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PINAL COUNTY PLANNING AND ZONING COMMISSION  
(PO NUMBER 233382)

Regular Meeting  
9:00 a.m.  
Thursday, October 15, 2015  
EOC Room - Building F  
31 N. Pinal St., Florence, Arizona

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ORIGINAL PREPARED FOR:  
PINAL COUNTY, ARIZONA

1 RIGGINS: We'll go ahead and call the regular  
2 meeting of the Pinal County and Zoning Commission to order.

3 AGUIRRE-VOGLER: So where's Steve?

4 RIGGINS: Where is Steve?

5 ??: He's on vacation.

6 DENTON: On vacation.

7 RIGGINS: Oh, okay.

8 AGUIRRE-VOGLER: Dedrick, are you doing it, or?

9 DENTON: No, Ashlee will be running the meeting.

10 RIGGINS: Oh, Ashlee?

11 AGUIRRE-VOGLER: Where is she?

12 MACDONALD: Good morning.

13 RIGGINS: I see the second order of business on the  
14 agenda is election of Chair and Vice Chair.

15 SALAS: Why don't we take care of that first?

16 RIGGINS: We'll take care of that right now.

17 AGUIRRE-VOGLER: Okay, I'll make -

18 RIGGINS: So is there a motion from the -

19 AGUIRRE-VOGLER: I'll make a nomination or a motion  
20 to actually keep it status quo, if you don't mind, if the two  
21 Chair and Vice Chair will accept their position again, I'm  
22 going to nominate it's status quo.

23 GRUBB: I second that.

24 MORITZ: I second it.

25 RIGGINS: Okay, we have a motion and we have a

1 second. Everybody in favor signify by saying aye.

2 COLLECTIVE: Aye.

3 RIGGINS: All opposed? Okay, well thank you all  
4 very much. We'll continue with status quo, then. Our next  
5 agenda item is a discussion of Action Item Report. And I  
6 would assume that would be Ashlee.

7 MACDONALD: It is. The action item from the last  
8 meeting is in your packet. I would be happy to answer any  
9 questions that you have regarding that. If there aren't any,  
10 then I can just move onto the item number 4 on your agenda.

11 RIGGINS: Okay, any questions from the Commission?  
12 Appears to be none.

13 AGUIRRE-VOGLER: Remind everybody to turn their  
14 phones down.

15 RIGGINS: Well thank you, Mary. I'll turn mine down  
16 too.

17 AGUIRRE-VOGLER: I just did too.

18 RIGGINS: Yes. Mary just made a comment that we  
19 probably should all remember to take care of our cellphone  
20 issues. And I shall. Okay. Report on Board of Supervisors  
21 Action on P & Z cases.

22 MACDONALD: The only Board items that have gone  
23 since your last Commission meeting was on September 23<sup>rd</sup> -  
24 that's not on your agenda - that was Saddlebrooke Ranch, which  
25 the Commission saw just at your September meeting, the

1 Commission recommended approval, and the Board adopted that  
2 recommendation of approval. So that is it for items on the  
3 Board agenda.

4 RIGGINS: Okay.

5 SALAS: I move for adjournment.

6 RIGGINS: Now Frank.

7 ??: Second.

8 RIGGINS: We got to finish my coffee anyway. All  
9 right, the next is the Planning Manger's Discussion Items.

10 MACDONALD: I actually am going to just quickly jump  
11 ahead to the reappointment of Commissioner Salas. That was on  
12 the August Board hearing, or Board meeting, and Commission  
13 Salas was reappointed until August of 2019, with -

14 RIGGINS: Congratulations.

15 [Applause.]

16 MACDONALD: And the second item that we have listed  
17 there, administrative review of tentative plant extensions,  
18 I'm going to turn that over to Dedrick.

19 DENTON: Good morning, Mr. Chairman and Members of  
20 the Commission. I would like to take this moment just to  
21 announce to the Commission that there's been a change in the  
22 way that we're going to process the plat extensions for  
23 subdivisions that are under the old subdivision regulations.  
24 It was determined by our legal counsel that since in 2007 we  
25 adopted the current subdivision regulations, it repealed the

1 old so they no longer exist. So I just wanted to announce to  
2 the Commission that we're going to process subdivisions that  
3 was approved under the old regs, under the current subdivision  
4 regulations, which basically means they can ask for one  
5 request for an additional year. So you guys are no longer  
6 going to see the older extension request, except for the ones  
7 that have a development agreement, and that development  
8 agreement locks them to the old code. And I believe we might  
9 have like one or two of them out there, so overall you're not  
10 going to see too many extension requests for old tentative  
11 plats, that they're going to be processed under the current  
12 subdivision regulations.

13 RIGGINS: Okay, questions on that.

14 HARTMAN: Yes.

15 RIGGINS: Vice Chair Hartman.

16 HARTMAN: Chair Riggins, Planner Denton. Excuse me  
17 - Planner Denton what - who's going to do the review of that  
18 now?

19 DENTON: That will be handled through staff and our  
20 director.

21 HARTMAN: Okay. So we were kind of having some  
22 questions in the Commission after we've done it for like six,  
23 seven, eight, ten years and whatever, and we were kind of  
24 wondering if we should not limit this or whatever. So you  
25 will be the ones, staff will be the ones that makes that

1 decision now.

2 DENTON: That is correct. Except for the ones that  
3 have a development agreement -

4 HARTMAN: Yes, I got that.

5 DENTON: - you guys will continue to see those.  
6 Other than that, it's going to be handled through staff and  
7 our director.

8 HARTMAN: All right, thank you. Thank you Chair.

9 DENTON: That's per code.

10 ??: (Inaudible).

11 DENTON: Yes, the current subdivision regs.

12 RIGGINS: So any other Commissioners with questions?  
13 I have one. So what will be the parameters of a reissuance of  
14 a tentative plat after it's expired then?

15 DENTON: Well, there's a couple in the code,  
16 parameters that the director has to follow. One of them he  
17 can look at if there's been a substantial change in the area  
18 that surround the tentative plat and how it affects the  
19 layout, he could deny the request based off of that. And then  
20 if there haven't been any activity done, which means that if  
21 they haven't submitted a final plat and they're currently are  
22 not working on it, then he can deny their request. So they  
23 have to be actively processing a final plat in order to get it  
24 extended, and the conditions in the areas hasn't changed, that  
25 would require a change in their layout. And then what

1 basically happens if it gets denied by the director, then they  
2 would need to come through you guys to get it reapproved. It  
3 would be basically just filling out a new subdivision  
4 application, and then come back to P & Z for your  
5 consideration.

6 RIGGINS: Commissioner Salas.

7 SALAS: (Inaudible) going back to square one?

8 RIGGINS: That's, that's correct. Not back down to  
9 the zoning level, but back down to the platting level.

10 RIGGINS: Okay. Just out of curiosity, what was  
11 the, what was the impetus to make this change?

12 DENTON: Back in 2007, the old subdivision code was  
13 repealed by the current code. So it doesn't exist anymore, so  
14 all those rules and regulations that were under the old  
15 subdivision code, doesn't exist anymore.

16 RIGGINS: So the new subdivision code has this  
17 entire time called for the Commission not to review tentative  
18 plat extensions?

19 RIGGINS: Correct. Until we got our opinion from  
20 the - our legal counsel that because it was repealed, that  
21 those should be handled administratively per the current code.

22 RIGGINS: Okay, so this was a legal opinion that -

23 DENTON: Correct.

24 RIGGINS: - initiated this.

25 DENTON: Correct.

1 RIGGINS: Okay.

2 LANGLITZ: Mr. Chair, Mark Langlitz, Deputy County  
3 Attorney. I believe that the legal opinion that Dedrick is  
4 referring to probably came from me. Basically what we did is  
5 we looked at what to do when these extension requests came in.  
6 Now, the old development services code, it was 2007?

7 DENTON: It was in 2007 when the current code was  
8 passed.

9 LANGLITZ: Okay, so the new code was adopted in  
10 2007, so that becomes effective then. The only time we can go  
11 back to the old code is if there's a development agreement  
12 which locks in that old code. Some of the old agreements did  
13 that. It's not a great thing to do, you never want to lock in  
14 any code at any particular time. So now in going forward, the  
15 old code doesn't exist anymore. It's gone. So now under the  
16 new code - and I had no involvement in drafting that - but  
17 these procedures for plat extensions have been in the new code  
18 since, since 2007.

19 RIGGINS: And the procedures in the new code call  
20 for it to be done totally administratively.

21 DENTON: That's correct.

22 RIGGINS: Okay.

23 LANGLITZ: You know, it's just like any time the  
24 County changes its laws, the new laws take effect then.  
25 Otherwise there's - you can't make new law and then say well

1 the old law, you know, we're still going to apply the old law  
2 that -

3 RIGGINS: It sounds like we have an eight year  
4 layover on that particular concept here.

5 LANGLITZ: Well, I don't know. I guess so.

6 SALAS: How many of these do we have grandfathered  
7 in? You say they can go back to the old code, some of these  
8 guys.

9 DENTON: Yeah, there's not too many out there that  
10 has a development agreement. There might be maybe one or two.  
11 I know Robson Ranch development agreement expired, so they no  
12 longer have a development agreement. So it might be like  
13 maybe one or two out there.

14 LANGLITZ: Yeah, some of these old development  
15 agreements had a provision in there that the development of  
16 the property shall be pursuant to the development services  
17 code in effect as of the date of this agreement. So when that  
18 happens, that by contract it freezes in all the old  
19 provisions, so we have to use those. But if there is no  
20 development agreement which does that, the new requirements  
21 come into effect and govern the matter.

22 RIGGINS: Okay. Any other questions concerning this  
23 by the Commission? I have a, I have a request, and I'll run  
24 it by the Commission. Renewal of tentative plats is an issue  
25 that gives us some information on some of the activities that

1 are going on around the County and keeps us up to date on some  
2 of the things that we need to know for doing current  
3 decisions. And I would recommend that if this is the  
4 direction we're going administratively, that we add an agenda  
5 item to our meeting every month to get a report on  
6 administratively, which tentative plats have been renewed or  
7 denied to keep us totally, 100 percent in the loop of exactly  
8 what's going on. Because it's an important part of what we do  
9 and does the Commission consider this to be a -

10           ??: that's good idea.

11           RIGGINS: Valid thing to do?

12           SALAS: An update monthly?

13           RIGGINS: Yes, monthly. Every month, to know  
14 exactly what's happened with tentative plats.

15           AGUIRRE-VOGLER: I think, though, in a way we should  
16 get that ahead of what they're going to say.

17           RIGGINS: I don't know how they can give us  
18 information on what they're going to do before they do it, if  
19 it's an administrative issue. I don't know how they can do  
20 that, and it sounds like we don't have a say in it anyway.

21           AGUIRRE-VOGLER: Well, it comes up.

22           RIGGINS: But I do definitely believe that that is  
23 something that would valuable to retain for an information  
24 base for the Commission.

25           ??: Absolutely, yeah.

1 RIGGINS: Do we, do we have that by acclamation?

2 We're just a consensus?

3 HARTMAN: Yes.

4 RIGGINS: Okay. We would definitely like them, to  
5 see the current meeting format modified to where we get a  
6 report on tentative plats at every regular meeting.

7 SALAS: As part of our agenda.

8 RIGGINS: As part of our agenda.

9 DENTON: If it's acceptable to the Commission, what  
10 I can do - because we don't get them like every month, so we  
11 might go through a little dry - but -

12 RIGGINS: Well, you know, obviously if there's  
13 nothing, there's nothing to say.

14 DENTON: Okay.

15 RIGGINS: No, no, I understand that.

16 DENTON: I was just going to say, every time we get  
17 one in and if it's been approved or denied, then we can inform  
18 the Commission.

19 RIGGINS: Mm hm. And of course in the report, we  
20 would want to know administrative why it was approved, or why  
21 it was denied. You know, that would be part of the format.

22 SALAS: (Inaudible) all you got to do is the status  
23 is the same.

24 RIGGINS: Yeah. If there's nothing there, there's  
25 not an issue.

1 MORITZ: Mr. Chairman? Personally -

2 RIGGINS: Commissioner Moritz.

3 RIGGINS: It's me. Personally I think it's a good  
4 thing. Part of our consternation on these renewals is the age  
5 of the ongoing renewal process. So I like that concept, and I  
6 think would be helpful to know if you have renewed one that we  
7 have worked on in the past, or - and most of them are ones  
8 that have been worked on in the past, obviously. So that  
9 would be nice, just an agenda item that says either we don't  
10 have any, or we have this one and we renewed it under the 2007  
11 forward rules.

12 RIGGINS: And I think I'll - I believe the format  
13 that would be best to issue with this, is have it be a  
14 permanent agenda line item, and it can easily say there were  
15 none this month. But I think it needs to be addressed and  
16 line itemed everything since regular Commission meeting, so we  
17 can keep track of this and we can have an understanding of  
18 what's going on with this, because it's an important function  
19 of what we do.

20 LANGLITZ: Mr. Chair, under the new code, part of  
21 what's going to happen is there will be no lengthy periods of  
22 extensions. Under the new code you get the tentative plat is  
23 good for one year, and then basically if the developer's made  
24 good faith efforts to do something to advance it, you know,  
25 maybe some things out of their control will happen, so you

1 know, they weren't able to complete it, but I think a good  
2 faith showing that they're not just sitting there, then they  
3 can get a one year extension, and that's it. And after that,  
4 then they got to - if the final plat isn't completed by then,  
5 then it's gone and they go back to square one with their plat.  
6 So we won't see these continuous ten year extensions.

7 RIGGINS: But by the same token, what's going to  
8 happen with this is there will be active tentative plats that  
9 might be inactive, but all of a sudden they're going to be  
10 coming off the books. And so areas are going to change with  
11 how they're in title and how fast they can go forward. That's  
12 important information for us to have. It sounds as if what  
13 I'm hearing, that there are a lot of tentative plats out there  
14 that are about to get expired, is what it sounds like to me,  
15 if this administrative process is going to go the way you're  
16 stating.

17 SALAS: Mr. Chair?

18 RIGGINS: Commissioner Salas.

19 SALAS: Seems to me that I'm hearing some noise over  
20 there like they're not in agreement with that.

21 MORITZ: Yeah.

22 SALAS: I don't see what the problem is. You know,  
23 we come up to that agenda item, one or two or whatever it  
24 might be, you say there is no report, the status is the same,  
25 and we go on. If there is a change and there's a report that

1 has to be made, then you go ahead and make the report.

2 DENTON: We don't have an issue with it.

3 RIGGINS: Perfect.

4 SALAS: Okay, let's go on, then.

5 RIGGINS: Then we'll see a new agenda item on the  
6 Commission report starting next month. So that sounds  
7 fabulous.

8 LANGLITZ: My comments weren't intended to reflect  
9 any disagreement with it, just to let you know that these long  
10 term extensions and that shouldn't occur any more.

11 RIGGINS: And again, just as an aside, that means  
12 that there's going to be a lot of things expiring here over  
13 the next year then. Okay. All right. I don't know - I won't  
14 say very good, because I'm sure there's going to be some  
15 people who think that isn't very good, but if that is the  
16 direction that we are going to go, and everybody is  
17 understanding it and cognizant of it, we'll go ahead and move  
18 onto the next agenda item.

19 LANGLITZ: The other possible alternative is if you  
20 wanted to take a look at it - and I don't want to - I'm  
21 starting to get a little bit some concerns about open meeting  
22 law, because this item wasn't on the agenda for action and  
23 that, but it's not - everything that's occurred so far is  
24 fine, but in the future if you wanted the County to take a  
25 look at it, the remedy would be -

1 RIGGINS: Take a look at what?

2 LANGLITZ: Well if you wanted to have plats come  
3 back to the Commission, all you have to do is just revise the  
4 development services code.

