

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

ORDINANCE NO. 2024-PZ-PD-036-21

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT (PAD) FOR CERTAIN PROPERTIES LOCATED SOUTHEAST OF WEST AMERICAN AVENUE AND NORTH CALLE VALENCIA IN PINAL COUNTY, ARIZONA (TAX PARCEL NUMBERS: 308-56-0300 & 308-56-0290) CONSISTING OF 8.76± ACRES, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. PZ-PD-036-21; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION.

WHEREAS, in order to conserve and promote the public health, safety, convenience and general welfare, and consistent with its authority to rezone property pursuant to Arizona Revised Statutes § 11-814, the Pinal County Board of Supervisors (the “**Board**”) is authorized pursuant to Pinal County Development Services Code (“**PCDSC**”) Chapter 2.176 to approve a Planned Area Development Overlay Zoning District (“**PAD**”) to allow flexibility in the development standards of underlying zoning districts consistent with the goals, objectives and policies of the adopted comprehensive plan and the County Zoning Ordinance (*see* PCDSC § 2.176.20); and,

WHEREAS, on August 27, 2021, the Pinal County Community Development Department (the “**Department**”) received an application from Donald Westphal as the agent/applicant for landowner Oracle Valley Estates, with respect to property located to the southeast of West American Avenue and North Calle Valencia (tax parcels: 308-56-0300 & 308-56-0290), legally described in the attached **Exhibit “A”** (the “**Property**”), requesting a PAD for the Property (the “**PAD Application**”) in conjunction with a separately filed application to rezone the Property for the intended development of a subdivision; and,

WHEREAS, on September 25, 2024, the Pinal County Planning and Zoning Commission (the “**Commission**”) held a public hearing on the PAD Application (which the Department designated as Case No. PZ-PD-036-21), 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 PAD; and,

WHEREAS, following the public hearing, the Commission voted 8 to 0 in favor of forwarding a recommendation of approval to the Board with twelve (12) Stipulations of Approval set forth in the attached **Exhibit “B”** (the “**Stipulations of Approval**”); and,

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WHEREAS, the Board believes that approving the PAD Application, subject to the Stipulations of Approval, is in the best interest of Pinal County, will comply with the requirements, purpose and intent of the PCDS and is consistent with the goals, objectives and policies of the comprehensive plan and the County Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Pinal County Board of Supervisors as follows:

- Section 1:** The PAD Application requesting a Planned Area Development Overlay Zoning District (PAD) on the Property legally described and depicted in the attached **Exhibit "A"** is hereby approved subject to the 12 Stipulations 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.

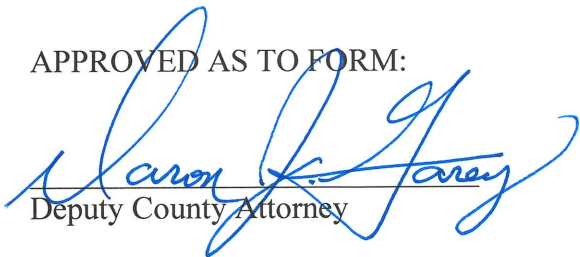
PASSED AND ADOPTED this 18th day of December, 2024, by the PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board

ATTEST:

Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

EXHIBIT A
LEGAL DESCRIPTION
PZ-PD-036-21

EXHIBIT B – ZONING AREAS MHP 435 & RVP 435

BOTH AREA ARE SPLIT OVER PC APN's 308-56-0290 & 308-56-0300

ZONING AREA BOUNDARY - PARCEL 1: (ZONING TYPE IS MHP 435)

THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, WHICH POINT IS SOUTH 00 DEGREES 07 MINUTES 44 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 61.47 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27,

THENCE NORTH 25 DEGREES 16 MINUTES 40 SECONDS WEST ALONG SAID RIGHT OF WAY, A DISTANCE OF 139.98 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE (50 FEET FROM CENTER LINE) OF ARIZONA STATE HIGHWAY NO. 77, WHICH POINT IS IN A CURVE AND AT WHICH POINT A TANGENT TO SAID CURVE BEARS NORTH 80 DEGREES 21 MINUTES 41 SECONDS WEST;

THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 11,409.16 FEET THROUGH A CENTRAL ANGLE OF 01 DEGREES 50 MINUTES 37 SECONDS A DISTANCE OF 254.61 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 02 DEGREES 44 MINUTES 54 SECONDS WEST, A DISTANCE OF 322.86 FEET;

THENCE NORTH 86 DEGREES 32 MINUTES 05 SECONDS WEST, A DISTANCE OF 112.06 FEET;

THENCE NORTH 02 DEGREES 44 MINUTES 54 SECONDS EAST, A DISTANCE OF 138.71 FEET;

THENCE NORTH 84 DEGREES 15 MINUTES 20 SECONDS WEST, A DISTANCE OF 238.02 FEET;

THENCE NORTH 85 DEGREES 23 MINUTES 55 SECONDS WEST, A DISTANCE OF 477.13 FEET TO A POINT ON THE EAST RIGHT OF WAY BOUNDARY OF N CALLE VALENCIA (LOCAL ROADWAY);

THENCE NORTH 20 DEGREES 46 MINUTES 00 SECONDS WEST, A DISTANCE OF 51.66 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 17 SECONDS WEST, A DISTANCE OF 158.23 FEET TO A POINT ON A NONTANGENT CURVE, CONCAVE TO THE SOUTH;

THENCE SOUTHEASTERLY ALONG SOUTH RIGHT OF WAY BOUNDARY LINE OF W AMERICAN AVE, AND ALONG THE ARC OF A CURVE HAVING A RADIUS OF 11,409.16 FEET THROUGH A CENTRAL ANGLE OF 04 DEGREES 18 MINUTES 10 SECONDS, A DISTANCE OF 856.81 FEET TO THE POINT OF BEGINNING, CHORD OF ARC BEARS SOUTH 83 DEGREES 52 MINUTES 13 SECONDS EAST, A DISTANCE OF 856.61 FEET.

SAID AREA CONTAINS 184724 SF, 4.24 ACRES, MORE OR LESS AND MAY BE SUBJECT TO EASEMENTS AND OTHER DEED RESTRICTIONS. SEE A CURRENT TITLE REPORT FOR MORE DETAILED INFORMATION.



ZONING AREA BOUNDARY - PARCEL 2: (ZONING TYPE IS PM/RVP 435)

THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, WHICH POINT IS SOUTH 00 DEGREES 07 MINUTES 44 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 61.47 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27,

THENCE NORTH 25 DEGREES 16 MINUTES 40 SECONDS WEST ALONG SAID RIGHT OF WAY, A DISTANCE OF 139.98 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE (50 FEET FROM CENTER LINE) OF ARIZONA STATE HIGHWAY NO. 77, WHICH POINT IS IN A CURVE AND AT WHICH POINT A TANGENT TO SAID CURVE BEARS NORTH 80 DEGREES 21 MINUTES 41 SECONDS WEST;

THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 11,409.16 FEET THROUGH A CENTRAL ANGLE OF 01 DEGREES 50 MINUTES 37 SECONDS A DISTANCE OF 254.61 FEET; WHICH POINT IS ON THE SOUTH RIGHT OF WAY LINE AND NORTHEAST PROPERTY CORNER OF ORACLE VILLAGE ESTATES;

THENCE SOUTH 02 DEGREES 44 MINUTES 54 SECONDS WEST, A DISTANCE OF 322.86 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 02 DEGREES 44 MINUTES 54 SECONDS WEST, A DISTANCE OF 71.09 FEET,

THENCE NORTH 85 DEGREES 10 MINUTES 47 SECONDS WEST, A DISTANCE OF 112.12 FEET,

THENCE SOUTH 02 DEGREES 44 MINUTES 54 SECONDS WEST, A DISTANCE OF 80.64 FEET,

THENCE NORTH 85 DEGREES 10 MINUTES 47 SECONDS WEST, A DISTANCE OF 586.85 FEET TO A POINT ON THE EAST RIGHT OF WAY BOUNDARY OF N CALLE VALENCIA (LOCAL ROADWAY);

THENCE NORTH 20 DEGREES 46 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 321.10 FEET;

THENCE SOUTH 85 DEGREES 23 MINUTES 55 SECONDS EAST A DISTANCE OF 477.13 FEET;

THENCE SOUTH 84 DEGREES 15 MINUTES 20 SECONDS EAST A DISTANCE OF 238.02 FEET;

THENCE SOUTH 2 DEGREES 44 MINUTES 54 SECONDS EAST A DISTANCE OF 138.71 FEET;

THENCE SOUTH 86 DEGREES 32 MINUTES 05 SECONDS EAST A DISTANCE OF 112.06 FEET
TO THE POINT OF BEGINNING.

