

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

RESOLUTION NO. 2024-IUP-004-22

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING AN INDUSTRIAL USE PERMIT FOR CERTAIN PROPERTY LOCATED NORTH OF W. GUADALUPE ROAD, BETWEEN S. WARNER ROAD AND S. PINAL DRIVE (TAX PARCELS 104-63-005J, 104-63-009N, 104-63-009P, 104-63-009Q, 104-63-012W, 104-63-012S, 104-63-009M) TO ALLOW FOR A MATERIALS PROCESSING AND TREATMENT FACILITY, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. IUP-004-22

WHEREAS, the Pinal County Board of Supervisors (the “**Board**”) is authorized pursuant to the Pinal County Development Services Code § 2.110.010(D) to approve industrial use permits in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on October 26, 2022, the Pinal County Community Development Department (the “**Department**”) received an application from Sarah Prince of Pew and Lake, PLC, on behalf of Shippy’s Properties, LLC, landowner of tax parcels: 104-63-005J, 104-63-009N, 104-63-009P, 104-63-009Q, 104-63-012W, 104-63-012S, 104-63-009M (legally described in the attached **Exhibit “A”** (the “**Property**”)) for an industrial use permit requesting approval to continue operating an established materials processing and treatment facility on a total of a ±26.19 acres in the Industrial Zoning District (CI-2), which the Department designated as Case No. IUP-004-22 (the “**IUP Application**”); and,

WHEREAS, on April 18, 2024 the Department staff presented the IUP Application to the Pinal County Planning and Zoning Commission (the “**Commission**”) at a public meeting and following public hearing voted 10-0 in favor of forwarding a recommendation of approval of the IUP Application to the Board with ten (10) stipulations as set forth in the attached **Exhibit “B”** (the “**Stipulations**”).

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the IUP Application submitted on behalf of landowner Shippy’s Properties, LLC requesting an industrial use permit to continue operating an established materials processing and treatment facility on the Property legally described in **Exhibit “A”** consisting of ±26.19 acres is hereby approved subject to the Stipulations set forth in **Exhibit “B”**.

[Signatures appear on the following page.]

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PASSED AND ADOPTED this 5th day of June 2024, by the PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board

◀ **SIGN** HERE

◀ **SIGN** HERE

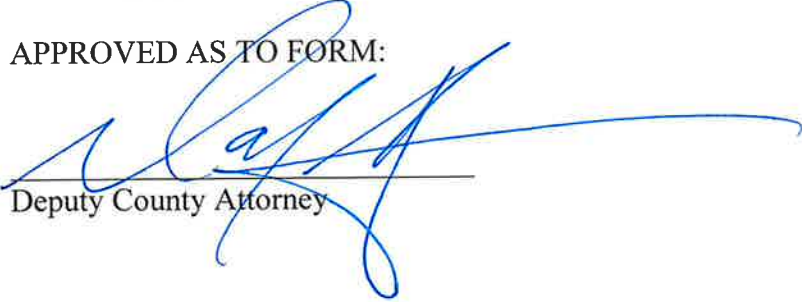
ATTEST:

Clerk/Deputy Clerk of the Board

◀ **SIGN** HERE

◀ **SIGN** HERE

APPROVED AS TO FORM:



Deputy County Attorney

EXHIBIT "A"
TO RESOLUTION 2024-IUP-004-22
[LEGAL DESCRIPTION]

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6, BEING MARKED BY A GLO BRASS CAP, FROM WHICH POINT THE SOUTH QUARTER CORNER OF SAID SECTION 6, BEING MARKED BY A PINAL COUNTY BRASS CAP FLUSH WITH PAVEMENT, BEARS SOUTH 89 DEGREES 56 MINUTES 06 SECONDS EAST, A DISTANCE OF 3612.04 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 06 SECONDS EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 1631.76 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF GOVERNMENT LOT 13 OF SAID SECTION 6;

THENCE NORTH 00 DEGREES 00 MINUTES 20 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 685.85 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 20 SECONDS WEST, A DISTANCE OF 300.53 FEET;

THENCE NORTH 89 DEGREES 54 MINUTES 52 SECONDS WEST, A DISTANCE OF 659.95 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, A DISTANCE OF 335.29 FEET;

THENCE SOUTH 89 DEGREES 55 MINUTES 06 SECONDS EAST, A DISTANCE OF 659.93 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 20 SECONDS WEST, A DISTANCE OF 181.37 FEET;

THENCE NORTH 89 DEGREES 43 MINUTES 34 SECONDS WEST, A DISTANCE OF 338.29 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 26 SECONDS WEST, A DISTANCE OF 159.46 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 34 SECONDS EAST, A DISTANCE OF 338.30 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 20 SECONDS WEST, A DISTANCE OF 319.99 FEET;

THENCE SOUTH 89 DEGREES 55 MINUTES 05 SECONDS EAST, A DISTANCE OF 330.08 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 45 SECONDS WEST, A DISTANCE OF 370.04 FEET;

THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST, A DISTANCE OF 330.25 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 1348.66 FEET;

THENCE NORTH 89 DEGREES 55 MINUTES 41 SECONDS WEST, A DISTANCE OF 358.40 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 43 SECONDS WEST, A DISTANCE OF 317.92 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 43 SECONDS WEST, A DISTANCE OF 317.92 FEET;

THENCE NORTH 89 DEGREES 55 MINUTES 50 SECONDS WEST, A DISTANCE OF 301.54 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 1,139,368 SQUARE FEET OR 26.1563 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.

EXHIBIT “B”
TO RESOLUTION 2024-IUP-004-22
[STIPULATIONS OF APPROVAL]

1. Approval of this Industrial Use Permit (IUP-004-22) 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. All new development of buildings shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department. Future site plan approvals may require evidence of building permits or new building permits;
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. Any noise brought about by the project shall be in conformance to the Noise Ordinance as adopted by the Board of Supervisors;
5. Any coating, fireproofing, and intumescent application is to be conducted in accordance with PCDEQ;
6. Subject parcel(s) that may undergo the Pinal County Site Plan Review process will need to meet all requirements, and receive APPROVAL prior to construction/addition to project site;
7. 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;
8. 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;
9. All right-of-way dedication shall be free and unencumbered; AND
10. All Pinal County Environmental Health inclusive but not limited to Air Quality Control District requirements must be adhered to and permits be valid and maintained.