5 RIGGINS: Okay.

6 LANGLITZ: I'm just trying to be helpful and provide  
7 options.

8 RIGGINS: And I will state unequivocally that I am  
9 in total disagreement that anything even came close to an open  
10 meeting law issue here, because this is an agenda item that  
11 we're discussing. It was brought up on the agenda, and this  
12 is just a decision of the item, so we're not - there's not an  
13 open meeting law issue here, we're just responding to what was  
14 said.

15 SALAS: How much open can you get? It's on the  
16 agenda in a public meeting.

17 RIGGINS: Okay, very good then. Any - Vice Chair  
18 Hartman.

19 HARTMAN: Chair Riggins, Mark, I appreciate you  
20 making that comment, though, if the Commission felt like we  
21 wanted to have some input into it, we could have input into  
22 it. I - as a Commission Member, I'm kind of shake my head  
23 every time certain obligations of the Commission get taken  
24 away from the Commission, and it's need to hear you say that  
25 at least we can discuss it further. So thank you. That's my

1 comment.

2 MORITZ: Mr. Chairman?

3 RIGGINS: Commissioner Moritz.

4 MORITZ: Just one last comment.

5 RIGGINS: There we are.

6 MORITZ: I have no desire to have control over  
7 anything. I think it - again, I'll repeat, very wise decision  
8 to take the action you've taken, and we look forward to seeing  
9 those listed on the agenda item on the monthly meetings.  
10 Thank you.

11 RIGGINS: Very good.

12 SALAS: Mr. Chairman, one last comment.

13 RIGGINS: Commissioner Salas.

14 SALAS: I just think that we're trying to make  
15 chicken soup out of chicken feathers, so let's get on with our  
16 agenda.

17 RIGGINS: Very good. And we have another comment  
18 from Commissioner Smyres.

19 SMYRES: Just one quick question to staff. Under  
20 the new - or under the system where it expires after the year  
21 or whatever, will the developer be notified that this thing is  
22 fixing to expire in case they've been sitting around twiddling  
23 their fingers for a year?

24 DENTON: No, that's their responsibility.

25 SMYRES: Or, that's their responsibility.

1           DENTON: Right. But since we're making the switch,  
2 what I'm going to do is go back through and see which ones are  
3 active and just notify them to let them know that the process  
4 has changed, so that they can, at least, make an attempt to  
5 give us an extension request if they choose to do so.

6           RIGGINS: Right. And I am very, I'm very glad to  
7 hear that because this is a marked change over what we've been  
8 doing. It would be unfair to catch a bunch of people  
9 unawares.

10          DENTON: That's correct.

11          SMYRES: Thanks, staff.

12          AGUIRRE-VOGLER: One last.

13          RIGGINS: And Commissioner Aguirre-Vogler.

14          AGUIRRE-VOGLER: So, am I hearing that maybe we want  
15 to change the development service code?

16          RIGGINS: I would - and I'll respond to that. I can  
17 see some wisdom in this concept. What I would say we should  
18 do, is we should take all the (inaudible) that we've asked  
19 for, take a look at it, see how it runs for the next few  
20 months and see what we think about it. And then if we decide  
21 to put it as an agenda item, to discuss it further, then we  
22 can.

23          GRUBB: Mr. Chair.

24          RIGGINS: Commissioner Grubb.

25          GRUBB: One very last, and it's directed to Mark.

1 Over the last period of time, from 2007, when this was enacted  
2 that said only a one year extension could occur, how many have  
3 been approved - and I guess this includes staff - that went  
4 beyond that, and therefore may be in violation of the code,  
5 that we have been violating our own code. Because I know  
6 since I've sat on here, we've done two year, and three year  
7 extensions, and if that violates the code, where does that  
8 leave us as a Commission and staff, and you know, the whole  
9 development group, have we been violating our own code, and do  
10 we - and what do we have to do to fix it?

11           LANGLITZ: Mr. Chair, Commissioner Grubb, I don't  
12 know the number, I would have to rely on staff to provide you  
13 with that information. But no, there's been no violation of  
14 the code. It's just a matter of different interpretation, so  
15 those plats that were approved under the prior code, they're  
16 not in any jeopardy of being held to be invalid. They're,  
17 they're good and they will continue up until their expiration  
18 date. So let's say for example earlier this year a plat  
19 extension under the old code was approved for two to three  
20 years, they'll have that two or three years. Then if at the  
21 end of that time they need another extension, the new code  
22 will apply and they will be told okay, you get one more one  
23 year extension, and then that's it, so that the rug isn't  
24 pulled out from underneath them, and they'll know, okay, we  
25 have one year now to decide if we're going to proceed and if,

1 and if it doesn't work out, then after one year we'll have to  
2 go back and do a new tentative plat.

3 GRUBB: Okay, thank you. My concern was that we had  
4 given these extensions, you know, I didn't want to have to  
5 call these developers and say whoops, well sorry. You know -

6 RIGGINS: (Inaudible).

7 GRUBB: Yeah, we gave them something that maybe we  
8 couldn't have, and I just wanted to make sure that I was clear  
9 on that.

10 LANGLITZ: No, no, no, yeah, no we're not doing  
11 that. That's not fair. They're entitled to rely on what  
12 they're agreeing to, and they'll be able to do that.

13 GRUBB: Thank you.

14 RIGGINS: And of course, I'll have one last comment  
15 too. And of course one thing that could not necessarily, but  
16 any means, but one thing that could thing that could happen  
17 from this, is some day we might have an agenda item here for  
18 the industry to come in and have a chat with us about what  
19 they think about this new change. That's always possible too.  
20 So we're entering into a, into a new situation and we'll see  
21 how our new report goes, and we'll see how everybody is  
22 affected, and how it all works forward. So, any other  
23 questions or comments whatsoever? Vice Chair Hartman?

24 HARTMAN: You're moving on up to a new subject, I  
25 hope?

1 RIGGINS: Yes.

2 HARTMAN: Okay. My comment is yes I see a whole  
3 pack of cards that - I want to say this is more cards than I  
4 have for my business, but I look on here and there's two tel -  
5 there's a telephone number and a fax number, and I wondered if  
6 I give this card to somebody, who are they going to be getting  
7 in touch with? With that 866-6442?

8 MACDONALD: Chairman, Vice Chair, that is our main  
9 line, so they will be contacting the Planning Division.

10 RIGGINS: And we certainly wouldn't want our own  
11 personal phone numbers on this, so that is correct.

12 MACDONALD: Correct.

13 HARTMAN: That was a question. Thank you.

14 MACDONALD: That email address on there, as well,  
15 comes to us for our public records requests, so everything  
16 will be directed to staff.

17 RIGGINS: Okay. Perfect. Well, let's, let's go  
18 ahead and get on with the business of the Commission. We have  
19 a continued case. It's case PZ-001-15.

20 MACDONALD: Chair Riggins, before we jump into that  
21 case, if we can just do some quick housekeeping items.

22 RIGGINS: Well certainly.

23 MACDONALD: Just for the benefit of the audience in  
24 case they're here for any particular items. On your agenda,  
25 new case item number 8, Arizona Water Company, there was a

1 notice deficiency on that, so that won't be heard today. That  
2 will come back at a later date. And then also item number 10,  
3 the plat for Morning Sun Farms, there is a continuance request  
4 on that to our November 19<sup>th</sup> hearing. So if the Commission  
5 would like to take action on that and move that forward, you  
6 can certainly do that, or we can move onto the continued case.

7 RIGGINS: Okay, so we're being ask to continue that  
8 case?

9 MACDONALD: Correct.

10 HARTMAN: It's a continuance, yeah.

11 RIGGINS: Okay, well we can do it in order. We can  
12 do it in order. Okay? Any other housekeeping issues?  
13 Anything else?

14 MACDONALD: That's it.

15 RIGGINS: Okay. Well then let's go on to PZ-001-15.

16 MACDONALD: Thank you. This is a case that you have  
17 had on your agenda for a couple of months now. This was  
18 continued last month to today. The request is for approval of  
19 a rezone from CR-3/PAD, and CB-2/PAD to I-3, and approval of a  
20 Planned Area Development Overlay District for the Resolution  
21 Copper Concentrate Transfer Facility. It's on 559.88 acres  
22 located on the north side of Skyline Drive, two miles east of  
23 the Felix Road alignment. The applicant is Integrity Land and  
24 Cattle with Rose Law Group acting as their agent. The  
25 property is, as you can see on this map, on the northern

1 portion of the County. It is west of Highway 79, on the north  
2 side of Skyline Road. It's surrounded largely by State Land.  
3 You can see at the northwest corner of that section is some  
4 privately-held property that is residentially zoned. Skyline  
5 Road is the southern boundary, and you can see the railroad  
6 track runs diagonally, bisecting the two parcels that are part  
7 of this application. The Comprehensive Plan designation  
8 onsite is employment. Last year as part of your major  
9 amendment cycle you saw this case come forward. They did an  
10 amendment to change the designation of this land use parcel to  
11 employment. So it is in conformance with our Comprehensive  
12 Plan. Existing zoning onsite is CR-3 and CB-2, with a Planned  
13 Area Development Overlay. It was originally intended to be a  
14 master planned community. Surrounding properties are General  
15 Rural, with the exception of that northwestern corner, like I  
16 mentioned that is residentially zoned. Aerial photograph of  
17 the property. It's currently vacant, desert. You can see  
18 that there was some grading that took place in anticipation of  
19 development of that master planned community that never came  
20 to fruition. This is the applicant's development plan. You  
21 can see that the development of the site is concentrated to  
22 the northern boundary of the site. There will be a rail spur  
23 that goes through the site bringing in the copper concentrate,  
24 and then all activity will occur primarily at the northern  
25 portion of the site, within enclosed structures. Some

1 elevations of the proposed structures. Photos of the site  
2 were taken along Skyline Drive. The Skyline Drive is  
3 currently closed prior to the site, about a mile and a half  
4 before you get to the site, so these photos were taken at the  
5 closure of the gate, so this is not at the site itself, but  
6 just showing the road that is there and the gate closure. And  
7 then from the site itself, some photos looking north into the  
8 site. And then farther along where the railroad bisects the  
9 two parcels. You can see the railroad there on the site.  
10 This is looking south. This is from the - where the pavement  
11 ends, looking back along Skyline. Looking northeast. Staff  
12 has one stipulation for PZ-001-15. There are 24 stipulations  
13 for PZ-PD-001-15. While we're getting some more information,  
14 I did receive a letter from the adjacent property owner that  
15 owns that portion in the northwest corner. This came in after  
16 your packet went out just earlier this week, indicating that  
17 they are in opposition to the request. Ultimately in their  
18 letter they were asking for a continuance to continue  
19 negotiations with Resolution Copper, but their letter is in  
20 opposition. I guess they had been working with somebody that  
21 wanted to buy the property, and that's been delayed and so  
22 they're not longer in support of the proposal. I can get  
23 copies of this if the Commission would like. I - they had  
24 intended on coming, but I don't see them here today. That's  
25 it for this.

1           RIGGINS:  Would the Commission like to take a pause  
2  for just a moment to receive that so we can be looking at it  
3  during the case?  It seems like they would, so.  And this was,  
4  this was received just in the last couple of three days?

5           MACDONALD:  Yeah, I believe it was not yesterday,  
6  the day before.

7           RIGGINS:  Okay, and they had not been opposition up  
8  until that point?

9           MACDONALD:  They had not.

10          RIGGINS:  Okay.  All righty.  Well we'll just, we'll  
11  just wait for a copier to do its magic.  Commissioner - Vice  
12  Chair Hartman?

13          HARTMAN:  Chair Riggins, what - I think this is the  
14  third continuance that we've - we're having right now.  I  
15  think the Commission had originally decided that three  
16  continuances was really all we were going to do, so I, I don't  
17  know whether that's - whether we as a Commission have  
18  authority to say three and now we're getting a request for a  
19  fourth continuance, is legitimate.

20          RIGGINS:  I would see - let's see what the applicant  
21  has to say.

22          HARTMAN:  Okay.  I have a comm - Chair Riggins, I  
23  have a question of Ashlee.

24          RIGGINS:  Okay, go right ahead.

25          HARTMAN:  Ashlee, I did not see - you said staff has

1 included a stipulation requiring - requiring - the dedication  
2 of an easement for a trails corridor. What stipulation is  
3 that? I couldn't find that stipulation, so I wrote 25.

4           MACDONALD: That is stipulation 16.

5           HARTMAN: 16?

6           MACDONALD: Prior to site plat approval, the  
7 applicant property owner shall dedicate a 50 foot easement  
8 along (inaudible).

9           HARTMAN: Oh, I got you. That's it. Okay.

10          AGUIRRE-VOGLER: I have a question.

11          RIGGINS: Commissioner Aguirre-Vogler.

12          AGUIRRE-VOGLER: I don't know if the Commissioners  
13 have noticed kind of a different format that has come before  
14 us, where the staff now is recommending approval, and that  
15 seems to be swaying an opinion, I believe, and I don't know  
16 what the rest of the Commissioners think, but I don't know if  
17 I like that, that consideration. It's a different format.

18          RIGGINS: If the Commissioners will correct me if  
19 I'm wrong, but in my recollection there has always been, due  
20 to the facts put together by the staff, where they have said  
21 they recommend approval or denial.

22          AGUIRRE-VOGLER: No, it's different now, it's  
23 different. On the first page is different. It's different.  
24 Yes, I remember they would always say if for some reason you  
25 approve, if you some reason deny, but now, now on the very

1 first page they're recommending what they think we should do.

2 MORITZ: Mm hm. It doesn't mean we have to do it.

3 AGUIRRE-VOGLER: Well no, I understand, but I don't  
4 know if the other Commissioners -

5 HARTMAN: Mr. Chair, yeah, we did discuss that last  
6 time, and staff said that they felt like they were the  
7 professionals and it was within their powers to give us a  
8 professional view of what -

9 AGUIRRE-VOGLER: I just wonder what the other  
10 Commissioners feel.

11 RIGGINS: I, I do agree that the page format, it's  
12 not in the same place it used to be, but at the back of the  
13 narrative, it always said what the staff's opinion was, and  
14 always has. As far as I recall.

15 AGUIRRE-VOGLER: Yeah, approval or denial it used to  
16 say. Does the staff have an opinion on that, or the attorney?

17 RIGGINS: Well, we are, we are in the middle of just  
18 about to start somebody's case, so that seems to me a little  
19 bit more of a housekeeping issue.

20 AGUIRRE-VOGLER: Okay.

21 RIGGINS: But Jordan, if you could just - let's get  
22 that letter.

23 AGUIRRE-VOGLER: It's on the case, that's why I  
24 brought it up.

25 RIGGINS: We'll get that letter out to everybody and

1 then we'll get started.

2 HARTMAN: There is a difference in the format  
3 between these two.

4 RIGGINS: I know there's a - that's changed. I'm  
5 sorry, pardon me.

6 LANGLITZ: Mr. Chair, Mark Langlitz, Deputy County  
7 Attorney. Just a couple of comments in following up from  
8 Ashlee's presentation. The letter that she mentioned that was  
9 received from the law firm Sacks Tierney, it really involves a  
10 private matter, it has nothing to do with the County. It  
11 sounds like they're asking for a continuance so that  
12 discussions can continue between the parties regarding a sale.  
13 That really is completely irrelevant to this matter, and it  
14 wouldn't be appropriate, it's not a basis to continue it. And  
15 then they're also asking for a stipulation that would require  
16 - let me see - that would require the Resolution Copper to buy  
17 their land, which totally isn't appropriate either. I just  
18 wanted to mention that in case anyone had any qualms or  
19 issues, so really this letter is - doesn't do anything in this  
20 matter.

21 RIGGINS: It is a, it is a input from the affected  
22 community that needs to be at least seen by the Commission.  
23 I, I didn't know those were the issues that were going to be  
24 in it, but obviously that weighs to what its validity is in  
25 the case.

