. I do know that Alpine School District, Alpine Fire District, Alpine Library District, Alpine Sanitation District would receive funds for the assessed valuation that depends on what assessed valuation is. I can tell you exactly what he would pay the Alpine water system.

I can tell you exactly almost what he will pay on the Alpine Sanitation District. We already did the figures on it, the numbers, but that depends on assessed valuation, what the county assesses it. Now, I've been told to wrap it up. My last and final most

File name: pz4-7 copy.mp3



important issue is, well, first of all there's a quite a few people in the Alpine area that are in favor of this so this is not 100% not in favor of it, against it. This room does not comply the whole community of Alpine. Okay, my last comment is the most important issue to me is private property rights.

We've been told our whole life to protect your private property rights, so anyway we're waiting for a comment from the county attorney on an issue right, Mr. Fish?

Mr. Fish: Yes, sir.

Mr. Fite: Okay. Amending title 12 chapter 8, Arizona revised statutes, adding article 2.1 relating to private property rights protection act. There's a couple things in here and I don't think to read them, but it's pretty-- I want ask Mr. Muth this first see if it's appropriate or not.

Mr. Muth: Just cite 12-1134.

Mr. Fite: Don't read.

Mr. Muth: The text, just cite the cite the statute number.

Mr. Fite: Okay. The statute number is revised statute article 2.1 and the number is 12-1134 so everybody can look that up if you want to. Anyway to me personal property rights is the main issue along with the other things that I've stated the businesses 8 out of 12 three fours, so that's why I'm saying I don't think--

Mr. Muth: Mr. Fite is exactly correct and differences in the views and the values of the people. I'm sorry. I've known Mr. Fite for a while now and we pretty much started out in the opposite sides of the fence. All right, let's try this. I've known Mr. Fite for quite some time. Mr. Fite is a very honorable man. He's exactly correct in the differences he perceives, the differences that are up here in the commission, the differences that are in the community and then the larger issue is the differences around unincorporated communities like Alpine, Nutrioso and the general county expectations. There maybe some solutions to that, localized unincorporated community planning and zoning commissions or committees or something like that but every one of those folks has the right to express their opinions. Resolving those differences can be a challenge.

Mr. Muth: Okay. At this time, chair would entertain a motion. Oh, go ahead, Oscar.

Mr. Miranda: Yes. Well, what I wanted to say is I met with some of you in my home, on the street in the restaurants spoken to you personally. I've also spoken to the businesses as Mr. Fit did too. I did a little survey and pretty much businesses that were in favor of the RV park stated to me that basically two things. One, they needed help. They needed people to serve their food, cook their food, and maintain their business. They seem to feel that they don't have the ability to recruit folks to cut their Alpine, to do these tasks.



They were hopeful that the RV park would allow some low-cost homes or housing for these folks to be able to sustain their business. I can tell you that I ran into Mr. Fite a couple of times because he was doing a survey in the same time I was doing my survey, and basically reached basically the same conclusion. I was going to mention that as part of my statement, and also to give some credence to some of the letters we did get from folks that wanted to see this RV park approved. At least take into consideration what the businesses feel. They feel that they need that help. That's what they say.

Mr. Freeman: Mr. Chairman.

Mr. Muth: Mr. Freeman.

Mr. Freeman: A question for you actually, sir. Do you need a major subdivision request for these 113 blocks? Do they have to be planted out individually?

Mr. Muth: It's my understanding, and perhaps Mr. Gomez can address this issue. If these are just parking spaces, then I wouldn't think so, but if the intention is to sell the spaces, then that constitutes a subdivision in Apache County, and that's a whole separate process. Mr. Gomez, can you address that issue, please?

Mr. Gomez: They're not for sale. An RV park is just that. You rent a space, you park it, trailer. In the fall, you pull it out, in the spring, you pull it in.

Mr. Freeman: At any time that there were to be a change in use to where that important time would flag that for another look.

