



# A G E N D A

Town of Chino Valley  
Planning & Zoning Commission  
General Work Session

August 5, 2025



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General Work Session  
**PLANNING & ZONING COMMISSION**

Chino Valley Town Hall  
202 N. State Route 89  
**August 5, 2025, 6:00 p.m.**

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The General Work Session of the Planning and Zoning Commission will meet to:

- Discuss the following items:
  - Discussion on Statement of Direction: regarding solar generating facilities and batteries
  - Commissioner training on Conditional Use Permits

*Dated this 23rd day of July, 2025.*

*By: Laurie Lineberry, Development Services Director*

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A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona. Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427. The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing-impaired persons at public meetings. Please call 636-2646 (voice) or use 711 (Telecommunications Arizona Relay Service) to request accommodation to participate in this meeting.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Town Hall, Chino Valley Post Office and the Chino Valley Library in accordance with the statement filed by the Town Council with the Town Clerk.

Date & Time: \_\_\_\_\_ By: \_\_\_\_\_

**C.1 – Discussion on Statement of Direction: regarding solar generating facilities and batteries**

## Utility-Scale Solar Ordinance Statement of Direction

### Background

In November 2023, the residents of the Town of Chino Valley ratified the Make it Chino! 2040 General Plan, which included goals and policies regarding solar generating facilities and batteries.

In December 2023, Town staff requested authorization from the Mayor and Common Council of the Town of Chino Valley (the "Town Council") to form a staff-level advisory committee to assist staff with developing a utility-scale solar ordinance for recommendation to the Planning and Zoning Commission (the "Commission").

The advisory committee met regularly in 2024 and prepared the text of Ordinance 2025-949, which was presented to the Planning and Zoning Commission. After holding public hearings in November 2024 and January 2025, the Commission recommended approval of Ordinance 2025-949 to the Town Council.

On March 17, 2025, the Town Council voted to adopt a motion "to deny Ordinance 2025-949 and direct staff to bring back for Planning Commission and Council consideration a new ordinance prohibiting any additional utility-scale solar facilities, including BESS storage, CSP, and wind within the Town of Chino Valley limits."

On July 8, 2025, the Town Council held a study session, during which it discussed questions from and provided further direction to staff regarding the development of a new solar ordinance consistent with the Town Council's March 17 action. Later, in its Regular Session meeting, the Town Council voted to adopt a motion "to approve the Statement of Direction as supplemented by discussion and consensus during the Study Session, for use by Town staff, with Town Council guidance, to create and move forward a recommendation of an ordinance language, through Planning and Zoning, for the Town Council to consider on September 23 or the closest available Council meeting after that date."

### Statement of Direction

A statement of direction is not a final decision of the Town Council, nor does it bind any future action by the Town Council. This statement of direction is instead intended to provide staff and the Commission with a clear understanding of the Town Council's overall direction regarding solar and other power generation within the corporate limits of the Town. Therefore, the Town Council issues the following statement of direction:

1. Key Terms. The direction the Town Council gave on March 17, 2025, included several terms that are undefined or under-defined in the Town's Unified Development Ordinance (the "UDO"), including "utility-scale solar facilities," "BESS storage" (UDO currently only defines BESS), "CSP," and "wind." Definitions for the UDO should be created or revised for each of these terms. Additional terms necessary to carry out the purpose and intent of the Town Council action should also be created.

2. Utility Scale Solar. In Ordinance 2025-949, the Commission recommended a definition for "utility-scale solar photovoltaic facility" that does not capture the Town Council's intent. A minimum solar project area exceeding 275 acres should not be required to be considered "utility scale." By including the word "additional" in the action, the Town Council indicated two things: first, that the Town already has solar generating facilities that the Town Council believes are of sufficient size and capacity to be classified as "utility-scale," and second, that this prohibition is meant to be prospective.

The Town Council acknowledges the difference between someone generating enough electricity for their own residential use and still being able to sell a small portion to the utility provider, versus someone generating electricity primarily for sale or distribution. With that in mind, staff and the Commission should focus on developing a definition based on purpose rather than size or capacity, or on the characteristics of any existing solar facilities. Moreover, residential applications where excess electrical power is sold back to the local electric utility provider, as well as Town projects, should be excluded from the definition.

3. Community-Scale Solar. The Town Council recognizes the need for community energy independence and the role solar power plays in facilitating such independence. It is the Town Council's intent that roof-mounted solar installations be allowed on homes and parking structures, provided that making space for solar is not the primary purpose of the structure, and provided further that, for commercial properties, solar panels mounted on top of parking structures are limited to only the space over the minimum required parking stalls for the business. The Town Council does not support installing additional parking stalls primarily to provide space for solar.