1           LANGLITZ: Oh absolutely, yeah, they - anybody can  
2 make any comments that they want regarding a case, but I just  
3 wanted to indicate that that wasn't really anything that we  
4 could deal with. The other factor is in the stipulations,  
5 there are a couple of stipulations relating to public  
6 infrastructure improvements, and the parties have been working  
7 pretty diligently in - at coming up with a development  
8 agreement that ultimately will address those issues, and we're  
9 working - both sides are working real hard with each other in  
10 good faith, and we're getting there, but those things just  
11 take time. So we had some initial thought about well, should  
12 we wait until we complete that agreement before we proceed  
13 with this, but we figured no, let's, let's keep it going. The  
14 Board is adverse to continuing matters past a certain point,  
15 which is fine. So we are suggesting that we add a stipulation  
16 at the end, it would be stipulation number 25, and I will ask  
17 - you want to hand - so that you can see it, but basically  
18 stipulation 25 would read prior to Board of Supervisors  
19 approval of this rezoning request. Now, are these  
20 stipulations in the rezoning or the PAD?

21           MACDONALD: PAD.

22           LANGLITZ: Oh, in the PAD. Okay. Then let me  
23 change that. If you substitute the word rezoning for PAD, it  
24 would read prior to Board of Supervisors approval of this PAD  
25 request, the owners of the land and the rail line shall enter

1 a road construction development agreement with the County,  
2 acceptable in form and substance to the County, in connection  
3 with public infrastructure improvements, including, without  
4 limitation, improvements to Skyline Drive and the rail  
5 crossing, through the rail line. Those are the public  
6 infrastructure improvements that we were referring to, so what  
7 we anticipate will happen is the stipulations are attached to  
8 the case, the 24 stipulations. That's fine. We expect that  
9 we will subsequently, probably change what those stipulations  
10 state in the development agreement, and then it will proceed  
11 and go to the Board. So in that way we're maintaining a  
12 cooperative relationship in moving this forward and not  
13 delaying it, or asking for a continuance. So we would ask  
14 that if the Commission takes action on this, that it include  
15 that stipulation 25 as corrected.

16 RIGGINS: Thank you for the explanation. Do we have  
17 the opposition letter done yet, or are we still waiting for  
18 that? Okay, let's go ahead and hand those all out so we don't  
19 have to interrupt Jordan's case, as we already have done but  
20 it's all pertinent. Vice Chair Hartman.

21 HARTMAN: Chair Riggins. Mark, I want to just state  
22 as a Commission Member, that I was kind of under the  
23 impression that you were going to say well maybe we ought to  
24 wait until the agreement on the road is done before we pass it  
25 onto the Supervisors, but what you have just said is what this

1 Commission has done prior, is to let it go onto the Board, but  
2 have that decided prior to being presented to the Board.  
3 That's, in my opinion as a Commission Member, that's a wise  
4 statement.

5           LANGLITZ: Mr. Chair, Mr. Vice Chair, yes that's it.  
6 And you know, I want to make sure you understand, we're  
7 working cooperatively to get this thing done. It just I've  
8 worked on some development agreements that have taken years to  
9 get completed. I'm not suggesting that's the case here, I  
10 just want to make the point that it takes a little bit - and  
11 whenever you get lawyers involved, we, you know, we got to  
12 disagree on everything. Lawyers have ruined more business  
13 deals than - I'm kidding, kind of, but I mean it's, it's the  
14 details that, you know got to -

15           RIGGINS: Okay, well let's go ahead and get to the  
16 case. Ms. Rose, if you'll come up and sign in as the normal  
17 procedure and provide your address, and then tell us, tell us  
18 what we're doing here.

19           ROSE: Okay. Chair Riggins and Vice Chair Hartman,  
20 Members of the Commission, for your records I'm Jordan Rose  
21 and with me today is my senior planner Jennifer Hall. And I  
22 wanted to first thank staff, Himanshu and Ashlee, Lester and  
23 (inaudible) and also Mark Langlitz. We've been working really  
24 closely with them over the last months, and even in the last  
25 few days, so we really appreciate the time that you guys have

1 taken, so thank you. I'll just run through this - and Mark  
2 and I can agree on that letter. I don't want you to  
3 necessarily have to read the letter while I'm talking, because  
4 I have actually featured the letter in my review here, so  
5 maybe I can point some things out and then you can read it  
6 after. Or if you want, I can take a pause and you can finish  
7 reading it now. Whenever you're - okay, perfect. Okay. All  
8 right, so we've worked with you and on - can you all see that  
9 over - okay great. Okay. So Resolution Copper is very  
10 excited about this. I think they've been working on this even  
11 before we got involved, up until the last time you amended  
12 your general plan, they amended the general plan in part of  
13 this property and left out a little other part, which is what  
14 we came to you last year. So this is the transfer facility.  
15 I'm going to show you kind of how that works. But a year ago  
16 we came back and both you and the Board of Supervisors  
17 unanimously amended the cleanup plan to make the entire site  
18 employment. You remember a part of it was employment, and  
19 then a part of it wasn't, and it was - just seemed like some  
20 sort of an error. But in any case - and not by the County,  
21 but by - whatever. So they searched for the ideal location  
22 for this transfer facility, and this is an essential overall  
23 operational element of their mining, which will occur in  
24 Superior. And so let me show you how or why that this was  
25 essential. So first of all, it's, it's right adjacent to the

1 Mag railroad. And then it's surrounded almost entirely,  
2 except for this little property right here, by Arizona State  
3 Land Department land for about a mile and a half, actually.  
4 And actually, and actually, I think, four miles this way, but  
5 a mile and a half to the closest home which is down here.  
6 Previously it's been disturbed, as Ashlee showed you in some  
7 pictures. So they're very sensitive to not creating any  
8 additional environmental impact by any of their operations.  
9 So this was kind of like wow, this is a great site, and it  
10 happens to be on the railroad. So their mining operation is  
11 here in Superior, and I'm going to show you how this works.  
12 But basically the copper concentrate is delivered through a -  
13 it's basically when they dredge up the copper, they water -  
14 essentially they water it down, and they water it down to make  
15 it into what's called copper concentrate, which is a liquefied  
16 copper, that will then run through this pipe, that runs right  
17 along the Magma Railroad line, which they own - or another  
18 company that they own owns - to the, to this future transfer  
19 facility site here. And then once it gets to the facility  
20 site - is there a trick to - okay, there we go. Okay, so at  
21 this point it, it goes - and let me show you a close-up of  
22 this. All right. So here's a close-up of the actual site,  
23 and you can see here's the Magma Railroad, here's where the  
24 pipe was coming into the site, and then once the copper  
25 arrives, it's additionally piped up this part of this site and

1 into a totally enclosed filter plant. And that building, what  
2 happens is basically the copper is taken from the pipe and  
3 it's drained of the water that was in it, and so you  
4 essentially get a moisture level of wet sand, right, so it's -  
5 but it's copper. And then there are small trains in this load  
6 out facility here, right next to the filter plant. And the  
7 wet sand, the copper is delivered onto those trains and loaded  
8 into the train cars and then the train, which has come up this  
9 way, and isn't that cute - but then goes and takes it offsite  
10 to a smelter plant, which is not generally in Arizona, but in  
11 any case, it goes down to the UP railroad line, which is what  
12 Magma connects up to. So that's just basically the function  
13 of this, is a load out, it's filter it, put it on the train  
14 and move it, move it out. It's not a noxious use, which is  
15 why I think, I think you may recall like three months ago when  
16 we first started the case, there were a couple neighbors that  
17 were here, and they were - and they stood up and we asked for  
18 a continuance to go work with them. We did work - well I  
19 shouldn't say we - I should say Jennifer and the folks from  
20 Resolution Copper worked with them and explained the  
21 situation, and they - and I think they stood up and said our  
22 houses are going to turn green or something like that. And  
23 once they understood what it was, you could see it or not  
24 here, and some of them wrote - I think they actually, the one  
25 that -

1 SALAS: They actually turn blue.

2 ROSE: Blue. Yeah. Thank you. Thank you, that's  
3 prefect. Well, in any case, they weren't worried about this.  
4 And they wrote a letter that said they were in support, which  
5 is really kind of great. I think they gave that to you two  
6 months ago. So - but it just was a question of what was going  
7 on, and I think they thought this was going to be the cop -  
8 the actual copper mine. Okay. I don't know why my clicker's  
9 not doing it for me today. Oh, thank you. And maybe it's  
10 just not going to work.

11 DENTON: Excuse me, Jordan, our computer's getting  
12 ready to restart, so you're going to lose your PowerPoint just  
13 briefly.

14 MACDONALD: For 14 minutes.

15 DENTON: Yeah.

16 ROSE: Oh.

17 AGUIRRE-VOGLER: 14 minutes?

18 ROSE: Okay, so you're saying -

19 AGUIRRE-VOGLER: 14 minutes to restart?

20 DENTON: And finish up with -

21 ROSE: No, that's okay. All right. Can I, can I -  
22 can it go to the next slide? I can finish this in one minute  
23 if it can proceed. Or I can talk about it. Okay, great. All  
24 right. So let me just talk to you about the adjacent  
25 neighbors. So we actually worked really well with the

1 adjacent neighbor. He hasn't made any comment until his  
2 lawyer made a comment three days ago, because he had asked us  
3 - or the lawyer had asked us to do some buffering and record  
4 an easement, and so we, we pushed - we put a six foot solid  
5 foot wall on the property line there, which is what he asked.  
6 And then he asked that we move our original entrance, which we  
7 did. You can see we switched that for that property owner, we  
8 moved it here. And then we put all of that into revegetating  
9 180 acres of revegetated open space, which we thought was  
10 great. And then we actually agreed upon, and they haven't  
11 recorded it yet, which is curious, but in any case, a 28 foot  
12 easement for them to have private ingress and egress, because  
13 they wouldn't otherwise have that access. So we thought we  
14 were great with them until a few days ago, when they sent this  
15 peculiar letter that said that they were going to oppose us  
16 because they were in escrow to sell the property.

17 SALAS: Can you leave that back down so I can read  
18 it?

19 ROSE: Oh yes, I think I can. Okay. Yeah, so it  
20 says the basis - Mr. Talebi, and I may be mispronouncing his  
21 name, but in any case - is the neighbor, and this is his  
22 lawyer's letter. It says the basis for his opposition now  
23 lies in the recent failure of the buyer of his property to  
24 close on purchasing the property. So we knew that he was in  
25 escrow with a buyer who really likes the property because it's

1 going to be next to a facility surrounded by State Land. It's  
2 the only private property. You know, you could potentially  
3 put a supplier on or whatever. In any case, I guess that fell  
4 out for whatever reason, and we're not privy to that. So then  
5 it came as a little bit of a further surprise to us - okay, I  
6 know I'm on a time crunch here - okay, so he said that - wait,  
7 let's see if I can get - I think I have (inaudible) right.  
8 The buyer had expressed no dissatisfaction with our rezoning  
9 efforts, and had in fact supported and expected to benefit  
10 from our rezoning. And so then he says - or his lawyer says  
11 he requests that Pinal Community Development Planning Division  
12 - whatever - include an additional stipulation to staff's  
13 recommended approval that the applicant purchase the Talebi  
14 property. So he wants - which I'm not - I don't mean to  
15 laugh, that's not actually laughter, like maybe, maybe  
16 Resolution should purchase it. I don't know, but that's  
17 certainly not something that we - it was something that came  
18 as a surprise, and it was in writing, so that was interesting  
19 for us. So now we can consider that, I suppose, but that'll  
20 be private, you know, discussion. So anyhow. But it was  
21 interesting. Okay, so this nobody can see, but basically as  
22 Mark said, we would - don't, just don't worry about it,  
23 because it's illegible, I think - but Mark said we would agree  
24 with that stipulation 25 because we are in the midst of  
25 working diligently with Mark and his team on the development

1 agreement, and so while we have questions with stipulation 16  
2 and 19, those will be addressed in the development agreement,  
3 one way or the other, and so that's where we're at. The only  
4 stipulation we would ask to change - and I think that - and  
5 Ashlee and Mark, you can - or Himanshu, tell me if this is  
6 okay. I think we talked about it, but here's how we've  
7 written it. Is in stipulation 15, after the first semicolon,  
8 it says the masonry - this is about the masonry wall that'll  
9 be around the perimeter, or on the Skyline Drive portion - and  
10 it's - and we would like to make a little bit more specific,  
11 because we don't know - we just want to make sure that when it  
12 goes to build, it's specific. The masonry wall shall be  
13 constructed with wall cap and at least one row of split face  
14 block in a natural earth tone to be approved during the site  
15 plan review. So I can hand that to - and it doesn't say much  
16 different than what it says here, it's just more specific,  
17 because in this it just says with split face block and a wall  
18 cap, so.

19 AGUIRRE-VOGLER: I have a question.

20 ROSE: Yes. So I'll hand this to Ashlee if you  
21 don't mind, so that she - or maybe I'll hand it to somebody.

22 RIGGINS: Commissioner Aguirre-Vogler, question?

23 AGUIRRE-VOGLER: Did you - did we - or did I not see  
24 a comment from the State Land Department?

25 ROSE: Chair and Vice Chair, Commissioners, I have

1 not seen a comment, but we were - they visited with the State  
2 Land Department last, last week, in fact, and we've been  
3 keeping them, you know, abreast of everything, so -

4 AGUIRRE-VOGLER: Should be have a comment for the  
5 record, staff, or not?

6 ROSE: I worked with them for ten years or so on  
7 this.

8 MACDONALD: I can confirm that they have been  
9 working with State Land. Earlier this week I got a call from  
10 Rochelle Green with the State Land Department stating that  
11 they are working with Resolution Copper and Rose Law Group on  
12 the matter, and that continued discussions will happen after  
13 the Planning Commission, because they understand that they  
14 couldn't really come to a resolution on some of their concerns  
15 prior to your meeting today. But they were comfortable with  
16 this moving forward today.

17 AGUIRRE-VOGLER: And so they'll have something  
18 before the Board?

19 MACDONALD: That is my understanding.

20 AGUIRRE-VOGLER: (Inaudible) comment?

21 ROSE: And just to clarify Chair and Commissioner,  
22 their issue is really the same as ours with the trail.

23 AGUIRRE-VOGLER: I just thought it would be good for  
24 record.

25 RIGGINS: Commissioner Salas.

1           SALAS: The vegetation of native - nature, is that  
2 native vegetation?

3           ROSE: Chair and Commissioner, yes, the revegetated  
4 area will be of native plant species. Yes. Good question.

5           RIGGINS: Okay, any other questions of - Vice Chair  
6 Hartman.

7           HARTMAN: Chair Riggins, Jordan, a question. I  
8 actually have several questions. That - number 16 where staff  
9 is requesting a 50 feet easement for a trail, to me that seems  
10 like probably more feet than I would want to give off of my  
11 personal property. I know when I have a power company come  
12 through and they want a ten foot easement to bury a line and  
13 it takes a four inch trench to put the line in, I have a hard  
14 time giving them ten feet because that could turn into a road  
15 or whatever, but I just want your comments. And you probably  
16 have read the stipulations and probably agree with the  
17 stipulations, I hope.

18           RIGGINS: Chair and Vice Chair, actually on stip 16  
19 we don't agree with stipulation 16, but as I said, we're  
20 working on the development agreement that we're hopeful may  
21 address that. The reason we don't agree with it is actually  
22 not as much the width, because that is in your trails and  
23 Master Plan that you decided on, but it's more the adjacency  
24 to a rail line and we're really concerned, as is - and I don't  
25 speak for State Land, so (inaudible) discussions with just -

1 and I understand why it's happened, why the County has placed  
2 a trail next - a rural trail next to a railroad track, but  
3 we're really worried about that, so - or my client's very  
4 worried about that, very concerned about the safety. So we'll  
5 talk with the County staff about it and we'll -

6 HARTMAN: I had another question in mind, was that I  
7 didn't read anywhere in here where you have control over the  
8 railroad, it just says you're using the railroad, so I - you  
9 know, my question.

10 ROSE: Yeah. Chair and Vice Chair, Resolution  
11 Copper, one of its entities recently purchased the railroad.  
12 So they do have (inaudible) for the railroad. Yeah.

