

HOMEOWNER'S GUIDE TO

NATURAL AREA OPEN SPACE



Introduction

The City of Scottsdale has an ongoing interest in preserving the unique qualities of the Sonoran Desert. This includes native vegetation, scenic corridors, animal habitats, boulder outcroppings, and washes. Scottsdale contains an abundance of diverse native plant and animal species that contribute to its character and beauty and merit protection under the Environmentally Sensitive Lands Ordinance, (ESLO), as well as the former Hillside Ordinance.



An important part of the ESLO regulations is the Natural Area Open Space, (NAOS) requirement. The NAOS requirements are designed to preserve the desert in its natural state. NAOS is an effective preservation tool, but its integrity can only be protected and maintained with the assistance of a well-informed public.

The following guidelines are written in accordance with the city's Environmentally Sensitive Lands Ordinance. They are general in nature and may not fit all situations. For case specific questions, or if you have an unusual situation, please contact the city's Permit Services Department at (480) 312-2500.

What is NAOS?

A Natural Area Open Space easement essentially restricts what can be done to a piece of land. NAOS easements are areas of continuous natural desert. Easements are dedicated in common tracts within subdivisions or on an individual lot-by-lot basis. Land that is designated NAOS must be preserved in its natural desert state and remain free of obstruction. No grading, filling, clearing or excavation of any kind is permitted in the NAOS easement. Structures, including walls, pools, barbecues, etc., may not be built within an NAOS easement.

Who owns the NAOS?

Although the City of Scottsdale Zoning Ordinance mandates the dedication of NAOS, the land is owned by a homeowners association or individual and is private property. However, the easement acts as a deed restriction and serves to achieve the goals of the city's Environmentally Sensitive Lands Ordinance.

NAOS easements
are areas of
continuous
natural desert.



How do I know if there is an NAOS easement on my property?

The NAOS easement is dedicated against the property and should show up on the current complete title report under Schedule B or on the cover sheet for a subdivision plat. Once the dedication is made, it stays with the property even after a change in ownership. For more information on NAOS locations you can contact the City of Scottsdale's Records Department at (480) 312-2356

How do I know who is responsible for maintenance of the NAOS?

The owner of the underlying property is responsible for maintenance. Consult the original dedication instrument. This is either the approved final plat if the NAOS is in common tracts throughout your subdivision or a separately recorded signed document. These should outline maintenance responsibilities. Maintenance is very minimal and is the responsibility of a homeowners association. NAOS that has been dedicated on an individual lot is the responsibility of that property owner.

NAOS maintenance is limited to the removal of man-made debris and the removal of parasitic plant growth only as it relates to the health of the plant.

Can an NAOS easement be reconfigured?

In such cases where proposed site improvements such as pools or guest homes may desire to extend into an NAOS area, a Release of Easement may be an option. A portion of an NAOS easement may be released if an additional, equal amount of natural desert can be dedicated as replacement and it still meets the requirements set forth in the ESLO. The release of easement process should be completed in advance of any other type of plan submittal to assure that the lot still meets its NAOS requirements. Contact the city's Permit Services Department at (480) 312-2500 for more information on fees and submittal requirements.

Can I clean up an NAOS easement that is on my property?

NAOS maintenance is limited to the removal of man-made debris and the removal of parasitic plant growth only as it relates to the health of the host plant. Dead plants, such as saguaros that have fallen over, serve as animal habitat and are to be left in place unless it is determined that they pose a health and safety concern. Contact the city's Current Planning division at (480) 312-7000 for questions regarding maintenance.



Can a portion of the total NAOS easement be disturbed?

Unless designated on City approved construction documents as Revegetated, NAOS cannot be disturbed. Upon final site plan approval from the City of Scottsdale, a small percentage of land dedicated as NAOS can be disturbed with the understanding that these areas will be restored once construction operations have ceased. This area is referred to as Revegetated NAOS and is shown on the approved site plan. Some examples of areas that would be designated as Revegetated NAOS include land that was previously scarred prior to construction, retention/detention basins, and public utility easements.

