

APACHE COUNTY COMMUNITY DEVELOPMENT

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**PLANNING AND ZONING COMMISSION
MINUTES FOR December 4, 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
Serafina Farb, Permit Tech

Assessor's Office

Roxanne Gillespie, Appraiser III

Working Lunch Session

Call to Order

Vice-Chair Brad Peterson called the working lunch session to order at 12:00 p.m. (MST)

Discussion Regarding Renewable Energy Development proposed amendments.

Mr. Fish reviewed the draft ordinance revisions and summarized updates made throughout the document.

Page 3 – Section 438. Zones in which allowed / CUP required

Removed a duplicated paragraph preceding the Preferred Criteria section.

Page 3 – Section 439. General development standards for Renewable Energy Generation facilities

Section 439(A), added language inviting participation from the Apache Natural Resources Conservation District (NRCD) and local fire and EMS services.

Section 439(B), added requirement that the applicant submit a plan showing all proposed temporary and permanent roads for review by the Apache County Engineering Department, and that all permanent roads meet minimum county standards.

Section 439(E), added a requirement for Aircraft Detection Lighting Systems (ALDS) to prevent constant nighttime strobe lighting.

Section 439(I), added “A letter from the Arizona Game and Fish Department, Apache NRCD, and other applicable state and local agencies, including but not limited to local fire and EMS departments...”

Section 439(), clarified that a building or grading permit will not be issued until federal, state, and local agency comments have been addressed to the satisfaction of Apache County Community Development and the Planning & Zoning Commission, while preserving county authority in final determinations.

Commissioner Bragiel asked what occurs if an applicant cannot obtain a letter from an agency.

Mr. Fish explained that non-applicable or non-responsive agencies would be noted in staff reports, documenting attempts made and responses received. Staff also verified outreach directly with agencies.

Page 6 – Section 439. General development standards for Renewable Energy Generation facilities

Section 439(R), removed redundant sentence and added “All sign permits will be included in CUP approval and will not require a separate sign permit under Article 7.”

Section 439(S), added “local fire district” and requirement for an approved fire prevention and protection plan prior to construction.

The Commission discussed whether certain approvals—such as power purchase agreements—must be obtained before CUP submittal or before construction.

Vice-Chair Peterson noted applicants often cannot secure such agreements without an approved CUP.

Commissioners agreed to maintain flexibility by requiring certain items prior to construction rather than prior to CUP application.

Page 6 – Section 439. General development standards for Renewable Energy Generation facilities

Section 439(T), added requirement that all state, federal, and county permits be approved prior to construction or operations.

Section 439(U), added requirement for a Noxious-Invasive Weed Prevention and Control Plan, prepared with NRCD, to be included with the CUP application.

Commission discussed “shall” vs. “may.” Commission agreed to require shall.

Section 439(V), added provisions addressing handling and reuse of excavated rock during wind turbine foundation construction, including time limits for storage and acceptable reuse or disposal practices.

Page 6 – Section 439. General development standards for Renewable Energy Generation facilities

Section 439.2(A), added language requiring cleanup of spilled lubricants, broken panels, and other operational materials within 30 days, to the satisfaction of NRCD.

Page 7 – Section 441. Setbacks

Discussed industry standards (1.5x tower height or ½ mile, whichever is greater).

Commission will conduct more detailed review during the next work session.

Commissioners requested comparison charts and visual representations of various setback distances.

Section 441(G)(1), added “Affected property owners may provide irrevocable written consent...” to allow encroachment into setback areas.

Page 9 – Section 442. Use of CUP, terms, and conditions

Section 442(D), added new subsection D requiring mandatory pre-application meetings with County staff.

Section 442(E), removed.

Section 442(D) added requiring mandatory pre-application meetings with County staff.

Commission recommended including Apache NRCD and “other relevant agencies,” including Forest Service, BLM, or State Land when the project adjoins those jurisdictions.

Roxanne Gillespie asked how fire districts would be addressed in unassigned areas.

