



APACHE COUNTY COMMUNITY DEVELOPMENT

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**PLANNING AND ZONING COMMISSION
MINUTES FOR September 1, 2022**

In Attendance:

Commissioners

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

Staff

Matthew Fish, Director
Shanna Pearce, Plan Reviewer
Tyron Jensen, Deputy Attorney
Ferrin Crosby, Engineer

Working Lunch Session

Chairman Dan Muth called the working lunch session to order at 12 p.m.

Item #1 Brief overview of and Q &A with the county Engineering Office.

Ferrin Crosby advised the commission of the county road systems and explained the different types and the county's responsibilities.

County roads those approved by the Board of Supervisors (BoS) by resolution and may include county roads, highways, primitive roads and IGA roads. Currently the county had 1561.06 miles on inventory.

N roads, those established by creating subdivisions, public easements, private easements, other than the adopted by the BoS and required an emergency 911 address that are not in the county's inventory and not maintained by the county, they are maintained by associations, homeowners, individuals, contractors and some aren't maintained. These roads are not created by the county.

Public and private easements, fixed to a piece of property created by minor land divisions (MLD), by ordinance, people giving to neighbors as private access, for whatever their intended purpose, generally created in plat's survey's deeds and agreements. Public easements do not automatically deem it a county road although there is some overlap, there are several county roads on easements.



Emergency 911 addressing, required by mandate to provide for property owners and required when requesting a free post office box. Started in Alpine going north and west brought addressing up to a national standard, mile posting south to north and west to east.

Mr. Fish asked if he agreed with hard zoning the county based on population to limit the MLD's from 40-acres to one-acre parcels. Mr. Crosby felt it was wise to be thinking ahead and noted that would prevent future wildcat subdivisions.

Mr. Peterson and Mr. Crosby discussed the Hinkson road and the effects of the past subdividing. Mr. Crosby shared that there were roads in question that had been adopted by the BoS and their legal status was in question, there are not documents to support them as a county right of way (ROW). Many became historic county-maintained roads with no legal ROW.

Mr. Dobson and Mr. Crosby discussed Timber Knoll Road and state lease, BLM land and state land, several roads being closed because of no legal access.

Mr. Crosby noted the misinformation provided to buyers that "N" roads are county maintained. Mr. Crosby noted their continual education with residents.

Mr. Crosby explained the county's role in determining easements, ROW's and access.

Mr. Crosby and the commissioners discussed the county's GIS mapping system the benefits and recommendations for improvements.

Mr. Fish asked what were some considerations' that P&Z could take when considering applications. Mr. Crosby stated that it became critical when determining the location of the proposed project, he felt those adjacent to major thoroughfares should submit a traffic impact analysis.

Mr. Crosby explained the county's current road conditions and scheduled routine maintenance.

Mr. Dobson and Mr. Crosby discussed the county maintenance of forest service roads.

Item #2 Discussion of amending Article 24 to align with state regulations and the timeline moving forward.

Staff, commission and legal discussed Senate Bill 1168 regarding Nightly Rentals and the county's required responsibilities, enforcement and unintended consequences.

Mr. Muth recommended forming a subcommittee of commissioners and community members.

Committee members: Commissioners Brad Peterson, Michael Bragiel, and Roxanne Drye from the county Assessors office and Chairman Dan Muth; community members and other entities as determined by the committee



Mr. Jensen noted that the bill would go into effect September 22, 2022 and the purpose for the bill.

Chairman Dan Muth recessed the working lunch session at 1:00 p.m.

Chairman Dan Muth reconvened the working lunch session at 1:20 p.m.

Mr. Fish recommended that Article 24 be abolished.

Item #3 Explanation from county attorney's office about CUPs in Greer already recommended.

Discussed the two (2) previously recommended CUPs for George and Michele Iddings and Michael and Toni Bragiel regarding the storage and use of RVs in Greer with the recent passing of Article 6 Greer Zoning Ordinance.