SAID AREA CONTAINS 196751 SF, 4.52 ACRES, MORE OR LESS AND IS SUBJECT TO EASEMENTS
AND/OR OTHER DEED RESTRICTIONS. SEE A CURRENT TITLE REPORT FOR MORE DETAILED
INFORMATION.

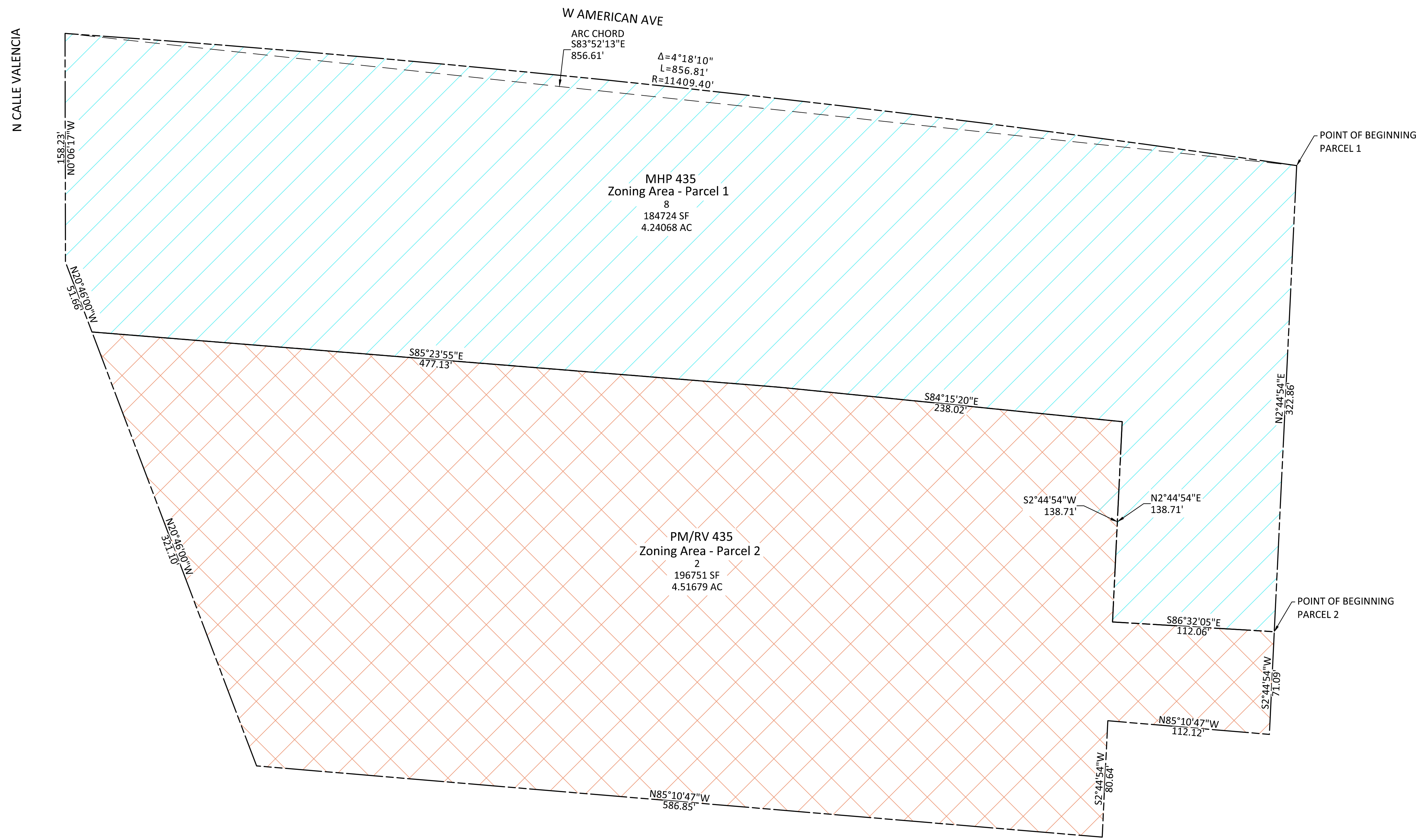


REVISION	DATE	BY

McDougal McDevcom
Planning for successful projects.
 4624 East Marilyn Road, Phoenix, AZ 85032 602.619.9900
 Civil Engineering - Land Surveying - Construction Management