Mr. Fish stated the nearest responding district would be included, consistent with past practice.

Staff Note:

Mr. Fish informed the Commission of Chair Dan Muth's resignation.

Page 10 – Section 444. Joint Agency Approvals

Section 444(B), removed to clarify that applicants must work through county zoning requirements, and not rely on state or federal agencies to supersede local jurisdiction.

Page 11 – Section 445. Public Outreach

Section 445(E), added requirement that the public outreach summary (mailings, attendance, comments, and responses) be submitted with the CUP application.

Page 12–13 – Section 446. Termination and Decommissioning

Commission discussed timelines, disposal requirements, and hazardous materials considerations.

Vice-Chair Peterson recommended setting decommissioning timelines during CUP negotiations rather than in a fixed ordinance.

The Commission emphasized the need for disposal in ADEQ/EPA-approved facilities.

Page 13–14 – Section 446. Termination and Decommissioning

Section 446.2 Financial Assurance, retained requirement for a bond prior to construction.

Section 446.2(B), discussed including salvage values, five-year reassessment intervals, and whether the bond should be solely in the name of Apache County. Legal review is pending.

Mr. Fish will prepare a Pre-Submittal Checklist and Pre-Application Meeting Checklist for the January meeting.

No known complete decommissioning of large-scale wind facilities in the U.S.; turbines are typically repowered.

Commission requested setback analysis and visuals for the next work session.

No further discussion.

Discussion on any future Agenda Items.

With no further discussion, Vice-Chair Peterson adjourned the working lunch session at 12:47 p.m.

Public Meeting

Call to Order

Vice-Chair Brad Peterson called the public meeting to order at 1:03 p.m. (MST)

Roll Call/Determination of a Quorum

Vice-Chair Peterson determined a quorum was present by roll call. There were six (6) Commissioners in attendance, Bobby Fite, Brad Peterson (Vice-Chair), Brad Jarvis, Michael Bragiell, Travis Johnson, and Kay Hauser.

Review and Approval of Minutes – October 2, 2025 Meeting

Vice-Chair Peterson called for a motion to approve the minutes of the October 2, 2025, Planning and Zoning Commission working lunch session and public meeting.

Vice-Chair Peterson asked if all corrections had been made and if the minutes were satisfactory. Mr. Fish confirmed that the minutes had been reviewed and were accurate.

MOTION: Commissioner Hauser moved to approve. Second, by Commissioner Bragiell.

No further discussion.

VOTE: The motion passed unanimously with six (6) ayes, zero (0) nays.

Review and Approval of Minutes – November 6, 2025.

Vice-Chair Peterson called for a motion to approve the minutes of the November 6, 2025, Planning and Zoning Commission working lunch session and public meeting.

MOTION: Commissioner Jarvis moved to approve the minutes. Second, by Commissioner Hauser.

No discussion.

VOTE: The motion passed unanimously with six (6) ayes, zero (0) nays.

Election of a Chairperson for 2026.

Vice-Chair Peterson opened for nominations.

Commissioner Hauser nominated Brad Peterson. Second by Commissioner Jarvis.

No other nominations.

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

Election of a Vice-Chairperson for 2026.

Vice-Chair Peterson opened for nominations.

Commissioner Hauser nominated Bob Pollock. Second by Commissioner Johnson.

No other nominations.

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

Setting the Date, Time, and Place of Regular Monthly Meetings for 2026.

Vice-Chair Peterson opened for discussion.

The Commission and staff discussed holding regular meetings on the first Wednesday of each month, with the work session beginning at 4:00 p.m. (MST) and the public meeting beginning at 5:00 p.m. (MST). Staff recommend moving the January meeting to the second Wednesday, as staff will be out of the office on the first Wednesday. The Commission agreed to the adjustment.

MOTION: Commissioner Hauser moved to approve the 2026 meeting dates for the first Wednesday of the month with the working session starting at 4:00 p.m. (MST) and the public meeting beginning at 5:00 p.m. (MST) and changing the January 4th meeting to the second Wednesday, January 14th as recommended by staff. Second, by Commissioner Johnson.

