

APACHE COUNTY COMMUNITY DEVELOPMENT

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**PLANNING AND ZONING COMMISSION
MINUTES FOR March 6, 2025**

Commissioners

District I

Carey Dobson
Bobby Fite
Brad Jarvis

District II

Kay Hauser
Dan Muth, Chair

District III

Brad Peterson, Vice-Chair
Bob Pollock
Travis Johnson

Alternate

Michael Bragiel

Staff Members in attendance

Matthew Fish, Director

Shanna Pearce, Plan Reviewer

Assessor's Office

Amanda Crowley, Appraiser I

Jacob Hawkins, Appraiser I

Working Lunch Session

Mr. Peterson called the working lunch session order at 12:03 pm.

Discussion on Property Zoning and Rezoning in Alpine

Mr. Fish stated that this compiled list is the most accurate master list to date. It includes information from the Assessor's Department, additional properties identified by staff, and properties with existing conditional use permits.

Property Review and Recommendations

101-12-005 – Sportsman's Motel: Across from the Forest Service. **Recommendation:** Rezone to commercial.

101-12-003 – Vacant Property: Some commercial activity with old buildings and items for sale. **Recommendation:** Send a letter to the property owner.

101-13-003 – Holidays Property: Previously used for log cabin assembly, now primarily a residence. **Recommendation:** Do not rezone; extinguish the conditional use permit.

Mr. Pollock asked to revisit 101-12-003, confirming that a residence exists on the property. Mr. Fish recommended sending a letter to the owner(s) discussing a potential lot split.

Mr. Fite inquired about the intent behind rezoning, citing concerns about Alpine following Greer's path. Mr. Fish clarified that this was not an attempt to rezone all of Alpine but to align with county zoning practices. He noted that 26 of the 56 properties have already been assessed as commercial. The goal is to simplify zoning rather than generate tax revenue, ensuring property owners have a voice in the process.

101-15-007A – Fred Gomez Property: Previously a bed and breakfast, now a residence.

Recommendation: Do not rezone.

101-15-002B – Romero's Property: Potential RV hookups or cabins. **Recommendation:**

Further investigation required.

101-15-006G & 101-15-006H – Ritz Properties: Currently used for commercial

purposes. **Recommendation:** Rezone to commercial.

101-16-010B & 101-16-012 – Hardware Store: One parcel is the store; the other is

parking. **Recommendation:** Rezone both as commercial.

101-16-001B – Foxfire Restaurant: **Recommendation:** Rezone to commercial.

101-16-011 – Country Store: **Recommendation:** Rezone to commercial.

101-16-013A – Fred Gomez Property: Former bed and breakfast, no longer in use.

Recommendation: Do not rezone.

101-16-015A – Post Office: Sits on a private parcel leased to the U.S. Government.

Recommendation: Seek legal clarification.

101-16-017A – Real Estate Office: **Recommendation:** Rezone to commercial.

101-16-017C – Restaurant: **Recommendation:** Rezone to commercial.

101-16-019 & 101-16-020 – Vacant Property with Orchard: Prime commercial location.

Recommendation: Rezone with owner's approval.

Mr. Fite asked for clarification on what constitutes a commercial property. Mr. Fish explained that location and current use are factors. He confirmed that property owners not on the list can request rezoning through the conditional use permit process or a rezoning request.

101-16-018A – Bear Wallow Café: **Recommendation:** Rezone to commercial.

101-16-018B – Cabins South of Bear Wallow: **Recommendation:** Rezone to commercial.

101-16-026A – Alpine Commercial Raw One LLC: Has a conditional use permit; advertised as commercial. **Recommendation:** Send letter to owner(s).

101-16-026B – Alpine DWID Office/Retail: Thrift store run by a church, with Apache County ownership. **Recommendation:** Verify legal status.

101-17-001B – Tackle Shop/Gas Station: **Recommendation:** Rezone to commercial.

101-17-001C – Forest Service: **Recommendation:** Legal opinion (Government).

101-17-001D – Ye Old Tavern: **Recommendation:** Rezone to commercial.

101-17-001E – Vacant Property: Unbuildable due to creek proximity. **Recommendation:** Send a letter.

101-17-001F – Fillipi Real Estate Office: **Recommendation:** Rezone to commercial.

101-18-002K – Vacant with Old CUP (1989): No restrictions. **Recommendation:** Do not rezone; extinguish CUP.

101-19-022B – Former Garage/Auto Repair (Now Residence): **Recommendation:** Do not rezone.

101-19-038 – Eye Doctor’s Office: Has potential for further commercial development. **Recommendation:** Rezone to commercial.

101-19-042, 101-19-050D, 101-19-054, and 101-19-058A no discussion.

