

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

ORDINANCE NO. 2022-PZ-PD-014-22

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING A PLANNED AREA DEVELOPMENT FOR CERTAIN PROPERTY LOCATED SOUTH OF ARIZONA FARMS ROAD, WEST OF FELIX ROAD, NORTH OF HERITAGE ROAD AND EAST OF THE COPPER BASIN RAILROAD IN UNINCORPORATED PINAL COUNTY (TAX PARCELS: 200-31-007B, 200-31-007D, 200-31-007E, 200-31-007F, 200-31-007G, 200-31-007K, 200-31-007L, 200-24-001R, 200-24-001T, 200-24-001U, 200-24-001V, 200-24-001W), PROVIDING FOR AN UPDATED ARIZONA FARMS PLANNED AREA DEVELOPMENT OVERLAY ON 761± ACRES, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NOS. **PZ-PD-015-22** & **PZ-027-22**; 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 an Amendment to a Planned Area Development in order to conserve and promote the public health, safety, convenience and general welfare; and

WHEREAS, on May 1, 2022, the Pinal County Community Development Department (“Department”) received an application from El Dorado Arizona Farms LLC & Langley AZ Farms 150 LLC, landowners, Iplan Consulting/Greg Davis, agent of certain property described in the attached Exhibit A (the “Property”) for the Arizona Farms Planned Area Development Overlay (the “PAD”), (Case No. PZ-PD-014-22); and

WHEREAS, on November 17, 2022, the Pinal County Planning and Zoning Commission (“Commission”) held a public hearing on Case No. **PZ-PD-014-22**, 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 Overlay; and

WHEREAS, following the public hearing, the Commission voted 6-0 forwarding a recommendation of approval to the Board with 14 Stipulations of approval and two additional stipulations have been added by direction of the agent and approval of Pinal County Public Works to equal 16 stipulation 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 PAD overlay shall be applied to the Property legally described and depicted in the attached Exhibit A, subject to 16 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 21st 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"

A PORTION OF LAND LOCATED IN BOTH SECTION 1, TOWNSHIP 4 SOUTH, RANGE 8 EAST, AND SECTION 6, TOWNSHIP 4 SOUTH, RANGE 9 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HANDHOLE AT THE NORTHWEST CORNER OF SAID SECTION 1, FROM WHICH A BRASS CAP IN HANDHOLE AT THE NORTH QUARTER CORNER OF SAID SECTION 1 BEARS NORTH 88 DEGREES 19 MINUTES 57 SECONDS EAST, A DISTANCE OF 2,630.75 FEET (**BASIS OF BEARINGS**);

THENCE ALONG SAID NORTH LINE OF SAID SECTION 1, NORTH 88 DEGREES 19 MINUTES 57 SECONDS EAST, 1,436.67 FEET TO THE **POINT OF BEGINNING**:

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 88 DEGREES 19 MINUTES 57 SECONDS EAST, 1,194.07 FEET TO SAID BRASS CAP IN HAND HOLE AT THE NORTH QUARTER CORNER OF SAID SECTION 1;

THENCE CONTINUING ALONG SAID NORTH LINE OF SAID SECTION 1, NORTH 88 DEGREES 19 MINUTES 04 SECONDS EAST, 848.64 FEET;

THENCE LEAVING SAID NORTH LINE, SOUTH 01 DEGREES 03 MINUTES 12 SECONDS WEST, 1,046.46 FEET;

THENCE SOUTH 88 DEGREES 56 MINUTES 48 SECONDS EAST, 310.00 FEET;

THENCE NORTH 01 DEGREES 03 MINUTES 12 SECONDS EAST, 50.44 FEET;

THENCE NORTH 89 DEGREES 35 MINUTES 15 SECONDS EAST, 1,499.19 FEET TO THE EAST LINE OF SAID SECTION 1;

THENCE ALONG SAID EAST LINE, NORTH 00 DEGREES 23 MINUTES 24 SECONDS WEST, 1,043.16 FEET TO A BRASS CAP IN HANDHOLE AT THE NORTH EAST CORNER OF SECTION 1;

THENCE DEPARTING SECTION 1 AND ALONG THE NORTH LINE OF SECTION 6, SOUTH 89 DEGREES 57 MINUTES 25 SECONDS EAST, 2,598.99 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 06;

THENCE CONTINUING ALONG SAID NORTH LINE OF SECTION 6, SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, 961.00 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00 DEGREES 35 MINUTES 52 SECONDS EAST, 1,030.00 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, 509.39 FEET;

THENCE SOUTH 00 DEGREES 35 MINUTES 52 SECONDS EAST, 190.00 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, 1,160.00 FEET, TO THE EAST LINE OF SAID SECTION 6;

