



**PLANNING AND ZONING COMMISSION
MARICOPA COUNTY, ARIZONA**

250 W. Jefferson Street, Phoenix and by GoToWebinar

MINUTES
January 22, 2026

CALL TO ORDER: Acting Chair Hernandez called the meeting to order at 9:33 a.m.

MEMBERS PRESENT: **In-person**
Mr. Erik Hernandez, Vice Chair
Mr. Derrik Rochwalik
GoToWebinar
Mr. Alex Finter
Mr. Jimmy Lindblom
Mr. Mihai Toma
Mr. Warren Whitney

MEMBERS ABSENT: Ms. Linda Milhaven, Chair
Mr. Kevin Danzeisen
Mr. Spike Lawrence
Ms. Jan Leighton

STAFF PRESENT: Mr. Tom Ellsworth, Planning & Development Director
Mr. Darren Gérard, Planning Division Manager
Ms. Rachel Applegate, Planning Supervisor
Mr. Ron Quarles, Senior Planner
Mr. Andrew Lorentzen, Planner
Ms. Eveyln Amekudzi, Intern
Ms. Nadia Barragan, Management Analyst
Ms. Rosalie Pinney, Recording Secretary

COUNTY AGENCIES: Mr. Max Carpinelli, County Attorney
Mr. Martin Camacho, Media Specialist
Mr. David Anderson, OET

CONTINUANCE: **SU250032**

CONSENT: **MCP250006, Z250021, Z250031**

Acting Chair Hernandez made the standard announcements and asked if there were any changes to the December 4, 2025, P&Z minutes. None.

COMMISSION ACTION: Acting Chair Hernandez approved the December 4, 2025 PZ minutes as written.

CONTINUANCE AGENDA

Special Use Permit - SU250032

District 3

Project name: **Herman's Tank Sales**
Applicant: Michael Buschbacher II, Earl and Curley PC
Request: Special Use Permit (SUP) for a home-based cottage industry, septic and water tank sales, in the Rural-43 zoning district.
Location: Generally located east of the northeast corner of 17th Ave and Yearling Rd. in the Desert Hills / north Phoenix area
Recommendation: Approve with conditions

Mr. Gérard presented the continuance agenda and noted the applicant requested a continuance to the March 5 hearing. No action required by the Commission.

CONSENT AGENDA

Military Compatibility Permit - MCP250006

District 4

Project name: **Butler Billboard**
Applicant: Jacob Zonn, Becker Boards Small, LLC
Request: Military Compatibility Permit (MCP) with a precise Plan of Development (POD) for a billboard as an amendment to case MCP2016003 in the Rural-43 and MAAMF and AD-2 MAAMF zoning districts
Location: Generally located at the NEC of 143rd Ave & Butler Dr. in the Glendale area.
Recommendation: Approve with conditions

Zoning - Z250021

District 2

Project name: **Royal Landscaping**
Applicant: Jason Sanks, IPLan Consulting
Request: Zone change from R1-8 and C-3 to C-3 CUPD
Location: Generally located 335 feet west of the SW Corner of Apache Trl. and Meridian Rd. in the Apache Junction area
Recommendation: Approve with conditions

Zoning - Z250031

District 4

Project name: **Sun Basin VII**
Applicant: Alyssa Menzel, Sun Basin Solar, LLC
Request: Zone Change with Overlay from Rural-190 to IND-2 IUPD
Location: Generally located Approx 5,881 ft. southwest of the southwest corner of Elliott Rd. & 363rd Ave. in the Arlington area
Recommendation: Approve with conditions

Mr. Gérard presented the consent agenda and noted a change to Z250031 in a handout memo adding new condition 'c.10' – loading and unloading, none required.

Commissioner Toma asked what the county's position generally is on billboards. Mr. Gérard said this is specific to this site. The military compatibility permit is site-specific, land use-specific zoning district for that parcel, and they had use consistency and compatibility determinations by Luke Air Force Base. They had a previous shipping business that was an approved use considered consistent and compatible. We're

now adding a billboard onsite as a consistent and compatible use to the military air base operations and state statute on this site only.

Commissioner Lindblom said during his time on the commission, there's certainly been a lot of thought to billboards and spacing and where they're located. The county has set a lot of guidelines on them, and we've historically been very supportive of them. A lot of times there's conditions on lighting and how bright those electronic billboards can be, and they turn off at certain times.

Acting Chair Hernandez asked if anyone from the public wished to speak on the consent agenda. None.

COMMISSION ACTION: Commissioner Rochwalik adopted a motion recommending the Board of Supervisors approve the consent agenda. MCP250006 with conditions 'a'-'k', Z250021 with conditions 'a'-'j', and Z250031 with conditions 'a'-'g' with a revision to condition 'g'. Commissioner Lindblom second. Approved 6-0. Ayes: Finter, Hernandez, Lindblom, Rochwalik, Toma, Whitney.

MCP250006 conditions;

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Butler Drive Billboard", consisting of two full-size sheets, stamped received December 4, 2025, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Northen Parkway and 143rd Ave Billboard", consisting of four pages, dated November 21, 2025, and stamped received December 4, 2025, except as modified by the following conditions.
- c. The following Rural-43 & AD-2 Military Compatibility Permit standards shall apply (MCP2016003 and MCP250006):
 1. Standard Parking Spaces: 0
 2. ADA Parking Spaces: 0
 3. Driveway/parking surface of compacted gravel
 4. Maximum allowed height for billboard: 85 feet
- d. The following Planning Engineering conditions shall apply:
 1. Building permits shall be required for the required site grading. The permit application must include existing fencing erected without a permit.
 2. The site is almost wholly contained within a Special Flood Hazard Area (SFHA) (Floodplain – FEMA Zone A). As development plans progress for this site, provisions for compliance with the Maricopa County Floodplain Use Regulations must be addressed. Any habitable structures on the site must comply with the Floodplain Use Regulations for Maricopa County with respect to lower floor elevation (or in the case of a manufactured type building, the elevation of the lowest structural member).
 3. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; Maricopa County Planning and Zoning Commission Minutes

and current engineering policies, standards and best practices at the time of application for construction.

