

572



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Dana Lewis

DATE/TIME: 12/20/2023 1623
FEE: \$0.00
PAGES: 5
FEE NUMBER: 2023-091936

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

ORDINANCE NO. 2023-PZ-015-23

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING THE REZONING FOR A CERTAIN PROPERTY LOCATED EAST OF E. US HIGHWAY 60 AND NORTH OF S. KINGS RANCH ROAD IN THE UNINCORPORATED CITY OF GOLD CANYON (TAX PARCEL 104-12-001M), FROM TRANSITIONAL ZONE (TR) TO NEIGHBORHOOD COMMERCIAL (C-1) IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT **CASE NO. PZ-015-23**; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION

WHEREAS, the Pinal County Board of Supervisors (the "**Board**") is authorized pursuant to Arizona Revised Statutes § 11-814 to rezone property in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on September 11, 2023, the Pinal County Community Development Department (the "**Department**") received an application from Fitzgibbons Law, agent & applicant for Q3 Gold Canyon Landco, LLC, landowner of property located east of E. US Highway 60 and north of S. Kings Ranch in an unincorporated area of the City of Gold Canyon in Pinal County (tax parcel: 104-12-001M), legally described in the attached **Exhibit "A"** (the "**Property**"), to rezone the Property from Transitional Zone (TR) to Neighborhood Commercial (C-1) ("**Case No. PZ-015-23**") and,

WHEREAS, on November 16, 2023, after completion of the necessary citizen review process, the Pinal County Planning and Zoning Commission (the "**Commission**") held a public hearing on **Case No. PZ-015-23**, giving no less than 15-days' notice by publication in a newspaper of general circulation in the Pinal County seat and by duly posting the area included in the proposed rezone; and,

WHEREAS, following the public hearing, the Commission voted 10-0 recommending APPROVAL of **Case No. PZ-015-23** to the Board **with 11 stipulations** (of which 2 stipulations were added by the Department staff from the initial staff report provided to the Commission prior to the public hearing, for a total of 11 stipulations) as set forth in the attached **Exhibit "B"** (the "**Stipulations**").

///

[Continued on the next page.]

ORDINANCE NO. 2023-PZ-015-23

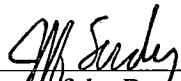
NOW, THEREFORE, BE IT ORDAINED by the Pinal County Board of Supervisors as follows:

Section 1: The rezoning of the Property legally described in the attached **Exhibit "A"** from TR to C-1 is hereby approved subject to 11 Stipulations of Approval set forth in the attached **Exhibit "B"**.


Section 2: This Ordinance shall take effect 30 days after the date of its adoption.

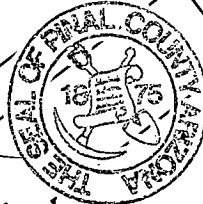
Section 3: This Ordinance shall be published at least once in a newspaper of general circulation in the Pinal County seat after its adoption.

PASSED AND ADOPTED THIS 20th DAY OF DECEMBER, 2023, BY THE PINAL COUNTY BOARD OF SUPERVISORS.


Chairman of the Board

ATTEST:


Clerk/Deputy Clerk of the Board



APPROVED AS TO FORM:

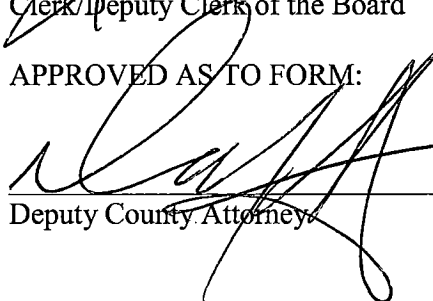

Deputy County Attorney

EXHIBIT "A"
TO
ORDINANCE NO. 2023-PZ-015-23

LEGAL DESCRIPTION
OF ZONING BOUNDARY FOR:

APN/Parcel ID: 104-12-001M

A portion of land located in the Southwest quarter of Section 8, Township 1 South, Range 9 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

BEGINNING at a ½ inch rebar tagged with LS Number 8607 at the Southernmost corner of Parcel 1 of Record of Survey, a minor land division of the Northwest corner of Kings Ranch Road and U.S. Highway 60, as shown in Book 4 of Surveys, page 101, records of Pinal County, Arizona;

Thence North 50 degrees 42 minutes 18 seconds West, along the Southwesterly line of said Parcel 1, a distance of 115.65 feet;

Thence North 42 degrees 55 minutes 24 seconds East, departing said Southwesterly line, a distance of 188.13 feet;

Thence South 47 degrees 04 minutes 36 seconds East, a distance of 115.42 feet to the Southeasterly line of said Parcel 1, common with the Northwesterly line of Parcel 2 of said minor land division;

Thence South 42 degrees 55 minutes 24 seconds West, along said Southeasterly line, a distance of 180.82 feet to the POINT OF BEGINNING;

EXCEPT one-sixteenth of all gas, oil, metal and minerals rights as reserved in the Patent from the State of Arizona, recorded in Docket 317, page 543, records of Pinal County, Arizona.

EXHIBIT "B"
TO
ORDINANCE NO. 2023-PZ-015-23

Stipulations of Approval

1. Approval of this zone change (PZ-015-23) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
2. 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;
3. All proposed outdoor lighting must conform to the designated Lighting Zone for the Zoning District as set by requirements of the Pinal County Development Services Code;
4. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Site Plan Review. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to approval of the Site Plan. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer;
5. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan Review. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to approval of the Site Plan. The approved drainage report shall provide retention for storm waters in an on-site retention area or as approved by the County Engineer;

6. All right-of-way dedication shall be free and unencumbered;

7. Dust registration is required if 0.1 acres or more land is disturbed;

8. All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District;

9. Project will be required to meet all requirements of the Pinal County Site Plan Review Process, and receive APPROVAL prior to construction of site;

10. A Geotechnical Report shall be submitted with the Site Plan for review and approval. The report is required to be approved prior to the Site Plan approval; and

11. Any roadway sections, alignments, access locations and access movements shown in the zoning site plan are conceptual only and have not been approved by the Pinal County Engineer or ADOT.