

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

ORDINANCE NO. 2024-PZ-PD-025-23

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS TO ALLOW A PLANNED AREA DEVELOPMENT (“**PAD**”) OVERLAY ZONING DISTRICT KNOWN AS THE HERNANDEZ PECAN FARM PAD OVERLAY FOR 2.24 ACRES OF CERTAIN PROPERTY SOUTH OF WEST CLAYTON ROAD AND EAST OF NORTH BURRIS ROAD IN UNINCORPORATED PINAL COUNTY (TAX PARCEL: 503-46-006K IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NOS. **PZ-047-23 AND PZ-PD-025-23**; ESTABLISHING AN EFFECTIVE DATE; AND DIRECTING ITS PUBLICATION

WHEREAS, the Pinal County Board of Supervisors (the “**Board**”) is authorized pursuant to Pinal County Development Services Code Chapter 2.176 to consider for approval applications for PAD overlay zoning districts to allow certain flexibility in development standards while conserving and promoting the public health, safety, convenience and general welfare; and,

WHEREAS, on September 20, 2023, the Pinal County Community Development Department received an application from Rose Law Group, PC and Conrad Hernandez, landowners/applicants of certain property described in the attached **Exhibit “A”**, which is incorporated herein by this reference (the “**Property**”), for a PAD overlay zoning district on the Property, known as the Hernandez Pecan Farm Planned Area Development Overlay (the “**PAD Application**”); and,

WHEREAS, on February 15, 2024, the Pinal County Planning and Zoning Commission (the “**Commission**”) held a public hearing on the PAD Application, 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 overlay zoning district (the “**Public Hearing**”); and,

WHEREAS, following the Public Hearing the Commission voted 9-0 in favor of forwarding a recommendation of approval of the PAD Application to the Board with 17 Stipulations of Approval, as set forth in the attached **Exhibit “B”** (the “**Stipulations**”).

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

///

ORDINANCE NO. 2024-PZ-PD-025-23

Section 1: The PAD overlay zoning district requested by the PAD Application is hereby approved subject to the Stipulations set forth in the attached **Exhibit "B"** and shall be applied to the Property legally described and depicted in the attached **Exhibit "A"**.

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 3rd day of April, 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"

A portion of the Northwest quarter of the Northwest quarter of the Northwest quarter of Section 24, Township 6 South, Range 5 East, of the Gila and Salt River Meridian, Pinal County, Arizona.

COMMENCING at a Nail marking the Northwest corner of Section 24, from which a Brass cap marking the North quarter of Section 24 bears South 89°59'35" East, a distance of 2649.42 feet, AND from which a ½" Iron Pipe marking the West quarter corner of Section 24 bears South 00°28'03" East, a distance of 2641.84 feet. Thence from said Northwest corner Section 24, South 89°59'35" East, a distance of 530.35 feet to a point (monumented 33 feet South by a 5/8" Rebar with Aluminum cap RLS #37512) being the Northwest corner of the Subject Parcel and THE POINT OF BEGINNING.

Thence continuing South 89°59'35" East along the North boundary of the Northwest quarter of Section 24, a distance of 132.01 feet to a point (monumented 33 feet South by a 5/8" Rebar with Aluminum cap RLS #37512) being the Northeast corner of said Subject Parcel;

Thence South 00°29'54" East along the East boundary of the Northwest quarter of the Northwest quarter of Section 24, a distance of 660.72 feet to an Aluminum cap "Hansen Bunger Hansen" RLS #20358 marking the Southwest corner of said Subject Parcel and a 1/64th Section corner;

Thence North 89°58'15" West along South boundary of the Northwest quarter of the Northwest quarter of Section 24, a distance of 298.70 feet to a 5/8" Rebar with Aluminum cap RLS #37512 marking the Southwest corner said Subject Parcel;

Thence North 00°28'03" West parallel to and 364.00 feet East of the West boundary of the Northwest quarter of Section 24, a distance of 328.32 feet to a 5/8" Rebar with Aluminum cap RLS #37512 marking a corner of said Subject Parcel;

Thence South 89°24'37" East, a distance of 166.54 feet to a 5/8" Rebar with Aluminum cap RLS #37512 marking a corner of the Subject Parcel;

Thence North 00°29'54" West, parallel to and 132.00 feet West of the East boundary of the Northwest quarter of the Northwest quarter of the Northwest quarter of Section 24, a distance of 333.98 feet to THE POINT OF BEGINNING.

Exhibit "B"

1. The stipulations listed herein pertain to the area described in case PZ-PD-025-23;
2. Approval of this PAD (PZ-PD-025-23) 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. Hernandez Pecan Farm Planned Area Development (PAD) Overlay District (PZ-PD-025-23) is to be developed as shown by the site plan/development plan dated August 2023, 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-047-23;
5. 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;
6. 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;
7. The PAD narrative dated December 5, 2023 shall be amended to reflect standards for minimum front yard setbacks of 20 feet.
8. A Minimum six foot wall constructed with wood or like material or view fencing as approved by Community Development Department shall be constructed along the east, west and south property lines.
9. Minimum side yard setbacks shall be 15 feet.
10. Mature dense landscaping shall be located along the rear east side and rear yard planted at 10 feet off-center.
11. Required parking shall be calculated at one parking stall per three seats.
12. The primary access road from Burriss Road east to the entrance of the development shall be paved to a minimum all-weather access standard to support the proposed traffic volumes and to provide dust abatement. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
13. A Traffic Impact Statement will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIS shall be in accordance with the current Pinal County TIS Guidelines and shall be approved prior to the Site Plan Approval;

14. Any additional right-of-way dedications needed for the any required infrastructure improvements (as identified in the approved Traffic Impact Statement) 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;
15. All right-of-way dedications shall be free and unencumbered;
16. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the County Engineer;
17. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal or review and approval to ensure provisions have been made to accommodate offsite runoff and to ensure onsite retention of storm water runoff or as approved by the County Engineer.