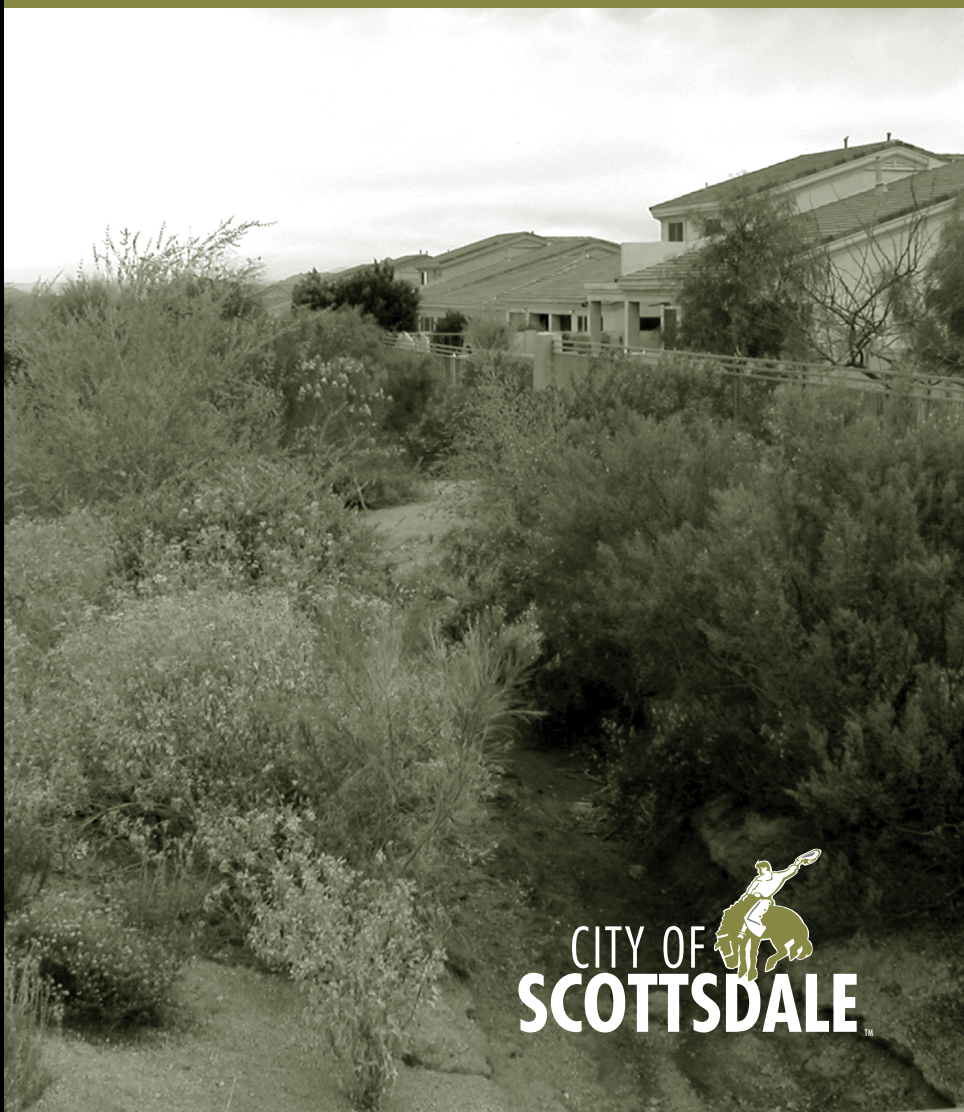




GUIDE TO

# 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. They merit protection under the Environmentally Sensitive Lands Overlay (ESL), as well as the former Hillside Ordinance.

An important part of the ESL 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 Overlay. 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 Current Planning Department at (480) 312-2500 or email [planninginfo@scottsdaleaz.gov](mailto:planninginfo@scottsdaleaz.gov).

### **What is NAOS?**

A Natural Area Open Space easement essentially restricts what can be done with 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 Overlay.

**NAOS easements  
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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 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 utilize the Parcel Information Maps at [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov) and search ‘parcel information maps’.

### 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. An NAOS that has been dedicated on an individual lot is the responsibility of that property owner.

**NAOS maintenance is generally limited to the removal of man-made debris, wash obstructions, invasive plants, parasitic plant growth and the creation of defensible space per the Fire Department guidelines.**

### 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 ESL Overlay. 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. For more information on the Release of Easement process, visit [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov) and search ‘release of easement’.

