

APACHE COUNTY COMMUNITY DEVELOPMENT

P. O. Box 238
St. Johns, Arizona 85936
Phone: (928) 337-7526

**PLANNING AND ZONING COMMISSION
MINUTES FOR May 26, 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
Serafina Farb, Permit Tech

Legal Council

Christopher Resare, Chief Deputy Attorney

WORK SESSION

CALL TO ORDER

Discussion Regarding Possible Reasons for Recommending a Moratorium on Renewable Energy Conditional Use Permit Applications

Chair Brad Peterson requested that discussion regarding a possible moratorium on renewable energy Conditional Use Permit (CUP) applications be moved ahead of other agenda items due to statutory timelines associated with the renewable energy ordinance rewrite. Staff contacted legal counsel to participate in the discussion.

The Commission discussed whether a moratorium should be considered while the renewable energy ordinance rewrite is ongoing. Commissioners expressed concerns regarding completing the ordinance revision process before additional CUP applications

are reviewed. Commissioners discussed potential topics for further evaluation, including public safety, infrastructure capacity, emergency services, road impacts, and other issues associated with large-scale renewable energy projects.

Planning and Zoning Director Matthew Fish reviewed legal research regarding moratoriums under A.R.S. § 11-833. Director Fish advised that any moratorium recommendation would require specific findings, a defined geographic area, supporting evidence of potential public harm, identification of deficiencies in existing regulations, a work plan and timeline, and consideration of alternatives and waiver procedures. Director Fish advised that the Planning and Zoning Commission may recommend a moratorium, but the Board of Supervisors would be responsible for considering and adopting any moratorium following the required public notice process.

Commissioner Kay Hauser requested that the issue be placed on a future public meeting agenda and requested that information supporting a possible moratorium be developed for Commission consideration. Director Fish stated he would coordinate with legal counsel and prepare information for the Commission's review. Legal Counsel Chris Resare advised that legal staff could review and analyze information provided but would not independently gather supporting evidence. Legal Counsel further advised that a recommendation from the Commission could be considered prior to completion of all information ultimately required by the Board of Supervisors.

Director Fish informed the Commission that a renewable energy CUP application had recently been submitted by Triple Oak Power for the Black Ridge project. Legal Counsel stated that additional analysis would be needed regarding how a future moratorium might affect a pending application.

Public Comment

Monica Boehning, resident of Springerville, AZ: Requested clarification regarding public comment procedures due to newspaper notice language. Later commented on ordinance drafting participation, concerns regarding emergency services and radio frequency interference, and stated that additional technical information was being assembled regarding communications impacts. She also questioned why she had not been notified of a recently submitted CUP application.

Terry Shobe, resident of Concho, AZ: Stated that water impacts should be considered when evaluating renewable energy projects and potential permit approvals.

Louisa Quintana, resident of Greer, AZ: Requested consideration of tribal, cultural, archaeological, burial, historic, and ceremonial resources and recommended additional study and tribal consultation requirements.

Jesse Gronner, Triple Oak Power: Described the Black Ridge project development history, investments made since 2020, and the recently submitted CUP application. He

requested that the application proceed under the current ordinance and stated the company was willing to discuss project modifications and provide project information for public review.

Doug Fletcher, resident of Concho, AZ: Supported additional review prior to project approval and referenced concerns related to energy use, water, infrastructure, communications, tribal consultation, and project impacts.

Mark Ostermann, resident of Vernon, AZ: Requested additional research regarding long-term power generation needs, grid reliability, and potential future decommissioning issues.

Steven Palmer, resident of St. Johns, AZ: Discussed both potential benefits and impacts of renewable energy projects and stated that local businesses could benefit economically from renewable energy development.

Jack Norris: Recommended additional study regarding water resources, scenic resources, electrical infrastructure, aviation impacts, and communications systems.

Daniel Hochstein, resident of Vernon, AZ: Expressed concerns regarding project impacts on local communities and requested additional protections for residents.

Lang Montierth, resident of St. Johns, AZ: Discussed economic development opportunities and employment benefits associated with renewable energy projects.

Malena Hannah, resident of St. Johns, AZ: Discussed historical regulatory impacts on agriculture and ranching and expressed support for renewable energy projects as an additional revenue source while maintaining existing land uses.

Rob Warner, resident of Concho, AZ: Asked questions regarding potential handling of grey water associated with renewable energy development.

Micki Portillo, resident of St. Johns, AZ: Supported a moratorium to allow additional questions and concerns regarding renewable energy projects to be addressed.

