



## OPEN SPACE

The Open Space element complies with the requirements of the Growing Smarter Act by providing an inventory of open space areas; an analysis of future needs; policies and strategies for managing, protecting, and acquiring additional open space; and promoting a regional system of integrated open space and recreational resources. In the Rio Verde Foothills area, there are some unique opportunities to connect open space corridors and areas to protect sensitive lands while allowing for future community growth and development. This section addresses open space issues in and around the Rio Verde Foothills planning area. For a countywide perspective on open space issues, refer to the *Eye to the Future 2020 – Open Space Element*.

### Background Plans

It is important to consider a number of local and regional open space planning efforts that may be relevant to Rio Verde Foothills open space and recreation planning.

#### *Scottsdale's General Plan, Character Area Plans, Ordinances*

The Rio Verde Foothills planning area borders on the City of Scottsdale, which is unique in its policy of aggressively pursuing opportunities to acquire new open space resources. The *Scottsdale General Plan* contains an Open Space and Recreation element, and a Preservation and Environmental Planning element. The former includes a vision statement that a substantial portion of the city will remain as natural open space through citizen initiative, as evidenced by the widespread support of the McDowell Sonoran Preserve. Even developed areas are expected to include a network of parks, scenic corridors, paths, and trails that provide access to open spaces.

The Preservation and Environmental Planning element includes a vision statement that the city is committed to preserving the Sonoran Desert and mountains to maintain scenic views, ensure protected habitats for wildlife and desert plants, protect archaeological and historical resources and sites, and provide appropriate access for educational and passive outdoor recreational opportunities for residents and visitors. Scottsdale's General Plan outlines goals and approaches to preserve open spaces, provide access to recreation, develop trails, and conserve valuable resources.

The McDowell Sonoran Preserve, initiated by citizens in 1990, is planned to create an integrated desert open space system consisting of mountains, desert, and natural corridors linking open spaces in and adjacent to Scottsdale. Although the plan includes trails, the preserve will be left in as pristine a state as possible. The vision



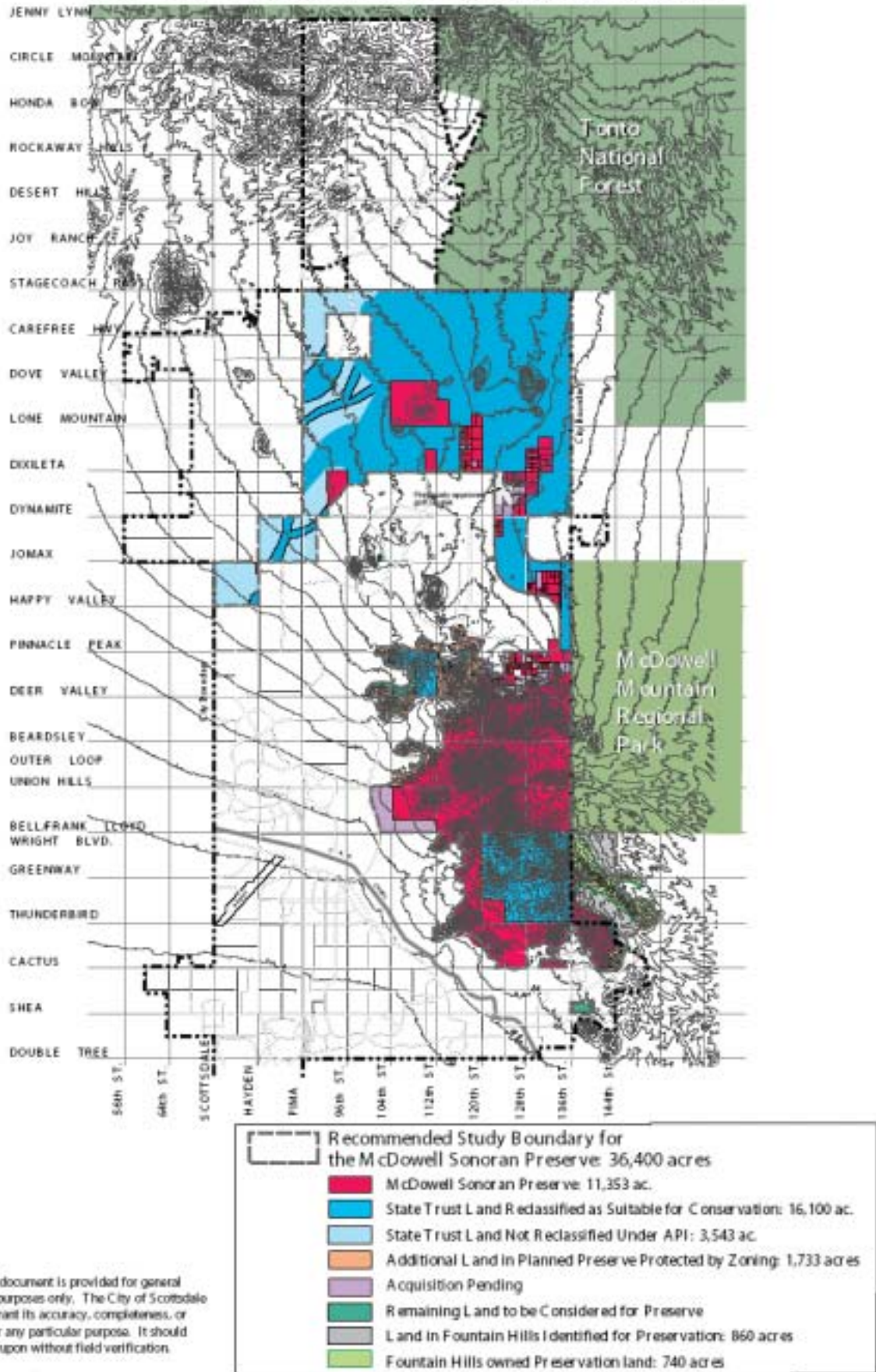
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is to preserve approximately 36,400 acres. **Figure 13-McDowell Sonoran Preserve Acquisition Status**, illustrates the recommended preserve study boundary and those areas already acquired, as per Scottsdale 's map dated September 2004. The planned preserve abuts five miles of the western boundary of the Rio Verde Foothills planning area. **Figure 14** shows planned preserve access areas and conceptual trails. A Major Community Access area is shown just west of 136<sup>th</sup> Street and north of Lone Mountain Road. A Minor Community Access area is shown at 128<sup>th</sup> Street and Rio Verde Drive. Potential continuance of a trail into the unincorporated planning area is shown at Lone Mountain Road and 136<sup>th</sup> Street along the power line trail.

