

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

RESOLUTION NO. 2023-IUP-003-23

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING AN INDUSTRIAL USE PERMIT FOR A CERTAIN PROPERTY LOCATED AT THE NORTH OF EAST PINAL AIRPARK ROAD AND WEST OF INTERSTATE 10, (TAX PARCEL 410-14-0030) TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRIC VEHICLE BATTERY TESTING AND STORAGE FACILITY, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. 2023-IUP-003-23

WHEREAS, the Pinal County Board of Supervisors (the “**Board**”) is authorized pursuant to the Pinal County Development Services Code § 2.300.040 and § 2.340.030 to approve Special Use Permits in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on July 19th, 2023, the Pinal County Community Development Department (the “**Department**”) received an application from Melody Spradlin on behalf of the applicant, Lucid Motors, and Pinal County, the landowner of certain property located at the north of East Pinal Airpark Road and west of Interstate 10 (Tax Parcel No. 410-14-0030) and legally described in the attached **Exhibit “A”** (the “**Property**”), for an Industrial Use Permit requesting approval to construct and operate an electric vehicle battery testing and storage facility on a portion of a 480± acre parcel in the Industrial and Activity Center Zoning Districts under Case No. IUP-003-23 (the “**IUP Application**”); and,

WHEREAS, on September 21, 2023, the Pinal County Planning and Zoning Commission (the “**Commission**”) held a public hearing on the IUP Application (the “**Public Hearing**”) whereat the Department staff presented the matter to the Commission and recommended that should the Commission find, after the presentation of the applicant and together with testimony and evidence presented at the public hearing, that approving the IUP Application is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then the Commission should forward the IUP Application to the Board of Supervisors with a favorable recommendation with nine (9) stipulations (the “**Recommended Stipulations**”); and,

WHEREAS, during the Public Hearing the Commission amended the Recommended Stipulations and thereafter voted 8-0 in favor of forwarding a recommendation of approval of the IUP Application to the Board with nine (9) stipulations, as amended, and as set forth in the attached **Exhibit “B”** (the “**Stipulations**”).

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NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the IUP Application requesting approval to construct and operate an electric vehicle battery testing and storage facility on the Property is hereby approved, subject to the Stipulations set forth in **Exhibit "B"**.

PASSED AND ADOPTED this 1st day of November, 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

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[LEGAL DESCRIPTION]

APN: 410-14-003

**NORTH HALF AND THE NORTH HALF OF THE SOUTH HALF OF SECTION 34,
TOWNSHIP 10 SOUTH, RANGE 10 EAST, GILA AND SALT RIVER BASE AND MERIDIAN,
PINAL COUNTY, ARIZONA.**

SAID PARCEL CONTAINS 480 ACRES, MORE OR LESS.

(PINAL AIRPARK)

EXHIBIT “B”

TO

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[STIPULATIONS]

1. A Trip Generation Memo may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval;
2. a drainage memo limited to the proposed site improvements to be submitted to the County Engineer at the time of Site Plan submittal for review and approval;
3. this Industrial Use Permit is granted to operate a battery testing and storage facility as described in the applicant’s submittal documents;
4. the permit is issued to the lessee for (5) years unless the lease is terminated at which this use permit is terminated;
5. the layout, design and set up of the battery facility shall be developed as shown and set forth on the applicant’s submittal documents and site plan;
6. the applicant/owner/developer shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building and Safety Department;
7. the applicant shall keep the property free of trash, litter and debris;
8. all Federal, State, County and Local regulations shall be adhered to and all applicable and required leases, permits, approvals, and plans be submitted and obtained;
9. any change or expansion shall require approval from the Board of Supervisors.