

APACHE COUNTY COMMUNITY DEVELOPMENT

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**PLANNING AND ZONING COMMISSION
MINUTES FOR July 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

Chair Brad Peterson called the Work Session to order at 12:03 p.m.

The Pledge of Allegiance was led by Chair Peterson, followed by an invocation offered by Commissioner Hauser.

DISCUSSION OF THE MAJOR PLAT AMENDMENT PERMIT 2026-21, 2026-22, 2026-24, AND 2026-25 SUBMITTED BY DEVIN AND TAMMY FENN AND F6 PROPERTIES, LLC. TO AMEND THE LUNA LAKE VILLAGE SUBDIVISION PLAT

Community Development Director Matt Fish presented an overview of the proposed Major Plat Amendment submitted by Devin and Tammy Fenn and F6 Properties, LLC to reconfigure five existing lots within the recorded Luna Lake Village Subdivision into ten residential lots while remaining within the boundaries of the existing subdivision.

Mr. Fish advised the Commission that numerous written public comments had been received. He summarized concerns expressed by neighboring property owners, including:

Consistency with the Alpine Community Plan. Preservation of Alpine's rural character. Water availability and groundwater resources. Potential impacts to the watershed, wildlife habitat. Open space. Residential density. Adequacy of public notification. Potential precedent for future subdivision amendments.

Mr. Fish stated that staff had determined the required public notice, publication, and surrounding property owner notification requirements had been completed in accordance with County procedures and that all public comments had been included in the public record for Commission consideration.

Commission discussed existing lot sizes within Luna Lake Village and surrounding Alpine subdivisions. The Alpine Community Plan's recommendation favoring one-acre residential lots. Existing County ordinances permitting smaller lots where public water and sanitary sewer service are available.

The Commission indicated additional questions would be directed to the applicant during the public hearing.

DISCUSSION OF THE PROPOSED AMENDMENTS TO THE APACHE COUNTY RENEWABLE ENERGY DEVELOPMENT ORDINANCE. SECTIONS 801 THROUGH 804 OF DRAFT 8.

Section 801.A – Purpose

Mr. Fish summarized written recommendations received from county residents, industry representatives, and renewable energy organizations concerning revisions to the ordinance purpose statement. Discussion included language emphasizing compatibility with the Apache County Comprehensive Plan and surrounding agricultural, residential, environmental, and scenic resources.

No Commission changes were proposed during discussion.

Section 801.B – Applicability

Mr. Fish summarized comments staff received and noted a recommendation to modify the ordinance's one-megawatt applicability threshold to 20 megawatts.

Chair Peterson stated he did not support increasing the threshold, noting that the existing language appropriately distinguished utility-scale facilities from systems serving primarily on-site consumption.

No additional Commission comments were offered.

Section 802 – Definitions

Mr. Fish reviewed comments recommending clarification of several definitions, including:

Visual Resources, Major Highways, Project boundaries, and Future amendments to approved Conditional Use Permits.

Commission discussed objective identification of recognized viewpoints, use of officially adopted planning documents and highway classifications, and the importance of clearly defining project boundaries and setbacks to reduce future uncertainty during permit review.

Chair Peterson and Mr. Fish clarified that setback discussions would occur later in the ordinance review.

Section 803 – Zones in Which Allowed / Preferred Criteria

Mr. Fish summarized recommendations regarding the advisory Preferred Criteria and possible methods for incorporating those criteria into Conditional Use Permit review while maintaining their advisory status, agricultural compatibility, preference for previously disturbed lands, water conservation, and compatibility with long-term County planning objectives.

Commission discussed whether Preferred Energy Generation Areas should be advisory or more restrictive, opportunities to better define preferred development locations, balancing renewable energy development with agricultural operations, preservation of private property rights, and consideration of neighboring property owners.

The Commission reviewed each of the Preferred Criteria individually.

1. Proximity to Transmission Infrastructure

No additional discussion. Commissioners agreed that no additional revisions were required.

2. Lower Habitat and Vegetation Sensitivity

Discussion included wildlife agency coordination, federal permitting, documentation of agency consultation efforts, and protection of sensitive wildlife locations.

Commissioners agreed that no additional revisions were required.