Scottsdale's Dynamite Foothills Character Area Plan includes policies, guidelines, and an implementation program. In March 2000, Scottsdale adopted the *Dynamite Foothills Character Area Implementation Program* for an area west of and abutting the county's Rio Verde Foothills planning area. The plan is designed to help achieve a Rural Desert character through guidelines developed for land uses, streets, open space corridors, and infrastructure. Guidelines focus on maintaining a feeling of openness through natural undisturbed desert, minimal impact of development, open view corridors, low building heights, and maintaining natural desert vegetation. For example, a land use guideline encourages that low density single-family homesites be carefully sited to avoid dominating the character of any large, adjacent open space. Open visual corridors of at least 50 feet between homes are encouraged to provide a gradual transition into the large open space. Private equestrian residences are encouraged to locate within one mile of Dynamite Boulevard, or within ½ mile of McDowell Mountain Regional Park where environmental conditions are least sensitive and access to major open space is most likely. Ranches, stables, and other major equestrian facilities are encouraged to locate within ½ mile of a collector or arterial, and within ½ mile of a trail or major open space.

The City of Scottsdale adopted the *Desert Foothills Character Area and Implementation Plans* in July 1999, including Design Guidelines. Scottsdale's Desert Foothills area is west of the Dynamite Foothills area and covers land generally west of Pima Road, north and south of Dynamite Boulevard. This area is similar to the county's Rio Verde Foothills area, with parcels ranging from one to five acres, minimal infrastructure, and a broad range of lifestyles including equestrian activities. The plan describes similar policies to the Dynamite Foothills plan, and also addresses places of worship. For example, it encourages that natural open space buffers be placed around the entire perimeter of the facility to mitigate the impact on adjacent land uses. It also recommends that worship buildings be laid out to maintain an open campus character, which allows for reasonable view corridors between buildings. Guidelines are provided that focus on blending equestrian facilities into the natural and residential setting.

# ACQUISITION STATUS FOR THE MCDOWELL SONORAN PRESERVE



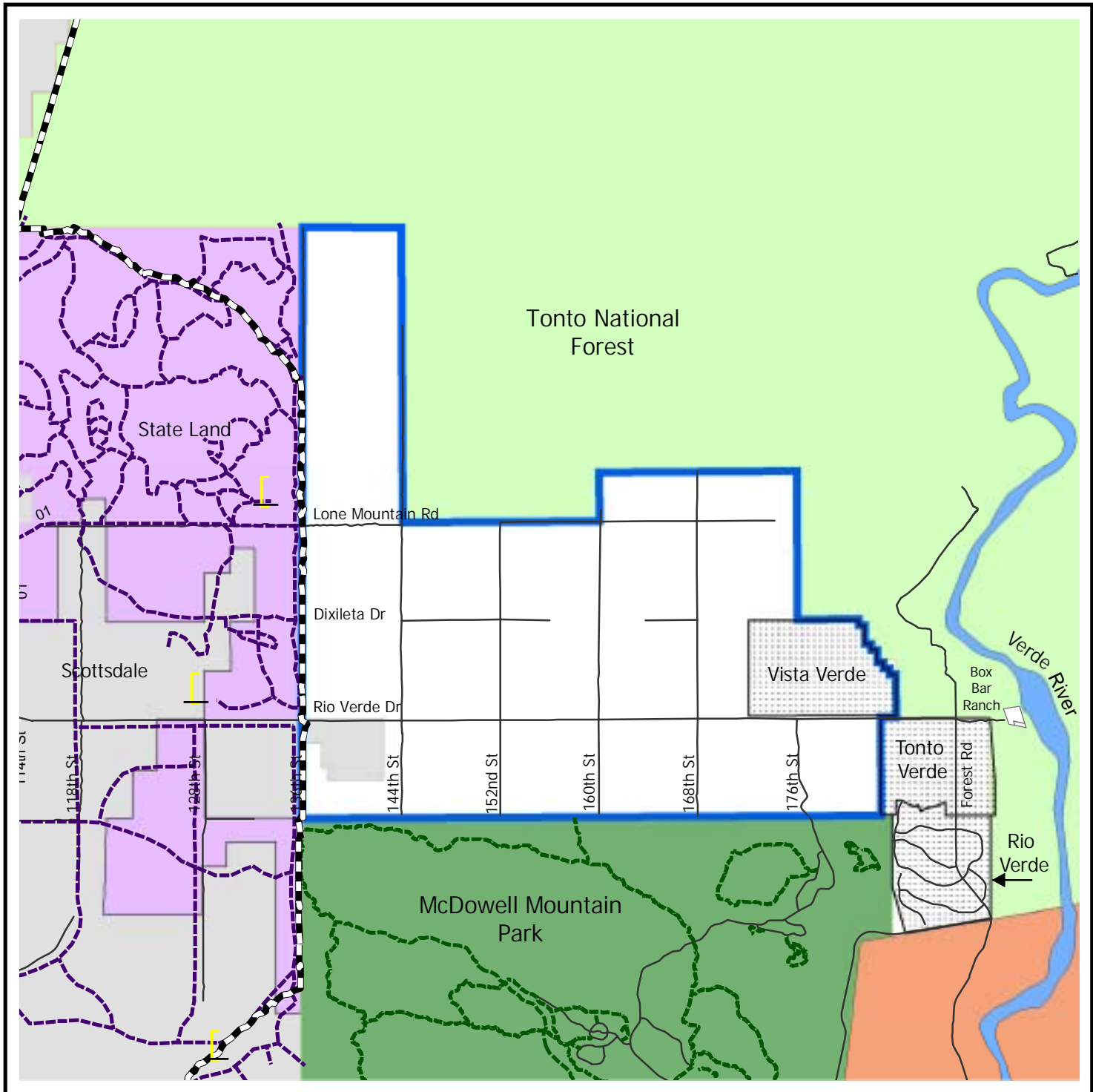
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Revised 9/04

