

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

ORDINANCE NO. 2022-PZ-PD-042-21

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS, APPROVING THE REZONING FOR CERTAIN PROPERTY, LOCATED AT THE SOUTHEAST CORNER OF PAPAGO AND NORTH GREEN ROADS, ABOUT 8 MILES FROM THE WESTERNMOST BOUNDARY OF PINAL COUNTY AND TWO MILES WEST AND ONE MILE SOUTH OF THE AK CHIN INDIAN COMMUNITY IN PINAL COUNTY (TAX PARCELS 510520030 AND 510520020), FROM R-7 (SINGLE RESIDENCE ZONING DISTRICT), TO R-7/PAD, TO ALLOW A SINGLE-FAMILY RESIDENCE DEVELOPMENT WITH A PAD OVERLAY, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. **PZ-PD-042-21**; ESTABLISHING AN EFFECTIVE DATE; AND DIRECTING ITS PUBLICATION

WHEREAS, the Pinal County Board of Supervisors (“Board”) is authorized pursuant to Pinal County Development Services Code Chapter 2.176 to approve a Planned Area Development in order to conserve and promote the public health, safety, convenience and general welfare; and

WHEREAS, on October 25, 2021, the Pinal County Community Development Department (“Department”) received an application from HAM PAPAGO LLC/Harry Zeitlin, landowner and CVL Consultants/Julie Vermillion, applicant/agent, of property located at the southeast corner of Papago and North Green Roads, about 8 miles from the westernmost boundary of Pinal County and two miles west and one mile south of the Ak Chin Indian Community, in Pinal County (tax parcels: 510520030 and 510520020), legally described in the attached Exhibit A (the “Property”) for a Planned Area Development Overlay (the “PAD”), (Case No. **PZ-PD-042-21**); and

WHEREAS, on September 15, 2022, the Pinal County Planning and Zoning Commission (“Commission”) held a public hearing on Case No. **PZ-PD-042-21**, 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 PAD; and

WHEREAS, following the public hearing, the Commission voted 8-0 in favor of forwarding a recommendation of approval to the Board with 6 Stipulations 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: A PAD overlay is hereby approved and applied to the property legally described and depicted in the attached Exhibit A modifying the zoning from

R-7, to R-7/PAD, subject to 6 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 County seat after its adoption.

PASSED AND ADOPTED THIS 7TH DAY OF DECEMBER, 2022, 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. 2022-PZ-PD-042-21**

**LEGAL DESCRIPTION
OF ZONING BOUNDARY FOR
VENIDA**

(COMBINED TAX PARCELS: 510520030 AND 510520020)

THAT PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 21;

THENCE NORTH 88°32'15" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, A DISTANCE OF 2,643.85 FEET, TO THE NORTH QUARTER CORNER OF SAID SECTION 21;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°17'18" EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,618.77 FEET, TO THE CENTER OF SAID SECTION 21;

THENCE SOUTH 89°14'14" WEST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,653.95 FEET, TO THE WEST QUARTER CORNER OF SAID SECTION 21;

THENCE NORTH 00°03'15" WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2,586.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,893,158 SQUARE FEET OR 158.245 ACRES, MORE OR LESS.

**EXHIBIT B
TO
ORDINANCE NO. 2022-PZ-PD-042-21**

[Stipulations of Approval]

1. Development standards proposed and stipulations listed herein pertain to the area described in case PZ-PD-042-21 and supersede development standards and relevant stipulations under cases #PZ-PD-023-06 and #PZ-023-06.
2. 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. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat being scheduled for the Planning Commission;
3. A drainage report will be required to be submitted to the County Engineer for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to any Final Plat approval. The approved Drainage Plan shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer;
4. Half street right-of-way dedication and half street road improvements will be required for PAPAGO ROAD (northern boundary), GREEN ROAD (western boundary) and both the southern and eastern boundary roadways. The required minimum half street right-of-way is 55' for PAPAGO ROAD and GREEN ROAD and a minimum 40' for the southern and eastern boundary roadways (mid-section lines). Any additional right-of-way needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) for any roadways shall be the responsibility of the applicant. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
5. All right-of-way dedication shall be free and unencumbered;
6. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer.