

Rio Verde Horsemen's Association
General Meeting
June 7, 2012

Attendees: 21 members signed in at the meeting. Marjorie mentioned there were a few late comers who may not have signed in.

Officers and BOD present:

Mo Wachman, Marjorie Porter, Ray Wallage, Terry Stecyk, Claudia Jordan

Guest Speakers:

Don Stapley – Supervisor, District 2

Valerie Beckett – Ombudsman/Citizen Liaison for Maricopa County Planning and Development

Tim Phillips – Chief Engineer and General Manager for Maricopa County Flood Control District

Meeting was held at the Florence Ely Nelson Desert Park.

Meeting was called to order at 6:40 pm.

Mo welcomed the attendee members and introduced the Officers and BOD present. The RVHA Mission Statement was read. She gave a nice speech about her vision for the RVHA this year and thanked members for the support and confidence they have placed in her as President as well as the entire BOD. Mo invited members to submit questions to the Board and welcomes their input.

Don Stapley was introduced. He stated he appreciates all the efforts of the RVHA and their role in the community. He feels the Rio Verde Foothills area is a pristine area which needs to be protected and a preserved rural environment. He stated Maricopa County is the 4th largest county in the USA and feels is the best run county government in the nation. He stated he will not run for a 6th term and encouraged members to get to know the 2 candidates on the ballot before voting.

Don introduced Valerie Beckett. She stated the trend is for regulations to be reflective of public opinion. The swing in their department is to have LESS regulation, not more.

Q – Can horse shades be constructed without a permit?

A – Yes, if they are 200 sq ft or less they do not require a building or drainage permit. If electricity/water are added, then they will still need to be permitted.

Disclaimer: "all proposed building and fencing should be cleared through county as rules change and your situation may be different."

Q – Do I need to include my dog runs and goat pens on the site plan?

A – Yes, as it is a land usage issue. Often these only pose a problem if a neighbor complains.

Q – Is the time to comply on a violation issue 1 year?

A – Each case is unique. Best to contact Valerie and she will provide the support you'll need to help get you into compliance.

Senna Wallage stated her appreciation of the county employees she has had contact with and said they were very helpful and supportive with all her questions during her dealings with the planning department.

Q – Ag use permits and paperwork seem to be confusing, complex and time consuming.

A - Valerie brought handouts for those interested. The process has been simplified. One notable change to take place in August is the *in business* requirement has decreased from 7 to 3 years of use before being eligible to apply for the permit. It is also now easier for a boarding facility to get an Ag permit.

Q – Do open rail mare motels need to be permitted.

A – **IF** the stalls are 200 sq ft or under, and are **NOT CONNECTED** (minimum of 1 foot of space between stalls and cover) then they DO NOT need to be permitted.

E-Mail Answer for clarification: Hi Terry. Neither a building permit nor drainage clearance is required for structures that are 200 sq. ft. or less. The caveat is that these structures must still meet property setback requirements, not contain electrical, plumbing or mechanical components/service, and not be in a drainage retention area or wash.

Often owners have more than one mare motel. If they are linked, attached or combined, then it is one structure and the total square footage would have to be determined. If over 200 sq. ft., a permit would be required. To apply, a site plan (7 copies at time of application) and construction details (3 copies/sets are needed at time of application) are needed.

If the mare motels are 200 sq. ft. or less and are independent of each other and separated by at least 12” or 1’, and they meet the item mentioned in the first paragraph, a permit would not be required.

Typically there is no overhang on mare motels. For those 200 sq. ft. storage structures, a 1’ overhang would not be factored into the overall sq. ft. Again, the structures must still meet property setback requirements, not contain electrical, plumbing or mechanical components/service, and not be in a drainage retention area or wash.

Three other recent changes that received a positive response were:

- 1) Side yards are not treated as rear yards in that the side yard setback has been reduced to 3’ for accessory buildings as long as no more than 30% is covered.
- 2) The minimum distance between structures has been removed in rural and residential zoning districts. Prior to the change, the minimum distance between structures was 15’.
- 3) The continuing use date or ‘grandfather’ date was changed to 1/1/2000. Prior to the change, the established date was 1969. Now, if an owner can prove the structure was in place prior to 2000, it is likely to qualify for a Legal Non-Conforming status, which is a much simpler process (it is considered a land use case rather than a permitting issue).