Figure 13 - McDowell Sonoran Preserve Acquisition Status



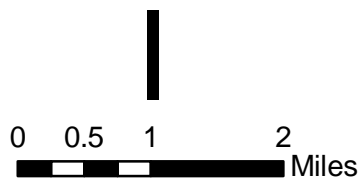
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## Open Space, Trails and Access Areas

Figure 14

-  Planned Preserve Access Areas
-  Arterial
-  Planned McDowell Sonoran Preserve Trail System
-  McDowell Mountain Park Trails
-  Maricopa County Regional Trail- Adopted Alignment
-  Planning Area Boundary
-  Development Master Plan
-  Incorporated Area
-  Fort McDowell Yavapai Nation
-  Private Land





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The city's Hillside Ordinance was adopted in 1974 and later repealed. The Environmentally Sensitive Lands Ordinance (ESLO) was adopted by Scottsdale in 1991 and updated in 2003 and April of 2004. The ESLO controls development in fragile desert lands and mountains in 134 square miles of land in northern Scottsdale. Scenic Corridor Design Guidelines were adopted by Scottsdale in March 2003, covering six corridors, including Dynamite Boulevard from 56<sup>th</sup> Street to 136<sup>th</sup> Street.

The Rio Verde Foothills community could adapt some of Scottsdale's rural design guidelines into its own set of rural development guidelines to implement some of the open space policies identified in this Area Plan update. The potential for rural development guidelines is discussed in more depth in the Land Use element.

### *Vista Verde Development Master Plan*

Vista Verde is an 856-acre Development Master Plan (DMP) located at the eastern end of the planning area. The DMP will guide the development of the site, which is planned to include 842 lots, 27 holes of golf, and a clubhouse/recreation facility. Several major desert washes traverse the site draining from west to east, and eventually into the Verde River approximately two miles east. Impacts to the washes are planned to be minimized or washes will be incorporated into the golf course design. The unimproved Dixileta Drive alignment abuts the site along the north property line with 55 feet of right-of-way. Currently, there are no north/south roads within the project or abutting the site. According to the project narrative, perimeter walls, if any, will follow the natural topography and meander around existing vegetation and rock outcroppings.

The primary recreation element is the golf course and clubhouse. A total of 421 acres of open space is planned, with golf courses and entry features providing 254 acres of recreational open space, and wash corridors providing 167 acres of undeveloped open space. The golf course and open space will ultimately be for private use. No trails are indicated on the plan.

### *Desert Spaces - An Open Space Plan for the Maricopa Association of Governments*

The Maricopa Association of Government's Regional Council adopted the *Desert Spaces* plan on October 25, 1995. The plan provides a non-regulatory framework for decision making and coordinating local and regional efforts toward establishing a viable open space system. The *Desert Spaces* plan identifies and recommends conservation and management strategies for natural resources and open spaces critical to the quality of life in Maricopa County. The foundation of the plan is existing parks and preserves.



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The *Desert Spaces* plan seeks to preserve, protect and enhance the mountains and foothills; rivers and washes; canals and cultural sites; upland desert vegetation; wildlife habitat; and existing parks and preserves. Mountain areas identified in the plan include the Usery, White Tank, New River, McDowell, Estrella, Heiroglyphic, Deem, Hedgepeth, and Union Hills mountains. The primary rivers and washes in the plan are the Salt, Gila, Verde, Agua Fria, and New Rivers, and parts of the Cave and Skunk Creeks and Hassayampa River. Also identified are trails, which primarily follow rivers, washes, and canals and allow the public to enjoy a diversity of open spaces. Proposed trails are seen as linking and integrating existing parks and preserves throughout the region. The plan encourages infill development in urbanized areas to reduce the need to develop undisturbed open space.

