

MINUTES

P & Z COMMISSION HEARING

1/21/2021

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Chuck Teetsel
2. Ruth Ann Smith
3. Randy Murph
4. George John
5. Chuck Howe

ABSENT

1. Rodger Rhoades
2. Nick McVicker

STAFF ATTENDANCE

1. Berrin Nejad
2. Cody Cooper
3. John Osgood
4. Bill Bess
5. Sandra Phillips
6. Jeanine Carruthers
7. Kristyn Saunders

Meeting held Online using Zoom.us – Time: 6:01 PM to 7:46 PM

Chairman Teetsel called the meeting of the Navajo County Planning & Zoning Commission to order and explained the meeting procedures to the public. **Mr. Teetsel** then led the pledge of Allegiance.

ITEM #1 – PLEDGE OF ALLEGIANCE.

ITEM #2 – REVIEW OF AGENDA BY COMMISSIONERS.

Chairman Teetsel made a motion to approve the agenda, **Commissioner DeCross** motioned to approve, **Commissioner Murph** seconded, motion passed unanimously.

ITEM #3 – CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA.

ITEM #4 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF 12/17/2020.

Chairman Teetsel called for a motion to approve. **Commissioner Murph** made a motion to recommend Approval to the Board. **Commissioner Howe** seconded the motion. Motion carried unanimously.

ITEM #5 – ELECTION OF OFFICERS

Chairman Teetsel called for nominations, starting with Chairman.

Commissioner Smith motioned to nominate Chuck Howe, **Commissioner Murph** seconded the nomination. Motion carried Unanimously. No further nominations were given.

Commissioner Howe accepted the nomination as Chairman.

Chairman Teetsel called for Vice Chairman nominations

Commissioner Murph nominated Ruth Ann Smith, **Commissioner Howe** seconded the nomination. Motion carried Unanimously.

Commissioner Smith accepted the nomination as Vice Chairman.

ITEM #6 – APPROVING THE SCHEDULE FOR 2021

The Chairman called for a motion.

Commissioner Decross made a motion to approve, **Commissioner Murph** to second, Motion passed unanimously.

ITEM #7 -- SUP 21-001 AZTEC WIND PROJECT – MET TOWER #1, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN#** 201-05-001B, T13N, R19E, S09 of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Nick Boyd.

Mr. Cooper presented the item to the Commission. He showed the area of the project and the letter of intent from the applicant; The applicant is requesting a Special Use Permit to allow for the construction and operation of a 60 meter (approximately 197 foot) meteorological tower for a period of 24 months. According to the applicant, "The MET tower will be outfitted with instrumentation at varying heights for the temporary purpose of resource assessment, to support the development of the Aztec Wind Project." None of the structures and equipment on the site will be permanent and will be removed from the site once usage has terminated. The site will be required to be restored to the pre-disturbed/native state to the greatest extent possible upon completion of the usage of the meteorological tower. Both the applicant and Navajo County Planning and Zoning have reached out to Arizona Game and Fish Department regarding this proposal. In a letter dated December 17th, 2020 the Game and Fish Department asked that the applicant install Bird Flight Diverters, Install Aircraft Warning Markers, paint the tops of all met towers orange and white to increase visibility to pilots, provide the Department with GPS coordinates of all final MET towers, and locate MET towers away from wildlife attracting features such as cliffs and water resources as best they can. As a result of the received letter, all the measures have been included as recommended conditions for approval of a Special Use Permit for this proposed project. He then showed the Commission the area of notification, noting they received a request for a vicinity map from a nearby property owner that wished to know how far the project was from his home. Upon receiving the information, he had no concerns.

Commissioner DeCross expressed concerns about the tower's permanence and would not support a permanent structure, or an indefinite one, that would remain in place after the turbines went up. There was some extensive discussion about the towers, including the Chairman and **Commissioner Decross** requesting data on the current MET towers that exist in the County, and how many had been removed previously. Commissioner Smith also expressed concerns about the MET towers being left up indefinitely. A representative of the applicant, Glenn Isaac from BluEarth, did confirm that the intent was to remove the towers at the end of the 24-month period. No members of the public were present to speak in favor or against the proposal. Mr. Cooper recommended to the Commission that if the conditions for approval were to be changed, that they be changed to include a three-year allowance to fall more in line with previous approvals.

With no further discussion needed, **Chairman Teetsel** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board based on a time limit of 24 months after erection OR three years from the date of approval by the Board of Supervisors. **Commissioner Howe** seconded the motion. Motion carried Unanimously.

ITEM #8 -- SUP 21-002 AZTEC WIND PROJECT – MET TOWER #2, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN# 201-09-001A, T14N, R17E, S23** of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Nick Boyd.

Mr. Cooper presented the item, noting who was contacted in the surrounding area. The only difference to the previous item was the location and the fact that there is a single-family residence a full mile away from where the project is located. As the project was nearly identical to the previous item, there was no further discussion from staff or the Commission. No members of the public were present to speak in favor or against the proposal.

Chairman Teetsel called for a motion. **Commissioner Howe** made a motion to recommend Approval to the Board of Supervisors that the tower be removed in 24 months of erection or 36 months following approval by the board of Supervisors. **Commissioner Smith** seconded the motion. Motion carried Unanimously.