4. Based on the conceptual design nature of the information submitted, changes to the site layout may be necessitated by the final engineering design of the infrastructure.
- e. The following Transportation conditions shall apply:
 1. An approved MCDOT Right of Way Reservation Action Request to reduce the Future Right of Way 25-feet is required prior to the submittal of the Building Permit.
- f. The following Maricopa County Department of Environmental Services Department (MCESD) condition shall apply:
 1. Water and Wastewater services shall be provided upon installation of the modular office trailer with appropriate permits to be obtained.
- g. All habitable buildings shall be subject to noise attenuation per ARS § 28-8482(B).
- h. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- i. Noncompliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Military Compatibility Permit as set forth in the Maricopa County Zoning Ordinance.
- j. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- k. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Military Compatibility Permit. The Military Compatibility Permit enhances the value of the property above its value as of the date the Military Compatibility Permit is granted and reverting to the prior zoning results in the same value of the property as if the Military Compatibility Permit had never been granted.

Z250021 conditions;

- a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled "Royal Landscaping", consisting of one full-size sheet, stamped received December 31, 2025, except as modified by the following conditions.

- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Royal Landscaping", consisting of five pages, dated December 2025, and stamped received December 31, 2025, except as modified by the following conditions.
- c. The following C-3 CUPD standards shall apply:
 - 1. 25 X 25 Sight Visibility Triangles: None Required
- d. The following Planning Engineering conditions shall apply:
 - 1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to number of proposed building lots/units, drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
 - 2. Payton Street is "public right-of-way" that is has not been accepted by the County; and is therefore not maintained by the County.
 - 3. Apache Trail is maintained by ADOT. The applicant will be responsible for coordinating with the ADOT to review any traffic impact, right-of-way dedication, permitting or roadway improvement requirements. (email redletter@azdot.gov).
 - 4. The above comments do not include identification of utilities or underground facilities within or adjacent to the required right-of-way that may have prior rights and/or require relocation.
 - 5. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction permit.
- e. Prior to issuance of a building permit, written confirmation will be required from the emergency fire protection jurisdiction having authority that the facility has been designed in accordance with their regulations and requirements, and that emergency fire protection service will be provided to the facility. Prior to issuance of the certificate of occupancy, local fire protection jurisdiction review and approval will be required.
- f. Prior to issuance of a building permit, written confirmation will be required from water and septic providers.
- g. Administrative approval of a Plan of Development will be required prior to approval and issuance of construction permits to develop and establish use of the site. Prior to issuance of a building permit, written confirmation will be required from the emergency fire protection jurisdiction having authority that the facility has been designed in accordance with their regulations and requirements, and that emergency fire protection service will be provided to the subject site. Prior to issuance of the certificate of occupancy, local fire protection jurisdiction review and approval will be required.

- h. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- i. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- j. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

Z250031 conditions;

- a. A Plan of Development is approved subject to site plan entitled "Sun Basin VII Solar Project Site Plan" consisting of 8 full-size sheets, dated November 12, 2025. The Plan of Development may be amended administratively under separate application as long as the amendment complies with the established IUPD development standards as approved by the Board of Supervisors. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Sun Basin VII Project", consisting of 17 pages, dated November 2025, except as modified by the following conditions.
- c. The following IND-2 IUPD standards shall apply:
 - 1. Minimum Front Yard – 100'
 - 2. Minimum Side Yard -100'
 - 3. Minimum Rear Yard – 100'
 - 4. Minimum Parking: No Parking required
 - 5. Minimum Screening: Minimum 6' tall chain-link fences adjacent to rural/residential zoning boundaries, including attached barbed wire or concertina wire under 8' in height, and allow all gates to have no attached screening. No screen wall, berm or hedges required along front property lines.
 - 6. Minimum Paving: Alternative surfacing materials or methods approved by Maricopa County Air Quality to minimize dust pollution, such as but not limited to, native compacted soil or aggregate base course, may be used in driveways and parking areas.
 - 7. Minimum Landscaping/Buffering: No landscaping or irrigation required. No screening required adjacent to rural and residential zoning districts.

8. Minimum Sight Visibility Triangles: Within sight visibility triangles at any intersection, on-site chain-link fences without screening materials can exceed a height of 2'.
 9. The IUPD overlay shall limit entitled uses to power generation and distribution, BESS facilities and ancillary uses.
 10. **Loading and Unloading: none required.**
- d. The following Planning Engineering conditions shall apply:
1. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
 2. Based on the conceptual design nature of the information submitted, changes to the site layout may be necessitated by the final engineering design of the drainage infrastructure.
 3. Detailed Grading and Drainage (Infrastructure) Plans must be submitted with the application for Building Permits.
- e. Prior to issuance of the initial building permit, all parcels shall be combined to create a single parcel matching the zone change area.
- f. Prior to issuance of a building permit, written confirmation will be required from the emergency fire protection jurisdiction having authority that the facility has been designed in accordance with their regulations and requirements, and that emergency fire protection service will be provided to the facility. Prior to issuance of the certificate of occupancy, local fire protection jurisdiction review and approval will be required.
- g. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property may be considered by the Board after recommendation by the Commission at a public hearing for reversion to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

Acting Chair Hernandez adjourned the meeting of January 22, 2026, at 10:41 a.m.

Prepared by Rosalie Pinney
Recording Secretary

January 22, 2026