Two basic management approaches, based on public comments, are identified in the *Desert Spaces* plan for protecting priority areas and resources. *Conservation Areas* are public and private lands with outstanding open space value. Lands in this category are recommended for protection from development and its effects through policy amendment, easements, restrictions, and/or acquisition. According to a map of "Critical Areas Not in Public Domain," Asher Hills is identified for protection because of its outstanding open space value. Near the planning area, Granite and Fraesfield mountains are also identified for protection, including land east of these mountains which includes the northwest region of the Rio Verde Foothills planning area.

*Retention Areas* are public and private lands with high open space value and are recommended for sensitive development regulation. The *Desert Spaces* plan identifies all the remaining land in the Rio Verde Foothills planning area as Retention Areas. Approximately two-thirds of Maricopa County lands are not categorized (i.e., urbanized areas or areas with lower resource values).

The *Desert Spaces* plan contains policies to protect upland Sonoran desert vegetation at the higher elevations of Maricopa County. For example:

*Encourage development that does not require mass grading of the remaining areas of upper Sonoran desert vegetation to protect the region's "sense of place," wildlife habitat, drainages, and scenic quality.*

The plan identifies several specific Sonoran desert areas that serve as major links between regionally significant open space resources and should be protected. For the region in and around the Rio Verde Foothills area, this includes "lands that connect the McDowell Mountains and the Mazatzal Mountains." Maricopa County





area plans recognize the recommendations provided by the *Desert Spaces* plan and will integrate them into open space policies, where feasible.

### *Area Drainage Master Plans and Watercourse Master Plans, Maricopa County*

The FCDMC conducts a proactive program of regional flood control studies, which identify existing flood-prone areas and project future conditions. Area Drainage Master Plans (ADMPs) are being prepared for all developable portions of the county. The ADMPs will mitigate flood hazards in the respective study area. Water Course Master Plans (WCMPs) are similar to ADMPs, except that a WCMP has more of a focus on the management of a particular river or wash and its banks and flood zones, while an ADMP focuses on flooding issues over a wider drainage area. The FCDMC has made a commitment that new flood control projects not only protect people and property, but also provide opportunities for multiple uses such as natural habitat protection, recreational facilities, and aesthetically pleasing designs.

The FCDMC is preparing the *Rio Verde Area Drainage Master Plan*, which encompasses 50 square miles within and surrounding the planning area. It is bounded on the east by the Verde River, on the north by the Tonto National Forest, on the west by the 115<sup>th</sup> Street alignment, and on the south by McDowell Mountain Regional Park. The project began in 2002 in response to the area's significant increase of single-lot family residences and subdivisions and concern about the impact development is having on the area's drainage needs and flood protection.

The purpose of the Rio Verde ADMP is to identify the flooding problems, flooding sources, and flooding hazards and identify a range of cost-effective alternatives to eliminate or minimize these problems. As part of the study, *Drainage Guidelines for Single-Lot Development* were developed, taking effect in May 2003. The guidelines may have a positive effect on the quality of future open space in the planning area. Existing major washes cannot be disturbed, wash setback requirements are established, grading of lots is limited to no more than 40 percent of the total lot area (including driveways), and permits are required for site grading.

As part of the Rio Verde ADMP, the FCDMC is preparing a FLO-2D Analysis, which is using a two-dimensional computer modeling program to identify "personal hazard areas" where water would actually flow during a major storm. The computer modeling program can identify areas with sufficient depth and velocity that could knock a person over during a storm event. In areas where detailed information has been determined, individuals planning new homes are encouraged to work with the Maricopa County Planning and Development Drainage Review to determine



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how best to engineer a site design that promotes flood protection and compatibility with natural drainage. Most of the area north of Rio Verde Drive is modeled; studies are continuing for the area south of this road.

### *Maricopa County Regional Trail System Plan*

On September 4, 2002, the Board of Supervisors adopted the Maricopa County Regional Trail System: Phase One. The trail system's goals are to connect the County Park System, link recreational corridors around the Valley, and help preserve open space. The project will capitalize on existing right-of-ways such as canals, parks, utility corridors, and flood control projects. The Maricopa County Trail Commission is developing community partnerships to make the program a reality. Phase Two (described further under Linear Parks) includes a 9.7-mile stretch of trail, Segment 23, which runs along the western boundary of the Rio Verde Foothills planning area. The entire trail alignment was completed when Phase Three was adopted in August 2004. When implemented, a large non-motorized trail will loop around the County with branches into important open space and recreation areas. Some of the planned projects identified for possible incorporation in the regional trail system in or near the Rio Verde Foothills study area include:

- ◆ Maricopa County Regional Park System (e.g., McDowell Mountain Regional Park)
- ◆ Sun Circle Trail (adopted by Maricopa County June, 1964)
- ◆ Desert Spaces Plan (adopted by MAG October, 1995)

Existing and planned trails identified for the system cross through many jurisdictions, communities, and properties, so partnerships and agreements are important to creating the regional trail. Maricopa County will serve as the facilitator to bring the different links together. Many types of recreational opportunities are anticipated for the trail system, including biking, walking, jogging, and horseback riding.