Kellie Platt, resident of St. Johns, AZ: Discussed potential economic benefits to ranching families and encouraged consideration of impacts on long-term agricultural operations.

Discussion Regarding Review and Finalization of Proposed Amendments to Article 8 (Former Article 4), Renewable Energy Development, Apache County Zoning Ordinance

Planning and Zoning Director Matthew Fish reviewed comments and suggested revisions received on Draft 8 of the proposed Renewable Energy Development Ordinance. Director

Fish requested that future comments be submitted with specific ordinance section references and proposed language changes to facilitate review and presentation to the Commission. Director Fish reported that the ordinance appendix would be posted.

Director Fish reviewed comments from Frank Garrett regarding fire protection standards and the possible incorporation of updated National Fire Protection Association (NFPA) standards related to renewable energy facilities and battery energy storage systems. Commissioners discussed the potential value of additional fire safety requirements and consultation with subject matter experts.

Director Fish reviewed comments submitted by Joan Garrett regarding aircraft detection lighting systems (ADLS), noise standards, baseline noise measurements, and decommissioning requirements. Discussion included potential decommissioning security requirements and options for financial assurances.

Director Fish reviewed comments submitted by representatives of the renewable energy industry regarding project thresholds, setbacks, FAA and FCC compliance, interconnection agreements, and existing approved Conditional Use Permits. Director Fish noted comments suggesting clarification that previously approved CUPs would remain subject to the regulations in effect at the time of approval. Commissioners discussed whether additional clarification was necessary.

Director Fish reviewed comments submitted by Linda Wieland concerning coordination between Article 8 and Article 11, third-party reviews, development agreements, agency coordination, wildlife review requirements, and ordinance structure. Discussion included the role of development agreements, agency consultation, and maintaining decision-making authority with the Board of Supervisors.

The Commission discussed observations from the May 14, 2026 site visit to the AES Wind Project near Heber, Arizona. Commissioners and attendees discussed turbine spacing, visibility, maintenance activities, workforce composition, wildlife observations, operational characteristics, and questions regarding project output and noise levels. Public attendees who participated in the site visit also shared observations regarding wildlife, communications service, and project operations.

Director Fish reviewed comments submitted by Monica Boehning concerning battery energy storage system definitions, setbacks, communication interference, agency coordination, noise standards, and occupied residence definitions. Director Fish stated that several of the suggested revisions would be incorporated into future drafts for Commission review.

Director Fish reviewed comments submitted by Olivia Moyer regarding ordinance organization, commercial-scale renewable energy definitions, preferred energy generation areas, foundation design review, permitting requirements, and ordinance

cross-references. Director Fish advised that additional review and revisions would be conducted before future meetings.

Commissioners discussed continuing review of individual ordinance sections and expressed interest in identifying sections that no longer required revisions in order to focus future discussions on unresolved issues.

Public Comment

Monica Boehning, resident of Springerville, AZ: Commented on site visit observations, wildlife activity, communications interference, occupied residence definitions, pre-application review requirements, agency coordination, and FCC compliance provisions. Submitted written materials regarding communications interference and ordinance language.

Ty Parker, resident of St. Johns, AZ: Commented on wildlife activity near existing wind facilities, construction oversight, inspection requirements, and use of construction materials.

Jesse Gronner, Triple Oak Power: Stated that Conditional Use Permit approvals are typically followed by additional project-specific engineering, permitting, and compliance requirements.

Dan Parizch, resident of Vernon, AZ: Requested consideration of public access to State Trust lands and security measures associated with renewable energy facilities.

Daniel Hochstein, resident of Vernon, AZ: Commented on infrasound measurements, baseline sound studies, financial assurance requirements, preferred project locations, and ordinance language.

Olivia Jensen, resident of Vernon, AZ: Commented on project proximity to residences, potential health and environmental concerns, adequacy of existing ordinances, economic considerations, and public participation in the ordinance and moratorium process.

Barbara Norton, resident of Eagar, AZ: Expressed appreciation to the Commission and staff for their work on the ordinance review process.

District III Supervisor Nelson Davis clarified prior discussions regarding setbacks from private property and stated his recommendation that all private property be treated uniformly for setback purposes regardless of whether a residence currently exists on the property. Staff indicated that corresponding ordinance language had not yet been updated.

Adjournment

Chair Brad Peterson adjourned the Special Working Session at 11:27 a.m.

NEXT MEETING

The next regular meeting of the Planning and Zoning Commission is scheduled for Wednesday, June 3, 2026.

Approved this 1st day of July 2026.

/s/ Brad Peterson
Chairman of the Commission

/s/ Matthew Fish
Planning & Zoning Secretary

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