Tim Phillips of Flood Control was introduced. He stated their primary mission is to keep water from coming in your front door and going out the back. They are a consumer service business and are here to serve the citizens.

Q – Several questions were asked about Reata Ranch and its impact on the flood plain.

A – City of Scottsdale is the least cooperative of cities in regards to development flood plains and their impact on other areas. They manage their own flood plain and do not work with the County. Tim’s office is aware of the impact Reata Ranch and other developments could have on residents east of those developments. The best way to “fix the problem” is to not let it happen. He may not be able to fix this problem. He will do his best to work with the developer. Residents may have to be prepared to take legal recourse if their home/property is affected.

Update via email: My department is talking with Scottsdale and will be reviewing the data they provide. There are two proposed development projects that will be dude ranches that will drain to Rio Verde. One is named Reata Ranch, near Rio Verde Dr. and 132nd St, and the other is Sereno Canyon, near Pinnacle Peak Road and 128th St. Once we receive the reports and have taken a look I can get back with you regarding how they could/should/would be dealing with drainage. Tim

Q - Through increased development and density changes in the Rio Verde Foothills areas, even with people in compliance and obtaining proper permits, is this adversely impacting/changing the flood plain?

A – Yes to some degree but there are regional drainage standards. If washes are not changed, the impact is lessened. Walls pose an issue and can often spit drainage flow. If you see someone affecting drainage and it has an impact on your property, make a complaint and it will be investigated.

Q – Where did the current 100 year flood event model come from?

A – It comes from FEMA. The county uses the formula to plug in rainfall amounts over the years to calculate what is called a 100 year possibility. They can then determine from the slope of the land and topographical maps where the water will go. This is the flood plain and based on this, the county can determine whether anyone can build or not.

Email answer: The quick answer to the question on the model for the current 100 year flood plain starts first with FEMA adopting many years ago that Flood Plain Management would be based on a 1% chance rainfall event typically referred to as the 100 year storm. NOAA (National Oceanic and Atmospheric Association) then sets, based on historical data, what a 100 year rainfall would be. The 100 year rainfall is different in different parts of the country but also different in local regions. For example the 100 year rainfall in Rio Verde is higher than say Gila Bend. Generally within Maricopa County the 24hour rainfall for the 100 year event could be from 3.5 to 4.5 inches in a 24 hour period. Rainfall generates runoff so the models that define how the rain event would be impacted by terrain, vegetation, soil, land use and other general geographic features to define the 100 year runoff. The 100 year runoff is then the basis for floodplain delineation.

Q - Can we build an open rail pipe fence that doesn’t impact drainage without a permit?

A – NO. You must still get a permit. It is a drainage clearance issue.

Q – Can I have a concrete slab poured at the end of my driveway without a permit?

A – NO, it must be engineered and permitted.

Q – Roads and easement issues were discussed.

A – Best to contact Valerie with more details as each case is unique. Don Stapley did state there are permanent roads, even in our unincorporated area. People cannot block them. Make a complaint and each case will be investigated. Speakers agreed safety and emergency vehicle access was a major concern where roads were blocked (i.e. Villa Cassandra).

Q – Ag exempt properties mixed into residential and their impact on surrounding residential properties.
A – As they are Ag exempt, the rules governing them protects them. They do feel for residents who now have to contend with a large herd of cattle and the smells that come with them. They are not supposed to change water flow in and out of property. If they have, then complain and each case will be investigated. Same for fences if they have limited access for emergency vehicles to get to surrounding properties.

Don Stapley asked if the meeting could conclude at 8:00 pm as each speaker had a 45 minute drive home. Mo then thanked the guests and directed attendees to contact the individuals with further questions. Speakers said they'd be happy to return another time if there was interest.

Meeting concluded at 8:15 pm.

A guest member stated: "I did not think this was going to be a fun meeting but I've really enjoyed this one."

Contact information for the guest speakers:

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Submitted by Terry Stecyk
RVHA Board of Directors