THENCE ALONG SAID EAST LINE, SOUTH 00 DEGREES 35 MINUTES 52 SECONDS EAST, 1,435.23 FEET, TO THE EAST QUARTER CORNER OF SAID SECTION 6;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 00 DEGREES 32 MINUTES 41 SECONDS EAST, 2,641.86 FEET, TO A TOWN OF FLORENCE BRASS CAP LOCATED AT THE SOUTHEAST CORNER OF SAID SECTION 6;

THENCE ALONG THE SOUTH LINE OF SAID SECTION 06, NORTH 89 DEGREES 53 MINUTES 22 SECONDS WEST, 2,628.70 FEET, TO A FOUND REBAR LOCATED AT THE SOUTH QUARTER CORNER OF SAID SECTION 6;

THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 89 DEGREES 54 MINUTES 55 SECONDS WEST, 2,270.95 FEET TO THE EAST LINE OF THE SOUTHERN PACIFIC RAILROAD;

THENCE DEPARTING SAID SOUTH LINE AND RUNNING ALONG THE EAST LINE OF THE SOUTHERN PACIFIC RAILROAD, NORTH 39 DEGREES 05 MINUTES 20 SECONDS WEST, 552.29 FEET TO THE WEST LINE OF SAID SECTION 6;

THENCE LEAVING SAID WEST LINE, NORTH 39 DEGREES 05 MINUTES 20 SECONDS WEST, 6,121.63 FEET TO THE **POINT OF BEGINNING**.

SAID PORTION OF LAND CONTAINING 33,165,279 SQUARE FEET, OR 761.3701 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.



EXHIBIT B

1. Approval of this Planned Area Development (PAD) Overlay District (PZ-PD-014-22) 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 El Dorado Arizona Farms LLC and Langley AZ Farms 150 LLC Planned Area Development (PAD) Overlay District (PZ-PD-014-22) is to be developed as shown by the site/development plan dated (Revised) October 25, 2021, along with the applicants other supplementary documentation in accordance with the applicable criteria set forth in Chapter 2.176 of the Pinal Development Services Code.
3. Approval of this Planned Area Development (PAD) Overlay District (PZ-PD-014-22) is contingent upon the Board of Supervisors approval of the amendment and removal of the Property from the PZ-PD-039-98 Planned Area Development (PAD) Overlay District as set forth in PZ-PD-015-22 and the zone change approval as set forth in Planning Case PZ-027-22.
4. All access lanes within the development shall be paved or concrete surface.
5. No Certificate of Occupancy shall be issued until all of the amenities within the phase are installed.
6. 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 & Zoning Commission;
7. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
8. 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 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;
9. Half street right-of-way dedication will be required for ARIZONA FARMS ROAD (northern boundary), FELIX ROAD (eastern boundary), and HERITAGE ROAD (southern boundary). The minimum required half street right-of-way for both ARIZONA FARMS ROAD and FELIX ROAD is 75' and the minimum required half street right-of-way for HERITAGE ROAD is 55'. Half street road improvements (per the County Standards) will be required for ARIZONA FARMS ROAD, FELIX ROAD, and HERITAGE ROAD;
10. Should the half street right-of-way dedication and half street road improvements be required for ARIZONA FARMS RD due to the single family residential developments and before the developments of parcels 24 and 25 (MR zone) and parcels 27 and 28 (C-2 zone), the right-of-way and road improvements shall be completed at the time

specified in the approved Traffic Impact Analysis:

11. Should the review of the Traffic Impact Analysis/Statement determine that additional infrastructure improvements are required for ARIZONA FARMS RD, FELIX RD, and/or HERITAGE RD and those additional improvements require the dedication of additional right-of-way, it is the applicant's responsibility for that dedication of right-of-way;
12. All right-of-way dedication shall be free and unencumbered;
13. All roadway sections shall be per Pinal County standards or as approved by the County Engineer. Any roadway sections shown in the Planned Area Development (PAD) Overlay District are conceptual only;
14. Roadway alignments, access locations and access movements shown in the Planned Area Development (PAD) Overlay District are conceptual only and have not been approved by the Pinal County Engineer;
15. In lieu of Attaway Road extending south of Arizona Farms Road, the project shall provide a collector level road network that connects Arizona Farms Road to Heritage Road.
16. Building setbacks shall allow for architectural projections and roof eaves to encroach up to 18 inches into the setbacks; however, a minimum 36 inch clear zone without air conditioning condensers or other obstructions shall be provided around all sides of structures to satisfy the Americans with Disabilities Act.