

APACHE COUNTY COMMUNITY DEVELOPMENT
P. O. Box 238
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PLANNING AND ZONING COMMISSION
MINUTES FOR April 1, 2026

Commissioners

District I

Carey Dobson
Bobby Fite
Brad Jarvis

District II

Kay Hauser

District III

Brad Peterson, Chair
Bob Pollock, Vice-Chair
Travis Johnson

Alternate

Michael Bragiel

Staff Members in attendance

Matthew Fish, Director

Shanna Pearce, Project Manager

Legal Council

Christopher Resare, Chief Deputy Attorney

WORK SESSION

CALL TO ORDER

Vice Chair, Bob Pollock called the Work Session to order at 4:04 p.m. (MST).

Vice-Chairman Pollock announced that a quorum was not present. The meeting would proceed as an information session only. All public comments were deferred to the 5:00 p.m. Public Meeting.

Mr. Fish explained that based on guidance from the County Attorney's Office, a quorum is required for a working session and that under Arizona statutes, a quorum is required to conduct a working session if decisions are to be made; however, information may be exchanged without a quorum. He stated that future working sessions would ensure a quorum is present.

DISCUSSION OF PROPOSED AMENDMENTS TO RENEWABLE ENERGY DEVELOPMENT ORDINANCE

Planning Director Matthew Fish provided an overview of the proposed amendments to the Renewable Energy Development Ordinance, to be referred to as Article 8. He stated that additional revisions were forthcoming and that one more version was anticipated prior to formal consideration.

Section 438 – Introduction and Purpose

Clarifying that the ordinance regulates utility-scale wind and solar projects with a generation capacity of at least one (1) megawatt that primarily generate electricity for offsite distribution through the electrical grid. He stated that rooftop solar, agricultural pumping systems, and similar installations are not intended to be regulated under Article 8.

Section 437 – Definitions

Definitions were refined or added

Preferred Energy Generation Areas and Scenic Corridors

Revisions to the Comprehensive Plan language to support the one-mile highway setback for wind turbines and outline designated scenic travel corridors also reviewed proposed language identifying primary and secondary preferred energy generation areas in the Comprehensive Plan. He stated the designation would be advisory and would not create zoning entitlements.

He requested Commissioner input regarding extending corridor designations north and south of certain highway segments.

Commissioners agreed with extending certain scenic corridor designations and supported including recreation areas and additional highway segments.

Section 439 – General Development Standards

Revisions for mandatory pre-application meetings, fire protection coordination requirements, FAA lighting standards, RF and microwave interference protections, wildlife corridor considerations, and cleanup and weed management requirements.

He explained the relocation of language concerning equipment modifications and upgrades to Section 446, clarifying that like-for-like replacements may proceed with administrative review, while material modifications would require a Conditional Use Permit (CUP) amendment or new CUP.

Section 440 – Noise Requirements

Outlines new noise standards

Section 441 – Wind Project Setbacks

Revised setback requirements for non-participating parcels with occupied residences, participating and vacant parcels, non-private lands, project boundaries, public roadways and major highways. Clarified measurement standards and eligibility requirements tied to Certificates of Occupancy or valid building permits.

Solar Project Setbacks

Outlines proposed solar setbacks.

Section 442 – CUP Terms and Conditions

Proposes five-year administrative reviews.

Commissioners discussed what would be accomplished by five-year reviews, bonding responsibility, and whether the State Land Department would share responsibility.

Section 443 – Complaint and Inspection Authority

Language authorizing inspections upon reasonable notice to verify compliance.

Section 444 – Joint Agency Approvals

Provisions allowing coordinated review with other agencies while retaining County approval authority.

Section 445 – Public Outreach

Notification requirements to community officials, municipalities, fire districts, Tribal governments, and other affected jurisdictions within three miles of project boundaries.

Section 446 – Termination and Decommissioning

Revisions requiring removal of facilities to a depth of 36 inches unless otherwise specified in CUP conditions and revised financial assurance requirements.

Sections 447 and 448

Revisions to fee provisions and development agreement language.

DISCUSSION ON ANY FUTURE AGENDA ITEMS.

Mr. Fish recommended scheduling a special working session once final revisions are prepared. He indicated a goal of completing the ordinance by June 2026.

ADJOURNMENT

Vice-Chairman Bob Pollock adjourned the Work Session (Information Session) at 5:05 p.m.

PUBLIC MEETING

Chair Brad Peterson called the Public Meeting to order at 5:20 p.m. (MST).

Chairman Peterson announced that one Commissioner would need to leave at 6:00 p.m., at which time the Commission would lose quorum. He stated that the meeting would adjourn upon loss of quorum, and any remaining proceedings would continue as an information session on the record.

Chairman Peterson also announced that due to the number of speakers, public comment time would be limited to two (2) minutes per speaker.

ROLL CALL

Chairman Peterson determined a quorum was present with five (5) members present.

