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

ORDINANCE NO. 2024-PZ-048-23

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING THE REZONING OF CERTAIN PROPERTY LOCATED WEST OF SUNLAND GIN RD AND SOUTH OF THE ARIZONA CITY AREA, (TAX PARCELS: 409-01-001A, 409-01-001B, 409-06-0040, 409-02-0010, 500-50-0020, AND 500-50-0040) FROM: GR GENERAL RURAL ZONE; SR SUBURBAN RANCH ZONE; CR-2 SINGLE RESIDENCE ZONE; CR-3 SINGLE RESIDENCE ZONE; CR-4 MULTIPLE RESIDENCE ZONE; CR-5 MULTIPLE RESIDENCE ZONE; CI-2 INDUSTRIAL ZONE; CB-1 LOCAL BUSINESS ZONE; AND CB-2 GENERAL BUSINESS ZONE TO I-3 INDUSTRIAL ZONING DISTRICT, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. PZ-048-23; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION.

WHEREAS, the Pinal County Board of Supervisors (the "**Board**") is authorized pursuant to Arizona Revised Statutes § 11-814 to rezone property in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on May 7, 2024, the Pinal County Development Services Department (the "**Department**") received an application from Arnoldo B. Burruel, owner, Matthew Pagan – Enel North American Inc, Sonak Solar Project LLC and Rose Law Group PC, applicant, of property located west of Sunland Gin Road, south of Arizona City in unincorporated Pinal County (Parcel: 409-01-001A, 409-01-001B, 409-06-0040, 409-02-0010, 500-50-0020, and 500-50-0040), legally described in the attached **Exhibit "A"** (the "**Property**") to rezone the Property from multiple zoning classifications to a single zoning classification, i.e., from: (1) GR General Rural Zone; (2) SR Suburban Ranch Zone; (3) CR-2 Single Residence Zone; (4) CR-3 Single Residence Zone; (5) CR-4 Multiple Residence Zone; (6) CR-5 Multiple Residence Zone; (7) CI-2 Industrial Zoning District, (8) CB-1 Local Business Zone; and (9) CB-2 General Business Zone to I-3 Industrial Zoning District (the "**Rezoning Application**"); and,

WHEREAS, the Department designated the Rezoning Application as Case No. PZ-048-23; and,

WHEREAS, on October 17, 2024, the Pinal County Planning and Zoning Commission (the "**Commission**") held a public hearing on Case No. PZ-048-23, giving no less than 15-days' notice by publication in a newspaper of general circulation in the county seat and by duly posting the area included in the proposed rezoning; and,

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WHEREAS, following the public hearing on October 17, 2024 the Commission voted 9-0 in favor of forwarding a recommendation of approval of the Rezoning Application to the Board with one (1) stipulation of approval as set forth in the attached **Exhibit "B"** (the "**Stipulation of Approval**"); and,

WHEREAS, the Board finds that the request to rezone the Property as set forth herein is in the best interest of Pinal County and is consistent with and conforms to the adopted comprehensive plan and the general purposes of Pinal County's Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board as follows:

Section 1: The Rezoning Application requesting to rezone the Property legally described and depicted in the attached **Exhibit "A**" from multiple zoning classifications to a single zoning classification, i.e., from: (1) GR General Rural Zone; (2) SR Suburban Ranch Zone; (3) CR-2 Single Residence Zone; (4) CR-3 Single Residence Zone; (5) CR-4 Multiple Residence Zone; (6) CR-5 Multiple Residence Zone; (7) CI-2 Industrial Zoning District, (8) CB-1 Local Business Zone; and (9) CB-2 General Business Zone to I-3 Industrial Zoning District, is hereby approved and the Property is accordingly rezoned subject to one (1) Stipulation 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 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"
TO
ORDINANCE NO. 2024-PZ-048-23

LEGAL DESCRIPTION (SONAK SOLAR)