How is a disturbed NAOS area revegetated?

Once construction operations are completed, disturbed NAOS areas that were called out on the approved plans must be revegetated under the guidance of a city Planning Inspector. Revegetated NAOS areas should match the closest adjacent undisturbed desert area. The most effective way to restore a disturbed area is to take an inventory of and salvage the vegetation, including small shrubs and cacti, prior to disturbance. Salvaged plants are better adapted to the harsh dry environment and are therefore more likely to survive and not be consumed by wildlife. This is also the simplest and fastest method of recreating the desert environment. Plants should be watered with a temporary irrigation system until they are established. Non-native plants may not be planted within an NAOS easement. For a list of indigenous plants and information on watering techniques contact the city's Current Planning at (480) 312-7000 or visit www.ScottsdaleAZ.gov/codes/native-plant

May I add decomposed granite to NAOS?

Decomposed granite or mulch of any kind is not allowed. It is recommended that the 'desert pavement', i.e. small rocks, pebbles, and seeds, be salvaged off of the desert floor and scattered into the revegetated NAOS areas.

Decomposed granite or mulch of any kind is not allowed in NAOS.



Can I create a firebreak in NAOS?

In cooperation with Rural/Metro Fire Department, it has been determined that dried weeds and dead plants may be removed within 30 feet of a livable structure with city approval. Contact the city's Current Planning division at (480) 312-7000 for information on obtaining plan approval.

Can I prune trees and shrubs in NAOS?

NAOS areas are not to be confused with landscaped areas and are not meant to appear manicured. Trees and shrubs shall not be pruned or sheared unless it can be determined that they are blocking the right-of-way or pose a public health or safety concern.

Can I remove native plants from the NAOS?

No, all plant material located in the NAOS is protected by ordinance regardless of its condition. Deceased plant material serves as animal habitat and is required to be left alone unless it is determined that it poses a public health or safety concern.

What is mistletoe and can I remove it from trees?

Mistletoe is a parasitic plant that grows in many native trees including Palo Verde and Ironwood. It produces a red berry that attracts birds and is an excellent food source for native animals. Excessive mistletoe may eventually harm the tree and may be removed only as it relates to the health of the plant. If you are considering removing mistletoe from trees located in an NAOS easement, contact the city's Current Planning division at (480) 312-7000 for information on obtaining approval.

...all plant material
located in the NAOS
is protected by
ordinance...



Can I add plants to an NAOS easement?

For NAOS areas that are sparsely vegetated due to man-made or other disturbances, plants may be added after receiving approval from the City of Scottsdale. A plan shall be provided showing the proposed planting site, native plant material to be installed, access points, and installation and irrigation methodology. All plants must occur naturally within the planting region. Vegetation 'walls' or any proposal that creates an unnatural density of plant material will not be considered for approval. For more information, or for a copy of the city's indigenous plant list for Environmentally Sensitive Lands, contact the city's Current Planning division office at (480) 312-7000.

What should I do if I believe there is an NAOS violation in my neighborhood?

To report a possible violation, contact the city's Code Enforcement Department at (480) 312-2546. Be prepared to provide an address along with a description of the problem.

Who Can I Contact?

Remember, prior to modifying any portion of a dedicated NAOS easement, permission must be obtained from the City of Scottsdale. This information is provided for general reference purposes only and will not suit every situation. The following list of telephone numbers will assist you with specific questions about NAOS maintenance.

NAOS creates livable habitats for native animals.



Current Planning Services

(480) 312-7000

Coordinates review of all development requests

Plan Review

(480) 312-7080

Review of final plans for construction projects

Inspection and Land Survey Services

(480) 312-5750

Field inspections and community compliance with building codes

Permit Services

(480) 312-2500

Permits and plan submittal

Records

(480) 312-2356

Current and historical development information

Citizen & Neighborhood Resources

(480) 312-3111

Don't know who to call? Call (480) 312-2647.

www.ScottsdaleAz.gov



City of Scottsdale
One Civic Center
7447 E. Indian School Rd
Scottsdale, AZ 85251