### *Regional Off-Street System (ROSS) Plan*

The ROSS Plan, initiated by MAG, identifies a region-wide system of off-street paths and trails for non-motorized transportation. Easements for canal banks, utility lines, and flood control channels intersect numerous arterial streets where local destinations are typically located. The goal of the ROSS Plan is to help make bicycling and walking viable options for daily travel using off-street opportunities. The plan encourages trail connectivity between jurisdictions. A potential corridors map shows a trail that follows the power line from 136<sup>th</sup> Street and Lone Mountain Road and continues northeast into the Tonto National Forest. Although the primary project goal is to provide trails for bicycling and walking, the plan also considers a wide range of users, including equestrians.



## Open Space Issues

Research of Maricopa County open space documents, as well as input from local stakeholders, have identified the following regional and Rio Verde Foothills open space issues:

- ◆ Regional connectivity and linkages are important for both recreation and wildlife.
- ◆ Recognition of the economic benefits of open space is important. Natural open space is a desirable adjacent land use which enhances property values and maintains the long-term investment in the Rio Verde Foothills community.
- ◆ Recognition of environmental benefits of open space is important. Natural open space recharges the aquifer, improves water quality, controls soil erosion, improves air quality, moderates temperatures, and provides habitat for wildlife.
- ◆ Recognition of the quality of life benefits of natural open space is important. Natural open space provides areas of natural beauty, physical and visual access, educational opportunities, and sustains the passive and active recreational needs of the community.
- ◆ Environmentally sensitive areas including mountains and slopes; rivers and washes; historic, cultural, and archeological resources; view corridors; Sonoran Desert; and wildlife habitat and ecosystems need to be protected.
- ◆ Implementation of existing plans is important (i.e., *Desert Spaces* plan; Maricopa County Regional Trail System Plan; ROSS Plan).
- ◆ Preserving existing open space and planning for future open space is important.
- ◆ Planning for trails and paths along easements and roadways are important to many stakeholders.
- ◆ A coordinated trail system is needed to link Rio Verde Foothills community to McDowell Mountain Park, Tonto National Forest, and Scottsdale's planned preserve area for equestrian use, biking, and hiking.
- ◆ Plan for non-motorized trail access to public lands.
- ◆ Plan for non-horse activities such as quads, motorcycles, bicycles, and hiking trails.
- ◆ Keep large washes and floodplain areas open for equestrian trails and open space.
- ◆ Consider scenic corridor status for Rio Verde Drive.
- ◆ Work with the City of Scottsdale to coordinate regional trails and open space efforts.



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## Open Space Inventory

### *Dedicated Open Space:*

Dedicated open spaces are areas under public ownership, excluding State Trust and BLM lands, which have unique environmental and physical qualities. In Maricopa County, dedicated open space exists as regional parks, wilderness areas, wildlife areas, national monuments, and the Tonto National Forest. Proposed open space is discussed later in this section.

For this inventory, open space is separated into seven categories, which are derived from the National Recreation and Park Association (NRPA):

**Neighborhood Parks:** A neighborhood park is defined as an area of 15 or more acres, which is suitable for intense recreational activities. No dedicated neighborhood parks are located in the Rio Verde Foothills planning area.

**Community parks:** A community park is defined as an area 25 acres or larger that has a diverse environmental quality and may include areas suitable for intense recreational activities. No dedicated community parks are located in the planning area. The City of Scottsdale contains numerous parks. The city's parks and schools map indicates a new community park is planned for an area located south of Dynamite Boulevard near Alma School Road, about three miles west of the planning area.

**Regional Parks and Recreation Areas:** A regional park is defined as an area 1,000 acres or larger that is suitable for nature-oriented recreation. McDowell Mountain Regional Park forms the southern boundary of the planning area. Preliminary purchases and leases of this 21,100-acre park began in the 1940s. One of the largest in the Maricopa County Parks System, McDowell Mountain Park rates as one the most scenic with majestic mountain views. The park offers over 40 miles of hiking, mountain biking, and horseback riding trails, and 14 miles of competitive track. There are two large picnic areas with restroom facilities and three large areas for camping with restroom and shower facilities. Current non-motorized access to this park from the planning area is at 148<sup>th</sup> Street and the Jomax Road alignment, via a controlled opening in the park's fence. A voluntary fee box is located inside the fence. The main entrance is off McDowell Mountain Road, on the east side of the park. The Maricopa County Planning and Development Department will continue its long standing policy of coordinating and assisting the Maricopa County Parks and Recreation Department to determine when and where park expansion and/or acquisition would best serve county residents.



**Special Use Parks:** Special use parks may include plazas, civic malls, town squares, historical sites, small parks, botanical gardens, zoos, fairgrounds, outdoor museums, or outdoor amphitheaters. No special use parks are located in the Rio Verde Foothills planning area.

**Conservancy Areas:** The NRPA defines conservancy area to mean the protection and management of natural or cultural environments with recreational use as a secondary objective. Conservancy areas within Maricopa County include municipal preserves and open spaces, federally administered wildlife areas, designated wilderness areas administered by the BLM and the USFS, and other lands managed for conservation purposes by the BLM or the USFS.

The closest future conservancy area to the planning area is Scottsdale's planned McDowell Sonoran Preserve west of 136<sup>th</sup> Street as shown in **Figure 13**. The total land area proposed for the preserve is 36,400 acres; 16,600 acres of this area is State Trust land. The remaining land is either owned by Scottsdale or in private ownership. In August 2001, the State Land Department reclassified 11,390 acres as suitable for conservation with a deed restriction on the land to ensure that the property purchaser would conserve these lands. An additional 1,630 acres were reclassified as suitable for conservation without a deed restriction. Approximately 3,500 acres were not reclassified.