3. Distance from Population Centers

Commissioners discussed protecting rural residential lifestyles and balancing renewable energy development with the expectations of residents who intentionally chose remote locations. Discussion also addressed balancing private property rights with potential impacts to neighboring properties.

Commission consensus was that additional work on this section was necessary.

4. Compatible with Existing Land Uses

Discussion focused on compatibility with grazing and agricultural operations, supplemental ranch income from renewable energy leases, and consideration of impacts on neighboring ranches and surrounding private property.

Commission consensus was that additional work on this section was necessary.

5. Topographic Suitability

Discussion addressed site conditions, construction access, grading, long-term stability, and the need for project-specific evaluation during Conditional Use Permit review.

Commission consensus was that additional work on this section was necessary..

6. Consistency with Preferred Energy Generation Areas

The Commission discussed the relationship between the proposed ordinance and the Preferred Energy Generation Areas being developed as part of the Apache County Comprehensive Plan.

No additional revisions were proposed during discussion.

DISCUSSION ON ANY FUTURE AGENDA ITEMS

Commissioner Kay Hauser suggested modifying the physical layout of future work sessions to encourage more collaborative discussion among Commissioners. She also recommended continuing efforts to provide public access to work sessions through online viewing.

Mr. Fish reported that staff continued to work with County Information Technology staff regarding livestreaming or remote viewing options for future meetings and encouraged Commissioners to provide written comments and suggested ordinance revisions before future work sessions.

ADJOURNMENT

Chair Peterson adjourned the Work Session at 1:02 p.m.

PUBLIC MEETING

Chair Brad Peterson called the Public Meeting to order at 1:16 p.m.

ROLL CALL

Chairman Peterson determined a quorum with six (6) members present by roll call.

Commission Members Present: Bobby Fite, Brad Peterson, Kay Hauser, Travis Johnson, Michael Bragiel, and Carey Dobson. Commissioners Brad Jarvis and Bob Pollock were not in attendance.

REVIEW AND APPROVAL OF THE MAY 26, 2026, SPECIAL WORK SESSION MINUTES

MOTION: Commissioner Dobson moved to accept the minutes of the Planning and Zoning Commission Special Work Session held on May 26, 2026. Second by Commissioner Hauser.

No discussion.

VOTE: Unanimous - 6 ayes to 0 nays.

Motion carried.

REVIEW AND APPROVAL OF THE JUNE 3, 2026 PLANNING AND ZONING COMMISSION WORK SESSION AND PUBLIC HEARING MINUTES

MOTION: Commissioner Hauser moved to approve the minutes of the Planning and Zoning Commission Work Session and Public Hearing held on June 3, 2026. Commissioner Fite second the motion.

No discussion.

VOTE: Unanimous - 6 ayes to 0 nays.

Motion carried.

MAJOR PLAT AMENDMENT – 2026-21, 2026-22, 2026-24, and 2026-25 —F6 Properties, LLC

Community Development Director Matt Fish presented the staff report for the proposed Major Plat Amendment submitted by Devin and Tammy Fenn, F6 Properties, LLC. The application requested approval to amend five existing platted lots within the Luna Lake Village Subdivision by reconfiguring them into ten residential lots while remaining within the boundaries of the existing recorded subdivision. Mr. Fish stated that staff had reviewed the application for compliance with the Apache County Subdivision Ordinance, the Alpine Community Plan, the Apache County Comprehensive Plan, and other applicable County ordinances. He further advised that numerous written public comments had been received expressing concerns regarding consistency with the Alpine Community Plan, water availability, protection of the San Francisco watershed, wildlife impacts, public notice, and the proposed residential density. Staff included all written comments in the public record for Commission consideration.

Applicant Devin Fenn addressed the Commission and described the history of the property, his ownership interests in the area, and the proposed amendment. He stated the application was prepared in accordance with County requirements, including obtaining letters indicating the availability of water and sewer service. He explained that the proposal was intended to create additional residential lots while extending utilities and access within the existing subdivision and stated he would work to minimize impacts to drainage and wildlife movement.

