

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

ORDINANCE NO. 2021-PZ-003-19

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING THE REZONING FOR CERTAIN PROPERTIES LOCATED NORTH-EAST OF N KENWORTHY ROAD AND EAST COMBS ROAD IN THE SAN TAN VALLEY AREA (TAX PARCELS: 104-22-007A; 104-22-007C; 104-22-007D; 104-22-007E; 104-22-007F) FROM GR PAD TO RU-10 PAD; GR PAD, CR-1 PAD, CR-5 PAD, CB-1 PAD TO MD PAD; CB-1 PAD, CR-3 PAD TO C-3 PAD; GR PAD, CR-1 PAD, CR-2 PAD TO I-1 PAD; CR-2 PAD TO R-7 PAD IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. **PZ-003-19**; ESTABLISHING AN EFFECTIVE DATE; AND DIRECTING ITS PUBLICATION

WHEREAS, the Pinal County Board of Supervisors (“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 May 15th, 2019, the Pinal County Community Development Department (“Department”) received an application from Wales Ranches LLLP, Spike H Enterprises, LLC and Mary Ann Wales, landowners of certain properties located north-east of N Kenworthy Road and East Combs Road in the San Tan Valley Area (Tax parcels: 104-22-007A; 104-22-007C; 104-22-007D; 104-22-007E; 104-22-007F) known as Wales Ranches legally described in the attached Exhibit A (the “Property”) to rezone the Property from GR PAD to RU-10 PAD; GR PAD, CR-1 PAD, CR-5 PAD, CB-1 PAD to MD PAD; CB-1 PAD, CR-3 PAD to C-3 PAD; GR PAD, CR-1 PAD, CR-2 PAD to I-1 PAD; CR-2 PAD to R-7 PAD (Case No. **PZ-003-19**); and

WHEREAS, on November 19th, 2020, the Pinal County Planning and Zoning Commission (“Commission”) held a public hearing on Case No. **PZ-003-19**, giving no less than 15 day notice by publication in a newspaper of general circulation in the county seat and by duly posting the area included in the proposed Amendments; and

WHEREAS, following the public hearing, the Commission voted 6 to 0 in favor of forwarding a recommendation of approval to the Board with 1 Stipulation of Approval set forth in the attached Exhibit B (the “Stipulations”); and

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

Section 1: The rezoning of the properties legally described and depicted in the attached Exhibit A from GR PAD to RU-10 PAD; GR PAD, CR-1 PAD, CR-5 PAD,

CB-1 PAD to MD PAD; CB-1 PAD, CR-3 PAD to C-3 PAD; GR PAD, CR-1 PAD, CR-2 PAD to I-1 PAD; CR-2 PAD to R-7 PAD, and is hereby approved subject to 1 Stipulation 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 County seat after its adoption.

PASSED AND ADOPTED this 6th day of January, 2021, 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. 2021-PZ-003-19**

RU-10: RURAL ZONING DISTRICT

[Legal Description of the Properties]

Portions of land being situated within the North Half of Section 28, Township 2 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

PORTION 1:

BEGINNING at a found 1 inch iron pipe with ½ inch steel rod inside, accepted as the Northwest corner of said Section 28, from which a found 3 inch Pinal County Highway Department brass cap flush accepted as the Northeast corner thereof bears North 89°45'58" East, 5278.60 feet;

Thence along the north line of said North Half, North 89°45'58" East, 5174.13 feet to the westerly line of the property as described in the Warranty Deed as recorded in Fee No. 2008-118710, Pinal County Records, Arizona;

Thence leaving said north line and along said westerly line the following six (6) courses:

Thence South 15°49'24" West, 20.31 feet;

Thence North 89°58'46" West, 112.00 feet to a line 222.00 feet west of and parallel with the east line of said North Half;

Thence along said parallel line, South 00°01'14" West, 172.00 feet;

Thence leaving said parallel line, South 89°58'46" East, 132.00 feet;

Thence South 26°07'35" East, 61.27 feet;

Thence South 01°41'21" East, 16.78 feet;

Thence leaving said westerly line, South 85°00'33" West, 1918.47 feet;

Thence South 87°34'48" West, 3308.06 feet to the west line of said North Half;

Thence along said west line, North 00°02'10" East, 548.79 feet to the **POINT OF BEGINNING**.

PORTION 2:

BEGINNING at a found 3 inch Pinal County Highway Department brass cap flush accepted as the Northeast corner of said Section 28, from which a found 1 inch iron pipe with ½ inch steel rod accepted as the Northwest corner thereof bears South 89°45'58" West, 5278.60 feet;

Thence South 00°01'14" West, 258.30 feet along the east line of the Northeast quarter of said Section 28;

Thence leaving said east line, South 85°00'33" West, 40.15 feet to the east line of the property as described in the Warranty Deed as recorded in Fee No. 2008-118710, Pinal County Records, Arizona;

Thence along said east line, North 00°01'14" East, 261.63 feet to the north line of said Northeast quarter;

Thence along said north line, North 89°45'58" East, 40.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 2,242,138 sq. ft. (51.4724 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

R-7: SINGLE RESIDENCE ZONING DISTRICT

[Legal Description of the Properties]