Commission Members Present: Brad Jarvis, Bob Pollock, Brad Peterson, Kay Hauser, and Carey Dobson.

Commission Members Absent: Bobby Fite and Travis Johnson.

REVIEW AND APPROVAL OF THE March 4, 2026 MINUTES

Planning Director Matthew Fish reported that a correction had been made to one vote recorded as 4-2, which was corrected to 3-2 in the official minutes.

Motion: Commissioner Carey Dobson moved to approve the March 4, 2026, minutes as amended. Commissioner Kay Hauser second the motion.

No discussion.

VOTE: Unanimous six (6) aye, zero (0) nays.

Motion carried.

**SUBDIVISION MAJOR PLAT AMENDMENT APPLICATION 2026-06
APPLICANT: ALLISON SENO**

Planning Director Matthew Fish presented the staff report and recommended denial of the major plat amendment. He also noted that existing CC&Rs reference lot splitting requiring review by a governing board; however, there is no active CC&R governing board, and the County does not enforce CC&Rs.

Applicant Allison Seno stated that she and her family purchased the lot with the intention of dividing it into two parcels so that she and her spouse could reside on one parcel and

their son and his fiancée could reside on the other. She stated the plan was to place two approximately 2,000-square-foot manufactured homes on the property.

Vice-Chairman Bob Pollock asked whether the applicant could achieve her objective without splitting the lot.

Mrs. Seno stated that she understood only one home was allowed per parcel and that guest houses were not permitted.

Chairman Peterson stated that the applicant could apply for a Conditional Use Permit (CUP) for a second dwelling, such as a guest house or mother-in-law residence, instead of pursuing a lot split.

Mrs. Seno stated she was not aware of that option and asked about the process.

Mr. Fish stated that staff could provide information regarding the CUP process if the lot split was not approved.

Chairman Peterson asked if there were any additional questions from Commissioners. There were none.

No public comment.

Chairman Peterson closed the public comment

MOTION: Commissioner Kay Hauser moved to deny Major Plat Amendment Application 2026-06 based on the staff recommendation. Second by Commissioner Bob Pollock.

VOTE: Unanimous five (5) aye, zero (0) nays.

Motion carried

CALL TO THE PUBLIC

During Call to the Public, the following individuals addressed the Commission:

Daric Knight, Chairman of the Apache Natural Resource Conservation District (ANRCD), reminded the Commission that ANRCD is a locally elected subdivision of state government with jurisdiction within Apache County. He requested continued coordination during ordinance drafting processes, particularly regarding renewable energy provisions. He asked to be copied on substantive email correspondence related to ordinance revisions. Staff indicated willingness to do so.

Olivia Jensen spoke regarding proposed renewable energy ordinance amendments. She expressed appreciation for the inclusion of preferred energy areas but raised concerns that the current draft favors renewable energy development over private property protections.

Donna Dooley stated she recently became aware of the proposed wind energy projects. She expressed opposition based on visual impacts, potential property value effects, and concerns about groundwater usage during construction and operation. She indicated reconsideration of planned well drilling and home construction if turbines are developed nearby.

Stephen Day raised concerns regarding declining groundwater levels and the potential cumulative impact of construction-related water use on existing wells. He reported having recently lowered his pump due to dropping water levels.

Deena Wheeler questioned liability for potential adverse effects associated with wind energy projects, including health impacts, water usage during drought conditions, wildfire risk, emergency response limitations, and property loss. She asked why the County could not deny the projects.

Kimberly Krueel, resident of Concho, referenced prior Commission discussions from the March meeting. She expressed concern regarding statements related to safety considerations and agency review processes. She stated opposition to wind energy development and requested that the Commission prioritize protection of public health, safety, wildlife, and community values when considering such projects.

Andy Huyck stated he had recently reviewed materials related to renewable energy financing and development. He discussed concerns regarding foreign investment structures, tax incentives, and project ownership. He expressed concern about potential impacts to local residents and stated that additional research and evaluation should occur prior to approval of projects.

Donald Pearce spoke in support of incorporating preferred energy generation areas into the Comprehensive Plan. He referenced the purpose of the Comprehensive Plan under Arizona statute and stated that identifying preferred areas would help guide development, conserve resources, and support coordinated planning efforts.

Alfred Dean expressed concerns regarding setback standards, stating that impacts to residences were more significant than impacts to roadways. He raised concerns regarding noise, visual impacts, wildlife displacement, property values, and lack of direct benefit to local residents from renewable energy projects.

Anita Dean identified herself as a registered nurse and expressed concerns regarding potential health, environmental, and water impacts associated with wind energy projects. She stated opposition to such development and requested that the ordinance reflect community opposition.

Commissioner Kay Hauser indicated she needed to leave the meeting but stated she could participate telephonically to maintain quorum.

Staff confirmed that telephonic participation would be acceptable.