13 RIGGINS: Commissioner Salas.

14 SALAS: Rose, can you, can you put that stip up  
15 there where their property is relative to Resolution's there,  
16 so I can more or less get a picture what those guys talking  
17 about and what area you have?

18 ROSE: Yes, possibly. Hold on one second. Dedrick,  
19 can you help me?

20 RIGGINS: (Inaudible) challenge.

21 ROSE: Okay, perfect. I have that same computer at  
22 my office, so. Okay. Okay. So, Chair and Commissioner  
23 Salas, this is the Resolution property here, and the blue area  
24 which is 76.95 acres is the Talebi property. And as you can  
25 see, everything that they, that they have asked us to do, we

1 have done. They asked for this six foot high block wall, they  
2 asked us for this 28 foot ingress/egress easement. Otherwise  
3 they would not have access, I guess, to their property.

4 SALAS: Where's that 50 foot road at?

5 RIGGINS: 50 foot trail easement.

6 ROSE: Chair and Commissioner Salas, this is the  
7 railroad - this is the Magma Railroad track right here, and  
8 then this would be the 50 foot wide trail easement running  
9 right along it.

10 SALAS: Beside the railroad track.

11 HARTMAN: Right.

12 SALAS: On the opposite side, it looks like, to me.

13 AGUIRRE-VOGLER: And it's going over the pipe.

14 RIGGINS: Well it, it does seem to me that  
15 stipulation 16 is an ongoing discussion that will be covered  
16 in the application of the new stipulation 25, and probably  
17 this is not the place to debate that particular thing, because  
18 it sounds like - Commissioner Salas.

19 SALAS: Does he have any structures on that - his  
20 property right now?

21 ROSE: Chair and Commissioner Salas, totally  
22 undeveloped land.

23 RIGGINS: Okay. Any, any other questions of - Vice  
24 Chair Hartman.

25 HARTMAN: To carry on with my questions, question

1 number 23, a route of regional significance, that Skyline, and  
2 I didn't read anywhere in here where - but except under the  
3 stipulations I read, where you were going to give the County  
4 and the public a right of way to cross your properties with  
5 Skyline, and that probably - is that the other one that you're  
6 discussing?

7 ROSE: Chair and Vice Chair, yes. That's the  
8 primary discussion that we're having is the width and - well  
9 not the width, but the configuration and what we'll do and  
10 what we won't do, and what the County will do, and how that  
11 partnership will work with improvements and railroad  
12 crossings.

13 HARTMAN: I just want to express to you that I could  
14 see real benefit to you, if you left Skyline open because that  
15 would give you a route to Superior that would save you going -  
16 from going clear around to Phoenix Road and coming on around  
17 with any travel that you had between - for mine business from  
18 Superior down.

19 ROSE: Chair and Vice Chair, the interesting thing  
20 about this site is that it won't have much, if any - it will  
21 have some truck or car traffic for the workers that work  
22 there, but it's really not something where the mining  
23 community's going to be driving to see copper loaded out into,  
24 you know, rail cars. That said, we will absolutely - we're  
25 going to agree to allow Skyline to go through. The issue is

1 that there's, I think three, and they can probably correct me  
2 if I'm misstating this - but three miles of Skyline Road that  
3 is owned right now by the State Land Department that would  
4 connect to the 79, that we really have no control over, so  
5 that's another question. But I believe that the Public Works  
6 Department at the County has actually submitted right of way  
7 application for Skyline with State Land, so that's good.

8 SALAS: Mr. Chair.

9 HARTMAN: Just a second. And Jordan, I think that  
10 Superstition Vista would greatly be enhanced by having some  
11 access into the center, basically of the Superstition property  
12 State Land, trust land in other words, by having Skyline be a  
13 continuous. Okay.

14 RIGGINS: Commissioner Salas.

15 SALAS: Just an idea, Jordan, about your traffic in  
16 and other of there. So you've got a rail line there, I think  
17 it would behoove the company to put on a couple of cars on  
18 there to just take their employees down to the property or  
19 when they have to go there. Just something to think about.  
20 You'd eliminate the - unless during the shifts that they work,  
21 they'd have to be having traffic in and out of there, other  
22 than somebody that's in a salaried position or whatever the  
23 situation might be, but you know, if you can have a point out  
24 here on the other side of 79 or wherever they're going to be  
25 meeting, to have a car that's going to take your employees

1 down there.

2 ROSE: Chair and Commissioner, I appreciate that.

3 And I think our employee count is - it's like seven people who  
4 will work at that site, so yeah.

5 SALAS: You don't need more than one car.

6 RIGGINS: Commissioners, other comments and  
7 questions of -

8 GRUBB: Mr. Chair.

9 RIGGINS: Commissioner Grubb.

10 GRUBB: Okay, I'm just trying to understand what  
11 exactly occurs on this site. So, so there's no sulfuric acid.

12 ROSE: Zero, no, zero.

13 GRUBB: All that's happening is the water's draining  
14 of the slurry to make it a sludge to go into cars, so that  
15 there's no hazardous materials onsite whatsoever.

16 ROSE: Chair and Commissioner Grubb, that's correct.

17 GRUBB: Thank you.

18 ROSE: Thank you.

19 RIGGINS: And as a, as a secondary comment to that,  
20 in reading the narrative, the water that is creating the  
21 slurry for the transport from Superior when it is removed, it  
22 actually is pumped back to Superior for a second trip. So  
23 from the narrative I see here, this is a very low impact-style  
24 side. Okay.

25 ROSE: That is correct.

1 RIGGINS: Okay. Commissioner Salas.

2 SALAS: Bill, what they're doing is they mill, they  
3 mill the copper, okay? Once they crush it and mill it and  
4 whatever, put it in the concentrate form - because they do use  
5 chemicals, arsenic and whatever it is - then it's going to  
6 ship it out there to have this thing dried out, washed out,  
7 then resent back to wherever they're going to be situating the  
8 concentrate. So whether they're going to ship the concentrate  
9 out (inaudible) or whether - I don't know what smelter they're  
10 going to use or refinery or whatever, Jordan, but I'm just  
11 trying to explain (inaudible) that's what they do.

12 ROSE: Thank you. I should probably have you up  
13 here to give the presentation since you've lived it and I just  
14 read about it.

15 RIGGINS: And just a point of information for the  
16 Commission, when it ships out, where is it being smelted?

17 ROSE: That is a good question Chair, and Vice  
18 Chair. I should know that and I feel like I know it, but I  
19 don't remember it offhand, but it's not in the State of  
20 Arizona. There's two smelter plants. Is that it? Oh,  
21 somebody remind me. I can't remember. Texas? Okay. In  
22 Miami, that's right. There's one in Miami. So it'll either  
23 be Miami or potentially Texas, if that's right.

24 PUTRICK: Mr. Chair.

25 RIGGINS: Commissioner Putrick.

1           PUTRICK: I just have a - kind of an odd question.  
2 So the slurry pipe comes down from Superior, alongside the  
3 railroad, how is it going to get across 60? Is it going  
4 under?

5           ROSE: I'm done. Let me - Chair and Commissioner  
6 Putrick. Let me just look at my map here so that I can - I  
7 was going to try to show it to you.

8           PUTRICK: It has to cross 60 where the railroad  
9 tracks are.

10          ROSE: Right, yes. And it - yes, it will go under -  
11 I wish I could show this to you, but it's only one - there's  
12 one point where it needs to just traverse under the roadway,  
13 so.

14          PUTRICK: Okay, so it's going to go under.

15          ROSE: Yes.

16          RIGGINS: Okay. Commissioners, any - Commissioner  
17 Salas.

18          SALAS: So for clarification, the slurry is going to  
19 come all the way down from up there?

20          ROSE: Chair and Commissioner Salas, yes.

21          SALAS: And then at the point of demarcation there,  
22 then it's going to be slurried back up to the plant where  
23 they're going to dry it there?

24          ROSE: Chair and Commissioner Salas, in - at the  
25 Superior mine it'll be made into the copper concentrate, so

1 the chemical process will happen in - at the Superior mine,  
2 and then the concentrate, which is just the water and copper,  
3 which the slurry if that's the correct term - will go through  
4 the piping and it'll come to the site. The pipe will  
5 essentially end there, and the copper concentrate will be  
6 drained and then put into the railroad cars, and then the  
7 railroad cars will take it around, go to the UP's main line  
8 and either go to Miami or wherever the other smelter is.

9 RIGGINS: Okay. Any other questions whatsoever?  
10 Vice Chair Hartman.

11 HARTMAN: Chair Riggins. Jordan, I looked at the  
12 deletion of uses that were taken off, and one of them was a  
13 helipad, do you not ever plan to have a helicopter fly down  
14 and land on your property?

15 ROSE: Did we take it off? We took it off? Okay.  
16 Then yes, Chairman and Vice Chair, I guess we don't intend  
17 that to occur anymore. Okay.

18 RIGGINS: Okay, one question that I would like to  
19 address while Jordan is still up, and to staff also. There  
20 seems to be questions on stipulations 16 and 23. It seems to  
21 me that as far as further discussions by the Commission on  
22 those stipulations are really not needed because they will be  
23 covered with the addition of stipulation 25, and those will  
24 take place at a - at a place between us and the Board of  
25 Supervisors? Is that the correct understanding?

1           MACDONALD: That is correct.

2           RIGGINS: Okay. So the Commissioners will know that  
3 we are adding stipulation 25 because of continuing  
4 discussions, and I don't believe that we probably need to have  
5 extensive discussion, unless somebody just as to. But I think  
6 that's the direction that this. Do you comment on that?

7           ROSE: Chair and Vice Chair, and I don't know if  
8 Mark would comment on this, but maybe we can add just the  
9 numbers of the stipulations that we wanted to address, 16, 19  
10 and 23 in this stip 25, because now I'm looking at it, it  
11 doesn't say anything about the rural trail. The number 25  
12 that we proposed, or the County proposed and we agreed to. It  
13 doesn't say anything about the trail, I just want to make sure  
14 that we have a conversation about - that we note that the  
15 Planning Commission wants us to discuss that.

16           MORITZ: Mr. Chairman.

17           RIGGINS: Commissioner Moritz.

18           MORITZ: Was 15 under discussion also because of the  
19 block wall requirement?

20           ROSE: Chair and Commissioner, I think 15 if you -

21           RIGGINS: (Inaudible) discuss that one here.

22           ROSE: Okay. I mean the rest of the County's in  
23 agreement.

24           RIGGINS: Is staff willing to modify stipulation 25,  
25 probably not with a stipulation number, but just with the

1 words the rural trail development easement? Or do they not  
2 wish to do that?

3           LANGLITZ: Mr. Chair yes, that's fine. And also the  
4 way the stipulation is read, if we happen to forget something,  
5 the list isn't all inclusive. So in other words it says  
6 including without limitation, so if another item comes up that  
7 we have a whoops, we forgot that one, then that'll be  
8 addressed too, but no, your suggestion is - no, yeah that's  
9 perfect.

10           RIGGINS: It's a public infrastructure improvements,  
11 and I think that would definitely cover - I think probably  
12 it's better not to rewrite this. Then I think it's general  
13 enough to where we don't need to do that.

14           ROSE: (Inaudible) understand we're talking about  
15 that.

16           RIGGINS: Okay. Very good.

17           LANGLITZ: It's your call, Mr. Chair.

18           RIGGINS: I think -

19           LANGLITZ: Good either way.

20           RIGGINS: I think this is general enough that it  
21 covers the concerns there. So - and you all will have more  
22 work to do and hopefully the lawyers won't get involved and it  
23 won't take years. So - but does the Commission have any  
24 further questions of Jordan before we have her sit down and  
25 discuss this? Okay, well thank you very much.

1 ROSE: Yeah, I appreciate you taking the time.

2 RIGGINS: And we'll call you back up and  
3 Commissioners, discussion on the case? Well it seems like the  
4 case has been prevented - presented very well, and everybody  
5 has their questions answered. Does staff have any comments at  
6 any point in time on the case? Okay. Does anybody desire to  
7 have the applicant come back up for any other questions or  
8 comments? It would seem to be then, that we are ready for a  
9 motion on this case. Would anybody like to do that?

10 MACDONALD: Chairman? Chairman Riggins.

11 RIGGINS: Yes.

12 MACDONALD: Did you open it to the public?

13 RIGGINS: I did not. I am sorry. I am sorry.

14 Pardon me for my, my not getting that done. I will at this  
15 point in time open the case PZ-001-15 to the public for  
16 comment. Anybody that wants to come up to speak for or  
17 against? There none being, I will go ahead and close the  
18 public portion of the meeting, and we seem to be at the point  
19 in time for a motion.

20 SALAS: I move, Chairman?

21 RIGGINS: Commissioner Salas makes the motion.

22 Would you like to -

23 SALAS: We forward PZ-PZ-PD-001-15 to the Board of  
24 Supervisors -

25 RIGGINS: No, it'll just be the PZ.

1 SALAS: Okay.

2 RIGGINS: There's two.

3 SALAS: PZ-PZ-

4 AGUIRRE-VOGLER: No (inaudible).

5 RIGGINS: No, just PZ.

6 SALAS: I got two PZs here.

7 HARTMAN: PZ-001 - PZ-001.

8 SALAS: Okay, PZ-001-15 with a favorable  
9 recommendation, including all the stipulations.

10 RIGGINS: Which I believe on that one is simply one.  
11 One stipulation.

12 SALAS: Okay.

13 RIGGINS: Okay. We have a motion.

14 HARTMAN: I'll second.

15 RIGGINS: Vice Chair Hartman seconds. All in favor  
16 signify by saying aye.

17 HARTMAN: Aye.

18 RIGGINS: All opposed? The Commission - or the, the  
19 motion carries unanimously. We have another motion to make on  
20 another case. Who would like to make that motion?

21 HARTMAN: Chair.

22 RIGGINS: Vice Chair Hartman.

23 HARTMAN: Chair Riggins, I would like to make a  
24 motion that we send PZ-PD-001-15 to the Board of Supervisors  
25 with a favorable recommendation, with the 25 stipulations as

1 so presented.

2 SALAS: I'll second.

3 RIGGINS: And that, just for clarification, there is  
4 24 stipulations on the staff report, and we are adding the  
5 provided stipulation 25 with its change of rezoning request, a  
6 PAD request.

7 MACDONALD: Is there any discussion on stipulation  
8 15?

9 RIGGINS: There was no discussion on stipulation 15.  
10 A motion for - a second to the motion?

11 SALAS: Second.

12 RIGGINS: We have a second from Commissioner Salas.  
13 Everybody - everybody's looking at you. Something about 15.  
14 Okay, is there a desire - we have a motion and a second on the  
15 floor. Is the - does the second desire to have discussion?  
16 No? No discussion. So there is no, there is no discussion on  
17 stipulation 15.

18 LANGLITZ: Mr. Chair, for purposes of clarification,  
19 though, staff is requesting that stipulation 15 be revised as  
20 follows -

21 RIGGINS: Well we should have said that before we  
22 got to this point, shouldn't we have?

23 LANGLITZ: This is just for purposes of  
24 clarification.

25 RIGGINS: Okay. Well, we have a motion and a

1 second. We have discussion and so what is the discussion  
2 concerning stipulation 15?

3           MACDONALD: Stipulation is - stipulation 15 is the  
4 one referring to the masonry wall. What Jordan had presented  
5 during her portion of the presentation, staff is agreeable  
6 with, to modify the language so that it reads that it be a  
7 masonry wall with a wall cap and at least one row of split  
8 face block.

9           RIGGINS: Okay. First of all, would the second be  
10 willing to modify the motion to accept the new lang -

11           SALAS: (Inaudible).

12           RIGGINS: Okay, and would the primary motion be  
13 willing to modify?

14           HARTMAN: Yes.

15           RIGGINS: Okay. Then in that case, let the motion  
16 and the second reflect that stipulation 15 is changed to  
17 reflect the language that was just presented, since we don't  
18 have it written down here, I might have a hard time  
19 remembering it exactly to put, but it seems like both the  
20 applicant and staff are happy with that. And the rest of the  
21 stipulations stand as they are, along with the addition of the  
22 stipulation 25 that was presented to be added to the  
23 stipulation list. So we have a motion and a second with these  
24 provisions. Is there - we'll call for a vote. Everybody in  
25 favor of the motion signify by saying aye.