101-20-001B – Motel: **Recommendation:** Rezone to commercial.

101-23-004R – Rental Cabins: **Recommendation:** Further investigation needed.

101-25-002A – Rental Cabins, Old CUP (2007): **Recommendation:** Further investigation needed.

101-28-001 – Family Cabins: Previous conditional use permit for ten cabins; currently, four residences. **Recommendation:** Send a letter.

101-28-003B – Outpost RV Park: **Recommendation:** Rezone to commercial.

101-28-006 – Mini Storage: **Recommendation:** Rezone to commercial.

Community Input and Next Steps

Mr. Fish emphasized that all property owners would be contacted before any zoning changes.

Mr. Fite expressed that Alpine residents need clear explanations about the process. He noted that many fear Alpine could end up like Greer. Mr. Fish acknowledged these concerns and assured that the county intends to give property owners a choice. He reiterated that while some may be upset with the rezoning, the overall goal is to streamline processes and avoid unnecessary conditional use permits.

The next steps include drafting letters for property owners, allowing the commission to approve them before distribution, and ensuring transparency in the rezoning process.

No further discussion.

Discussion on any future Agenda Items.

Lava Run Conditional Use Permit and Ordinance Review

Mr. Peterson opened the floor for discussion.

Mr. Fish advised that he had recently met with the representatives from Lava Run. Their conditional use permit was still in progress, and they prefer to wait and assess the situation before moving forward. There has been discussion among both this Commission and the Board regarding a potential moratorium to evaluate our renewable energy ordinance. While no progress has been made on the moratorium, the county supervisors have directed us to review and update the ordinance as needed.

A key concern among county officials is the decommissioning of windmills after they are constructed and operational, particularly regarding bonding and financial security for removal. Additionally, the "Stop Lava Run" group has raised various concerns, but the primary focus remains on ensuring a strong decommissioning plan. We need to evaluate whether our ordinance has the necessary provisions for this process.

He advised that representatives from both Lava Run and Stop Lava Run are present today, if the Commission wished to hear from them he added that regardless, we have been directed to form a subcommittee to review the ordinance.

Mr. Peterson commented that he felt that the Commission had already made that decision.

Mr. Fish stated that the decision was with the commission, but the county supervisors have recommended moving forward. He added that they also need to review the

comprehensive plan, though it is a separate issue. Now that the supervisors are on board, we can proceed.

Mr. Dobson asked if they were discussing bonds on land recovery.

Mr. Fish stated that both, along with setback issues, environmental concerns, and other topics raised by "Stop Lava Run." However, the main concern from the country staff is decommissioning. While some issues can be addressed through conditions, the ordinance may need stronger language on decommissioning.

Mr. Fish proposed limiting the size of the committee to nine members, including representatives from the renewable energy sector, Tucson Electric Power (TEP) or Salt River Project (SRP), local EMS departments, and experienced laypeople. One potential member is Linda Weiland, a retired county planner with extensive experience. Mr. Fish noted that staff needed to compile names and finalize the committee and bring to the commission next month.

Mr. Peterson: Given our time constraints, I propose allowing four minutes for each side to speak.

Lava Run Representative: Trinidad Kechkian, Project Manager, Repsol

Stated that she appreciated the opportunity to speak. We feel that Apache County has solid ordinance, but we acknowledge residents' concerns. We support a collaborative approach and suggest including third-party environmental experts, as done in other counties.

Mr. Fish: noted that both Repsol and Triple Oak support including third-party environmental experts. This process should not be slow—our goal is to act efficiently while addressing concerns.

Linda Weiland, Eagar Resident

State that the current ordinance is unclear, requiring cross-reference between Articles 4 and 11. She recommend following Coconino County's model, which is well-structured and included a clear purpose statement, preferred and disfavored site criteria, preliminary site investigation requirements, performance standards and administrative processes, a conditional use permit process with pre-application and citizen review, a structured decommissioning plan. She recommended that Apache County adjust this model to fit local needs, considering sound limits, setbacks, and clear definitions.

Mr. Peterson noted that they had a couple of minutes for discussion and asked if any other in attendance would like to address the commission. Seeing no further input, he concluded the work session.

The working lunch session adjourned at 12:58 pm.

Public Meeting

Call to Order.

Mr. Peterson called the public meeting to order at p.m. MST in the Board of Supervisors' Hearing Room, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona.

Roll Call/Determination of a Quorum.

Mr. Peterson determined that a quorum was present through roll call. The following Commissioners were present: Brad Peterson, Bobby Fite, Kay Hauser, Bob Pollock, and Carey Dobson.

Review and approval of the minutes of the Planning and Zoning Commission working lunch session and public meeting held on February 6, 2025.

