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

RESOLUTION NO. 2024-SUP-008-24

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING A SPECIAL USE PERMIT FOR A CERTAIN PROPERTY LOCATED SOUTH OF EAST HERITAGE ROAD AND WEST OF NORTH MITCHELL TRAIL (TAX PARCEL 200-24-041A) TO ALLOW FOR THE COSTRUCTION AND OPERATION OF A WIRELESS COMMUNICATION FACILITY, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. 2024-SUP-008-24

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 February 22, 2024, the Pinal County Community Development Department (the "**Department**") received an application from Shannon McCrea, State 48 Consulting on behalf of Vertical Bridge LLC, applicant, and Keith Larson, landowner of certain property located south of East Heritage Road and west of North Mitchell Trail (Tax Parcel No. 200-24-041A) and legally described in the attached **Exhibit "A"** (the "**Property**"), requesting a Special Use Permit for approval to construct and operate a wireless communication facility on a portion of a 5.07± acre parcel in the GR General Rural Zone under Case No. SUP-008-24 (the "**SUP Application**"); and,

WHEREAS, on September 25, 2024 and October 3, 2024, the Pinal County Planning and Zoning Commission (the "**Commission**") held a public hearing on the SUP Application and considered the same (the "**Public Hearing**") along with thirteen (13) stipulations as set forth in the staff report presented to the Commission by the Department (the "**Stipulations**"); and,

WHEREAS, after the Public Hearing the Commission voted 9-0 in favor of forwarding a recommendation of approval of the SUP Application to the Board subject to the Stipulations, as presented, and as set forth in the attached **Exhibit "B"**.

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the SUP Application requesting approval to construct and operate 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-008-24

PASSED AND ADOPTED this 20th day of November, 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-008-24

LEGAL DESCRIPTION

SUP-008-24

PARENT PARCEL:

LOT 5 OF RESULTS OF SURVEY, MINOR LAND DIVISION AS RECORDED IN FEE NUMBER 2000-040416, RECORDS OF PINAL COUNTY, ARIZONA

LEASE AREA:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM CAP MARKING THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 66°04'47" WEST, BASED UPON US STATE PLANE ARIZONA CENTRAL COORDINATE SYSTEM, A DISTANCE OF 1936.51 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°26'46" EAST 50.00 FEET;

THENCE SOUTH 89°33'14" WEST 50.00 FEET;

THENCE NORTH 00°26'46" WEST 50.00 FEET;

THENCE NORTH 89°33'14" EAST 50.00 FEET TO THE POINT OF BEGINNING.

HAVING A TOTAL AREA OF 2500 SQ. FT. MORE OR LESS.

EXHIBIT B

RESOLUTION NO. 2024-SUP-008-24

[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. 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;
4. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
5. Paving will be provided on the following: 24 foot driveway & access drive, within the site, and on parking area; additional road access improvement requirements must be met as determined by County Engineer(s) and other County Divisions/personnel;
6. An Air Quality industrial permit may be required if there is a generator installed;
7. 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;
8. Any change or expansion of use shall require approval by the Board of Supervisors;
9. 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;
10. The applicant shall keep the property free of trash, litter and debris;
11. Violation of these conditions at any time may invoke revocation proceedings by the Pinal County Community Development Department;
12. A site plan process would be initiated by the applicant after the SUP is approved by the BOS; and
13. Approval of this Special Use Permit is tied to the lease area portion of parcel number 200-24-041A in which the WCF is situated;