



**Planning & Development**

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January 25, 2024

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Phoenix, Arizona 85004-4633

SUBJ: Maricopa County Case Number Z2021007

On January 24, 2024, the Maricopa County Board of Supervisors approved your request for a Zone Change from Rural-43 to C-3 CUPD for Montana Tractor & Plow Company. The subject site consists of approx. 4.7 acres and is generally located 350 ft east of the NEC of Happy Valley Rd. and 11<sup>th</sup> Ave. alignment in the north Phoenix area. The approval is subject to the following conditions:

- a. Development of the site shall be in conformance with the Narrative Report entitled "Team Tractor Ranch", consisting of 4 pages, dated and stamped received August 16, 2021, as modified to correct certain typographical errors revising the narrative to correctly reference C-3 CUPD zoning in the Development Standards Table along with updates to the C-3 CUPD table as listed in condition 'd'.
- b. The following Planning Engineering conditions shall apply:
  1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to number of proposed building lots/units, drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
  2. A traffic impact study (TIS) must be submitted with future entitlement (such as POD) application.
  3. Happy Valley Road is within the jurisdiction of the City of Phoenix. The applicant will be responsible for coordinating with the City to review any traffic impact, right-of-way dedication, permitting or roadway improvement requirements.
  4. Engineering review of re-zone cases is conceptual in nature. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.



- c. The CUPD overlay is applied to restrict the use of the site to farm-related vehicles and equipment leasing, rentals, and sales and similar uses as approved by the County Zoning Administrator, but not including equipment customarily used for heavy construction.
- d. The following C-3 CUPD standards shall apply:
  - 1. Site Screening: 8' CMU block wall shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary. In addition, there shall be a 10' strip of landscaping provided along the exterior of said wall with 24" box trees planted 20' apart on center in substantial conformance with the site plan entitled "Team Tractor" consisting of one page dated and stamped received November 4, 2021. Landscaping shall be maintained.
  - 2. Elimination of sight visibility triangle at the NWC of Happy Valley Rd. and 9<sup>th</sup> Ave.
  - 3. 10' min. west side setback
  - 4. 25' min. rear setback
- e. Required parking spaces, tractor/equipment display areas and the primary site access shall be concrete or paved or may be alternatively surfaced with ABC material rolled and compressed with a liquid asphaltic binder/emulsifier.
- f. Outdoor storage areas and internal driveways shall be concrete or paved, storage areas may be alternatively surfaced with ABC material.
- g. Administrative approval of a Plan of Development will be required prior to approval and issuance of construction permits to develop and establish use of the site. Prior to issuance of a building permit, written confirmation will be required from the emergency fire protection jurisdiction having authority that the facility has been designed in accordance with their regulations and requirements, and that emergency fire protection service will be provided to the facility. Prior to issuance of the certificate of occupancy, local fire protection jurisdiction review and approval will be required. Prior to issuance of a building permit, written confirmation will be provided that the site is served by a public water system.
- h. Prior to Zoning Clearance for construction permits, the applicant shall provide a copy of City of Phoenix approvals to Maricopa County Planning and Development Department for the right-of-way improvements to Happy Valley Rd.



- i. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- j. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

Please feel free to call me if you have any questions at 602-372-0318.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a series of loops and a long horizontal stroke extending to the right.

Rachel Applegate, Senior Planner  
Maricopa County Planning and Development