Mr. Peterson read in the item and opened the floor for a motion and discussion.

MOTION: Mr. Dobson moved to approve the minutes as drafted, seconded by Mrs. Hauser.

Mr. Peterson asked for any questions.

There was no discussion.

VOTE: The motion passed unanimously with **4 ayes, 0 nays, and 1 abstention**. Mr. Fite abstained, as he was not present at the meeting.

PUBLIC HEARING(S)

Review and Discussion of Subdivision Major Plat Amendment 2025-05 for Lester Sewell

Mr. Peterson presented the item.

Mr. Fish provided the staff report, stating that the parcel is located within the Hidden Paradise subdivision, where several major plat amendments have been processed. He noted that this is the fourth or fifth amendment in the last two years and that it remains consistent with existing lot configurations.

A concern was raised regarding the original lot sizes, which were ten acres or larger, as some parcels are now being split into two-acre lots. A property owner pointed out that this trend could undermine the original intent of maintaining larger parcels. Mr. Fish acknowledged this concern but noted that the road accessing the parcel is one of the

better-maintained county roads. While the increased number of amendments could eventually burden the roads, he does not believe the subdivision has reached that threshold yet. He recommended continued monitoring of future amendments but concluded that the request aligns with previous approvals and received no objections.

Staff Recommendation: Approval.

Mr. Peterson invited comments from the applicant, Lester Sewell.

Mr. Sewell stated that he owns the property and intends to split off two acres to gift to a relative who plans to move to the area for retirement.

Mr. Peterson asked if there were any questions for the petitioner. Seeing none, he opened the floor for a motion and discussion.

MOTION: Mrs. Kay Hauser moved to approve the amendment as presented, seconded by Mr. Fite.

Mr. Peterson confirmed, “We have a motion on the floor and a second. Any discussion on the motion?” Seeing none, he called for a vote.

VOTE: Unanimous approval, **5 ayes, 0 nays.** Motion carried.

Call to the Public

Mr. Peterson allowed three minutes for public comments on any item not on the agenda.

Linda Weiland, Eagar, AZ:

Ms. Weiland addressed the Commission regarding the need to update the county’s Renewable Energy ordinance. She cited Arizona Revised Statutes and Section 1105 of the county zoning ordinance, which grant the Commission the authority to initiate zoning ordinance amendments.

She expressed concerns that the current Renewable Energy ordinance was outdated, inadequate for resource protection, and confusing. She urged the Commission to act now, as updating the ordinance would become more challenging once conditional use permits are in process.

Ms. Weiland outlined several possible approaches for updating the ordinance and noted that Coconino County spent two years developing its ordinance through an advisory committee. While Apache County may need to adjust certain aspects—such as noise regulations, setbacks, and decommissioning, adopting a similar framework could provide a strong interim solution.

Ms. Weiland also shared general recommendations based on her experience in zoning enforcement:

She provided copies of selected Apache County comprehensive plan policies, conditional use permit (CUP) evaluation criteria, and purpose statements from three different ordinances for reference.

Ms. Weiland concluded by offering her assistance in the ordinance revision process.

Monica Boehning, Springerville, AZ

Ms. Boehning addressed the Commission, emphasizing the challenges Apache County faces in attracting stable businesses and industries. She noted that the majority of available land is zoned as General Agricultural, despite the zoning ordinance already defining residential, commercial, and industrial uses.

She pointed out that when prospective businesses evaluate Apache County, they see no land explicitly designated for commercial or industrial use, which may be a contributing factor to the county's economic development struggles. She expressed that this issue has been neglected for too long.

Ms. Boehning cited state statutes that mandate planning and zoning, explaining that the primary purpose of such regulations is to protect public safety, welfare, and economic success, while minimizing negative impacts on surrounding areas. She emphasized that responsible land-use planning requires vision, citizen input, and strong leadership, rather than allowing development to evolve without direction.

Ms. Boehning strongly encouraged the Commission to begin revising the Renewable Energy Ordinance with input from motivated citizens and knowledgeable stakeholders. She suggested that industrial zoning be integrated into this process to ensure a balanced and strategic approach to development.

She concluded by thanking the Commission for its leadership on this critical issue.

Report from Staff to the Commission

Mr. Fish stated that staff had no updates to report.

Mr. Peterson expressed his appreciation to those in attendance and thanked them for their interest in county matters.

Adjournment

MOTION: Mr. Dobson moved to adjourn the meeting, seconded by Mr. Pollock.

Mr. Peterson confirmed, “We have a motion and a second. All in favor?”

VOTE: Unanimous approval, **5 ayes, 0 nays.**

The meeting was adjourned at 1:22 p.m. MST.