Chairman Brad Peterson stated that the Commission remained in session.

Steve Hider stated opposition to wind energy development. He expressed concerns regarding potential impacts to health, water resources, aesthetics, and long-term effects on future generations. He also referenced drought conditions and declining water availability and suggested consideration of a moratorium on such projects.

Doug Fletcher stated he has studied environmental and health-related topics and expressed opposition to wind and solar energy development. He referenced potential environmental and health impacts and stated that, in his view, additional research is needed. He also requested consideration of a moratorium.

Dorcy Deskin expressed opposition to renewable energy development and stated concerns regarding impacts to agriculture, property use, and environmental conditions. She indicated that such development could affect her continued residence in the area and also requested a moratorium.

Michael Lara expressed support for identifying preferred locations for renewable energy development as outlined in the Comprehensive Plan. He stated that concentrating development in those areas could reduce impacts to wildlife habitat, tourism, infrastructure, and aviation safety. He also requested consideration of a moratorium.

Lonnie Randall provided remarks referencing religious scripture and expressed concerns regarding large-scale development and potential unintended consequences.

Daniel Hochstein objected to the proposed wind projects and stated that approval of related Conditional Use Permits would, in his view, conflict with stated purposes of the zoning ordinance. He requested a moratorium pending additional independent data.

David Sollie stated support for preferred locations for wind farms and expressed support for Monica Boehning's presentation. He stated that locating projects farther from residential areas could reduce impacts on residents, property values, and communications systems.

Michael Mooney stated opposition to commercial wind turbines in Apache County and requested that the Commission deny such projects or adopt a moratorium.

Belinda Carvahol raised concerns regarding outside organizations and advocacy efforts related to renewable energy development and requested that the Commission rely on verified information from local stakeholders.

Mark Ostermann stated opposition to wind generation projects in Apache County and expressed concerns regarding long-term effects on the County and potential future litigation.

Kristin Spillman local business owner stated that opposition petitions and letters regarding wind projects had been collected over a two-year period. She reported that the materials reflected opposition to wind projects in Apache County.

Mike Kunnecke stated that the County needs jobs and revenue and discussed support for locating renewable energy development in preferred areas near existing transmission infrastructure. He also commented on solar generation and County Road funding.

Kay Shore discussed concerns regarding infrasound from wind turbines and referenced health-related studies and reported effects on humans and animals.

Ron Smead expressed support for locating wind and solar projects within preferred areas and stated that such siting could reduce impacts on residences, highways, and emergency services.

Linda Norman stated support for a renewable energy ordinance that protects residents and property rights while allowing responsible projects under clear standards. She requested that current proposals not be located near existing homes and ranches.

Joan Garrett stated that the draft ordinance conflicts with the stated purpose of protecting public health, safety, and scenic resources. She commented on proposed noise standards and setbacks and requested stronger protections or alternative siting.

Susan Maxwell discussed possible effects of infrasound on human health, including impacts to vulnerable populations, children, and animals. She requested that the Commission oppose industrial wind projects in the White Mountains.

Donald Maxwell retired civil and traffic engineer, stated that the volcanic soils in the Vernon and Springerville volcanic field are unstable and suggested that projects be moved to preferred areas outside those conditions.

Terry Tignor communications technician discussed potential interference with communications systems, emergency communications, radar, and related infrastructure. He requested a moratorium pending additional research.

Chairman Peterson polled the audience regarding support for solar but not wind and then regarding a moratorium on renewable energy projects. A few attendees indicated support for solar but not wind, and a majority of attendees indicated support for a moratorium.

Monica Boehning provided comments on the draft ordinance and requested additional revisions. She recommended inclusion of Arizona State Route 261 among scenic corridor routes, stated that additional submitted edits had not yet been incorporated, raised concerns regarding communications interference, proposed noise limits, setback distances, bonding and escrow requirements, notification distances, recycling facilities, fees, checklist items, infrasound, and materials degradation from turbine blades. She also stated that the Apache Natural Resource Conservation District had previously approved edits submitted for consideration.

No action was taken on Call to the Public.

Chairman Peterson closed Call to the Public.

REPORT FROM STAFF

Mr. Fish stated there was nothing further from staff.

ADJOURNMENT

Commissioner Carey Dobson thanked attendees for providing information to the Commission.

MOTION: Commissioner Carey Dobson moved to adjourn the meeting. Second Commissioner Brad Jarvis.

Vote: Unanimous five (5) ayes, zero (0) nays.

Chair Brad Peterson declared the meeting adjourned at 7:15 p.m. (MST).

NEXT MEETING

The next regular meeting of the Planning and Zoning Commission is scheduled for Wednesday, May 6, 2026.

Approved this 6th day of May 2026.

/s/ Brad Peterson
Chairman of the Commission

/s/ Matthew Fish
Planning & Zoning Secretary