ITEM #9 -- TP 21-001 HIGH PINES ESTATES, TENTATIVE PLAT, DISTRICT IV: A request for a Tentative Plat to allow for a 100-lot single-family residential subdivision to be known as High Pines Estates. The site is zoned Special Development (SD) on two parcels totaling 93.60-acres on **APN# 208-03-002A & 002B, T11N, R18E, S03** of the GSRM in the Aripine area. **Owner:** Travis Barney **Agent:** Painted Sky Engineering & Survey, LLC.

Mrs. Nejad presented the project to the board and listed the project's updates and especially updated the commission on what had changed about this project and noting especially it's ingress and egress. The proposed residential subdivision development is situated on the north side of Arizona State Route 260, east of Heber-Overgaard and west of Pinedale. The site is adjacent to the Sitgreaves National Forest and Day Wash. Forest Service Road 332 is located west of the wash and runs north and south, connecting to Highway 260 on the south end. There is two-track dirt road that runs east and west through the southern portion of the property which connect to FS-332 on the west side. Another

two-track dirt road connects the east-west road that runs north, through the north end of the property.

County Engineer Bill Bess said they have worked closely with the developers on this project, noting that Forest Service road 332 was the best access and has been designated a public Right-of-Way (ROW) that is possible for the County to maintain a primitive road that would support a fire truck.

Doug Brimhall spoke to the commission stating that they have been working hard to address the stipulations laid down with the approval of the zone change, including working with ADOT and the Forest Service- and hiring a Geotechnical Engineer to go over the forest service road to get it up to the point where a fire truck could be driven on it. The lots and soil testing have been favorable, and we would like to seek approval for the tentative plat to allow us to move into the next phase.

DeCross said he was looking at the general requirements and said he'd like the verbiage in the resolution to be changed to "shall support heaviest responding HOFD fire apparatus (approx. 80,000 lbs)" in two places instead of just "firetruck".

The Commission then questioned the Applicant and Mr. Brimhall about the fire department's safety concerns, specifically a list of requested stipulations the fire department was asking of them. After some discussion the applicant did not foresee any issues accommodating the stipulations and was looking forward to incorporating with the Heber-Overgaard fire district, as that was the intention from the beginning.

Mr. Bess added that in the time he's been the county engineer this is the first tentative plat has come across his desk and laid out the process for the subdivision process, noting that this was still very early in the project and there would be a variety of small steps in-between getting the tentative plat approved and more changes still to make before it reached the final plat status.

Commissioner Howe asked if there was any correspondence with ADOT,

Bill said ADOT was very particular about the process and that will be addressed for approval with them, but ADOT would not be concerned until a much further stage in the process.

Commissioner Smith proposed that a stipulation be added that the Heber/Overgaard Fire District give their approval to the final plat and confirm that all of the concerns and requirements stated in their letter dated January 13, 2021, have been met to the District's satisfaction.

Commissioner Smith asked about the forest access roads that are showing on the plat at the east and west boundaries of the subject property. In the applicant's report, they are being promoted as forest access roads. Com. Smith had contacted the Forest Service and was advised that these roads were not authorized on forest land but had been created by hunting and firewood activity. In light of the Travel Management Plan, she was advised that these roads would most likely be closed out by the Forest Service. Applicant Mr. Travis Barney noted that they were doing research into the route as it may be a historical route for the Pony Express, and they wished to preserve it if they found that to be the case.

If it is not, they will close off those areas but leave them as green space- as well as walk-in forest access just for owners within the subdivision.

There was more discussion about the prices of the cabins, the 100-year flood requirements for access, and questions about bad weather having adverse effects on access- all of these would be determined better at a later stage in development, especially with fluctuating prices on building materials.

The Chairman then called for public comment- Mr. Jason Owens asked if the issue of power had been discussed and how will it be brought to the subdivision, and if there were existing plans for additional easements coming into the subdivision, to make sure there wasn't any additional easements required.

Mr. Brimhall noted that they had already planned for power access and did not foresee any changes, saying that they were excited to get to the phase where they would be installing power.

With there being no further discussion from the commission or public, **Chairman Teetsel** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board, be approved subject to the conditions in the recommendations and the changes to 12 and 14 be included in the approval, with the inclusion of the conditions and concerns of fire department's approval Commissioner Murph seconded the motion. Motion carried Unanimously.

ITEM #10 – COMMISSIONER’S COMMENTS AND/OR DIRECTIONS TO STAFF:

Commissioners may use this time to offer additional comments regarding any item on this agenda or any other topic; and the Commission may direct Development Services Department staff to study or provide additional information on topics of the Commissions' choosing.

ITEM #11 – REPORT FROM STAFF TO THE COMMISSION:

The Commission reserves the right to change the order of any Agenda item. The Commission reserves the right to adjourn into executive session when needed pursuant to ARS §38-431.03(A) (3) for legal consultation on the above-described agenda items.

ADJOURN MEETING

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 7:46 PM.

A motion was made to adjourn the meeting by **Commissioner DeCross**. **Commissioner Howe** seconded the motion. Motion carried unanimously.

Approved this _____ day of _____, _____

Chairman, Navajo County

Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Department