Mr. Gomez: That would create another process.

Mr. Freeman: Thank you for processing that question. Do we want to talk about Mr. Young's involvement here at this point or do you want to call for a motion, your call?

Mr. Gomez: We can deliberate all we want about his involvement. The problem is he's not here.

Mr. Freeman: Question is, moving forward, do we want to talk about it after a motion or not?

Mr. Muth: I believe before we go any further, we need a motion on the floor.

Mr. Freeman: All right.

Mr. Dobson: I would just add one more comment.

Mr. Muth: Mr. Dobson.

Mr. Dobson: I want to thank everybody for expressing their views [unintelligible 02:13:04] and also our commission, thank you too [unintelligible 02:13:11] you guys live there. We can read everything but listening to you guys, listening to



everybody, you get the overview and you appreciate it. Also, **[unintelligible 02:13:24]** it is a community, hopefully we might get together and keep it moving **[unintelligible 02:13:34]**. Everybody knows everybody. There's a lot of old people in here that are generations together.

I just hope everybody can come together and not fall apart. There's always two sides **[unintelligible 02:13:57]** I appreciate what you guys are doing.

Mr. Muth: Is there a motion?

Mr. Knight: Mr. Chairman.

Mr. Muth: Mr. Knight.

Mr. Knight: I'd like to move to approve the conditional use permit with the following conditions added on. I'm sorry, I don't know the exact mechanism for this. Can we issue a preliminary approval pending final plans? I don't think we can issue a final approval based on what Mr. Gomez said, preliminary plan. You don't know exactly where **[unintelligible 02:14:45]** can be. I think we have to see that before we would issue a final approval, number one. Number two, I do see the necessity for Mr. Gomez to continue moving forward. He's got an **[unintelligible 02:15:00]**. Can we make that condition I guess, part of my motion?

Mr. Muth: Well, there's two possibilities with regard to that. One, we could approve the conditional use permit. Remember, we only recommend, the supervisors give the final approval so we make our recommendation contingent upon several factors. Then based on successful completion or satisfactory approval of those factors, then it could be then moved forward through to the supervisors meaning for final approval. There's that route or we just table it until our concerns are answered and then asking to reapply and come back.

Mr. Freeman: The problem with the foreman, Mr. Chairman, is that this commission doesn't get a second bite at the apple to see if indeed it agrees that the final draft is appropriate in the commission's view.

Mr. Muth: Well, we could make it also contingent upon a second hearing. Yes. It could to evaluate those conditions and the status of those conditions so we could, it is within our providence to do that.

Mr. Freeman: Or you could just table it until that took place?

Mr. Muth: Yes.

Mr. Dobson: Mr. Chairman.

Mr. Muth: Mr. Dobson.

Mr. Dobson: I move that we table it until we get the final and look at it again at that time.

File name: pz4-7 copy.mp3



Mr. Muth: I believe Mr. Knight started in the motion and never completed it.

Mr. Knight: Yes, sorry. I would like to still move to approve it with the condition that we approve to a second hearing the final plan.

Mr. Fite: Just that same.

Mr. Knight: [unintelligible 02:16:58] I want to move it forward. Thank you for the second.

Mr. Muth: Before you second, do you have stipulations or contingencies in mind or would you like to do that in the form of a second motion, sir?

Mr. Knight: Yes, I could just put that in the original motion if that's all right so the additional, the first condition would be through second hearing, our final approval of his final plan. The second condition would be no RVs allowed over 10 years of age. Third issue would be our approval of the actual FEMA flood zone maps, FEMA issued zone maps. That's it.

Mr. Muth: Mr. Peterson.

Mr. Peterson: I hate the second, the 10 years part. That 10 years part, I'm going to have to explain. Most of my travel trailers are over 10 years old, they look nicer than some of the new, I don't go buy used ones. I'm going to have to hold my second back for that.

Mr. Fite: I'll second that.

Chair: So it's been moved and seconded.