No further discussion.

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

Discussion, consideration, and possible recommendation of approval of the Greer Article 6 Ordinance amendments.

Mr. Fish stated that, due to recent developments and ongoing conversations with County officials, he recommends tabling the item for one month to allow discussion with the County Supervisor. He suggested placing the item back on the public agenda in January.

Vice-Chair Peterson asked the Commission for their input.

Motion: Commissioner Hauser moved to table the item. The motion was seconded by Commissioner Johnson.

No further discussion.

Vote: The motion to table was approved unanimously, six (6) ayes, zero (0) nays.

Call to the Public

Vice-Chair Peterson opened the Call to the Public and provided three minutes for each speaker.

Monica Boehning – Springerville, AZ

Ms. Boehning commented on the earlier discussion regarding fire prevention and control plans, stating that citizens consistently express fire-safety concerns during Conditional Use Permit (CUP) applications for solar, battery storage, wind, and biomass projects. She suggested requiring at least a draft fire control plan, developed with the local fire agency, to be submitted with the CUP application to help address these concerns early in the process.

She also reminded the Commission that the minutes of the August 26 Special Working Session have not yet been reviewed and approved, noting that this was likely an oversight.

Mr. Fish clarified that the motion regarding those minutes was to make corrections without placing them back on the agenda. The corrections have been made, but he stated that if the Commission prefers to place the minutes on a future agenda for formal approval, staff would be happy to do so.

Vice-Chair Peterson stated that placing the minutes on the next agenda would be appropriate, and the Commissioners agreed. Mr. Fish confirmed the item will be added to the January agenda.

Vice-Chair Peterson noted that two individuals had signed up to speak under Agenda Item 8. Although that item was tabled, he allowed them to speak during Call to the Public in recognition of their attendance.

Ken Western – Greer, AZ

Mr. Western stated that he serves on the Greer Coalition board and spoke regarding the proposed amendments to Article 6. He noted the Coalition’s concerns about privately owned condominium development in the Greer Commercial Resort Zone and referenced a recent project approved under existing ordinance language. He expressed appreciation for the County’s collaboration and stated that many residents support limiting condominium development to projects associated with true resort uses. He also referenced examples from other Arizona jurisdictions that place limits on condominium ownership within resort developments.

Karen Steinbronn – Greer, AZ

Ms. Steinbronn stated that she is a long-time Greer property owner and member of the Greer Coalition. She expressed concerns about high-density residential development in Greer due to infrastructure limitations and noted the Coalition’s position that condominium projects in the GCR zone should be associated with actual resort development. She stated that the proposed amendments do not fully address standalone condominium projects and recommended adding language requiring unified ownership of resort and condominium components, along with a limit on the percentage of privately owned units, similar to approaches used in other Arizona jurisdictions.

Vice-Chair Peterson concluded the Call to the Public.

Report from Staff to the Commission

Mr. Fish reported that staff anticipate additional Conditional Use Permit applications for renewable energy projects in 2026, emphasizing the importance of finalizing the new renewable energy ordinance as soon as possible.

He clarified a comment made earlier by Mr. Western, noting that, to his knowledge and based on all conversations he has had with Chief Deputy Resare, Mr. Resare has not stated whether the Wickenburg model is legal or not. Mr. Fish emphasized that he did not want to attribute statements to Mr. Resare that may have occurred in separate conversations with the Greer Coalition’s counsel. His intent was solely to clarify the record.

Mr. Fish expressed optimism for the upcoming year and noted several areas where he intends to improve processes. He further reported that the County is nearing the final stages of hiring a Code Enforcement Officer, which will allow staff to begin addressing the numerous outstanding code enforcement complaints. He noted that current staffing levels limit the department’s ability to fully keep up with workload demands.

Adjournment

Vice-Chair Brad Peterson announced that the public meeting was adjourned at 1:26 p.m.