**Other Conservancy Areas:** Forming the northern border of the planning area, the Tonto National Forest encompasses approximately three million acres, of which nearly 25% are within Maricopa County. Most of the forest, excluding designated wilderness areas, is managed for watershed protection and multiple uses including timber, range, water, wildlife and dispersed recreation. Recreation activities include hiking, backpacking, wildlife viewing, picnicking, mountain biking, hunting, jeep tours, motorized and non-motorized trails, some designated off-highway vehicle routes, horseback riding, and camping. In addition, water-related recreation is available at several reservoirs and portions of the Salt and Verde rivers. Designated Tonto National Forest lands bordering the Rio Verde Foothills planning area are closed to shooting ("discharging a firearm or gas gun"), other than for taking game in accordance with Arizona hunting laws.<sup>17</sup>

**Linear Parks:** A linear park (which can include trails) is defined as an area developed for one or more varying modes of recreational travel, such as hiking, biking, horseback riding, cross-country skiing, canoeing, and pleasure driving. The Maricopa County Parks and Recreation Department maintains over 150 miles of trails within the existing regional parks, including the 40 miles of trails in McDowell Mountain Regional Park.

<sup>17</sup> Order 12-182, Special Restriction, Tonto National Forest, pursuant to 36 CFR §261.50(a).



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Maricopa County is planning a comprehensive trail system that connects regional parks and conservancy areas in a large loop around the county. On September 4, 2002, Maricopa County adopted Phase One of the Maricopa County Regional Trail System. Phase One identifies trail corridors connecting White Tank Mountain Regional Park to Lake Pleasant Regional Park to Spur Cross Ranch Conservation Area and Cave Creek Recreation Area.

Phase Two, adopted in October 2003, connects Spur Cross Ranch Conservation Area and Cave Creek Recreation Area to McDowell Mountain Regional Park to Utery Mountain Recreation Area to San Tan Mountain Regional Park. A segment of the Phase Two trail corridor will run along 136<sup>th</sup> Street, the western boundary of the Rio Verde Foothills planning area as shown in **Figure 14**. The trail meets 136<sup>th</sup> Street north of Lone Mountain Road and follows 136<sup>th</sup> Street south to McDowell Mountain Regional Park (MMRP). It runs along a portion of the western boundary of MMRP then winds southwest through the McDowell Mountain Preserve to make a connection to the CAP aqueduct near WestWorld. From this point, the trail will run southeast to connect to Utery Mountain Regional Park.

Phase Three was adopted in August 2004, completing the regional trail alignment. The regional trail, named the Maricopa Trail, will be a non-motorized, multi-modal, shared-use trail system.

**Other Types of Regional Open Space:** Several other open spaces in Maricopa County may be considered important, but are not necessarily dedicated or publicly accessible. These areas include golf courses; agriculture; and designated open space in master-planned developments, subdivisions, and other types of development. While most land in this category is not accessible to the public, it is nonetheless important for visual and aesthetic purposes.

Since the early 1990s, dozens of golf courses have been built in north Scottsdale and the northeast county. Tonto Verde, abutting the east boundary of the planning area, includes two semi-private 18-hole golf courses. Rio Verde, immediately south of Tonto Verde, includes two private golf courses. Approximately four miles west of the planning area are two additional golf communities: Troon North includes two semi-private 18-hole courses, and Estancia Golf Club with one private 18-hole course. In addition, the planned Vista Verde development will have 27 holes of golf for private use, and 421 acres of developed and natural open space.

### Needs Assessment

Research shows that open space protection is one of the most important public policy issues for Maricopa County residents. A 1999 Arizona State University survey identified that open space is an important priority to 93 percent of the population.



In addition, a survey by the Maricopa Association of Government's *Valley Vision 2025* plan identifies that open space preservation ranked third in importance for regional issues. Recent research documented the importance of physical activity in helping to prevent heart disease, diabetes, obesity, asthma, and depression.<sup>18</sup> Planning for bicycle, equestrian, and pedestrian trails will help ensure that citizens have access to safe and welcoming activities.

## Open Space Analysis

Open space and trail needs will become more important as the Rio Verde Foothills planning area grows and develops. **Table 18** identifies open space standards based on NRPA recommendations. The Rio Verde Foothills community may wish to implement some of these standards as the community grows and the need for recreation and open space increases.

**Table 18: Parks and Recreation Facilities Standards**

<b>Type</b>	<b>Space Requirements</b>	<b>Source</b>
Minimal Park Standards	6¼ to 10½ acres/1,000	Nat'l Recreation & Parks Assoc Individual Park Type Standards
Playlots	0.1 to 0.3 acres/1,000 persons	Ibid
Neighborhood Playground	2.0 acres/1,000 persons	
Neighborhood Park	2.0 acres/1,000 persons	
Community Playfield	1.0 acre/1,000 persons	
Major Community Park	5 acres for 1,000 to 10,000 persons	
Open Space	.75 to 1 acre/1,000 persons	
Baseball (youth)	1.2 acres/5,000 persons	
Basketball	7,280 sq.ft./5,000 persons	
Swimming Pool	2.0 acres/20,000 persons	
Regional Open Space	15.2 acres/1,000 persons* 25.0 acres/1,000 persons	NRPA Maricopa County Open Space Study (1970)

\*The NRPA also recommends that communities adapt these standards to reflect the needs of the people in a specific area.