Mrs. Hauser: Mr. Chair, I'd like to ask first of all, a question of the applicant and just see if I could have an additional item added to the motion and if Mr. Knight would approve an additional item to his motion.

Mr. Muth: We can ask him for an amendment pending the results of your question, yes ma'am.

Mrs. Hauser: All right. If the applicant could come up.

Mr. Muth: Mr. Gomez, please.

Mrs. Hauser: Mr. Gomez, would you consider landscaping around the property? Landscaping by way of trees, that kind of thing?

Mr. Gomez: I can do that. Yes, ma'am.

Mrs. Hauser: Okay, that would be a very aesthetically improvement.



Mr. Gomez: I could put trees around the perimeter. If you plant trees between the spaces for something like that, the roots are so invasive that you're going to have nothing but problems with your sewer and water lines but around the perimeter outside.

Mrs. Hauser: I was only thinking perimeter.

Mr. Gomez: Yes, ma'am.

Mrs. Hauser: Mr. Knight, would you be willing to add to your motion that requirement?

Mr. Knight: Yes, Mr. Chairman. I move to amend my original motion by adding a condition to her perimeter line statement.

Mr. Muth: Do you as well, sir?

Mr. Fite: I will second that motion.

Mrs. Hauser: Thank you.

Mr. Muth: Okay. The amendment's accepted. Any further discussion on the motion on the floor? Mr. Freeman?

Mr. Freeman: You've got to get approval for that amendment because there was a second so you need to vote on it.

Mr. Muth: I'm sorry. Thank you for that.

Mr. Freeman: It's okay. [unintelligible 02:20:34].

Mr. Muth: Okay. It's been moved and seconded to amend the main motion. Is there any further discussion on the amendment of the motion? Seeing none, the chair will call for the question. All those in favor?

Members: Aye.

Mr. Muth: Opposed?

Speaker 3: I said no.

Mr. Muth: No. Okay. The amendment to be the main motion is adopted. Is there any further discussion on the main motion on the floor?

Mr. Freeman: Yes, sir. Mr. Chairman.

Mr. Muth: Mr. Dobson, then Mr. Freeman.

Mr. Freeman: I've been seeing you a little bit there.



Mr. Dobson: Are we still in on the 10 years on the RVs?

Mr. Muth: Yes, we are but again if we're going to amend the motion, now would be the time.

[silence]

Mr. Dobson: I would like to amend that because [unintelligible 02:21:30]. I just got rid of my 2014 and bought a new one and I'm looking at my old one like I wish I'd kept it. That's only eight years. That's what I'm saying, rather saying it's just 10 years that's another [unintelligible 02:21:48].

Mr. Knight: What would you consider reasonable?

Mr. Dobson: I just know could happen if you don't have some things. I mean, we have the 80s. Stuff like that. There are some nice ones that they redo and everything else. I don't know what's new but I know 10 years, that's not very long [unintelligible 02:22:07].

Mr. Muth: The exception would be if it's roadworthy.

Mr. Dobson: Yes.

Mr. Muth: That would be a pretty good litmus test, would it not? I don't own an RV, so I don't have any personal perspective in that regard.

Mr. Dobson: Yes. They're driving [unintelligible 02:22:21].

Mr. Muth: Mr. Peterson.

Mr. Peterson: The county is 15 years on mobile homes.

Mr. Freeman: Mobile homes?

Mr. Peterson: Manufactured are going to be off guard. I don't approve of that one either but that one would be better than 10 years [unintelligible 02:22:42] turned me down and I looked at some of the new ones in the park. They looked a whole lot worse than the one I was driving [unintelligible 02:22:56] so that would be a change. We've already approved the other ones.

Mr. Muth: We adopted one amendment. We can adopt more.

Mr. Peterson: I could agree to the 15 years on that. I would make the motion of the--

Mr. Muth: Would you state that in motion, please?