THE FOLLOWING REAL PROPERTY LOCATED IN THE COUNTY OF PINAL, STATE OF ARIZONA:
Tract 1: APN 409-01-001A
The Southwest Quarter of Section 1, Township 10 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Tract 2: APN 409-01-001B Government Lots 1, 2, 3 and 4; The South Half of the North Half; and the Southeast Quarter of Section 1, Township 10 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Tract 3: APN 409-06-0040 Government Lots 1, 2, 3 and 4; the South Half of the North Half; and the South Half of Section 6, Township 10 South, Range 7 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

LESS AND EXCEPT:
A parcel of land situated in a portion of Section 6, Township 10 South, Range 7 East of Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows: Commencing at the Northeast Corner of said Section 6; thence South 00 degrees 16 minutes 01 second West, along the East line of said Section 6, a distance of 474.75 feet; thence departing said East line, North 89 degrees 43 minutes 59 seconds West, a distance of 40.00 feet to the point of beginning; thence South 00 degrees 16 minutes 01 seconds, along a line parallel with and 40.00 feet West of said East line, a distance of 799.69 feet; thence North 89 degrees 43 minutes 59 seconds West, a distance of 10.00 feet; thence North 00 degrees 16 minutes 01 seconds East, along a line parallel with and 50.00 feet West of said East line, a distance of 599.69 feet; thence North 89 degrees 43 minutes 59 seconds West, a distance of 10.00 feet; thence North 00 degrees 16 minutes 01 seconds East, along a line parallel with and 60.00 feet West of said line, a distance of 200.00 feet; thence South 89 degrees 43 minutes 59 seconds East, a distance of 20.00 feet to the point of beginning.

Tract 4: APN 409-02-0010 The North Half of Section 12, Township 10 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Tract 5: APN 500-50-0020 Government Lots 13, 14, 23 and 24 in Section 36, Township 9 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona,

LESS AND EXCEPT:
A parcel of land situated in a portion of Section 36, Township 9 South, Range 6 East of Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows: Commencing at the Southeast Corner of said Section 36; thence South 89 degrees 48 minutes 53 seconds West along the South line of said Section 36, a distance of 40.00 feet to the point of beginning; thence continuing South 89 degrees 48 minutes 53 second West, a distance of 80.28 feet; thence departing said South line, North 09 degrees 29 minutes 23 seconds East, a distance of 299.15 feet; thence North 00 degrees 11 minutes 10

EXHIBIT "A" (CONT'D)
TO
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LEGAL DESCRIPTION (SONAK SOLAR)

seconds West, along a line parallel with and 70.00 feet West of the East line of Government Lot 24, a distance of 850.63 feet; thence North 89 degrees 48 minutes 50 seconds East, a distance of 10.00 feet; thence North 00 degrees 11 minutes 10 seconds West, a distance of 171.85 feet; thence North 00 degrees 06 minutes 21 seconds East, along a line parallel with and 60.00 feet West of the East line of Government Lot 13, a distance of 198.07 feet; thence North 89 degrees 48 minutes 50 seconds East, a distance of 10.00 feet; thence North 00 degrees 06 minutes 21 seconds East, a distance of 700.21 feet; thence South 89 degrees 53 minutes 39 seconds East, a distance of 10.00 feet to a point 40.00 feet West of the East line of said Government Lot 13; thence South 00 degrees 06 minutes 21 seconds West, parallel to said East line, a distance of 898.18 feet; thence South 00 degrees 11 minutes 10 seconds East, along a line parallel with and 40.00 feet West of the East line of said Government Lot 24, a distance of 1317.42 feet to the point of beginning.

Tract 6: APN 500-50-0040 Lots 17, 18 and 19, Section 36, Township 9 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXHIBIT "B"
TO
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[Stipulations of Approval]

1. The stipulations enumerated herein pertain to the area described in cases PZ-PD-004-24, PZ-048-23 & PZ-PD-017-23;