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When-recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

DATE/TIME: 12/04/2019 1611
FEE: \$0.00
PAGES: 5
FEE NUMBER: 2019-103620

RESOLUTION NO. 2019-SUP-001-19

~~A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING A SPECIAL USE PERMIT FOR A PROPERTY LOCATED IN THE NORTHWEST CORNER OF EAST US HIGHWAY 60 AND NORTH HIGHWAY 79 (TAX PARCELS 104-31-001B AND 104-31-001C) FOR (A THE OFF-SITE) MEDICAL MARIJUANA CULTIVATION AND PRODUCTION USES IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. 2019-SUP-001-19~~

WHEREAS, the Pinal County Board of Supervisors ("Board") is authorized pursuant to the Pinal County Development Services Code § 2.151.010 to approve Special Use Permits in order to ensure and protect the public health, safety, convenience and general welfare; and

WHEREAS, on April 9, 2019, the Pinal County Community Development Department ("Department") received an application from Jeremy Basha, applicant Navel and Cattle Company, LLC, landowner of a certain property located in the northwest corner of East US Highway 60 and North Highway 79 also known as Florence Junction (Tax Parcels 104-31-001B and 104-31-001C) and legally described in the attached Exhibit A (the "Property") for a Special Use Permit to operate an off-site medical marijuana cultivation and production uses on a 37.06± acre parcels in the CB-2 (General Business) Zone (PZ-017-01 & PZ-002-02); and

WHEREAS, on November 21, 2019, the Pinal County Planning and Zoning Commission ("Commission") held a public hearing on Case No. 2019-SUP-001-19, and following the public hearing voted 8 to 1 in favor of forwarding a recommendation of approval to the Board. At the Planning and Zoning Commission hearing staff presented Case No. 2019-SUP-001-19 with 17 stipulations, amended by the Planning and Zoning Commission at the hearing for a total of 17 Stipulations set forth in the attached Exhibit B (the "Stipulations")

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the Special Use Permit to operate an off-site medical marijuana cultivation and production uses on a 37.06± acre parcels in the CB-2 (General Business) Zone (PZ-017-01 & PZ-002-02) is hereby approved for Jeremy Basha, applicant Navel and Cattle Company, LLC, landowner for the Property legally described in Exhibit A and subject to the Stipulations set forth in Exhibit B.

PASSED AND ADOPTED this 4th day of December, 2019, by the PINAL COUNTY BOARD OF SUPERVISORS.

Mike Sood
Chairman of the Board

ATTEST:

Marta Kucy
Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

[Signature]
Deputy County Attorney

OFFICIALS

**EXHIBIT A
TO
RESOLUTION NO. 2019-SUP-001-19**

[Legal Description of the Property]

PARCEL 1 (APN: 104-31-001C)

Legal Description:

The West half of the Southeast quarter of the Northeast of Section 16, Township 2 South, Range 10 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

PARCEL 2 (APN: 104-31-001B)

Legal Description:

A portion of land lying Northeasterly of the Old Highway 60 Right-of-Way located in the Southwest quarter of the Northwest quarter of Section 16, Township 2 South, Range 10 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

**EXHIBIT B
TO
RESOLUTION NO. 2019-SUP-001-19**

[Stipulations of Approval]

- 1) The Special Use Permit is issued to the land for a period of one (1) year from date of the Board of Supervisors approval;
- 2) Approval of this Special Use Permit (SUP) will require, at time of application for development, that the applicant/owner/developer submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
- 3) The property is to be developed as shown by the site plan/development plan submitted on July 9, 2019, along with the applicants other supplementary documentation in accordance with the applicable criteria set forth in the Pinal County Development Services Code;
- 4) Landscape and irrigation plans will be required for the site plan application. The frontage and all exterior sides of the facility per SUP-001-19 shall be installed within a 25 foot wide strip landscaping along all property lines. Mature trees (24" box) and shrubs (5 gallons) will be planted at a rate of one every 25 feet on center; subject to the approval of the Development Services Director;
- 5) The applicant/developer/property owner will install a six (6) foot decorative CMU brick wall to surround the both parcels (APN 104-31-001B and 104-31-001C). No razor type or barb wire will be permitted to be attached to the wall;
- 6) Applicant/developer/property owner will provide a decorative roll on gate and entry gate for the workers. Details will be submitted with site plan application;
- 7) All building shall be single story, with a 35' maximum building height including architectural elements, and building mounted signage;
- 8) The facility shall meet Lighting Zone 2 requirements;
- 9) The applicant/property owner shall submit a site plan application within one (1) year from the effective date of this resolution or the SUP will become null and void;
- 10) The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;
- 11) A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more;

- 12) All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
- 13) The above proposed Site Plan Review case(s) should have a paved road arterial access to the project, paved road access within the project and paved parking lots;
- 14) Prior to approval of the Site Plan, applicant shall provide documents from the Arizona Department of Transportation (ADOT) showing approval and any required infrastructure improvements for El Camino Viejo Rd;
- 15) A Traffic Impact Analysis may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA shall be approved prior to the Site Plan approval;
- 16) A drainage report may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval. The approved Drainage Plan shall provide retention for storm waters in an on-site retention area or as approved by the County Engineer; and
- 17) Any roadway sections, alignments, access locations and access movements shown in the site plan are conceptual only and have not been approved by the Pinal County Engineer.