That portion of land being situated within Section 28, Township 2 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

BEGINNING at a found 3 inch Pinal County Highway Department brass cap flush, accepted as the Southwest corner of said Section 28, from which a found cotton picker spindle accepted as the South quarter corner thereof bears North 89°48'25" East, 2639.59 feet;

Thence North 00°01'35" East, 2641.84 feet along the west line of the Southwest quarter of said Section 28 to the West quarter corner thereof;

Thence North 00°02'10" East, 75.00 feet along the west line of the Northwest quarter of said Section 28 to a line that is parallel with and 75.00 feet north of the east-west mid-section line of said Section 28;

Thence leaving said west line and along said parallel line, North 89°48'46" East, 1590.17 feet;

Thence leaving said parallel line, North 00°33'36" West, 1487.37 feet;

Thence South 87°30'21" West, 1576.22 feet to the west line of said Northwest quarter;

Thence along said west line, North 00°02'10" East, 594.12 feet;

Thence leaving said west line, North 87°34'48" East, 3308.06 feet;

Thence North 85°00'33" East, 14.10 feet;

Thence South 00°07'37" East, 836.54 feet;

Thence North 89°45'56" East, 1957.46 feet to the east line of the Northeast quarter of said Section 28;

Thence along said east line, South 00°01'14" West, 1388.16 feet to the East quarter corner of said Section 28;

Thence South 00°01'23" West, 2011.47 feet along the east line of the Southeast quarter of said Section 28;

Thence leaving said east line, South 89°46'54" West, 910.04 feet;

Thence South 00°01'14" West, 629.58 feet to the south line of said Southeast quarter;

Thence along said south line, South $89^{\circ}48'42''$ West, 1729.84 feet to the South quarter corner of said Section 28;

Thence South $89^{\circ}48'25''$ West, 2639.59 feet along the south line of the Southwest quarter of said Section 28 to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 20,951,138 sq. ft. (480.9719 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

MD: MIXED DWELLING ZONING DISTRICT

[Legal Description of the Properties]

A portion of land being situated within the Northeast Quarter of Section 28, Township 2 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

COMMENCING at a found 3 inch Pinal County Highway Department brass cap flush accepted as the Northeast corner of said Section 28, from which a found 1 inch iron pipe with ½ inch steel rod accepted as the Northwest corner thereof bears South 89°45'58" West; 5278.60 feet;

Thence South 00°01'14" West, 258.30 feet along the east line of said Northeast quarter to the **POINT OF BEGINNING**;

Thence continuing along said east line, South 00°01'14" West, 999.66 feet;

Thence leaving said east line, South 89°45'56" West, 1957.46 feet;

Thence North 00°07'37" West, 836.54 feet;

Thence North 85°00'33" East, 1904.37 feet to the property line as described in the Warranty Deed as recorded in Fee No. 2008-118710, Pinal County Records;

Thence along said property line the following 3 courses:

Thence South 01°41'21" East, 251.34 feet;

Thence South 89°58'46" East, 15.00 feet;

Thence North 00°01'14" East, 253.20 feet;

Thence leaving said property line, North 85°00'33" East, 40.15 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1,793,467 sq. ft. (41.1723 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

C-3: GENERAL COMMERCIAL ZONING DISTRICT

[Legal Description of the Properties]

A portion of land situated in the Southeast Quarter of Section 28, Township 2 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

BEGINNING at a found 3 inch Pinal County Highway Department brass cap flush accepted as the Southeast corner of said Section 28, from which a found cotton picker spindle without identification accepted as the South Quarter corner thereof bears

South 89°48'42" West, 2639.86 feet;

Thence along the south line of said Southeast quarter, South 89°48'42" West, 910.01 feet;

Thence leaving said south line, North 00°01'14" East, 629.58 feet;

Thence North 89°46'54" East, 910.04 feet to the east line of said Southeast Quarter;

Thence along said east line, South 00°01'23" West, 630.05 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 573,143 sq. ft. (13.1576 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

I-1: INDUSTRIAL BUFFER ZONING DISTRICT

[Legal Description of the Properties]

A portion of land being situated within the Northwest Quarter of Section 28, Township 2 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

COMMENCING at a found 1 inch iron pipe with ½ inch steel rod accepted as the Northwest corner of said Section 28, from which a found 3 inch Pinal County Highway Department brass cap flush accepted as the Northeast corner thereof bears North 89°45'58" East, 5278.60 feet;

Thence South 00°02'10" West, 1142.91 feet along the west line of said Northwest Quarter to the **POINT OF BEGINNING**;

Thence leaving said west line, North 87°30'21" East, 1576.22 feet;

Thence South 00°33'36" East, 1487.37 feet to a line that is parallel with and 75.00 feet north of the East-West mid-section line of said Section 28;

Thence along said parallel line, South 89°48'46" West, 1590.17 feet to said west line of the Northwest Quarter;

Thence along said west line, North 00°02'10" East, 1423.90 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 2,303,657 sq. ft. (52.8847 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

**EXHIBIT B
TO
ORDINANCE NO. 2021-PZ-003-19**

[Stipulations of Approval]

See following page(s)

1. Approval of this zone change (**PZ-003-19**) request will require, at time of application for development, that the 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.