The Rio Verde Foothills planning area currently does not have any community parks or dedicated open space. The planning area is bordered by a number of mountains including the McDowell Mountain (foothills) to the southwest, the Mazatzal Mountains to the northeast, and the spectacular Four Peaks mountains to the east. Although these mountains are outside the planning area, foothills of the McDowells

<sup>18</sup> Creating a Healthy Environment: The Impact of the Built Environment on Public Health. Centers for Disease Control and Prevention, November 2001



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and Mazatzals are accessible to planning area residents. In addition, areas along the Verde River provide activities such as fishing, water activities, camping, picnicking, and wildlife observation. It should be noted that some areas in the Tonto National Forest occasionally experience recreational user conflicts with all-terrain vehicle (ATV) riders and hunters.

Some communities find that schools and their recreational facilities are an important source of open space. If the future school-age population in the planning area becomes great enough to warrant a new school, there may be opportunities to plan for associated recreational areas. Some school districts are willing to share facilities such as baseball, softball, soccer fields, and gymnasiums with public groups for recreational purposes under liability agreements.

### *Proposed Open Space:*

The Maricopa County Comprehensive Plan separates proposed open space into publicly-owned and privately-owned proposed open space. Proposed open spaces are areas that, if acquired for the public domain, are intended to be planned and managed to protect, maintain, and enhance their intrinsic value for recreational, aesthetic, and biological purposes. It is recommended that proposed open space be protected through policy, easements, restrictions, and/or acquisition.

In unincorporated Maricopa County, two-thirds of the privately owned land proposed as open space is either in the 100-year floodplain or located on slopes over 15 percent. Most of the remaining one-third is State Trust land. According to state law, all privately owned and State Trust land may be developed unless added to the public domain or protected using other techniques that respect property rights. As such, limited opportunities exist in the planning area for proposing open space in the 100-year floodplain of privately owned land. Prior to any designation of private land as open space, the county must receive the written consent of the landowner. This would typically only occur in subdivisions and master plans as public or private easements. Developments may also establish natural open space tracts that provide trail linkages and preserve natural drainage ways.

The *Desert Spaces* concept plan considers the Salt and Gila Rivers as the spine of the open space system and other regionally significant rivers and washes as arms that connect major open space destinations. Canals, off-road trails, and utility corridors connect components of the open space system and provide visual relief from urban development. Policies also include on-road bicycle paths to provide connections to Maricopa County Regional Parks and other major open space destinations.





In the planning area, Asher Hills is identified by *Desert Spaces* for protection because of its outstanding open space value. The remainder of the planning area is identified as lands that should be managed as retention areas, where development is allowed if it is sensitive to maintaining open space resources and values. Locally important washes are encouraged to be managed to enhance wildlife and appropriate recreation values. Historic and archaeological sites are to be protected and are considered extremely valuable as educational opportunities as well as economically important to the tourist industry.

In addition to open space system opportunities, MAG's *Regional Off-Street System Plan* (ROSS) identifies flood control structures and rights-of-way, utility easements, freeway rights-of-way and railway corridors as potential routes. In the planning area, a potential corridor is identified that follows the power line from 136<sup>th</sup> Street and Lone Mountain Road and continues northeast into the Tonto National Forest. Potential opportunities in the Rio Verde Foothills planning area for regional connectivity include protection of washes and floodplains as potential trail corridors and to protect wildlife habitat connections. Existing floodplain regulations and drainage guidelines will assist in preserving open space, preserving natural desert vegetation, and minimizing the impact of development.

Rio Verde Drive could serve as a future recreational connection between the planned Maricopa County Regional Trail along 136<sup>th</sup> Street, trails planned by Scottsdale, and the Verde River to the east. On-road bicycle lanes are planned by MCDOT in conjunction with future improvements to Rio Verde Drive, but are not anticipated for some time. In 2004, MCDOT submitted a project for the MAG TIP in 2009 to pave the shoulders along Rio Verde Drive from the Scottsdale boundary to Forest Road.

Scenic corridor status could help promote desert landscape setbacks and sensitive development guidelines, and help preserve the outstanding scenic quality and mountain views currently provided along Rio Verde Drive. As discussed in the Transportation element, Rio Verde Drive is included in a scenic corridor overlay that was established in the Maricopa County Transportation System Plan (TSP). Development of scenic corridor guidelines for Rio Verde Drive would help implement the TSP. Maricopa County currently has four scenic corridors with development guidelines that were put together by local residents and stakeholders. They include Carefree Highway, Wickenburg Highway, State Route 74, and Interstate 17. Scenic corridor projects are underway for Old U.S. Highway 80 and Castle Hot Springs Road. Guidelines for the Rio Verde Drive scenic corridor would be policy and not regulatory. Scenic corridor design considerations may include landscaping, scenic quality, community character and identity, streetscapes, connectivity, structure height, lighting, signs, and perimeter walls.



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Some open space issues identified by Rio Verde Foothills stakeholders involve planning for trails and paths along easements and roadways in the planning area. According to MCDOT policy, the public (including bicyclists and equestrians) has a right of passage on County road right-of-ways. However, the County will not assume liability for passage, and does not allow building or improving trails, other than normal “wear and tear.” MCDOT acquires right-of-way only as required by its geometric design standards as described in the Major Streets and Routes Plan policy document. Currently MCDOT only has right-of-way on Rio Verde Drive. MCDOT has a procedure for including trail easements onto Maricopa County road rights-of-way. The first step is finding out if the County owns the land in the right-of-way, and if it is wide enough for a trail easement. If the Transportation Department (“Transportation”) determines that a trail easement is technically possible, the next step is to find an agency to sponsor those trail easements.

