

Apache County Planning and Zoning Commissioners
Matt Fish, Community Development Director
Honorable Nelson Davis, County Supervisor
Honorable Dr. Joe Shirley, County Supervisor
Honorable Alton Joe Shepherd, County Supervisor

75 Cleveland Street
St. Johns, AZ 85936

May 10, 2022

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Sirs and Madams,

This letter addresses a question that I was asked at the past April seventh public hearing of the Planning and Zoning Commissioners by Commissioner Freeman. I was there and spoke about my concerns of recommending or issuing a Conditional Use Permit to applicant Mr. Fred Gomez to construct a trailer park with 113 trailer pads on 11 acres in the center piece Alpine meadow adjacent to the headwaters of the San Francisco River.

I was asked how a community balances property owners' rights with the community's goals to improve the community for the good of everyone. The short answer is that the community does this through planning, zoning, building consensus and due process. Some countries and cultures, including modern European countries, place more emphasis on the good for the people as a whole, rather than placing individual rights before country or community benefits or rights.

As we live closer together in a more crowded world, community cooperation provides a method for debating and deciding between individual differences. Most communities and community members accept the responsibility of consideration of our neighbors and surrounding community members.

For the past two centuries in The United States, stewardship of the land has been individual. One challenge with individual stewardship is that no property owner is an island. Most of us now live within sight and sound of our neighbors. What responsibility does this put on us? None? A little? Some? A lot? This is why Government gets involved in land use regulation. What is a community's responsibility to its citizens? What is Apache County government's responsibility to its residents? Can we all throw our trash into the strong west wind to carry it away? Should we? Where is the compromise? Do we think that all forward progress should be uncontrolled and that would be good for the community and good for the individual?

Attached you will find excerpts regarding Property rights and how they interact with powers allocated to community governments. One is from “The First Amendment Encyclopedia”, another is from Oyez which summarizes Supreme Court decisions.

When a government body has due process and consistent regulations in place, then there is no infringement of property owner rights as long as due process is followed. The Planning & Zoning Commission is part of a due process.

Regarding the Gomez application for a Trailer Park CUP: The land is currently zoned Agricultural. The owner can currently do anything allowed under the current zoning of Agricultural. There is no infringement on his or her rights. The issuance of a Conditional Use Permit is not a right. It is one possible result of due process. Change is inevitable, growth is unstoppable. Grow and develop in the best manner possible. Be proactive.

It has been suggested that that this trailer park may provide affordable housing and make a labor force more available to the local businesses. This topic requires attention and proactive planning tools. The Cooperative Extension offers a resource called “American Citizen Planner, (ACP) at: <https://acp.extension.org>. An attachment includes the topics available at ACP.

The concept of Accessory Dwelling Units (ADUs) has been incorporated into ordinances around the country, including Coconino County here in Arizona. These regulations could be adopted into Apache County Ordinances within a couple of months. Affordable housing can be met by individuals, supply could rise to meet demand and bring money and work to local businesses and income to individual local property owners. Yes, many Homeowners Associations discourage accessory housing but they should be encouraged to follow the County’s lead. ADUs provide personal relationships between landlords and tenants. Various examples of ADU Zoning Ordinances are attached to this letter.

A few articles about Trailer Parks are also attached to this letter. My initial takeaway indicates that trailers, mobile homes, RVs, or Park models, whatever the current industry model is called, are in fact the leading form of non government subsidized affordable housing. Trailer Parks, where the owners of the trailers do not own the land they are located on, can become financial traps for those who cannot afford other housing. One trailer owner and trailer park resident is described in the attached article from The Guardian as an individual that collects disability payments of \$700 per month and pays \$550 per month to the trailer park in rent.

Another attached article, “Why are Investors Buying Up Mobile Home Parks And Evicting Residents?” describes investment groups that are buying mom and pop trailer parks where residents share personal relationships to the owners. Rents go up, fees for trash, water, sewer are added and facilities that require maintenance are removed. The

lack of personal relationships increases the possibility of eviction for those who might live week to week or month to month.

If this application by Mr. Gomez is a commercial business, it will do nothing to provide affordable housing. It will scar the meadow and a great number of Alpine residents and property tax payers do not wish to see it located in that particular spot. Proactive planning can do better.

If the Commissioners intend for this to provide affordable housing then it is a residential development, regardless of regulatory definitions, and should be treated as such. Specifically, residential development density standards should be applied.

If the Commissioners intend or hope that this trailer park might provide seasonal housing, they must also provide a definition of temporary housing and the means by which temporary residence may be enforced. The means to enforce requires both a written and signed condition and a specific ability to enforce the condition.

Possibly of interest are the following two books that research trailer parks; Single Wide, "Chasing the American Dream in a Rural Trailer Park", 2017 by Sonya Salomon & Katherine MacTavish and "Manufactured Insecurity", 2018 by Esther Sullivan.

The County Development Director and his staff have been professional and helpful. They provided the April 7th meeting minutes in a timely manner. Citizen speakers' comments were not transcribed. The requirement to provide minutes within 3 (?) days might make this difficult. I have attached a transcript of the meeting performed by a company called "Go Transcript" which was produced from an audio file provided by the County. This transcript contains the words of all who spoke. You will find a few mishearing and typos in this transcript. I hope this might provide a first or a second opportunity to read what the citizen speakers had spent a lot of time and energy preparing so that you could address their concerns. Some letter writers and hearing participants feel that their concerns were not acknowledged or addressed. I hope they may be at the next public hearing.

I thank all to whom this letter is addressed. Whether elected, appointed or working professional, you all carry a huge responsibility. I hope the information in and attached to this letter will be of use to you.

Sincerely,

Elizabeth McKenzie

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