4. Ground-Mounted Solar Installations. It is the Town Council's intent that ground-mounted solar installations be allowed for individual residential properties if the power generated is used exclusively on-site and the installation does not otherwise meet the definition of utility-scale solar. Ground-mounted solar installations will not be allowed for commercial properties. The Town Council does not support standalone ground-mounted solar installations of the size or capacity required to serve multiple residences.

5. BESS. By including "BESS storage" in the action, the Town Council intended for the new ordinance to prohibit battery energy storage systems that would similarly constitute "utility-scale" facilities based on factors like those considered for utility-scale solar. The UDO's current definition of a battery energy storage system does not account for whether the BESS is used as part of the process to generate electricity primarily for sale or distribution to retail customers. It should. The Town Council intends to prohibit standalone BESS facilities and BESS used in conjunction with facilities for generating electricity for sale to retail customers, whether directly or through a utility provider. The Town Council does not intend to prohibit BESS that is used only as on-site backup power for an individual property—whether residential or commercial—subject to size, capacity, and location limitations.

6. CSP or Concentrated Solar Power or Concentrating Solar Power or Concentrated Solar Thermal Power. It is the Town Council's intent that all CSP should be prohibited within the corporate limits of the Town, regardless of size. Staff is directed to provide a definition for CSP to be used in the operative provisions of the UDO to clearly prohibit all forms of CSP.

7. Wind. There is a notable difference between the farmhouse windmill depicted on the Town seal and wind turbines that are hundreds of feet tall. The new ordinance should capture that distinction and delineate between wind power facilities where the principal purpose and operational intent is the generation of electrical power primarily for sale or distribution to off-site consumers or the utility grid, rather than for on-site consumption by the property owner or occupant.

Although the Town Council recognizes that small, localized wind power generation may be unobtrusive to neighboring properties, regulations are still required to limit the number and size of such small wind turbines to maintain the rural character of the Town. As an example, the Town Council desires to allow uses such as a single wind turbine that is limited to the height of the applicable zoning district and

that is used for powering a personal use well serving only that property, but not a series of wind turbines used to power commercial uses such as greenhouses or warehouses. It is the intent of the Town Council to allow individual residential properties to install ground-mounted wind turbines no taller than 35', with up to one turbine per acre, up to a maximum of three wind turbines per property. The new ordinance should also allow property owners to apply for conditional use permits to exceed height restrictions where appropriate.

8. Public Utilities. Staff should review the Town's authority, if any, to regulate or otherwise restrict the new construction or expansion of public utilities' solar and BESS facilities. The Town Council recognizes that public utilities are currently a permitted use by right in certain zoning districts, and that any changes thereto may introduce risks.

9. Ordinance Amendment Requirements. Staff should review the Town's authority, if any, to require a supermajority vote for any future amendments to the Town's solar ordinance.

10. Implementation. Staff should consult the Town Attorney regarding establishing a dedicated section within the UDO to address the items outlined in this statement of direction.

11. Next Steps. At any time during the review process, staff and the Commission may request clarification or expansion of this statement of direction based on additional information. Staff are directed to prepare ordinance language for the Commission to review and make a recommendation to the Town Council for the September 23, 2025, meeting, or the closest available Town Council meeting after that date.



## DRAFT INTERPRETATION OF STATEMENT OF DIRECTION

1. Roof-mounted solar panels are permitted on homes and parking structures, provided that making space for solar panels is not the primary purpose of the structure, and provided further that, on commercial properties, solar panels mounted on top of parking structures are limited to only the space over the minimum required parking stalls for the business. Installing additional parking stalls primarily to accommodate solar panels is prohibited.
2. Ground-mounted solar panels are permitted on individual residential properties if the power generated is used exclusively on-site, and the installation does not otherwise meet the definition of a utility-scale solar facility.
3. Ground-mounted wind turbines are permitted on individual residential properties if the power generated is used exclusively on-site, and the installation does not otherwise meet the definition of a utility-scale wind farm. There can be up to one turbine per acre, with a maximum of three turbines per property. No wind turbine may exceed 35 feet in height without a conditional use permit granted in accordance with Section 1.9.3, which the Council may grant in its sole and absolute discretion.
4. Battery energy storage systems are permitted in homes and businesses if the stored energy is used exclusively on-site.