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

ORDINANCE NO. 2025-PZ-022-24

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING THE REZONING FOR PROPERTY LOCATED EAST OF N. WHITE ROAD, AND SOUTH ALONG W. PAPAGO ROAD IN UNINCORPORATED PINAL COUNTY NEAR THE CITY OF MARICOPA (TAX PARCEL 510-64-005), FROM CB-2 GENERAL BUSINESS ZONE TO C-3 GENERAL COMMERCIAL ZONING DISTRICT, AS REQUESTED IN THE PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. PZ-022-24; 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 March 29, 2024, the Pinal County Community Development Department received an application from Rand Del Cotto, Papago Properties LLC, landowner, and Larry Lazarus, Lazarus & Silvyn, P.C. agent, requesting the rezoning of a 3.3± acre parcel from CB-2 General Business Zone to C-3 General Commercial Zoning District located east of N. White Road, and south along W. Papago Road in unincorporated Pinal County near the city of Maricopa (tax parcel 510-64-005), and legally described in the attached **Exhibit "A"** (the "**Property**"), for operating a marijuana dispensary on the Property (the "**Rezoning Application**"); and,

WHEREAS, on December 19, 2024, the Pinal County Planning and Zoning Commission held a public hearing on the Rezoning Application, under case no. PZ-022-24, and following the public hearing, voted 8-0 in favor of forwarding a recommendation of approval of the Rezoning Application to the Board subject to thirteen (13) Stipulations as set forth on the attached **Exhibit "B"** (the "**Stipulations**"); 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 Pinal County Board of Supervisors as follows:

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ORDINANCE NO. 2025-PZ-022-24

Section 1: The Rezoning Application requesting to rezone the Property legally described in the attached **Exhibit "A"** from CB-2 General Business Zone to C-3 General Commercial Zoning District is hereby approved and the Property is accordingly rezoned subject to the thirteen (13) Stipulations 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 5th day of February 2025, 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. 2025-PZ-022-24

[Legal Description of the Property]

PARCEL NO

APN # 510-64-005

Lot 93 of Papago Buttes Rancho Unit Two, according to the map of record in the office of the County Recorder of Pinal County, Arizona in Book 18 of Maps and Plats at Page 27.

EXHIBIT "B"

TO

ORDINANCE NO 2025- PZ-022-24

(Stipulations of Approval)

1. Approval of this zone change (**PZ-022-24**) 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. 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 Division;

3. The applicant is responsible for complying with all requirements/licenses for Medical Marijuana dispensary as required by DHS regulations prior to the commencement of business operations;

4. All proposed outdoor lighting must conform to the Lighting Zone 3 requirements of the Pinal County Development Services Code;

5. Dust registration is required if 0.1 acres or more land is disturbed;

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

7. 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;

8. A Traffic Impact Analysis (TIA) or Traffic Impact Statement (TIS) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan submittal for review and approval. 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. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat approval;

9. Any additional right-of-way dedications needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) for any roadways shall be the responsibility of the applicant. All roadway and infrastructure improvements shall be in

accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

10. All right-of-way dedication shall be free and unencumbered;

11. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer;

12. Drainage/irrigation canals/ditches in project-dedicated Right of Way, will be required to be under grounded prior to dedication; and

13. If offsite improvements are required to be completed by the project per the Traffic or Drainage report, an offsite plan for the improvement is required with the first submittal of the site plans.