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AUGUST 25, 2021 - BOS APPROVED
Ordinance No. 2021-04



**OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Virginia Ross**

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

ORDINANCE NO. 2021-PZ-C-004-21

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS AMENDING TITLE 2, ZONING, OF THE PINAL COUNTY DEVELOPMENT SERVICES CODE BY AMENDING SECTIONS 2.360.010, 2.360.020, AND 2.360.030 OF CHAPTER 2.360 - MULTI-PURPOSE COMMUNITY MASTER PLAN (MP-CMP) ZONING DISTRICT, ESTABLISHING AN EFFECTIVE DATE; AND DIRECTING ITS PUBLICATION

WHEREAS, the Pinal County Board of Supervisors ("Board") is authorized pursuant to Arizona Revised Statutes §§ 11-251 and 11-811, *et. seq.* to adopt, among other things, zoning ordinances including zoning districts in order to conserve and promote the public health, safety, convenience and general welfare; and

WHEREAS, on February 10, 2010, the Board adopted Ordinance No. 2010-021010-DSC, recorded in the Official Records of the Pinal County Recorder on February 16, 2010 as Fee No. 2010-013901 approving the codification of the Pinal County Development Services Code (the "Code"); and

WHEREAS, the Pinal County Zoning Ordinance is codified in Title 2, Zoning, of the Code ("Title 2"); and

WHEREAS, the Board has determined it is in the best interest of the County to amend the text of Title 2 by changing certain requirements governing use elements, central components, and distances in Sections 2.360.010, 2.360.020, and 2.360.030 of Chapter 2.360 - Multi-Purpose Community Master Plan (MP-CMP) Zoning District; and

WHEREAS, the Pinal County Planning and Zoning Commission held a public hearing on this Ordinance on July 15th, 2021, giving no less than 15 days' notice thereof and forwarded a recommendation of approval to the Board; and

WHEREAS, the Board held a work session on this Ordinance on July 7, 2021 and held a public hearing on this Ordinance after the aforesaid work session on August 25, 2021, giving no less than 15 days' notice thereof; and made copies of this Ordinance available to all Justice Courts, Supervisors' District Offices, the Office of the Clerk of the Board and the County web site at least 15 days prior to the aforesaid public hearing.

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

Section 1: Title 2, Zoning, of the Pinal County Development Services Code is hereby amended by amending Section 2.360.010. - Legislative intent and purpose, to read as follows:

2.360.010. - Legislative intent and purpose.

A. The MP-CMP zoning district is established to provide an alternative to conventional residential, commercial and industrial zoning districts by promoting imaginative and innovative planning consistent with the goals, objectives and policies of the comprehensive plan and this title by permitting flexibility in the development standards for large multi-purpose developments that possess at least three of the following characteristics:

1. A central component involving a sporting, recreational or open space, entertainment, amusement, cultural, industrial or transportation facility;
2. Planned multimodal transportation systems;
3. Coordinated residential, commercial, industrial and public facility uses intended to complement the central component; and
4. Exemplary examples of thoughtful innovative design construction and agglomeration of land uses.

B. The MP-CMP zoning district is intended to accomplish the following purposes:

1. Permit and encourage innovative land development while maintaining appropriate limitations on the character and intensity of use and assuring compatibility with adjoining and proximate properties;
2. Permit greater flexibility within the development to best utilize the features of the particular site, in exchange for greater public benefits than could otherwise be achieved through standard development under this title;
3. Ensure that larger, multi-purpose planned developments or employment centers function as integrated communities, with exemplary community amenities and benefits and with enhanced design not required or available in standard subdivision development;
4. Encourage integrated and unified design and function of the various uses comprising the MP-CMP;
5. Encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infrastructure and land use compatibility; and
6. Foster a strong sense of community based on the distinctive character of the development and a shared physical and economic environment.

(Ord. No. [PZ-C-001-16](#), § 1)

Section 2: Title 2, Zoning, of the Pinal County Development Services Code is hereby amended by amending Section 2.360.020. - Applicable existing zoning districts and relationship to comprehensive plan, to read as follows:

Section 2.360.020. - Applicable existing zoning districts and relationship to comprehensive plan.

- A. An application to rezone to a MP-CMP zoning district may be submitted only for land located within a rural zoning district or combination of rural zoning districts. Approval of a MP-CMP is required prior to development in a MP-CMP zoning district. An approved MP-CMP establishes the location and character of the uses and the unified overall development of individual development areas and phases within the MP-CMP zoning district. The MP-CMP shall be adopted by the county together with an approved development agreement between the county and the applicant/master developer.
- B. Projects developed under a MP-CMP zoning district are only appropriate for, and deemed to be in conformance with, areas designated in the county's comprehensive plan land use plan map as either:
 - 1. Employment; or
 - 2. Employment combined with primary airport or secondary airport designations, airport reserve, aviation based commerce center, high intensity activity center or general public services and facilities in any combination; provided, that the employment designation is no less than 50 percent of the total project area.

At the time of the approval by the county of the MP-CMP, the land shall be designated on the county's comprehensive plan land use plan map consistent with one of the above land use designations.

(Ord. No. [PZ-C-001-16](#), § 1)

Section 3: Title 2, Zoning, of the Pinal County Development Services Code is hereby amended by amending Section 2.360.030. - Minimum Land/Development Requirements, to read as follows:

2.360.030. - Minimum land/development requirements.

The minimum land/development requirements for a MP-CMP zoning district are:

- A. The land has not less than 1,000 contiguous acres under the ownership or exclusive control of a single legal entity who shall be the applicant/master developer for the entire project;
- B. The land has direct access to a principal arterial or higher roadway classification and is located within one mile of a proposed or existing high capacity roadway interchange or higher roadway classification;
- C. The development contains a central component comprised of a regional, sporting, recreational or open space, entertainment, amusement, cultural, or industrial or transportation facility;
- D. The development includes planned multimodal transportation systems; and
- E. The development includes at least three of the following elements: coordinated residential, commercial, industrial or public facility uses intended to complement the

central component, except that industrial uses must be located at least 660 feet from the property boundary of an existing residential use or platted subdivision exterior to the MP-CMP on the date the zoning district is established, or 1,000 feet if the existing residential use or platted subdivision is zoned for lots less than 20,000 square feet.

(Ord. No. PZ-C-001-16, § 1)

Section 4: This Ordinance shall take effect 30 days after the date of its adoption.

Section 5: 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 25th day of August, 2021, 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