Commissioners questioned the applicant and staff regarding subdivision requirements, State subdivision laws, road access, drainage, utility availability, and the relationship of the proposal to the Alpine Community Plan. Discussion also addressed whether the Alpine Community Plan's one-acre lot recommendation constituted a guideline or mandatory standard, the legal access provided by existing subdivision easements, and the requirement for water and sewer commitments for lots smaller than one acre.

Commissioner Bobby Fite raised concerns regarding a pending Alpine Domestic Water District agenda item considering a temporary moratorium on new water connections and suggested the application be postponed until the Water District acted on the matter.

County Attorney Chris Resare advised the Commission that its consideration should remain focused on the Major Plat Amendment application before them and noted that future development approvals would be subject to additional review processes.

No further discussion.

Chair Peterson opened the public hearing

Sonny Tapia, Springerville, spoke in support of the applicant, describing the applicant's history in Alpine and expressing support for the proposed amendment.

Susan Hartman, Alpine, opposed the request, citing concerns regarding increased residential density, dust, drainage, and maintaining one-acre lots.

Alan McDougall, Alpine, expressed concerns regarding available water resources and supported maintaining one-acre residential lots.

Sandra Rivera Calkins, Alpine, opposed the amendment due to concerns regarding density, water availability, wildlife habitat, and preservation of the area's rural character.

LeAnn Zakariasen, Alpine, opposed the proposal, citing concerns regarding increased traffic, dust, wildlife movement, and residential density.

Leslie Norton, Alpine, stated the proposal was inconsistent with the Alpine Community Plan and Comprehensive Plan and requested consideration of applicable planning documents and environmental review.

Rob Hamblen, Alpine, opposed the proposal, citing concerns regarding neighborhood character, wildlife, drainage, and the cumulative impacts of additional development.

Betsy McKenzie, Alpine, discussed provisions of the expired subdivision CC&Rs and the Alpine Community Plan, expressed concern regarding future development precedent, and requested that planning objectives be considered.

No further comments.

Chair Peterson closed the public hearing.

Following additional Commission discussion regarding the Alpine Community Plan, existing lot sizes, and legal authority, Chair Peterson called for a motion.

MOTION: Commissioner Fite moved to table the Major Plat Amendment until the Alpine Domestic Water District acted on the proposed moratorium regarding future water hookups. Commissioner Johnson second the motion.

VOTE: 2 ayes – 4 nays.

Motion failed for lack of sufficient affirmative votes.

MOTION: Chair Peterson moved to approve the Major Plat Amendment as presented. No second.

Motion failed for lack of a second.

MOTION: Commissioner Fite moved to table the Major Plat Amendment until the next regular Planning and Zoning Commission meeting. Commissioner Johnson second the motion.

VOTE: 6 ayes – 0 nays

Motion carried unanimously

The Major Plat Amendment applications permit #2026-21, 2026-22, 2026-24, and 2026-25) were tabled to the August 5, 2026 Planning and Zoning Commission meeting.

CALL TO THE PUBLIC

Chair Peterson announced that each speaker would be allotted two minutes and that speaking time could not be transferred to another individual.

Mark Seipke, Greer, expressed concerns regarding the accuracy and use of an economic impact report prepared for a proposed renewable energy project, stating that outdated information and assumptions were being relied upon in public discussions.

William Holder, Vernon, expressed concerns regarding the proximity of proposed renewable energy facilities to residential areas, potential health effects, impacts to private property values, private wells, groundwater resources, and the lack of groundwater regulation.

Joni Smead, Vernon, requested limitations on the size and number of renewable energy projects, questioned whether additional phases of proposed projects were anticipated, and expressed concerns regarding project expansion, property acquisition, and County discussions involving renewable energy development.

Ron Smead, Vernon, questioned how the County would provide qualified inspection and oversight for large-scale renewable energy projects and suggested that application fees should adequately fund specialized inspections and staffing. He also expressed appreciation for the Commission's recommendation of a renewable energy moratorium.

Susan Maxwell, Vernon, proposed ordinance revisions addressing project locations, project size, setbacks, battery storage requirements, project phasing, turbine height, acreage limitations, and project boundaries for renewable energy developments.

Donald Maxwell, Vernon, proposed additional ordinance revisions addressing combined wind and solar project capacities, operational noise standards, setback distances, and Conditional Use Permit fee schedules for renewable energy projects.

