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

RESOLUTION NO. 2024-SUP-012-24

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING A SPECIAL USE PERMIT FOR A CERTAIN PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CAMINO RIO ROAD AND TRISTAN ROAD (TAX PARCEL 301-25-0040) TO ALLOW FOR THE CONTINUED OPERATION OF A WIRELESS COMMUNICATION FACILITY IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. 2024-SUP-012-24.

WHEREAS, the Pinal County Board of Supervisors (the "**Board**") is authorized pursuant to the Pinal County Development Services Code § 2.151.010 and § 2.205.080(D) to approve Special Use Permits in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on May 23, 2024, the Pinal County Development Services Department received an application from John Merritt on behalf of American Tower Management, LLC, the lessee of certain property located at the southwest corner of Camino Rio Rd and Tristan Rd (Tax Parcel No. 301-25-0040), as legally described in the attached **Exhibit "A"** (the "**Property**"), for a Special Use Permit requesting approval to continue operating an existing wireless communication facility with an expired permit (SUP-013-00) on a portion of a 40± acre parcel in the General Rural Zoning District under Case No. SUP-012-24 (the "**SUP Application**"); and,

WHEREAS, on October 03, 2024, the Pinal County Planning and Zoning Commission (the "**Commission**") considered the SUP Application, along with fourteen (14) stipulations as set forth in the staff report, and held a public hearing thereon (the "**Public Hearing**"); and,

WHEREAS, after the Public Hearing the Commission voted 8-0 in favor of forwarding a favorable recommendation of the SUP Application to the Board with fourteen (14) stipulations, as presented, and as set forth in the attached **Exhibit "B"** (the "**Stipulations**").

NOW, THEREFORE, BE IT RESOLVED by the Board that the SUP Application requesting approval to continue operating a wireless communication facility on the Property is hereby approved, subject to the Stipulations set forth in **Exhibit "B"**.

[*Signatures appear on the following page.*]

RESOLUTION NO. 2024-SUP-012-24

PASSED AND ADOPTED this 30th day of October, 2024, 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

RESOLUTION NO. 2024-SUP-012-24

[Legal Description]

Assessor's Parcel Number: 301-25-0040

The Property is described and/or depicted as follows (metes and bounds description):

Township 5 South, Range 14 East, Gila and Salt River Base and Meridian, Pinal County, Arizona.

Section 2: Portion of the SW1/4NW1/4

LEASE SITE:

A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 14 EAST DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE SOUTH 00'14'00'' WEST, 1399.00 FEET; THENCE SOUTH 85'56'01'' EAST, 210.56 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89'56'00'' EAST, 100.00 FEET; THENCE SOUTH 00'04'00'' EAST, 50.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'A'; THENCE SOUTH 00'04'00'' EAST, 50.00 FEET TO A POINT HEREINAFTER REFFERED TO AS POINT 'B'; THENCE SOUTH 89'56'00'' WEST, 100.00 FEET; THENCE NORTH 00'04'00'' WEST, 100.00 FEET TO THE POINT OF BEGINNING.

ACCESS EASEMENT:

A 20.00 FOOT WIDE ACCESS EASEMENT BEING 10.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT POINT 'A'; THENCE SOUTH 63'15'52'' EAST, 223.48 FEET; THENCE NORTH 48'53'26'' EAST, 368.55 FEET; THENCE SOUTH 89'27'30'' EAST, 108' MORE OR LESS TO THE POINT OF TERMINATION ON THE WESTERLY RIGHT OF WAY OF NORTH CAMINO RIO DRIVE.

ELECTRICAL EASEMENT:

A 10.00 FOOT WIDE ELECTRICAL EASEMENT BEING 5.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT POINT 'B'; THENCE SOUTH 63'15'52'' EAST, 577.42 FEET TO THE POINT OF TERMINATION.

EXHIBIT B

RESOLUTION NO. 2024-SUP-012-24

[Stipulations of Approval]

1. All Federal (FCC), State and County regulations shall be adhered to and all required approvals, plans, submittal documents, and permits submitted and obtained; including, but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, landscaping, signage, etc.;

2. Submit an R.F. Engineer's certification within thirty days of BOS approval, that the facilities comply with all Federal Aviation Administration (FAA), and that the radiation meets Federal Communication Commission (FCC) requirements. Should interference be determined to exist with the WAPA Communications equipment, building permits shall not be issued until the interference issues are resolved to the satisfaction of Pinal County Community Development;

3. No advertising is permitted anywhere upon or attached to the facilities. Signage is limited to small non-illuminated warning and identification signs, as stated in the Pinal County Development Services Code (PCDSC).

4. The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;

5. A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more land;

6. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;

7. An Air Quality industrial permit may be required if there is a generator installed;

8. The layout, design and set up of the wireless communication facility shall be as shown and set forth on the applicant's site plan as submitted with this application for a Special Use Permit;

9. Any change or expansion of use shall require approval by the Board of Supervisors;

10. At such time the wireless communication facility is no longer needed, it shall be removed from the subject property within 180 day at the expense of the applicant;

11. The applicant shall keep the property free of trash, litter and debris;

12. Violation of these conditions at any time may invoke revocation proceedings by the Pinal County Community Development Department;

13. A site plan process would be initiated by the applicant after the SUP is approved by the BOS; and

14. Approval of this Special Use Permit is tied to the portion of parcel number 301-25-0040 in which the WCF is situated;