ORACLE VALLEY ESTATES LLC
 PC APN 308-56-0300 & 308-56-0290
 ZONING EXHIBIT
ZONING AREA MAP
 2145 W AMERICAN AVE, ORACLE
 PERMIT NO. TBD
 PINAL COUNTY, AZ 85623



LAND USE SUMMARY

GROSS AREA	SF	ACRES	PC APN
PARCEL 1	44501	1.02	308-56-029
PARCEL 2	336974	7.74	308-56-030
Total	381475	8.76	

	SF	ACRES	
SPACES	277608	6.37	
OPEN SPACE	103867	2.38	37%
Total	173741	4.05	

ZONING AREA	SF	ACRES	PARCELS
1 MHP 435	184724	4.24	PARCELS 1&2
2 PM/RV 435	196751	4.52	PARCELS 1&2
SEESHEET 2	Total	8.76	

- NOTES:**
 1. MHP 435 SPACES 4000 SF MIN. PER FC CODE
 2. PM/RV 435 SPACES 2000 SF MIN. PER FC CODE

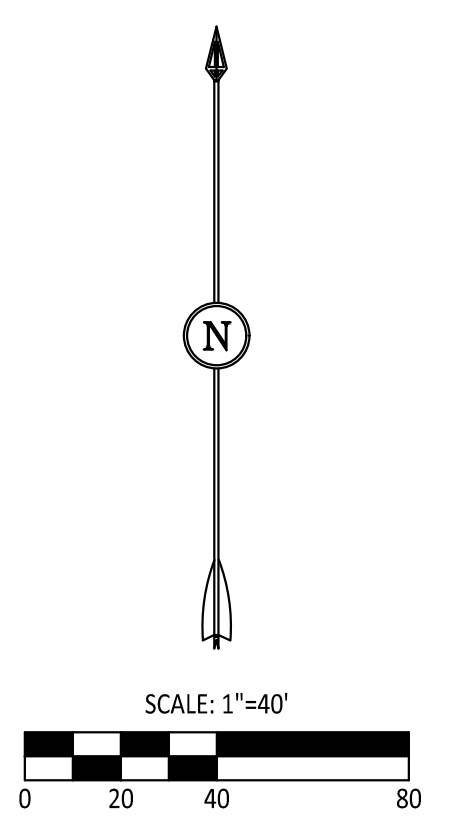


EXHIBIT B

PZ-PD-036-21 STIPULATIONS

1. The stipulations enumerated herein pertain to the area described in case PZ-036-21 & PZ-PD-036-21;
2. Approval of this PAD (PZ-PD-036-21) 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;
3. Oracle Valley Estates Planned Area Development (PAD) Overlay District (PZ-PD-036-21) is to be developed as shown by the conceptual site plan/development plan dated August 22, 2024, along with the other supplementary documentation in accordance with the applicable criteria set forth in Chapter 2.176 of the Pinal County Development Services Code;
4. Approval of this Planned Area Development (PAD) Overlay District is contingent upon the Board of Supervisors zone change approval as set forth in Planning Case PZ-036-21;
5. The applicant/property owner shall provide a revised PAD Book, Site Plan, and Open Space and Recreation Plan addressing concerns and deficiencies expressed by staff and agreed upon by the Commission.
6. 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;
7. 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;
8. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
9. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;
10. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval. The approved Drainage Report and drainage plan shall include provisions to accommodate offsite runoff and shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer;
11. A Traffic Impact Analysis (TIA) or Traffic Impact Statement (TIS), as applicable, will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA or TIS shall be in accordance with the current Pinal County TIA or TIS Guidelines and shall be approved prior to the Site Plan approval. Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis or Statement) for these roads shall be the responsibility of the applicant; and
12. The Oracle Valley Estates development shall comply with all current codes, regulations, and County requirements, as confirmed through the site plan approval process. Said codes etc. shall supersede any deficiencies as stated in materials provided by the applicant.