1 COLLECTIVE: Aye.

2 RIGGINS: Opposed? It passes unanimously. So.  
3 Okay, we are done then with case PZ-001-15 And PZ-PD-001-15.  
4 PZ-005-15 has been postponed. Then we move into tentative  
5 plats. Our first tentative plat is S-042-14.

6 MACDONALD: Before we jump into that case, can we  
7 take a five to ten minute recess? We're having some technical  
8 difficulties after our computer restart.

9 RIGGINS: Let's go ahead and take a ten minute  
10 recess until 10:30. [Break.] Let's go ahead and reconvene  
11 the public hearing and move onto case S-042-14. Tentative  
12 plat.

13 DENTON: Mr. Chairman, and Members of the  
14 Commission, having some issues with the projector, so I'm just  
15 going to give you a quick summary, then we can jump into  
16 questions and then bring the applicant forward. And this is  
17 case S-042-14, San Tan 30. The applicant is proposing  
18 approval of the San Tan 30 tentative plat. It is  
19 approximately 30 acres in a CR-3 zone, and it's 106 lots  
20 located in the southeast corner of Ocotillo Road and Coyote  
21 Road in the San Tan Valley area. The applicant is CSWR131  
22 Mortensen, LLC. And this subdivision is located in the  
23 northern portion of the County in the San Tan area. And it is  
24 situated adjacent to Ocotillo Road to the south, and adjacent  
25 to Coyote Road to the east, just east of Ironwood Road. The

1 zoning is CR-3, and their development standards are a minimum  
2 of 7,000 square foot lots, 60 foot minimum lot width, and the  
3 setbacks for CR-3 is 20 in the front, eight on the side, and  
4 25 in the rear. The tentative plat does show two forms of  
5 access, one on Ocotillo Road and the other one on Coyote, and  
6 they do conform to our standards. The lots do conform to the  
7 CR-3 zone. And then with that, there's ten stipulations  
8 associated with this case, and that concludes my presentation.

9 RIGGINS: Commissioners, any questions of staff?  
10 Then would the applicant please come up? Please write your  
11 name and address down.

12 MARKAKIS: Chairman Riggins, Vice Chairman Hartman,  
13 Members of the Commission, my name is Michael Markakis with  
14 Community Southwest, 7001 North Scottsdale Road, Suite 1015,  
15 in Scottsdale. I think that the application's pretty  
16 straightforward. I don't think I have too much to say, but I  
17 am open to any questions that you might have.

18 RIGGINS: All right. Commissioners, do we have any  
19 questions concerning the case presented to us?

20 HARTMAN: Chair Riggins.

21 RIGGINS: Vice Chair Hartman.

22 HARTMAN: Excuse me, turn my mike on. Chair  
23 Riggins, my question is to Michael. Skyline, I haven't driven  
24 that. Is Skyline already approved - I mean widened and all  
25 that, adjoining your property?

1 MARKAKIS: Ocotillo I think you're referring -

2 HARTMAN: Is it Ocotillo? I thought Skyline was on  
3 one.

4 RIGGINS: No, you're on the, you're on the wrong  
5 one.

6 HARTMAN: Oh wrong one, okay. That question then is  
7 not - is Ocotillo, is Ocotillo approved, or are you going to  
8 be required and approve that?

9 MARKAKIS: Our - what, should I turn this over to  
10 Dedrick for comment on that first or?

11 HARTMAN: No, you can answer it if you can.

12 MARKAKIS: Yeah, mean the traffic impact analysis  
13 does not call for any improvements to Ocotillo Road, so there  
14 is - obviously there's activity on Ocotillo Road, there's  
15 traffic on Ocotillo Road as of today, but the traffic impact  
16 analysis does not state that any improvements are going to be  
17 required, or necessary or needed.

18 HARTMAN: Okay.

19 DENTON: Chairman Riggins, Vice Chair Hartman.

20 Ocotillo is currently in front of the property, it's a paved  
21 two lane roadway, one lane each direction. As part of their  
22 requirement, they will be doing their half street  
23 improvements, but beyond that, the traffic analysis has not  
24 identified any improvements beyond their half street  
25 improvement.

1           MARKAKIS: Thank you. I appreciate that  
2 clarification. That is correct.

3           HARTMAN: Okay, because on my plat it shows a wider  
4 road next to your property than it does to adjacent property  
5 to the left, or to the west of you.

6           MARKAKIS: Just that northwest corner is an existing  
7 church site that did their improvements.

8           HARTMAN: Okay.

9           AGUIRRE-VOGLER: I have a question.

10          RIGGINS: Commissioner Aguirre-Vogler.

11          AGUIRRE-VOGLER: Is that part of a PAD?

12          MARKAKIS: Commission Member Vogler, no it is not.  
13 There was no PAD done for this property. It's currently under  
14 the hard zoning.

15          AGUIRRE-VOGLER: Because I notice you're over three  
16 and a half, right? A little over three and a half to the  
17 acre. And then the other question I have for staff is do they  
18 - if they sell those lots, do they have to notify that they're  
19 what, about a quarter of a mile from the military reservation?  
20 Have to notify anybody about that?

21          DENTON: If they sell those lots?

22          AGUIRRE-VOGLER: Yeah, I don't know what's on the  
23 mili - if they do activities or if there's ammunition in that  
24 area, or anything like that. I was just curious.

25          DENTON: That part I'm not necessarily familiar

1 with, but I know a part of their public report they have to  
2 describe what's in the area.

3 RIGGINS: I do believe that military reservation is  
4 one of the old air sites, is it not? I mean it's not a -

5 GRUBB: Yes, there's an old air strip working -

6 DENTON: The Rittenhouse?

7 GRUBB: Yeah, it's the old airstrip they used for  
8 touch and goes back there in the second world war, and it's  
9 used by light aircraft now. Ultralights and things like that.

10 RIGGINS: Okay.

11 AGUIRRE-VOGLER: Thank you.

12 RIGGINS: Any other questions or comments?

13 Commissioner Smyres.

14 SMYRES: I am looking at the, again, the development  
15 standards. Have you built any houses at all in this area  
16 using these standards?

17 MARKAKIS: No sir. We are, we are not a home  
18 builder, we are a development firm, a land development  
19 company, so the intent or the business plan for this site  
20 would be to sell these lots to a future home builder.

21 AGUIRRE-VOGLER: So individual septic tanks?

22 RIGGINS: Oh no. No, that would have to be an acre  
23 and a quarter.

24 SMYRES: My big concern, of course, we're seeing a  
25 20 foot setback on the front, which we all know will not work.

1 You can't get a full sized car in a 20 foot setback. Eight  
2 foot side, is that on each side or is that eight foot total on  
3 each setbacks?

4 DENTON: It's hard zone.

5 RIGGINS: One thing I will bring up is that this is  
6 a hard zone case. This isn't a PAD, so they are following  
7 non-discussable development standards.

8 SMYRES: Okay, thank you.

9 RIGGINS: Any other questions or comments to the  
10 applicant? Okay, thank you very much. As this is a tentative  
11 plat, we don't call to the public on this meeting, so we're  
12 ready for discussion from the Commission or a motion.

13 MORITZ: I'll make a motion.

14 RIGGINS: Commissioner Moritz.

15 MORITZ: I move to approve findings one through  
16 seven as set forth in the staff report, and approve the  
17 tentative plat in planning case S-042-14, with the ten  
18 stipulations as presented in the staff report.

19 RIGGINS: Do we have a second to that?

20 GRUBB: I'll second that.

21 RIGGINS: We have a second, Commissioner Grubb. All  
22 those in favor signify by saying aye.

23 COLLECTIVE: Aye.

24 RIGGINS: Opposed?

25 AGUIRRE-VOGLER: No.

1           RIGGINS: Have a single nay. So 1, 2, 3, 4, 5, 6,  
2 7, 8 to one. Okay, very good. You are approved and good  
3 luck. Okay, we'll move onto case number S-013-15, and I  
4 understand that there is a request for a continuance on this  
5 case?

6           DENTON: That's correct. That is correct to the  
7 November 19<sup>th</sup> meeting.

8           RIGGINS: The November 19<sup>th</sup> meeting at 9 a.m. Okay.  
9 What is the Commission's pleasure? Would someone like to make  
10 a motion?

11          MORITZ: Make a motion.

12          RIGGINS: Commissioner Moritz.

13          MORITZ: I make a motion that we approve a  
14 continuance on S-013-15 to the November 19, 2015 meeting.

15          RIGGINS: At 9 a.m.

16          MORITZ: At 9 a.m.

17          AGUIRRE-VOGLER: I'll second that.

18          RIGGINS: We have a second by Commissioner Aguirre-  
19 Vogler, all those in favor signify by saying aye.

20          COLLECTIVE: Aye.

21          RIGGINS: Opposed? Motion carries unanimously.  
22 Okay, our next order of business is a work session. And there  
23 goes the vineyards. And there goes the vineyards.

24          MACDONALD: This next item on your agenda is an  
25 ordinance amendment that the Commission last saw and initiated

1 in, I believe it was July of this year. You've seen this a  
2 number of times prior to that. We've been working on it since  
3 2013, you know, taking a pause each year when the winter  
4 visitors are gone, so that's why we're seeing it pick back up  
5 now. And everybody has their handouts, right. So I just  
6 wanted to take time today to go over it, make sure that I  
7 understand any issues that the Commission has. If I don't  
8 have the answer for you today, be able to get those answers  
9 for you when it come back to public hearing. We're  
10 anticipating bringing this back to the Commission next month  
11 for public hearing, so that we can move it through the  
12 process. So that's essentially why we're here today, talking  
13 about this item again. What has started this is our zoning -  
14 our existing zoning regulations, they're outdated. They  
15 define an RV as eight by 40 and we all know that RVs these  
16 days can be much larger than that, so we want to make some  
17 updates to that. Additionally our ordinance says that only  
18 vehicles owned by the property owner or the resident can be  
19 parked on a residential lot. So this doesn't allow for any  
20 guest parking of any kind within our ordinance, but we all  
21 know that that happens pretty regularly; that visitors come  
22 and they stay in RVs on other people's property, and of course  
23 they're violating our ordinance. So we want to be able to  
24 address that issue. Also the ordinance currently doesn't  
25 allow any type of hookups, whether it's an RV being stored on

1 the property by the property owner, or if it's being used for  
2 those guests, so we want to allow for trickle charging of  
3 batteries, allow them to have those hookups. So that's one of  
4 the things that we're looking to update as well. So how staff  
5 has approached this issue in the past, since as I indicated we  
6 don't allow guest parking at all, is we've had kind of a  
7 friendly enforcement approach. We've allowed a grace period  
8 when we get these complaints that come in about somebody  
9 occupying an RV. But with the growing County and these urban  
10 areas, there's been a lot of abuse of that and we really need  
11 to reexamine our approach at this point; it's becoming a  
12 larger and larger issue. So in 2013, we started this process  
13 of looking at our ordinance. We went out County-wide and did  
14 public meetings to try and get the feel for what residents  
15 thought, how they felt and we kind of saw the gamut of people  
16 not wanting it at all, and other people wanting, you know, the  
17 freedom to do what they want to do on their property. So we  
18 hope that this ordinance is a good balance, while still  
19 protecting the best interests of the County as a whole, being  
20 in compliance with our environmental health code, as well.  
21 That was one of the things that's kind of delayed this  
22 project, as well as making sure that we are in line with what  
23 the environmental health or sanitary code says. So, we have  
24 come up with some ordinance ideas. You've got the draft in  
25 your packet. Essentially we are redefining RV, because as we

1 know they can be larger than eight by 40, that's discussed now  
2 in our ordinance, and we want to allow residents to be able to  
3 leave their RVs in to trickle charge the battery. And as far  
4 as the residing or using them as housing, we want to allow RVs  
5 for temporary guest housing for no more than six months, and  
6 no more than one RV. This no more than one RV would mirror  
7 the language that's in the health code, that limits RVs not  
8 within an RV park to one. So we want to make sure that our  
9 code is in line with that, so that's why we settled on that  
10 number of one. We would allow this in our rural lots only,  
11 you know, our suburban ranch, general rural, those types of  
12 zones, and then we want them to meet the side and rear  
13 setbacks of detached accessory buildings, and the front  
14 setbacks of a main structure. So in the ordinance you'll see  
15 that we have set up those kind of development standards for  
16 these RVs, and we've also outlined a process for applicants to  
17 receive a temporary RV permit. The final thing that you'll  
18 see in the draft is a reduction in the minimum size of an RV  
19 park. So if some - currently the ordinance says that an RV  
20 park must be a minimum of ten acres. This proposal will  
21 reduce that to five acres so that if somebody had a smaller  
22 parcel, they would have to come through our rezoning process,  
23 so it's not something that would be allowed by right, but it  
24 would just grant a little bit more freedom in some of these  
25 areas to develop an RV park potentially if they meet, you

1 know, the other zoning code requirements and come in and get  
2 approval from our Planning Commission and the Board of  
3 Supervisors. The last thing that you'll see on the handout  
4 that I gave you is a typical single family residential  
5 development. One of the things that we heard as we did our  
6 community outreach was that some residents wanted to be able  
7 to allow these guest houses on - or these RVs as guest  
8 quarters on their single family residential lots, and staff  
9 has some serious concerns with that. This image kind of shows  
10 a typical single family residential development and, you know,  
11 our thought is that these types of lots can't accommodate an  
12 RV for a six month period. So as we go through this process,  
13 that's something that you might hear from the residents that,  
14 you know, they want to see it in these residential areas, and  
15 staff has some concern. So that's why I included that image  
16 just so we can have that discussion a little bit, and you can  
17 understand where staff is coming from in only allowing it in  
18 our rural zones.

19 RIGGINS: And just to jump right into that, I  
20 believe that Commissioner Smyres just made a comment on the  
21 last case concerning separation of buildings and everything  
22 else, we're talking about the only place most of these people  
23 could put one of these things is on the street, so I think, I  
24 think the Commission shares that concern equally.

25 MACDONALD: And that actually concludes my

1 presentation. Like I said, I'm hoping to get some feedback  
2 from the Commission, because we want to bring this back to  
3 public hearing next month, and I can understand any questions  
4 you have so that if I can't answer them, I have time to get  
5 those answers for you.

6 RIGGINS: I do have one question, just as a  
7 clarification. In your presentation here, you have friendly  
8 enforcement of a seven day grace period, but the way I read  
9 the definitions, duration not to exceed 15 days or up to six  
10 months with a temporary RV, so it's really a 15 day grace  
11 period.

12 MACDONALD: That's what we'll be going to. Right  
13 now when we get a violation - it's not allowed at all now, so  
14 when we get a violation now, they kind of just handle it just  
15 real delicately and, you know, give them, you know, seven days  
16 to move out. The draft proposes to let them have it up to two  
17 weeks without receiving any type of approvals from us. Once  
18 they exceed that, they have to get a permit, show us where  
19 it's locating, that they have adequate facilities, whether  
20 it's septic hookups or, you know, what they're going to do.

21 RIGGINS: And who - how - obviously one of the  
22 biggest, in my opinion, one of the biggest hurdles for the  
23 people that want to use this is going to be the septic system  
24 situation, and who's going to oversee that? Is that going to  
25 be handled in-house or is it -

1           MACDONALD: It will be. It'll be within the  
2 Community Development Department. Our septic division will  
3 take a look at that. They'll have to - the applicant will be  
4 required to provide us sufficient information showing that  
5 their septic has capacity or not, and then that'll be our  
6 determination.

