

**PLANNING AND ZONING COMMISSION
MINUTES FOR June 2, 2022**

In Attendance:

Commissioners

Dan Muth, Chairman
Oscar Miranda, Vice-Chairman (Absent)
John Freeman
Kay Hauser (Absent)
Carey Dobson
Bobby Fite
Brad Peterson
Traegen Knight (Absent)
Brad Jarvis (Absent)
Michael Bragiell, Alternate

Staff

Matthew Fish, Director
Shanna Pearce, Plan Reviewer

Working Lunch Session

Called to order at 12:05 p.m.

Item #1 Discussion of the P&Z agenda items below.

No discussion.

Item #2 Presentation from Amanda Flores with ConnectGen of a proposed wind, solar and battery storage project on state land in southern Apache County.

Amanda introduced ConnectGen's Lava Run Wind, Solar, Storage Project, explained the purpose of the project, and her role in the project.

Mrs. Flores presented a PowerPoint presentation which covered the location of the project being entirely on Arizona State land, the projects development progress to date, area studies done over the past couple of years, applications of state permitting, resource analysis, early outreach to key agencies, interconnection to existing transmission systems, field and environmental studies to minimized impacts to the environment, bidding of commercial customers, county vs. state jurisdiction and stated that the project would follow Apache County's conditional use permit (CUP) guidelines and noted that they planned to submit their CUP application later this year, the economic development through new tax revenues and construction and operations jobs; projected job creation during construction, 150 employees for the wind and 150 employees for solar and storage projects, during operations 15 permanent employees for the wind project and two (2) for the solar and storage project.

Mr. Peterson recommended they talk with NEC as they had jurisdiction in the county.

Mr. Dobson and Mrs. Flores discussed the impact to existing grazing lessees. Ms. explained there would be no interruption.

Mr. Fish questioned when construction would start. Ms. provided their anticipated timeline, and projected to be fully operational by end of 2025, depending on utility customers.

Mr. Dobson questioned their interconnection to existing transmission lines. Ms. Flores stated they would seek approval from Arizona Corporation Commission.

No further discussion. No action taken.

Item #3 Discussion of Zoning Ordinance Article 24.

Mr. Fish addressed some misinformation that it was the desire of the county to extinguish Article 24 and clarified that the county's desire was to streamline and simplify Article 24.

Mr. Fish advised the commissioners on the status of moving forward to completion and explained the Assessor offices role and the state requirements. He recommended working with the Assessor's office to collect the owners information and community development providing enforcement to ensure compliance with local traffic laws, there was no additional strain on wastewater, off-street parking, occupancy limits, etc.

Commissioners discussed a timeline for completion, creating a subcommittee of community members to help draft the amendment, and noticing for the committee. Commissioners agreed to move forward and to place the item on the August 4, 2022 agenda.

No further discussion. No action taken.

Item #4 Director's status report regarding applications received from Terrapin Investment Fund V, LLC to open an Adult Use cannabis dispensary in Vernon, AZ.

Mr. Fish updated the commission on the status and issues regarding the zone change and CUP applications and explained the purpose and process of both applications.

Mr. Fish explained the required setback per ACO Article 23 as being 25 miles from any other dispensary and that there was currently a dispensary in Navajo County within 19 miles of the applicants proposed location.

Mr. Fish advised the commissioners of the county decision and notification to the applicant that the current location would not meet the required setback for the dispensary, to which the applicant requested a variance on the ruling and advised the applicant that as they had owned the property they could move forward with the rezone.

Mr. Fish also advised the commissioners of the process and timeline for moving forward. 1. The applicant requested moving forward with the rezone, the application will be on the July 7, 2022 P&Z public meeting agenda. 2. Once the rezone was completed the variance would move forward to the Board of Adjustment and Appeals (BoAA). 3. Once the variance was completed the CUP application would move forward to the P&Z Commission for a public hearing and recommendation to the BoS.

Commissioners discussed the purpose of rezoning if variance request was denied. Mr. Fish did not reply on behalf of the applicant and stated that would need to be addressed by the applicant.

Mr. Freeman noted that the rezone would need to clearly state the purpose of the rezone.

No further discussion. No action taken.

Adjourn 12:35 p.m.

Regular Meeting

Item #1 Call to Order.

Chairman Dan Muth called the regular meeting to order at 1:00 p.m.

Item #2 Roll Call/Determination of a Quorum.

Chairman Dan Muth determined a quorum was present with six (6) commissioners present.

