

**PLANNING AND ZONING COMMISSION
MINUTES FOR July 1, 2021**

In Attendance:

Commissioners

Oscar Miranda
John Freeman, Chairman
Dan Muth, Vice-Chairman
Kay Hauser
Carey Dobson (Absent)
Bobby Fite (Absent)
Brad Peterson (Absent)
Traegen Knight (Absent)
Michael Bargiel (Absent)
Brad Jarvis

Staff

Matthew Fish, Director
Shanna Pearce, Plan Reviewer

Working Lunch Session

Called to order at 12:15 p.m.

Item #1 Discussion of the proposed Utility Renewable Energy Systems ordinance.

Mr. Fish presented changes made from last meeting.

Section 439.U by combining Section 443.D and explained that this answered the issues discussed in the last meeting; how much, who held the bond, and who did the bond covered.

Commission and staff discussed maintaining a decommissioning bond, Apache County being names in the bond, adding a lien or notification on the property, adding max bond payouts language in the ordinance vs. policy, bond vs. project review period by adding a condition or stipulation for an annual review, assessment of infrastructure value and the effects on the bond amount.

Commission agreed that the bond amount should be reviewed each year by staff to make sure the max payout amount covered the county, leaving the five-year review for the project and additional reviews at the discretion of the director, and to include the language in the ordinance. Mr. Freeman suggested language thoughts be sent to Mr. Fish.

Section 441.A Height Limits. Commissioners and staff discussed and agreed to add language for setbacks from airports.

Section 441.B.3 Setbacks between towers. Commissioners and staff discussed.

Mr. Freeman noted that the objective was to keep the county from liability and asked if controls needed to be added to ensure the requirements have been followed. Commission discussed and agreed to leave out to avoid inadvertently creating county liability.

Mr. Jarvis suggested having a setback from property lines to protect surrounding landowners and leaving the rest to the engineers. Commission agreed.

Section 441.4 setbacks between project fencing and solar panels. Commission and staff discussed and agreed to leave in as a protective statement, removing the 60-foot setback and leaving this to the fire or EMS for approval to be CUP specific; eliminating inadvertently creating liability on the county.

Section 441.5.A Setbacks from public or publicly maintained access roadways. Commissioners and staff discussed and agreed to leave as proposed.

Section 442.B Use of CUP, terms and conditions. Commissioners and staff discussed shorter vs. longer review period and agreed leaving the review period at 60-months, and at the directors' discretion for additional inspections.

Section 443 Suspension and revocation, decommissioning. Mr. Fish explained changes. No discussion.

Mr. Freeman revisited Section 442.C and recommended adding specific language related to the bond to ensure that the new holder is obligated to continue with the bond. Mr. Fish agreed.

Section 444 Joint agency approval. Mr. Fish explained changes made. No discussion.

Section 445.A.4 Notification of communities. Commission and staff discussed adding a distance limit other than three miles, incorporated vs. unincorporated and notification area. Commissioners agreed leaving the distance at three miles and leaving incorporated and adding item five to address the notification to the unincorporated areas.

Commissioners agreed to have this on the next work session for a final review.

Closed the work session 12:55 p.m.

Regular Meeting

Item #1 Call to Order.

Chairman John Freeman called the regular meeting to order at 1:00 p.m.

Item #2 Roll Call/Determination of a Quorum.

Chairman John Freeman determined a quorum was present with five (5) commissioners.

Item #3 Call to the Public

No public comments.

Item #4 PUBLIC HEARING, consideration and possible recommendation for approval of a Conditional Use Permit application allowing James & Andrea Coppenbarger to place a second residence on their 3.25-acre parcel, the second home will be occupied by her mother so they can provide care for her. Property is located in Vernon, AZ. A.P.N 106-52-016W.

Mr. Fish provided staff report

Mr. Freeman questions how many neighbors attend the neighborhood meeting. Mr. Fish advised none.

Mr. Miranda asked if staff had any other restrictions or recommendation other than 15-years or newer. Mr. Fish did not have any. Mrs. Hauser agreed with the three conditions provided on the staff report.

Applicant Andrea Coppenbarger presented her CUP, explained her neighbor meeting and contact she had with other neighbors, explained that she received confirmation that her proposed manufacture home would be a 2022 model and would be available in October.

Mr. Miranda confirmed the second home would not be used as a rental. Applicant agreed.

No further discussion. No public comment. Mr. Freeman closed the public session.

No further discussion from the commission.

Mr. Muth moved to approve as presented with conditions proposed by staff.

1. The second home nor the main residence will be used as rentals.
2. The applicant follows all Apache County and/or state requirements and regulations for wastewater treatment.
3. The manufactured home (if changed from the proposed model) must be 15-years or newer or the applicant will need to come before the P&Z commission for another CUP, allowing for the older manufacture home.

Mr. Miranda seconded the motion.

Mr. Freeman called the question.

Vote, unanimous.

Item #5 Report from Staff to the Commission.

Mr. Fish provided staff report and discussed with the commission:

Setting up the committee for the RV policy.

Adding Article 23 to the next work session agenda.

Adding an education work session to include open meeting law, conflict of interest, Roberts Rules of Order, P&Z handbook. Commission discussed timeline and time per session.

Mr. Fish questioned if the commission wanted to review a form for BoAA appeals. Commissioners agreed the P&Z did not need to review the form and what constituted an appeal.

Item #6 Adjourn

Chairman John Freeman opened for a motion to adjourn.

Commissioner Kay Hauser motioned to adjourn.

Commissioner Oscar Miranda seconded the motion.

Vote, unanimous.

Adjournment 1:50 p.m.