7           RIGGINS: Well - and the question I ask with that -  
8 and again this is just for informational purposes, I think  
9 this is all good, I'm not - but just one of the difficulties,  
10 a - something that's been built fairly recently that used -  
11 (inaudible) not the 1960 rules - the septic system is sized  
12 for the size of the house, that's what it's sized for is the  
13 size of the house. So what's going to happen on a 3,000  
14 square foot house when somebody wants to put a trailer on it  
15 and you say no, you're not big enough to do it, but then they  
16 say yeah but there's only two of us living in the house.  
17 How's that - I mean it's just a technical issue, I'm just  
18 curious to see how that's going to be handled.

19           MACDONALD: Well my, my experience, not relating  
20 specifically to RVs, but just other projects, is that they  
21 have to show that their septic has capacity for any existing  
22 use, regardless of the number of occupants, because I believe  
23 it's based on fixtures, or -

24           RIGGINS: Well, and indeed what's going to happen -  
25 and again, we're just, it's a work session, so we're just -

1 I'm not a naysayer in any way, but I'm just bringing up a  
2 potential problem - basically most people will have followed  
3 the regulations and used the minimum size septic system  
4 allowable for their home, and to put a guesthouse on it in the  
5 strict interpretation of the law, will not be possible. So  
6 I'm just - so basically if you set this thing up like this,  
7 and then have them go through the whole thing and tell them  
8 well no it's, you know, it's impossible. I'm just curious how  
9 we're going to deal with that.

10           MACDONALD: Well if we determine that their septic  
11 doesn't have the capacity, they won't, they won't make it  
12 farther in the process. That's something they'll be required  
13 to submit initially.

14           RIGGINS: But if everybody is - again, the people  
15 that use the modern regulations and size things the way it's  
16 supposed to be, it's not sized for another building to be on  
17 it. And so that means it's a de facto no you can't. So I'm  
18 just curious how we go through all this, but then we have  
19 something that's an absolute block.

20           MACDONALD: And you know we really haven't gotten  
21 too in depth in the discussions of what happens in that case,  
22 but if they can show - we've had preliminary discussions that  
23 if they can show us, you know, that we'll be dumping here or  
24 something to that effect, you know, that's something that we  
25 may consider. It'll be part of the application that we

1 haven't developed on how we would handle that.

2 RIGGINS: What I would suggest, we're in a - and I'm  
3 going to turn it over to Frank in just a second - but the  
4 reason I brought this up, I like what's here. I think this is  
5 all good work. I think in the next work session we have to  
6 discuss this, I think we need to discuss the technical aspects  
7 of this one, because everything else here is doable.  
8 Everything else here works, it all works out. The issue with  
9 septic systems will be difficult and we need to have kind of a  
10 knowledge of how we're going to go forward with that. And  
11 with that, I'll turn it over to Frank.

12 SALAS: Well, my concern is you're wagon or whatever  
13 you park on there, they're going to use their own facility  
14 inside that, right? So where are they going to dump? There  
15 are no facilities any place around, other than some place  
16 that's an RV park that has that type of facility.

17 RIGGINS: Well Frank, a lot of residential homes  
18 built on rural lots, have hookups for sewer for their  
19 trailers. They dump it into their own septic system.

20 SALAS: In the area that I'm talking about, I don't  
21 see that, Scott, and my concern is enforceability. Who's  
22 going to enforce this, who's going to check on it, because  
23 we've got people that go out there and of course once they see  
24 they can park there for the year, they're going to go back  
25 east over there and spend their, spend their summer back

1 there, whatever the exchange is, and spend the winter out  
2 here, you know? How is that going to be enforced? What  
3 facilities are going to be used, like say in my town, there's  
4 no facilities for an RV to go over there and dump his, you  
5 know.

6 RIGGINS: Well, as any - again, in my opinion here,  
7 any other type of regulation along this line, enforcement will  
8 be directed towards complaints. So if you've got somebody  
9 that's dumping their sewage on somebody's property, there's  
10 going to be somebody that calls. And it's not very expensive  
11 if somebody wants to do this to put, you know, another 15 or  
12 20 feet of four inch ABS and a sewer hookup, to go into their  
13 septic system. I think that's going to be more along what's  
14 done here.

15 GRUBB: And again, it's on a short term basis, so -

16 RIGGINS: Well it's six months.

17 GRUBB: It could be.

18 RIGGINS: Yeah.

19 MORITZ: And I think six months is way too long.

20 That is not temporary housing in my book. To me, three months  
21 would be plenty, and if they want to come during that winter,  
22 it's that January-February timeframe that's most critical for  
23 most of them. Sometimes December if they don't have holidays  
24 somewhere. And most of the areas we're talking about right  
25 now are not regulated by HOAs, but when you show a picture of

1 the subdivisions, obviously it is. So they have their own  
2 rules and regulations to dictate that. I had a question on  
3 this B, it says here an established permitted use must exist  
4 on the property prior to a recreational vehicle being  
5 permitted as short term guest housing. But up under 1 you  
6 have - it sounds like you have to have a permit process on the  
7 property, not on the vehicle for the residence. I'm not sure  
8 that - that that makes the point in which it should be.

9           MACDONALD: Well item 1 talks about them obtaining a  
10 temporary RV permit, and then B? B is that there has to be a  
11 home or something, they can't just put - they can't just put  
12 an RV on a vacant piece of property, that's the, that's the  
13 intent.

14           RIGGINS: I would, I would like to ask a question, a  
15 polling of the Commission for some direction for staff. Your  
16 point is a good one concerning duration. What, what do - I  
17 mean just open discussion here, what do people think about  
18 this direction. Is - do the agree with Jill or?

19           DEL COTTO: Mr. Chair, if I could. I just think  
20 that for right now, I think everything that's kind of in this  
21 language is stuff that's just going to cripple our little  
22 neighborhood out there, just basically because everybody lives  
23 on 3.3 acres, so we've got five square miles of pretty  
24 populated 3.3 acre lots. So all of a sudden the five acre  
25 thing doesn't fit in with our 3.3 acre lots. There is some

1 surrounding property around us in the Hidden Valley area, but  
2 in regards to Thunderbird Farms North, Central, South, where  
3 all of this activity is going on today, unfortunately what  
4 we've come up with here doesn't quite answer that problem.  
5 The other problem I think we're going to see out in our  
6 neighborhood, is so you've got 3.3 acres, you maybe have a  
7 mobile home from 1970s, 1980s, 1909s, the year 2000, 2010  
8 mobile homes out there, now you've got people that are paying  
9 taxes, owning real estate in Pinal County that aren't here for  
10 the whole year, so their septic system in some regards is  
11 getting some opportunity to kind of, kind of relax a little  
12 bit, if you will, because they're not here for the whole  
13 summer.

14 RIGGINS: And that's the reason I asked them to  
15 address that issue.

16 DEL COTTO: So that's going to be such a - there's  
17 just going to be - there's so many other things in my opinion  
18 on my side of the County that need code compliance, that this  
19 isn't one of them, because you're going to, you're going to  
20 have to code compliance there. You're going to have to go and  
21 you're going to have multiple places on multiple streets, and  
22 there's just no way you're going to be able to take care of  
23 it. So, so there has, there has to be some kind of - you  
24 know, I made a suggestion a year or so ago that maybe there be  
25 some kind of permit process so that we have to find a way not

1 to penalize people for coming to Pinal County to winter. At  
2 the same time, the people that own these properties that have  
3 put two, three, four, five, eight, ten RV hookups in their  
4 backyard, some of them may even be more than ten, maybe 12,  
5 14, 16, 18 RV hookups in their backyard. The point, the point  
6 is, is that you've got all these people coming to the County,  
7 spending their winter, enjoying the weather, most of them  
8 horsing around, eating out, whatever, so it's just - it's  
9 unfortunate that we always can't find the right answer to the  
10 problem all the time and that - where, where it makes sense  
11 for the whole County, but in my neighborhood, in Thunderbird  
12 Farms and Papago Buttes, right off the get-go we're - we don't  
13 fall in that five acre category, so that's a strike against  
14 us. The second strike would be that there are going to be  
15 maybe not 50, but maybe 40 or 30, or some, some crazy amount  
16 of backyards that have allowed or contractors have come in and  
17 set these, set these places up like little RV parks. So no  
18 you've got people traveling 2-3,000 miles to get here, think  
19 they've got a place to spend the winter, and this thing - I  
20 don't, I would be more interested in taking care of other  
21 health issues we have in our particular neighborhood that we  
22 can't seem to get a handle on, like people just using the  
23 ground to go to the bathroom, rather than dumping their RV  
24 into a, into a septic. The one thing that I can say about the  
25 septic system, like I said these people aren't here for six,

1 seven months out of the year, so in reality or whatever, their  
2 system might be able to accept whatever they've got going on  
3 for a one, two, three, four month period. Some of them stay  
4 five months. Some of them want to stay as - they want to push  
5 it to the limit if they're allowed to be here for six months,  
6 they want to be here for five months, three weeks and six  
7 days.

8 RIGGINS: One thing I would, one thing I would say  
9 to that, obviously you live over there and you know the fabric  
10 of your community much better than I do, but anybody that put  
11 that kind of infrastructure on their suburban ranch lot, any  
12 single person that's a property owner over there can call and  
13 make a complaint and get a cease and desist order on that in a  
14 day. It's a totally illegal use. Now you know, you know your  
15 bunch, but I'll tell you something I've seen here; you go up  
16 here on the Ironwood corridor where those suburban ranch lots  
17 are, and you propose an increase in trailer use, and they go  
18 ballistic. So the very thing that you say that you guys want  
19 on suburban ranch, they would flood us and tell us what are  
20 you even thinking about?

21 DEL COTTO: Well I'm not suggesting that everybody  
22 in the neighborhood wants it, and I think that's how a lot of  
23 this came up was because we've got a handful of neighbors over  
24 the years have complained, and rightfully so, because a lot of  
25 what I've seen over the years is whoever put the septic - the

1 leech line - or not the leach lines, but the sewer lines in  
2 for the septic, the homeowner that lives there, he wants his  
3 guests as far away from him as possible, so typically they  
4 take these and they set them right on the lot line, so all of  
5 a sudden we don't have setbacks, now all of a sudden you may  
6 have, you know, you may have some Hispanic family that's used  
7 to being here all year long playing their music, doing what  
8 they want to do in their backyard, and now you've got six  
9 trailers full of Canadian people coming in, so there's your  
10 conflict gets, you know, gets that way. So that could be  
11 problem too.

12 RIGGINS: And the northern bunch that I've heard in  
13 here, that's what they want to have hammered and not let  
14 happen. They don't want that to happen in their community.

15 DEL COTTO: I think unfortunately for Thunderbird  
16 Farms and Papago Buttes, or the Hidden Valley area, we seem to  
17 have - we seem to be so disconnected from Pinal County in some  
18 respects that people have had their way with the development,  
19 if you will, the ability to call the septic tank man up and  
20 put a septic system in, if you will, and un - more than that,  
21 even, it's really not putting the septic sys - some of them  
22 have actually, I think, snuck additional septic tanks in,  
23 which makes sense to hold the capacity.

24 RIGGINS: Or make even cesspools. Maybe -

25 DEL COTTO: But I would say the majority of them

1 have just relied on tying into, like you suggested, put 40  
2 foot of four inch ABS on , and it's probably in some respects  
3 it probably works for them. You know what I mean? They learn  
4 to go use the restroom at the local restaurant or whatever the  
5 case may be, and then they don't kind of overload the system  
6 that way. But I just don't see it right now. I think it's  
7 going to take our little neighborhood, which has been a - kind  
8 of a winter wonderland - I've heard that before at the County  
9 - a winter wonderland for roping, so on and so forth. We've  
10 seen Canadian people come in and say we like to come here, we  
11 like to rope, horse around, that's what our neighborhood  
12 really, really - the majority of the people that come in the  
13 winter are cowboys, so I don't know what the - I don't know  
14 what the - I don't know what the answer to the problem is  
15 going to be, I just know that as much as some of this makes  
16 good sense, I don't think it kind of really just ties into, or  
17 works well with our suburban ranch, with we have going on, so.

18 RIGGINS: Everything that you have out there right  
19 now, in the nature that you're talking about, it's all in  
20 noncompliance. Every single bit of it is in noncompliance,  
21 and any neighbor, anybody they - anybody out there - if they  
22 wanted to, could go get a - and an enforcement officer would  
23 have to come out and they would issue a cease and desist and  
24 they would be under a spotlight.

25 DEL COTTO: I'd like to make a comment on that.

1 RIGGINS: Okay.

2 DEL COTTO: I would propose that Pinal County take  
3 their code compliance people that they pay to do their job,  
4 and send them out there. Because none of us want to - I hear  
5 it all the time from people at the County, call up and  
6 complain, call up and complain. Well, I've talked to code  
7 compliance numerous times, verbally and complained about  
8 stuff. I think only until you put something in writing does  
9 maybe anything kind of, you know, get maybe closer to being  
10 taken care of. The point is is that none of us people in the  
11 neighborhood, we don't want to, we don't want to push our  
12 winter visitors away, we don't want to stop them from  
13 vacationing in their backyard. We're already scared to death  
14 because of the dollar in Canada today, the fact that oil's at  
15 \$40 a barrel or wherever it's at today, we're already scared  
16 to death that we're not gonna - and we have heard quite a bit  
17 this year, and even last year, that we haven't had as many  
18 winter visitors as we certainly did in the past five, six,  
19 seven, eight, nine years prior to the last couple of years.  
20 So, so that's a big important part of our neighborhood in  
21 regards to, you know, how we, how we survive. And there is  
22 the truth too with them, is they do generate sales. They  
23 come, you know, I know if you've heard this before - probably  
24 - they come, they live in their friend's backyard, they fall  
25 in love with the neighborhood, and then they go buy themselves

1 a place. So I'm not suggesting that that, that that's a  
2 reason why you should allow it to happen, but -

3 RIGGINS: And I don't disagree with you at all on  
4 that, and if a community decides that they want to have all  
5 sorts of things that everybody will group together and make  
6 sure that they can do things that are outside the code, and  
7 make it work that way and make dollar investments that are  
8 totally at risk, you know, that's the way of the world.  
9 Sometimes it happens that way. But I have no doubt, and any  
10 other Commissioner can comment on this statement; I know  
11 people, I know individuals that if you try to open up suburban  
12 ranch to a whole bunch of trailers and whole bunch of stuff,  
13 there would be people that would come unglued over that  
14 proposal.

15 DEL COTTO: Well I think we're seeing that is our  
16 neighborhood now, and I think that's how a lot of this  
17 ultimately got started, and maybe even - I've been there for  
18 25 years, so I see that we need a little RV park, just simply  
19 because we've got so darn many of them right now that  
20 shouldn't be there. So it's kind of a Catch 22. We have to -  
21 I think it all starts with - you know, it's probably  
22 unfortunately it all starts with code compliance, and me in  
23 particular, I don't want to, I don't want to do somebody's job  
24 for them at code compliance. I don't want to, I don't want to  
25 get out in the street and start X-ing the lots off that are in

1 violation. I don't know if any of you want to come out and  
2 take care of that for the County, but that's kind of what  
3 we're up against right now, there. And it's not a, it's not a  
4 good - you know, a lot of the people that winter here, they  
5 have attitudes. They want to - you know, and maybe rightfully  
6 so in some respects they want their way, you know, but if  
7 they're breaking the code or the zoning, we understand how  
8 that goes on right now, and we're seeing that more in our  
9 District 4, I think, right now than anywhere. And a lot of  
10 that, I think, has to do with the fact that maybe there were  
11 contractors that helped put the pieces to the puzzle together  
12 when they shouldn't have. You know -

13 RIGGINS: (Inaudible) their state licenses are in  
14 jeopardy and (inaudible).

15 DEL COTTO: And another one was this, I think that a  
16 couple of these - I know that the Lucas family is one of them,  
17 they have literally been out there with a permit for 25-30  
18 years, so they were smart enough to go to the County 30 years  
19 ago and say I want to have four - and I think it was only four  
20 RVs - but I want to have four RVs in the backyard, so there  
21 are people that kind of did conform, and I think there may be  
22 multiple, maybe two, three, four families.