Mr. Peterson: I would make a motion on making the amendment to that. [unintelligible 02:23:25] trailer be 15 years old [unintelligible 02:23:28] instead of 10 years.



Mr. Muth: Is there a second?

Mr. Freeman: I'll second that.

Mr. Muth: Okay. It's been moved and seconded to amend the main motion with a 15 year. Mr. Knight, do you agree with that amendment?

Mr. Knight: No.

Mr. Muth: Okay. Any further discussion on the second amendment? Seeing none, the chair will call for the question. All those in favor?

Members: Aye.

Mr. Muth: Opposed?

Mr. Freeman: Nay.

Mr. Muth: Okay. The second amendment to the main motion is carried. Is there any further discussion on the main motion at this time?

Mr. Freeman: Yes, Mr. Chairman.

Mr. Muth: Mr. Freeman, please.

Mr. Freeman: Again, this has to do with Mr. Young and this is for the commission. Apache County ordinance, Section 1107 B1, requires that the proposed use of any conditional use permit is harmonious and in accordance with the specific objectives of the Apache County Comprehensive Plan. Any sub-area plans. That's the Alpine plan. This cap to be lawful has to agree with Apache County Zoning Ordinance. Apache County Zoning Ordinance requires that this conditional use permit agrees with the Apache County Comprehensive Plan and the sub-area ordinance which is the Alpine plan and that's why we need Mr. Young here to answer.

No, no, this is law. This is not a motion, this is not opinion, this is not cultural value. This is simply the law that was put in place, you had the opportunity to create an ordinance for Alpine which would have been specifically law. Instead of an indirect opportunity to control your destiny and that's what this is. This is indirect, it is required by part of the ordinance to consider the plan.

Speaker 3: Well, thank you for bringing it up.

M. Freeman: It's the law.

Mr. Knight: Mr. Chairman.

Mr. Muth: Mr. Knight.



Mr. Knight: I would just like to speak for a moment in favor of the motion for the following reasons. Mr. Gomez's application is very thorough, there's approval letters from the fire department and the Alpine Sanitation District. Pending the conditions that we have for a final approval of this final plan I think that allows for people that will make a significant variation with the authority [unintelligible 02:26:20] that time. I think you listened to the public and asked some questions, tried to address some of their concerns. I very much also appreciate the comments from the residents, the longtime residents of Alpine that are on the commission here.

In interest of the businesses I think need to be addressed. I don't live in Alpine, but I have been familiar with the area for 40 years addressing disagreements and concerns. Again, Alpine is a recreational area, there's a lot of RVs coming through there all the time. Right now, there's no space for those RVs in Alpine and they're camped on the forest. They're dumping their sewage or I guess who knows what. The purpose of RV parks is to help control that type of activity. Again, I want to speak in favor of the motion, I think this could be a good thing under those conditions going forward for the town of Alpine.

Mr. Freeman: Mr. Chairman.

Mr. Muth: Mr. Freeman.

Mr. Freeman: I just want to correct an impression from Mr. Knight. My input has nothing to do about RVs, it has to do specifically about the law. RV may or may not be the appropriate use for this particular site. The law requires that these people made a decision first. I'm backing up a bit. These people originally in 2000 and something, the community made a decision about what they wanted to see, what they didn't want to see, that's been clarified.

It's been actually put into the community plan and into the Apache County Comprehensive Plan. The ordinance, the Apache County Zoning Ordinance requires that this cap comply again with the specific objectives, et cetera, et cetera. I would think that rather than do those things I said earlier and have this commission I think tabling it till we get some legal advice, until we get the other engineering opinions, and so forth would be a more harmonious choice for the commission and that's what I meant, sir.

Mr. Muth: Well, if I may address that, Mr. Freeman. The problem with that is the proponent would then be asked to make a substantial financial investment into a project which may or may not be approved. With a conditional approval as is the motion that's on the floor now, at least there are assurances that the question will be answered once our questions are answered.