The Parks and Recreation Department (“Parks”) is Maricopa County’s agency for trails. A citizen group would have to make a request for sponsorship to the Trail Commission. If the Trail Commission approves of the trail system plan, they will recommend to the County Board of Supervisors (“Board”) that Parks should adopt the trail system. If the Board agrees, Parks will assume responsibility, including liability, for the trail system. Parks will then develop an intergovernmental agreement with Transportation. Once this is signed, the Planning and Development Department (“Planning”) will be notified. Finally, Planning would amend the Rio Verde Foothills Area Plan to include the trail system. Trail plans would also be given to Transportation to include in their road development plans.

It would be up to the citizen organization to work with Parks to develop details, including trail guidelines. The trail system would be designated for shared-use. The citizen group may be responsible for material and labor costs but Parks would have final decision-making authority.

### **Land Ownership Considerations for Open Space**

General land ownership is illustrated in **Figure 4 – Land Ownership**. All of the land in the planning area is privately owned. Nearly all of the surrounding lands, however, are publicly owned, as described below.

#### *Federal Land*

The USFS manages all of its resources (wood, water, forage, wildlife, and recreation) for multiple use and sustained yield of goods and services to maximize long-term public benefits in an environmentally sound manner. The USFS has authority, when it is in the public interest, to exchange lands with non-federal parties within the boundaries of National Forests within a state. Public interest considerations include: state and local needs; protection of habitats, cultural resources, watersheds, and



wilderness and aesthetic values; enhancement of recreation opportunities and public access; consolidation of lands for efficient management; implementation or accommodation of existing or planned land uses or plans; and fulfillment of public needs.

The Tonto National Forest, north and east of the planning area, is the fifth largest forest in the United States, occupying nearly three million acres of land. The only USFS land in Maricopa County, it is one of the most visited forests in the United States (approximately 5.8 million visitors annually). Historically, the Tonto National Forest has traded lands along its borders, including all of the land that is now the Rio Verde Foothills area, for tracts of private property within USFS land. Land ownership adjustments help to increase efficiency in resource management and satisfy needs of expanding communities. The USFS plans no major land exchanges in or near the planning area.

### *State Land*

State-owned land borders the western boundary of the planning area. Under state charter, the Arizona State Land Department has the responsibility on behalf of beneficiaries to assure the highest and best use of the trust lands. In 1996, Arizona enacted the Arizona Preserve Initiative (API) to give the Land Department authority to reclassify, lease, and sell state trust lands in and around urban areas to local governments and nonprofit organizations as open space for conservation purposes. In 1997, amendments to the API created a public-private matching grant program under the State Parks Board for acquisition or lease of trust lands for conservation. The McDowell Sonoran Preserve, adopted by the City of Scottsdale, is an example of API implementation.

### *County Land*

Maricopa County owns McDowell Mountain Regional Park, which abuts the southern boundary of the planning area. Maricopa County controls access to its parks and often requires user fees. Fees are used to fund operations and maintenance. Park access is controlled to protect and prevent over-use. The County Parks and Recreation Department does not plan to acquire any more land in this region of the county.

The FCDMC provides flood and storm water management services for the benefit of the residents of Maricopa County. It is responsible for administration of the Maricopa County Floodplain Regulations and does so through the study and delineation of County floodplains and the regulation of development within floodplain boundaries. The FCDMC has authority, provided by the state, to acquire property through eminent domain, purchase, donation, dedication, or exchange. However,



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this is done only for flood control projects such as constructing a basin or channel; not for open space purposes. The FCDMC currently owns no land in the planning area.

### **Designation of Access Points to Open Space Areas and Resources**

The *Desert Spaces* plan identifies that for people in rural areas of the county access to natural open space is more important than accessing developed parks. In rural areas there is a general perception of “impermanence” of access to open lands as new development may close off access to privately held lands that were once accessible for open space. *Desert Spaces-Environmentally Sensitive Development Areas -Policies and Design Guidelines (2000)* recommends developing safe public access to passive recreational activities and trails linking open spaces, between existing park facilities and new development areas. The ROSS plan recommends providing sufficient, convenient access that is highly visible.

In the planning area, as new development occurs it will be critical to preserve access to Tonto National Forest lands, the McDowell Sonoran Preserve, and county park lands. To this end, it will be important to encourage communication between developers, public land managers, and the community to preserve access to trails within the Rio Verde Foothills area and access to public lands.

The Tonto National Forest works with local communities to identify and designate future trails and access points. The USFS recently applied for a funding grant for fencing and access points along the southern border of the forest, which is the northern border of the Rio Verde Foothills planning area. Currently, there are numerous uncontrolled access points into the forest. Future plans may continue access points that connect to existing forest service roads at north/south streets such as 136<sup>th</sup>, 144<sup>th</sup>, 160<sup>th</sup>, and 168<sup>th</sup> Streets, but there would be fewer access points than currently exist. Routes are proposed for motorized and non-motorized trails within the National Forest. Eventually, these routes will be numbered, signed, and identified as to specific uses.