23 RIGGINS: And I can tell you in cases, because I  
24 recall them very distinctly, again in the area I'm talking  
25 about to the north, where one landowner on a three and a half

1 acre parcel has wanted to do something more intensive in this  
2 way, and there's been 30 people out here to complain because  
3 they don't want to let that to start even beginning to think  
4 about it, so it's one of those things. You can't pass  
5 ordinances that apply one way in one part of the County, and  
6 one way in another part of the County.

7 MORITZ: And sometimes they should.

8 RIGGINS: I think that's, I think that's a  
9 difficulty. But back to - I would again, I would again like  
10 to get to the concept, what do people think about the duration  
11 of this? What do the Commissioners think about six months?  
12 Is that too long? Is it -

13 DEL COTTO: If I could, I've heard some different -  
14 I've heard some different stuff now that they say that  
15 Canadian people can't be here for any more than four months  
16 now. I heard they were trying to make it eight months, and it  
17 was six months, and now maybe it's four months. So I'm not  
18 sure what the law is, but that would be a good thing for us to  
19 find out what duration they're allowed to be here, because I  
20 think a lot of them do try to take advantage of the full  
21 length of the, of what they're allowed to be here. So -

22 RIGGINS: What's the rest? What's everybody else's  
23 opinion on six months?

24 MORITZ: Now that I've heard Rand's take on it, yes  
25 we do want to encourage people coming to Pinal County, to

1 Arizona. I still six is a little too long, but if - the  
2 Canadians used to be six months. If that has changed, maybe  
3 you look at it and reconsider that. My thing is going back  
4 too, to the acreage. If his area has this influx and they are  
5 3.3, then maybe it needs to be three acres and not five acres,  
6 so they can continue doing what they're doing.

7 RIGGINS: If you want to do that -

8 MORITZ: Just a thought.

9 RIGGINS: I'm just telling you, if you want to make  
10 it so you can put that on a suburban ranch lot -

11 MORITZ: I didn't say -

12 RIGGINS: There's not enough space in here to hold  
13 the people that'll be here.

14 DEL COTTO: I understand that too. The only problem  
15 we have now is there's so much of it that is going on in our  
16 neighborhood.

17 RIGGINS: But that's -

18 DEL COTTO: That the first suggestion that I made,  
19 the first suggestion that I made at the County level was to  
20 try to put some type of permit in place to allow the people  
21 that are already - that already have this use, as long as  
22 their neighbor's within a certain amount of space around them,  
23 as long as they weren't impacting their neighbors, that  
24 possibly they could get their two month, three month, four  
25 month, five month, whatever permit that they were looking for.

1 And then, and then here's the other thing that I'd like to  
2 address. You're not going to be able to tell whether it's my  
3 aunt, my uncle, or my best friend from back home, in regards  
4 to who's living in that trailer in the backyard. Chance are,  
5 90 percent of the time, it's not going to be a relative. So,  
6 so we are - we do have that issue there, meaning that, meaning  
7 that is it allowed -

8 RIGGINS: This doesn't mean it has to be a relative.

9 DEL COTTO: Okay, well I thought I read that about a  
10 -

11 RIGGINS: It says a guest.

12 HARTMAN: No rent.

13 RIGGINS: It's just a guest, you just can't charge  
14 money.

15 DEL COTTO: Well that's the other point I'm making.  
16 They pay dearly to be here. They pay dearly to be here, so.

17 RIGGINS: Any other thoughts on duration? This is a  
18 work study session. Any other thoughts?

19 HARTMAN: Yeah, I - the duration part doesn't bother  
20 me, though. The whole thing bothers me. I - we went through  
21 this whole thing with Jerry three years, and staff, going  
22 through all the public hearings and the came - and we passed  
23 it onto the Supervisors and they told Jerry to take a hiatus.  
24 He sat over there and said, Supervisors have told me to take a  
25 hiatus on this subject. Well it hasn't got any better since

1 they haven't done anything in the last three - two or three  
2 years. I mean there's, there's more out there. And one of  
3 the things that is not even addressed in here is the fact that  
4 I remember that the water company - Thunderbird Water I think  
5 it is, was definitely against the additional connections to  
6 the water company because they don't have the capacity to  
7 carry more residents on three and a third acres. I mean they  
8 had it designed for so many people.

9 RIGGINS: They do in the winter time.

10 HARTMAN: Yeah, you talk to the water company chair  
11 on that, Scott, because he, he was definitely against more  
12 connections - who was going to determine whether it's winter  
13 or summer. The permits don't say winter or summer.

14 RIGGINS: Nobody wants to stay in their trailer for  
15 six months during the summertime, so there's a little bit of -

16 RIGGINS: Well one thing I would say on this, I  
17 believe it is very short-sighted to just pretend that we don't  
18 need to do something about this, because it'll just happen  
19 regardless if we don't. And that's one of the reasons why I  
20 brought up, right from the get-go, the concepts of how you  
21 determine sewer capacity. Because if you do it in the normal  
22 fashion, then none of this can happen. It won't happen. That  
23 you can write all this stuff up, but nobody will be able to  
24 get a permit. And there is no point whatsoever to do this in  
25 such a fashion that it won't function at all. Because then

1 you get right back to everybody going okay, then we're just in  
2 noncompliance, so we do it anyway. So I'll give to that.

3 HARTMAN: Okay, Scott. Let me make one more  
4 comment.

5 RIGGINS: Just jump in.

6 HARTMAN: Over the years, I've tried to get this  
7 Commission - we used to have field trips to different areas of  
8 the Supervisors, different districts with our Supervisors, and  
9 I, and I've tried to get us to go over to Rand's area with our  
10 Supervisor - with our current Supervisor, and we have not had  
11 the opportunity for this Commission to go there. And you,  
12 unless you go over into that area, you don't realize how much  
13 different that is. You might compare it to Arizona City or  
14 something, and that's in his district also. But that's a  
15 unique district over there, and the Commission - definitely, I  
16 think the Commission definitely, before this goes to public  
17 hearing and Ashlee, I see the way this is written, you're  
18 telling us that this is going to come before us next month as  
19 a public hearing for a motion? For -

20 MACDONALD: That was the plan, but you know, we  
21 haven't advertised it yet, so depending on, you know, what we  
22 hear today we may - I mean there's room to move our schedule.

23 HARTMAN: And that was kind of my other complaint  
24 was that normally it takes a motion from this Commission to  
25 direct staff to bring it to a public hearing, and I did not

1 see that and you just requested that we go on (inaudible) with  
2 a motion.

3 MACDONALD: The Commission has already done that.

4 RIGGINS: We've already done that.

5 AGUIRRE-VOGLER: Has anybody from this County been  
6 over there to evaluate the situation, say come January?

7 PATEL: Over where?

8 AGUIRRE-VOGLER: Over to Thunderbird just to see  
9 what he's talking about. I don't know, I know that the County  
10 has to be, it has to be all over the County, but maybe  
11 somebody from the County should go over there and - has code  
12 compliance gone over there?

13 MORITZ: Who covers code compliance for that area?

14 PATEL: Mr. Chairman and Members of the Commission,  
15 Himanshu Patel. Our department also handles code compliance,  
16 and so our staff has gone over there. We've - actually I've  
17 even toured the area and Mr. Del Cotto has kindly taken me  
18 around there. This issue, as you know, has evolved from a  
19 variety of different interest groups. Interest groups from  
20 Arizona City, there's a group there that really wants the  
21 ability to put in these temporary housing, even on the single  
22 family dwelling - single family residential lots, as well as  
23 areas in which like Mr. Del - Commissioner Del Cotto  
24 indicated. But I want to touch on a couple of things. As  
25 part of this process that started two - two-plus years ago, we

1 actively kind of slowed down the compliance side so that we  
2 could provide a conduit to change our rules to allow for  
3 community input so that they - we can decide on how we want to  
4 go about regulating this. And so currently there is no  
5 allowance of these RV units on properties, and so this was two  
6 and a half years of discussions to figure out a way to create  
7 a conduit to allow temporary housing. Also I wanted to make a  
8 point on - I want to make sure the Commission is clear on the  
9 issue regarding temporary housing, and the five acre issue.  
10 There's two separate issues here. Recognizing that there's an  
11 interest of our - in our community that this particular type  
12 of housing is of interest, we also wanted to make some  
13 approaches to minimizing our requirements for acreage for an  
14 RV zoning district. So a RV zoning district in which RV parks  
15 - permitted RV parks are allowed in the maximum - or the  
16 minimum amount that they need is ten acres. So in looking at  
17 a way to see if we can promote more RV parks to decrease that  
18 acreage size from ten to five. Completely different issue  
19 than a temporary RV housing issue.

20 RIGGINS: And can I jump in with a question on that.  
21 Board of health issues require a single family home to have an  
22 acre and a quarter to have a septic tank. You can't have a  
23 septic tank with a single family home with less than an acre  
24 and a quarter. So as you go into smaller facilities that  
25 require septic, you know, on five acres you can put a bunch of

1 trailers, I mean a bunch. How do you get that permitted with  
2 the Department of Health? How do you create a septic system  
3 for, you know, how many people could live on five acres in  
4 trailers? I mean a lot. There's no way in the world that a  
5 septic system could be permitted for that.

6 DEL COTTO: Mr. Chair, if I could because I -

7 RIGGINS: No, that's (inaudible).

8 PATEL: You have it now on acres that are ten acres  
9 or more. RV parks.

10 RIGGINS: No, no, I understand that. I understand  
11 that. But they still, but they still have to pass - you might  
12 be able to do it, but you've got to figure out how you're  
13 going to deal with the sewage flow.

14 DEL COTTO: If I could, because I've been learning a  
15 little bit about this. I think if you keep the permit under  
16 the County regulations, without going to the State for a  
17 septic permit, that you're allowed - you're ten gallons shy of  
18 12 units for ten acres. So, so I think you're allowed to have  
19 11 units, RVs, on a ten acre parcel, and you're under the  
20 maximum that you're allowed per the County regulation. Now I  
21 just heard that from an engineer. So - and that's staying  
22 under the County for a septic tank.

23 RIGGINS: But obviously on that ten acre parcel, now  
24 you've got a lot of open space.

25 DEL COTTO: Yes, yes you do.

1           RIGGINS: A whole lot of open space. There's no  
2 density on it.

3           DEL COTTO: And so five acres would be, would be  
4 five, five trailers, I think, or five or six trailers or  
5 something, something like that. One of the things that I'd  
6 like to kind of share with you guys, if I could, just in  
7 regards to our neighborhood: There are some winter visitors  
8 that have been here for 20-30 years and they've managed to buy  
9 the lot next to their 3.3 acre lot, so maybe they would be the  
10 type of people that could continue to do what they're doing,  
11 based on the fact that they live on 3.3 acres, but they have  
12 another 3.3 acre lot next to them, which would be 6.6 acres,  
13 and they're already doing some of this horsing around. So  
14 that would be a way for people - and there seem to be a  
15 handful - handful maybe ten families or something like that -  
16 that have managed to buy multiple lots, so maybe that would  
17 help them conform to what you're talking about on the five  
18 acre. Now, now I'm a little confused too, because -

19           RIGGINS: (Inaudible) suburban ranch.

20           PATEL: Yeah, we're talking about a zoning district.

21           RIGGINS: (Inaudible) lots, they're still zoned  
22 suburban ranch.

23           DEL COTTO: So you're only allowed to have on a 3.3  
24 acre lot, you're only still going to be allowed to have one  
25 RV.

1           PATEL: Under this proposal, you'll be allowed to  
2 have one temporary housing RV for whatever duration that gets  
3 decided, through a permit, and you will - you have to have an  
4 established use already, so there has to be a residency, or  
5 you know, some mobile home or a, you know, a single family  
6 housing unit, under this proposal. It's designed to promote -  
7 legalize what - lot of, you know, things that are going on  
8 right now as a way to allow that opportunity to have one - if  
9 you go beyond one, it then triggers, as Ashlee indicated - it  
10 doesn't - well, it requires the health department to permit,  
11 because they constitute two or more as a trailer park.  
12 Regardless if you are an RV, or a mobile home, anything with  
13 axle and registered through Motor Vehicle Division, two or  
14 more is considered a trailer park or a mobile home park, or an  
15 RV park under DHS's rules.

16           DEL COTTO: So that would bump it from one - from a  
17 3.3 acre lot, if somebody has two RVs in the backyard, they  
18 would be required to not have 3.3 acres, but to have five  
19 acres because they're not going to have one mobile home,  
20 they're going to - or one RV, they're going to have multiple,  
21 which turns them into an RV park.

22           RIGGINS: And I remember a case -

23           DEL COTTO: It's going to be hard for us because,  
24 because everybody's on a 3.3 acre lot, and people have  
25 multiple trailers there.

1           RIGGINS: I remember a case in here several years  
2 ago, again, up there, where somebody was trying to get out  
3 some of the restrictions of suburban ranch. They owned two  
4 adjacent lots, and what they were trying to do is create one  
5 lot out of it. They were trying to eliminate it and make it a  
6 single 6.6 because the acreage let them do things. Again,  
7 this room was full past the doors to stop them from doing  
8 that.

9           DEL COTTO: One thing if I could, I would certainly  
10 hope that we could - and I mentioned this last year, our  
11 winter visitors - it seems like they may be few and far  
12 between this year, we've heard a lot of that I don't know how  
13 true it is - but we would certainly like them to have an  
14 opportunity, if it were something that was going to take place  
15 here, that they could voice their opinion. So I would hope  
16 that it could be after the first of the year, because it seems  
17 like they do typically stay home for the holiday and -

18           MORITZ: Every year we say that, you're going to  
19 postpone it until the winter visitors are back, and last year  
20 we didn't do it -

21           DEL COTTO: February would be a great month.

22           RIGGINS: Actually this gives everybody a lot more  
23 right to do things than what they have now.

24           PATEL: Right.

25           RIGGINS: Right now it's all illegal. Every single

1 bit of it is. And if somebody, if somebody out there would  
2 decide to go on - they got mad and they wanted to really get  
3 with it court, there could be a wreck out there. This gives  
4 some protection.

5 PATEL: I'm sorry. Mr. Chairman, we also know that  
6 this similar proposal was presented to some of the  
7 stakeholders group that have shown interest in allowing this  
8 to happen, like in Arizona City, and they're not in support of  
9 the restriction of only one per lot, if you're in the proper  
10 zone, as well as the setback issues. So there's, there's been  
11 - that's why this discussion has taken place for so long,  
12 period of time, is that there are a lot of community members  
13 and stakeholders that really aren't - don't want to be  
14 regulated to this level when - when we - this was just enough  
15 proposal that was, after much discussions internally and  
16 externally in how we could as the department manage this in a  
17 way where we would be looking at it in a cohesive public  
18 safety manner, this was the best proposal that we could come  
19 up with.

20 RIGGINS: And the thing of it is, this is a - this  
21 is truly a classic zoning conundrum, and that is there are  
22 people that want to do a whole lot more with their property,  
23 and then there's a whole lot more people that say wait a  
24 minute, we have protections by our zoning and we don't want  
25 you to do that at all. Our zoning says this. And you know

1 what, the people that want the second scenario? They're the  
2 right ones. They're the right ones. This is an allowed use  
3 to go into something that people didn't expect prior. And  
4 because of the rural nature of the County and the way things  
5 are, I think this is an excellent approach. That if somebody  
6 wants to have a four acre parcel land and be able to do just  
7 virtually anything with it, well they impinge on every  
8 neighbor they have. And particularly they impinge on health  
9 standards as far as wastewater disposal. Those are huge. You  
10 know, if somebody has a - you know, if you are in one of these  
11 suburban ranch neighborhoods and three or four of these three  
12 and a half's, right around where the community well was,  
13 decide to have eight or nine trailers on every one of those  
14 things, you'd start having coliform like heck wouldn't have  
15 it. You would have a real problem.