It was decided that the CUP for Mr. and Mrs. Iddings being in the Greer Agricultural zone was invalid, no further action was required and could be extinguished. The CUP for Mr. and Mrs. Bragiel being in the Greer Commercial zone could move forward to the Board of Supervisors as previously recommended by the commission.

No further discussion.

Chairman Dan Muth opened to reconvene the public meeting.
Commissioner John Freeman motioned to reconvene the public meeting.
Commissioner Carey Dobson second the motion.

Vote unanimous. Public meeting reconvened.

Chairman Dan Muth reconvened the public meeting.

Public meeting reconvened.

Regular Meeting

Item #1 Call to Order.

Chairman Dan Muth called the public meeting to order 1:05 p.m.

Item #2 Roll Call/Determination of a Quorum.

Chairman Dan Muth determined a quorum was present with seven (7) commissioners present.

Item #3 Call to the Public



Frank Gonzales 29 county road 2087 Alpine spoke in opposition of the pending RV Park presented by Fred Gomez and provided information regarding Mr. Gomez's actions regarding the Alpine water district and the community's involvement with the Rose Law Firm with no response from the county. He requested that the county give the community of Alpine the same due process as afforded to Mr. Gomez and to deny the application to allow time to conclude their research and provide educated information regarding the sustainability of the water aquifer system.

Mr. Freeman recommended that the CUP application be put on the working lunch session agenda for the October 6, 2022, meeting for an update. Mr. Muth agreed for an update.

Betsy McKenzie at 224 county road 2117 spoke in opposition of the pending RV Park in Alpine presented by Fred Gomez and provide to staff written sub points and resource books related to trailer parks and single wide's and provided statistics.

Item #4 Approval of the minutes from the June 2, 2022, meeting.

Chairman Dan Muth opened for a motion to approve the July 2, 2022, meeting.
Commissioner John Freeman motioned to approve.
Commissioner Brad Peterson second the motion.

No Discussion

Vote, 6 ayes - 0 nays – 1 abstention, Vice-Chairman Oscar Miranda as he was not present at the June 2, 2002, meeting.

Motion Carried

Item #5 Approval of the minutes from the July 7, 2022, meeting.

Chairman Dan Muth opened for a motion.
Vice-Chairman Oscar Miranda motioned to approve the July 7, 2022, meeting.
Commissioner Brad Peterson second the motion.

No Discussion.

Vote, 5 ayes - 0 nays – 2 abstentions, Commissioners Carey Dobson and Michael Bragiel as they were not present at the July 7, 2022, meeting.

Motion Carried

Item #6 Approval of the minutes from the July 19, 2022, meeting.

Chairman Dan Muth opened for a motion to approve the July 19, 2022, meeting.
Commissioner Traegen Knight motioned.



Commissioner Carey Dobson second the motion.

No Discussion.

Vote, 4 ayes - 0 nays – 3 abstentions. Vice-Chairman Oscar Miranda, Commissioners Brad Peterson and Michael Bragiel as they were not present at the July 19, 2022, meeting

Motion Carried

Chairman Dan Muth recessed the public meeting at 1:20 p.m. and reconvened the working lunch session.

Item #7 Report from Staff to the Commission

Matt Fish advised the commission of upcoming CUPs for additional homes.

Mr. Fish asked Mr. Jensen if there would be any legal issues by adding the prayer and pledge of allegiance to the beginning of meetings. Mr. Jensen advised he would discuss further with legal.

Chairman Dan Muth opened to put the public meeting in recess.
Commissioner John Freeman motioned to recess the public meeting.
Commissioner Brad Peterson second the motion.

Vote unanimous. Public meeting recessed.

Chairman Dan Muth reconvened the public meeting.

Item #8 Adjourn.

Chairman Dan Muth opened for a motion to adjourn.
Commissioner Brad Peterson motioned to adjourn.
Commissioner John Freeman second the motion.

Vote, 7 ayes to 0 nays

Meeting adjourned at 1:20 p.m.