Item #3 Call to the Public

George Iddings, 73 ACR 1324 Greer, AZ expressed his concerns with Article 6 being written like CC&R's for a HOA, he spoke in opposition to the Greer Coalition being the governing board of Greer, and recommended hiring an outside source with no affiliation to Greer or any Greer organizations to write Article 6

Michelle Iddings, 73 ACR 1324 Greer, AZ expressed her concerns regarding unanswered questions about Article 6, their family's continued harassment, the power behind the Greer Coalition, and that the proposed Article 6 was left to interpretation and violated most basic constitutional rights being a strict HOA CC&R's. Although being opposed to incorporation, she suggested that Greer fall under the jurisdiction of Eager or Springerville and to table the final implementation of Article 6 until further research had been done as to possible repercussions as written.

James Wright deferred any comment.

Lawrence Corte deferred any comment.

Steve Williams, 9 Rohrer Road (CR 1009) Greer, AZ stated for record that he was not a member of the Greer Coalition, he addressed the concerns presented by George and Michelle Iddings and stated that multiple meetings were held and that several notifications were sent. He commented on Article 24 and requested that Section 2402 remain in the amended Article, he expressed his concerns with the direction the single family nightly rentals are heading, and the use being compatible with the surrounding neighbors, and expressed concerns with the limited resources for enforcement, he commented regarding a post on social media which would provide resources for a compliance officer.

No further comments.

Item #4 Approval of the minutes from the May 5, 2022 minutes.

No discussion.

Chairman Dan Muth opened for a motion.

Commissioner John Freeman motioned to approve the minutes as presented.

Commissioner Bobby Fite second the motion.

Mr. Bragiel requested clarification regarding item #4 Article 6 suggested changes staff received. Mr. Fish stated this was a clarification by community development.

“Commissioners and staff discussed Greer’s development ethics and expectations, the history of Greer Phase 1 and Article 6, the role of P&Z, the definition of MH’s, the process and implementation of Article 6, clarifying Article 6 so things aren’t left up to interpretation, current violations, cleaning up the table, mailing a survey vs. Community meetings. ~~and rewriting vs. amending Article 6~~ Chairman Muth identified the scope of the revision would be narrow, limited rather than a broader consideration.”

Mr. Bragiel and Mr. Fish discussed their recollection of the meeting. Commissioners shared their views of meeting. The commissioners agreed to table the approval of the May 5, 2022 minutes and requested that a word-for-word transcript of the discussion be presented to the commission prior to the meeting in July.

Mr. Fite rescinded his second as he was not present at the May 5, 2022 meeting. Mr. Peterson added he could not second as he was not present as well.

Mr. Freeman also declined to second due to the confusion. Mr. Muth pointed out that Mr. Freeman had made the motion therefor would not be able to second his motion.

Mr. Muth asked Mr. Bragiel if he would second. Mr. Bragiel declined.

Motion died for lack of a second.

Mr. Fite requested clarification of comments made in the May 5, 2022 meeting regarding “Appendix A of the Alpine Community Plan never being adopted”.
Mr. Fish clarified that the community plan was adopted but the Appendix’s were never enacted, they are not actionable but are guidelines.

No further discussion.

Chairman Dan Muth opened for a motion to table item 4.

Commissioner John Freeman motioned to table.
Commissioner Brad Peterson second the motion.

Vote, unanimous.
Motion carries. Item tabled.

Item #5 Report from Staff to the Commission

Commissioners discussed timeline for Article 24, clarified the item will be on the August agenda for further discussion.

Mr. Fish advised that the Greer Community meeting will be held in Greer on July 16th at 11 a.m. in the Community Center in regard to the revisions of Article 6.

Mr. Muth confirmed that the revised minutes for the May 5, 2022 meeting will be presented to the commission prior to the July 7, 2022 meeting. Mr. Fish agreed.

Mr. Freeman stated that in light of the discussion regarding Article 6 an open discussion was needed about the confusion that had been perpetuated here to move from a simple revision as expected by the community, as expected by the county to this attempt to rewrite Article 6. He felt that needs to be open and complete dialogue and felt that this kind of background, sort of collusion with three parties, the chairman, a couple of commissioners, and a party in the audience to do away with the protections, the safeguards, the property value protections that are offered by Article 6 needed to come forward and be openly and transparently discussed. Mr. Muth requested to make this discussion of Article 6 part of the July 7, 2022 work session. Mr. Fish agreed.

Item #6 Adjourn

Chairman Dan Muth opened for a motion to adjourn.
Commissioner Brad Peterson moved to adjourn.

Adjournment 1:20 p.m.