16 DEL COTTO: I think we got to go back to what Mac  
17 said, and have a field trip. I think it would be a good idea,  
18 maybe in January or February. Try not to make a whole day of  
19 it. But in - and yeah, maybe set up for the people - and they  
20 know, they know what they're doing. The people that have done  
21 what they've done, they know what they're doing. They know  
22 that it probably wasn't a proposed, or it wasn't an accepted  
23 use, so, so -

24 AGUIRRE-VOGLER: (Inaudible) economic value.

25 MORITZ: Oh yes.

1 DEL COTTO: Yes. I think I've heard that one 3.3  
2 acre lot can generate \$8,000 a month.

3 RIGGINS: And they could sell (inaudible) substance  
4 (inaudible) and generate, there's lot of things you can do  
5 that are illegal.

6 DEL COTTO: Well if you - yes, well I'm just saying  
7 that's kind of - I'm not saying it's the norm, but it's  
8 certainly what goes on. That can be on just one 3.3 acre lot,  
9 so there is some taxable whatever there. So -

10 MORITZ: And yet it's that thing where obviously  
11 someone can own property there. It's that thing where well if  
12 they're going to give us this much grief, let's go some place  
13 else. And that will happen.

14 HARTMAN: One of the things was Scott said well  
15 these are all winter visitors. They're gone in the  
16 summertime. This permit doesn't show certain months that you  
17 can get it, and certain months you can't, and there's a lot of  
18 people that live in Rand's area that are summer laborers that  
19 live in these houses.

20 DEL COTTO: We have so many different little quirky  
21 things about our neighborhood, meaning we have half of the  
22 year it's immigrant farm workers, and the other half of the  
23 year we have winter visitors, so we've got quite a busy, quite  
24 a busy year of people turning in and out and in and out, and  
25 in and out in our neighborhood. So I will say this, we still,

1 we still will get winter visitors, regardless of what  
2 direction this thing goes in, we still see people coming, more  
3 of the city folks, you could, you could say that would live in  
4 the Town of Maricopa, so, so it - it's both - it goes two  
5 ways.

6 RIGGINS: One thing, I think, that has to be  
7 recognized about what is going on here, this isn't occupancy.  
8 This is having the trailer there at all. If the trailer's  
9 there year-round, it's out of compliance. It's not allowed.  
10 That's the law.

11 HARTMAN: Is there anything that restricts them from  
12 getting back and getting another permit for the rest of the  
13 year? Is it only going to be an issue for six months, and no  
14 re, no re-write?

15 RIGGINS: That's a good question. If somebody gets  
16 a six month permit and then takes the thing off for a day and  
17 comes back -

18 HARTMAN: Or doesn't take it off.

19 RIGGINS: For another six month permit, does that  
20 happen?

21 MACDONALD: The intent is that it would be six  
22 months over, you know, a calendar year, or like a rolling  
23 year.

24 RIGGINS: Well you would have - you would certainly  
25 have to write it that way then.

1           PATEL: What's your pleasure? Any thoughts on that  
2 from your standpoint?

3           RIGGINS: I think that that would be the way that it  
4 would need to be written, because if you're allowing a year-  
5 long occupancy with a trailer, again if that community wants  
6 that and they don't want to talk about enforcement, and they  
7 want to make those improvements and be totally outside the  
8 code, with chances of enforcement action, that's what they're  
9 going to do. But on a County-wide basis, there's other  
10 suburban ranch stuff that - this is going to be a push for  
11 them, to even take it to this point.

12           PATEL: So one six month permit for - that would be  
13 -

14           RIGGINS: Six months in a calendar year.

15           MORITZ: Or rolling -

16           PATEL: Rolling year.

17           RIGGINS: Rolling 12 months, you could do it either  
18 way.

19           AGUIRRE-VOGLER: What happened to the meeting in  
20 January? Just you're putting it off until January, until we  
21 get more input. Would that - would that do any good at all,  
22 or? You just think about it a little bit more, or talk to  
23 code compliance, or?

24           RIGGINS: Well I could make a comment. One of the -  
25 well, I don't know whether all the Supervisors - no, they're

1 not - but this Supervisor that is in this area is up for  
2 reelection. He put his name in for reelection, and I - this  
3 is an election year, and this is a hot subject. I -

4 AGUIRRE-VOGLER: And then how far away from Maricopa  
5 annexing it?

6 HARTMAN: To annex it? Oh, they're a long ways from  
7 annexing it. Maricopa, that would be the only direction they  
8 could go basically.

9 DEL COTTO: I will say this, that they do leave - a  
10 lot of the people do leave their trailers all year long.

11 HARTMAN: Yes they do.

12 DEL COTTO: They wrap them up and -

13 MORITZ: They're not in use.

14 DEL COTTO: No, they're not in use, but they do.

15 HARTMAN: Summer-ize them, or whatever.

16 DEL COTTO: They winter - summer-ize them.

17 AGUIRRE-VOGLER: So is there a provision for that as  
18 well, or is that out of compliance?

19 RIGGINS: Out of compliance.

20 DEL COTTO: I would think if it's one trailer for  
21 one household, that they could leave their trailer, right?

22 PATEL: Yeah, there is a storage component, yeah.

23 RIGGINS: Right, and it can't be hooked up.

24 PATEL: Right.

25 RIGGINS: It can have a battery trickle charger, but

1 it has to be unoccupied and not connected to utilities.

2 MORITZ: Yes.

3 HARTMAN: But this change says that it can hooked  
4 up.

5 RIGGINS: Only when it has the permit.

6 HARTMAN: I don't know about that. Isn't it under  
7 storage, can't it be hooked up so that the battery will be  
8 charged?

9 PATEL: Yes.

10 RIGGINS: Yes, but it can't - this is an occupancy.  
11 There's a different set of provisions for storing your own  
12 trailer.

13 HARTMAN: Well that's what we're talking about. The  
14 other one is storing a trailer and you say that they need a  
15 permit to store their own trailer?

16 RIGGINS: No, but there's requirements in storing  
17 your trailer. When you store your trailer on your own general  
18 rural parcel, you have the ability to have a trickle charger  
19 on it to keep the batteries up. And that's it.

20 HARTMAN: Now, but under these rules -

21 RIGGINS: Still the same. Still the same.

22 SMYRES: It says not in use for sleeping or living  
23 purposes.

24 RIGGINS: Yes, nobody can be in it during that  
25 period of time.

1           SMYRES: (Inaudible) trickle charge, but basically  
2 you got it wrapped in plastic.

3           RIGGINS: And also the way this would work too, if  
4 you had a trailer on storage on your parcel that nobody was  
5 in, could you get a permit to have another trailer there for  
6 six months at the same time? That would be the way I would  
7 see this as written. So you could have two trailers there,  
8 provided nobody was living in one of them.

9           MORITZ: Can you word the thing that instead of a  
10 six month period in a 12 month rolling, that it's non-  
11 occupancy between the two permits of more than 90 days.

12          HARTMAN: Unenforceable.

13          MORITZ: Okay. Well a lot of this is. What's new?

14          RIGGINS: You know, actually it depends on the  
15 community. I guarantee you, I guarantee you on Ironwood the  
16 suburban ranch lots up there, they will police themselves.

17          MORITZ: Oh yeah.

18          RIGGINS: Totally. They'll police themselves and  
19 make everybody else follow the letter of the regulation.  
20 Evidently out here, they don't want any regulation.,

21          MORITZ: And they would in Gold Canyon too.

22          RIGGINS: So that certainly is difficult. Any other  
23 questions by anybody? Do we want to see this case up for a  
24 vote in the next meeting, or do we want two meetings? We want  
25 another work study session on it next time?

1 AGUIRRE-VOGLER: Another work study.

2 RIGGINS: Okay. We're requesting another work study  
3 on it with more input. And I particularly would like to see,  
4 I would like to see some of the technical concepts about  
5 handling the septic system problem. Because I'd like to see  
6 how we handle that. No point in doing it if nobody can  
7 qualify.

8 HARTMAN: And written also how you would handle the  
9 six months. Could you come back and issue another six months,  
10 or do they have to wait six months before you reissue it, and  
11 it goes into storage.

12 GRUBB: Mr. Chair.

13 RIGGINS: Yes.

14 GRUBB: I've sat back and listened to this and  
15 listened to this and listened to this, and to me this sounds  
16 like a Comprehensive Plan Amendment, where you can  
17 specifically identify a zoning that's going to allow what  
18 happens out there, out there. To change the zoning for  
19 Thunderbird Farms.

20 RIGGINS: Change everybody's base zoning?

21 GRUBB: Everybody's base zoning to something that  
22 allows something. I mean you're talking about we know that  
23 this violation is going to continue and continue, and  
24 overwhelm code enforcement.

25 RIGGINS: Don't you believe that a significant

1 number of the people that live out there don't like this, and  
2 would fight that?

3 GRUBB: Well that's - there's only one way to find  
4 out.

5 AGUIRRE-VOGLER: That's why we have to have  
6 meetings.

7 GRUBB: There needs to be a public hearing out there  
8 and find out what the community wants.

9 RIGGINS: Who's going to initiate it?

10 GRUBB: And then that doesn't apply to our friends  
11 on Ironwood.

12 RIGGINS: But the thing of it is, the thing of it  
13 is, you can go ahead and rezone everything the way you want  
14 to, you can do anything you want, you still can't get around  
15 the health requirements of septic systems.

16 GRUBB: And I understand that. I understand that.  
17 More information, because to me this sounds like we need some  
18 kind of zoning, blanket zoning, because we have an area of the  
19 County that is going to be in constant - and again, it's not  
20 the only one, Thunderbird Farms isn't. You can go up here on  
21 Joy and Judy and everything east of the canal, and you find  
22 the same thing. It occurs there every year, and there's  
23 multiple, multiple units on the 3.3 acre parcels down in  
24 there. There's multiple units on the one acre parcels down  
25 there.

1           RIGGINS: I guarantee you after this passes,  
2 there'll still be.

3           GRUBB: And they'll still be there. So this doesn't  
4 fix the problem. It doesn't fix the problem. It's a bigger,  
5 it's a bigger issue than to just say well we're going to do  
6 this, but it's going to be impossible to enforce. That's a  
7 wasted effort.

8           RIGGINS: The limiting factor I see here, is you  
9 have a public health, safety and welfare issue -

10          GRUBB: Understood.

11          RIGGINS: - with waste stream flow, and there's no  
12 way that you can allow everybody to do what they want.

13          GRUBB: Oh, I understand that.

14          RIGGINS: Because it won't work.

15          GRUBB: And I understand that. But we're trying to  
16 put a band aid on a problem, and the band aid's not big  
17 enough. There's more to this than coming back next month and  
18 saying, you know, we're going to pass this and, you know, I  
19 think there's a lot more.

20          RIGGINS: You know sometimes you do things in  
21 increments.

22          GRUBB: And I understand that, but I think we need a  
23 good public hearing, and it needs to be there. You need to go  
24 out there and listen to that community, just like Rand said.  
25 We need to listen to that community about what they want and

1 try and address it -

2 MORITZ: Then if we don't do what they want -

3 GRUBB: No, I'm not saying what they want, you know,  
4 we're going to do what they want; we want to go hear what they  
5 want, and then find out if there's a way -

6 MORITZ: Of accomplishing that?

7 GRUBB: Of accomplishing a compromise that meets the  
8 needs of the community without -

9 RIGGINS: Just as a question, and I'll - you know,  
10 Himashu's sitting right here. To me, if the County were to go  
11 out and initiate that for the people that want to do that, I  
12 think they would infuriate the people that don't like what's  
13 going on. And the County to be the progenitor of that  
14 concept?

15 GRUBB: Well if the community comes out, you know,  
16 90 percent anti, then that is the sentiment of the community  
17 and the County has an answer.

18 RIGGINS: Maybe the better way to do it is go out  
19 and hold a poll and not start with a case. Because I think, I  
20 think that would be fraught with great problems.

21 PATEL: Mr. Chairman and Members of the Commission,  
22 I'm not sure - and perhaps my predecessor may have shared the  
23 history of this topic, the County did formally conduct 16  
24 public hearings throughout the County on this matter, and  
25 based on their input of what we heard at these public

1 hearings, the initial draft was done about a year-plus ago,  
2 and then after that, we had - that's when you took action and  
3 initiated it. We went before the Board of Supervisors with  
4 work sessions and there was areas of concerns there, and based  
5 on the comments that we've received - there's been two, two  
6 groups that have been very vocal about this. There's one  
7 that's in the Arizona City area that's very much supportive of  
8 wanting to have the ability to have this RV uses on their lots  
9 in Arizona City, which makes it very complicated because they  
10 are on a CR-3 single family residential, and that's something  
11 that staff is not in support of. We also heard, and had work  
12 sessions with the Board in which groups presented at the Board  
13 of Supervisors on this matter. Representatives from the  
14 Hidden Valley area that made presentation to the Board of  
15 Supervisors, opposing any changes to even open this avenue up  
16 for permitting or - because of the impact it has had, both  
17 environmentally and public safety-wise, water and other  
18 issues. So there's been a numerous amount of discussions  
19 going on regarding this topic, and we'll be happy to perhaps  
20 have continue on with this work session, but also provide you  
21 the minutes associated with those work sessions we had at the  
22 Board Supervisors, which would allow you to review what  
23 transpired there, as well as view the meetings, that you will  
24 be able to view either at your pleasure or at home, or what,  
25 because they have been broadcasted publicly.

1           RIGGINS:  And again, I urge everybody to consider in  
2  this issue, I mean we have very serious regulations and  
3  enforcement if you're caught not doing it correctly,  
4  concerning wastewater streams.  And to put hands in front our  
5  eyes and say we have - we're going to let people, you know,  
6  we're not - we're going to let them do something where it's  
7  all wrong.  But the thing of it is, that controls density.  
8  Just as simple as that.  It controls it.  You know, try to go  
9  out and do a dry lot subdivision on half acre lots and see how  
10 far you get.  Zero, it won't happen, because it won't fit - it  
11 won't defend public health, safety and welfare.

12           AGUIRRE-VOGLER:  Are we ready for a motion to  
13 adjourn?

14           RIGGINS:  I guess we talk about it again next week  
15 with renewed fervor.  Obviously there's a lot of thoughts  
16 about this and any other questions.  Next month, I'm sorry, we  
17 don't want to come back next week.  Any other questions or  
18 comments from staff or the Commission?

19           HARTMAN:  Yes, is it - Himanshu, is it impossible  
20 that we might have a field trip, the Commission, to that area?  
21 Maybe - those areas, it's both the same Supervisor.

22           PATEL:  It's possible, but why don't we first review  
23 some of the materials that you may not have seen from the work  
24 session.

25           HARTMAN:  I agree.

1           RIGGINS: And you know, and the other thing is - and  
2 maybe - and this is a work study session, so we can be a  
3 little bit more open and say things - to me, a field trip out  
4 there to look at that gets me saying where was code compliance  
5 out here?

6           DEL COTTO: I was just going to suggest that maybe  
7 instead of - I'd love to have everyone out at the raceway for  
8 pizza, but maybe what we need to do is get ahold of code  
9 compliance, have code compliance go out and do an overview of  
10 our neighborhood, and then maybe they can report back to us.  
11 And then we can -

12           RIGGINS: I have a feeling it'll be a very  
13 interesting report.

14           DEL COTTO: Yes, then that way, that way we're not  
15 all getting dragged out there and -

16           MORITZ: And when do you suggest that that be done  
17 for the November meeting, or later?

18           DEL COTTO: Whatever is convenient for Himanshu, I  
19 would say. Whatever works.

20           PATEL: Yeah, we'll work through this and figure out  
21 a way to get you a visual perspective of what's happening over  
22 there.

23           DEL COTTO: There you go. Perfect.

24           RIGGINS: Because we want to pass - we want good  
25 regulations to make things work, and one thing that I don't

1 like is handling this problem by just pretending it doesn't  
2 exist. That's a bad way to do it. Okay, do we have a motion  
3 for adjournment?

4 AGUIRRE-VOGLER: Motion.

5 RIGGINS: Motion, a second?

6 MACDONALD: Chair Riggins?

7 RIGGINS: It's adjourned.

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Julie A. Fish