APACHE COUNTY COMMUNITY DEVELOPMENT

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PLANNING AND ZONING COMMISSION
SPECIAL WORKING SESSION
MINUTES FOR August 11, 2026

Commissioners

District I	District II	District III
Carey Dobson		Brad Peterson, Chair
Bobby Fite	Kay Hauser	Bob Pollock, Vice-Chair
Brad Jarvis		Travis Johnson

Alternate

Michael Bragiel

Staff Members in attendance

Matthew Fish, Director

Shanna Pearce, Project Manager

Legal Council

Chirstopher Resare, Chief Deputy Attorney

WORK SESSION

Call to Order

Chair Brad Peterson called the special working session to order at 12:08 p.m.

Members present were Chair Brad Peterson, Vice-Chair Bob Pollock, Commissioners Kay Hauser, Brad Jarvis, Carey Dobson, Bobby Fite. Not Present were Commissioners Travis Johnson and Michael Bragiel.

Renewable Energy Ordinance Review Process

The Commission discussed the schedule and format for reviewing the proposed utility-scale renewable energy ordinance. Members indicated consensus to generally review two sections per session, limit sessions to approximately two hours, and use the final portion of each session to identify information and subject-matter participants needed for the next meeting. Additional sections may be noticed for possible discussion when appropriate. Staff stated that reviewing two sections per session would allow the section-by-section

work to be completed in early November, leaving additional time for public-agenda consideration.

Chair Peterson stated that the Commission would begin again with Article 8, Section 801. Staff acknowledged that biofuel is a renewable-energy source and noted that prior comments to the contrary had been based on an incorrect assumption.

Section 801

A. Purpose

The Commission reviewed proposed revisions submitted by Linda Weiland, Monica Boehning, and Susan and Donald Maxwell. Discussion addressed replacing promotional language with regulatory language, avoiding duplication with the definitions section, and stating that utility-scale renewable-energy applications require additional information and review time beyond typical conditional use permit applications.

The Commission indicated consensus to use Ms. Weiland's proposed wording for subsection 801(A)(1), including language concerning thorough review, identification and mitigation of potential adverse impacts, additional processing time, and the relationship between Article 8 and Article 11, Sections 1106 and 1107.

Subsection 801(A)(2), the Commission indicated consensus to retain language establishing reasonable standards for permitting, construction, operation, maintenance, and decommissioning of utility-scale renewable-energy generation facilities, including the word "reasonable."

Subsection 801(A)(3), the Commission discussed protection of natural, cultural, scenic, and visual resources; use of siting and performance standards; and the need for an objective baseline when evaluating visual resources. Staff identified an existing visual-resources definition in the draft. The Commission indicated consensus to use Ms. Weiland's proposed wording. Staff was asked to obtain clarification from the County Attorney's Office regarding whether projects may be required to locate within primary or secondary preferred areas identified in the Comprehensive Plan.

Proposed subsection 801(A)(4), the Commission reviewed criteria for approval of utility-scale renewable-energy projects. Members indicated consensus that projects should: provide significant long-term local public benefit; demonstrate compliance with County standards; identify potential project and cumulative impacts and propose measures to avoid, minimize, and mitigate identified impacts; satisfy Article 11 conditional use permit criteria without shifting project-related costs or risks to neighbors, residents, agencies, or taxpayers; and submit a complete application with reports and studies before the Planning and Zoning public hearing. The Commission directed removal of the word "fully" before "mitigate" and addition of language requiring third-party review at the applicant's expense. Staff stated that provisions addressing selection

of the third-party reviewer appear elsewhere in the existing ordinance and would be reviewed for placement in the draft.

The Commission also requested written clarification regarding the taxation and valuation of renewable-energy facilities when evaluating claimed local public benefits.

B. Applicability

The Commission reviewed the exemption for personal or institutional renewable-energy equipment serving on-site residential, agricultural, or institutional uses, or facilities with an actual or planned generation capacity below one megawatt. Discussion included small wind and solar systems, equipment used to heat water, and the scale of one megawatt. The Commission indicated consensus to use Ms. Weiland's proposed applicability paragraph.

Section 802 - Definitions

The Commission began its review of Section 802 and indicated no changes to the introductory sentence directing readers to Article 2 for other definitions.

Major Highway: Staff questioned whether the County designates major highways. Supervisor Nelson Davis stated that the Engineering Department maintains roadway classifications, including major collectors, and could provide a list. The Commission indicated no change to the proposed definition.

Non-Participating Parcel: The Commission discussed whether references to recorded leases could be confused with State Land grazing or other leases. Participants explained that the definition concerns agreements permitting a renewable-energy project and is used in applying setbacks. The Commission directed that the definition remain as written.

Occupied Residence: Because the Commission intends to measure setbacks from non-participating parcel boundaries rather than residences, members indicated consensus to delete this definition and revisit the issue in the setback section.

Participating Parcel: The Commission discussed the geographic relationship between participating and non-participating parcels. Members indicated consensus to use Ms. Weiland's definition, replace "neighboring" with "contiguous," and omit the struck final sentence.

Photovoltaic Cells / Solar Panels: The Commission discussed solar technologies that generate electricity or heat water and indicated consensus to retain the definition as written.

Project Boundary: The Commission discussed whether the project boundary should be tied to a legal description, including township, range, and section information for State

Land. Members directed that legal-description language be added to the project-boundary definition and retained the reference to a conditional use permit.

Participant Comments and Materials

Linda Weiland: Presented section-specific proposed revisions addressing the purpose, application-review time, adverse-impact mitigation, performance standards, public benefits, applicant-funded third-party review, applicability, and definitions.

Monica Boehning: Recommended stating early in the ordinance that Article 11's ordinary review timeline does not apply to complex renewable-energy applications; supported project-specific review, siting and performance standards, mitigation language, and additional definitions; and suggested adding property values to a later definition or criterion.

Susan Maxwell: Supported changing the ordinance's emphasis from promoting renewable energy to regulating utility-scale renewable-energy development.

Donald Maxwell: Commented on preferred energy areas and cited A.R.S. Section 11-254; also recommended tying the project-boundary definition to a legal description.

Next Meeting and Staff Follow-Up

The next special working session will be held on Tuesday, August 25, 2026 at 12:00 p.m. The Commission planned to continue with the remaining definitions in Section 802 and then review Section 803. Staff requested that proposed comments be submitted by Tuesday, August 18, 2026, to allow time for review and distribution to Commissioners. Staff stated that section-specific revisions in the format used by Ms. Weiland were preferred.

Adjournment

The special working session adjourned at 2:00 p.m.

No formal motions or votes were taken. Direction was provided by discussion and indicated consensus during the working session.

Approved this 7th day of October 2026.

/s/ Brad Peterson	/s/ Matthew Fish
Chairman of the Commission	Planning & Zoning Secretary

Disclaimer: These minutes are intended as a summary of discussions held and are not intended to be a verbatim transcript.