Peggy Miner, expressed appreciation for the Commission's recommendation of a moratorium and encouraged development of renewable energy regulations that protect future generations, neighboring property owners, scenic resources, and agricultural lands.

Darcy Deskin, Concho, expressed concerns regarding development of the proposed renewable energy ordinance, requested stronger setback requirements, encouraged development of regulations for data centers, and urged additional review of renewable energy standards.

Rob Warner, Concho, stated that renewable energy projects should remain consistent with the Apache County Comprehensive Plan and existing zoning standards. He questioned whether the County had begun updating the Comprehensive Plan. Mr. Fish responded that Arizona law requires the Comprehensive Plan to be updated every ten years and that the County had until 2029 to complete the next update.

Tina Ellis, Vernon, encouraged the Commission to consider greater setback distances for renewable energy projects and requested the County develop regulations addressing data centers.

Freda Ponce, Vernon, expressed concerns regarding groundwater use associated with proposed renewable energy development, requested hydrogeologic evaluation and monitoring of groundwater impacts, and asked whether the County had qualified engineering or geological staff to review projects of that magnitude.

Jack Norris, St. Johns, discussed concerns regarding visual impacts, scenic preservation, project economics, night-sky impacts, and the consistency of proposed renewable energy projects with the Apache County Comprehensive Plan.

Monica Boehning, Springerville, thanked the Commission for recommending a renewable energy moratorium and submitted a proposed moratorium framework, recommending that it be considered as a template for ordinance revisions and future work planning.

Terry Tignor, Vernon, encouraged the Commission to consider greater highway setback distances based on standards adopted in other Arizona counties.

Cathy Cross, Alpine, requested enforcement action regarding a property in Alpine that she stated was being used in a manner inconsistent with the surrounding neighborhood and requested that the property owner either establish a permitted residential use or obtain appropriate land use approvals.

Brian Burke, Concho, commented on proposed provisions within Draft 8 of the Renewable Energy Ordinance, encouraging stronger protections related to public health, setbacks from population centers, and operational noise standards.

Cherry Moyer, Vernon, stated she had submitted written comments regarding the proposed renewable energy ordinance and anticipated submitting additional comments concerning future Conditional Use Permit applications, encouraging the County to adopt strong renewable energy regulations.

No further speakers, Chair Peterson closed the Call to the Public.

REPORT FROM STAFF

Community Development Director Matt Fish reported that an amended agenda had been issued to remove a previously approved Conditional Use Permit for a communications tower in Alpine after questions arose regarding the adequacy of the public notification. He stated the item would be rescheduled after staff confirmed that all required notice procedures had been satisfied.

Mr. Fish clarified that regulation of groundwater outside incorporated municipalities and water districts is the responsibility of the State of Arizona and that the Community Development Department does not currently have authority to regulate groundwater use.

He also explained that if a renewable energy project were approved through the Conditional Use Permit process, any future expansion or additional project phases would require separate County review and approval.

The Commission discussed the continued review of the proposed Renewable Energy Development Ordinance. Mr. Fish recommended that the next work session continue with Section 804 - 807 of the draft ordinance including revisiting previously identified provisions requiring additional review.

Mr. Fish reminded the Commission that no final decisions had been made regarding the proposed Renewable Energy Development Ordinance and that the ongoing work sessions were intended to allow continued public discussion and Commission review before any recommendation would be made.

Commissioner Bobby Fite inquired about the status of appointments to the committee established to update the Alpine Community Plan. Mr. Fish reported that the proposed committee appointments were scheduled for consideration by the Board of Supervisors at its July 7, 2026 meeting.

Chair Peterson requested that a future work session agenda include discussion regarding the establishment of a subcommittee to assist with development of the Renewable Energy Development Ordinance. The Commission agreed that the topic should be scheduled for a future work session.

ADJOURNMENT

Chair Brad Peterson adjourned the public meeting at 8:25 p.m. MST.

Approved this 5th day of August 2026.

/s/ Brad Peterson
Chairman of the Commission

/s/ Matthew Fish
Planning & Zoning Secretary

NEXT MEETING

The next regular meeting of the Planning and Zoning Commission is scheduled for Wednesday August 5, 2026.

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