Mr. Freeman: The question would then become what if the attorney says, well, you're absolutely right but by law that this plan says that this is not in a lot of use. He will have continued to make an investment with the anticipation that in fact he would be allowed to move forward and just in the kindest way I could possibly say that this



particular phrase of the law does not take into account the applicant at risk investing which is what he would do at his own risk.

Mr. Muth: Thank you for leading me into my next point. It is my recommendation to staff that we seek wise counsel from the attorney's office based on the information that we have and the interpretation of the existing ordinances and plan to see if there's any conflicts that can be advised to us when this comes back before this body.

Mr. Freeman: Because it will have to come back.

Mr. Muth: Because the motion on the floor basically dictates that it will come back if that motion is voted on and approved. All of this is based on the ifs. If the motion is passed, that report needs to be in the packet on the agenda for that meeting, whenever that day comes to pass. We need that report from the attorney's office before we give any final approvals because we need a legal opinion as to whether or not there are any conflicts, in my opinion.

Mr. Freeman: Mr. Chairman, I think you're exactly right. That also leads in and begs the question, given that the simple reading of this makes that very clear, perhaps we might have gotten that opinion prior to this meeting, prior to having this conditional use permit come before the commission.

Mr. Muth: Very well could have solved a lot of the problems.

Mr. Freeman: Certainly.

Mr. Knight: Mr. Chairman, could I make a recommendation that if Chairman Freeman is concerned about this, he could make an amendment to proposed, and actually put that before. If he's that concerned about it, he could do that if he's willing.

Mr. Freeman: Willing to do that?

Mr. Muth: So stated.

Mr. Freeman: Okay. Basically what that would do, though, sir, is it would then override this motion that's on the floor, and then seconded, and would be an opposing motion. I think you need to just--

Mr. Muth: No, in addition to.

Mr. Knight: No, just another condition, another amendment.

Mr. Muth: A condition before the second meeting.

Mr. Knight: We don't change the pending approval.

Mr. Muth: It'd be a recommendation basically from staff. It would come from the attorney's office through Mr. Fish to us.



Mr. Fish: Before the final date.

Mr. Freeman: Yes. It's not so much a personal concern, is what the law says. I will make a-- I said something.

Mr. Muth: My question is, is if we handle it through staff, do we need a motion?

Mr. Fish: No.

Mr. Freeman: No.

Mr. Muth: I don't think we do.

Mr. Fish: Can happen without it.

Mr. Muth: Did you just call for the question?

Mrs. Hauser: I did.

Mr. Muth: The question's being called. Discussion will suspend. All those in favor signify by saying, "Aye."

Members: Aye.

Mr. Muth: Opposed?

Mr. Freeman: I'll be abstaining.

Mr. Miranda: I'll say no.

Mr. Muth: Okay, one opposed, one abstention. I believe that means the motion carries.

Mr. Freeman: Good.

Mr. Muth: Moving on to item six, report from staff to the commission, including pending, recent, and future agenda items. Mr. Fish.

Mr. Fish: Just have one question. Do you approve of the application? Is this now going forward to the Board of Supervisors?

Mr. Muth: No, sir.

Mr. Fish: Okay.

Mr. Muth: No. What happens now is Mr. Gomez has basically permission to move forward, and then he has two weeks. Once he addresses our concerns, then it comes back for a recommendation from us and then goes to the supervisor.

Mr. Freeman: This will be another public hearing?

File name: pz4-7 copy.mp3



Mr. Muth: Yes, sir, it will. Everything we do is also open--

Mr. Freeman: That allows additional comments from folks that have further opinions on the application.

Mr. Muth: Yes. Yes, sir. Item number six, Mr. Fish.

Mr. Fish: 5,000, discount, doesn't have anything further in this context.

Mr. Muth: Okay. Item number seven.

Mr. Freeman: So moved.

Speaker 1: Second.

Mr. Muth: Moved and seconded to adjourn?

[02:34:22] [END OF AUDIO]