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

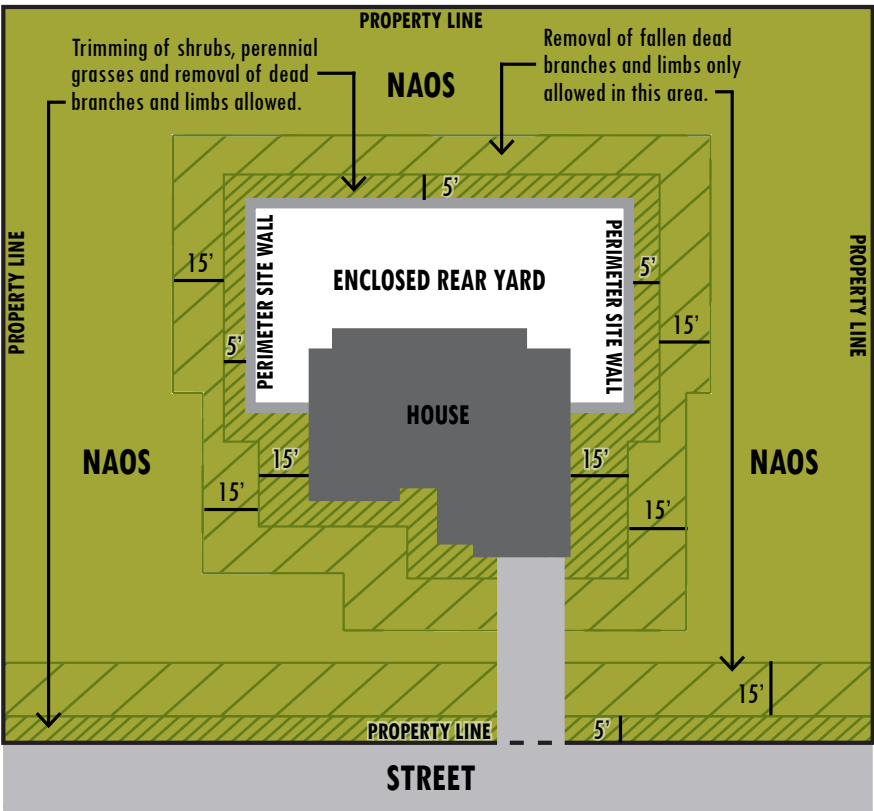
NAOS maintenance is limited to the removal of man-made debris, wash obstructions, invasive plants including desert broom, parasitic plant growth only as it relates to the health of the host plant, and the creation of defensible space as recommended by the Fire Department. Dead plants, such as saguaros 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.



## Can I create a firebreak in NAOS?

In cooperation with the Fire Department, it has been determined that a defensible zone may be maintained within 30 feet of a habitable structure with city approval. Contact the Fire Department at (480) 312-FIRE with questions.

DEFENSIBLE SPACE		
	Homes	Walls & Streets
Trim Live Vegetation	15 feet	5 feet
Remove Dead Vegetation	15 feet	15 feet
Total Defensible Dimensions	30 feet	20 feet





### **Can a portion of the total NAOS easement be disturbed?**

Unless designated on City approved construction documents as Revegetated, NAOS should not 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 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 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.

### **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 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 as recommended in the Defensible Space guidelines from the Fire Department.

### **Can I remove native plants from the NAOS?**

No, all native 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 except in accordance with the Defensible Space recommendations from the Fire Department.

### **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.

### **What are invasive plants and can I remove them from my NAOS?**

Invasive plants are typically not indigenous to the area and may compete with the existing native vegetation and eventually take over an area. Specific plants have been identified as invasive by the City and are listed in the City's brochure *Invasive Plants In and Near the McDowell Sonoran Preserve*.

**...all native plants located in the NAOS are 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 obtaining City approval. 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, visit [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov) and search ‘ESL indigenous plant list’.

### **May I set traps or use pesticides in an NAOS area?**

Pesticides, chemicals, or traps of any kind shall not be introduced in NAOS. The introduction of traps and hazardous household or industrial chemicals in the environment may produce larger unintended harmful ecological consequences including, but not limited to, disease, poisoning the food chain, and sterilizing the soil.

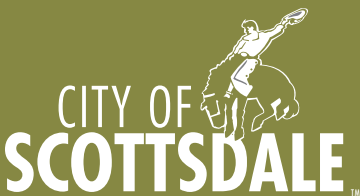
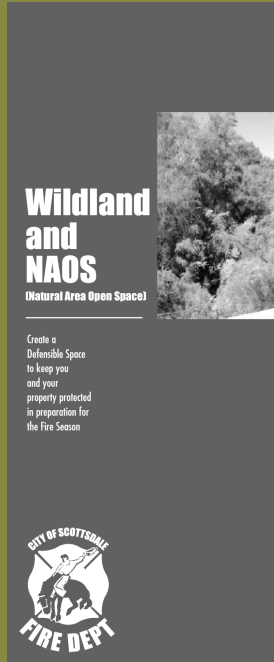
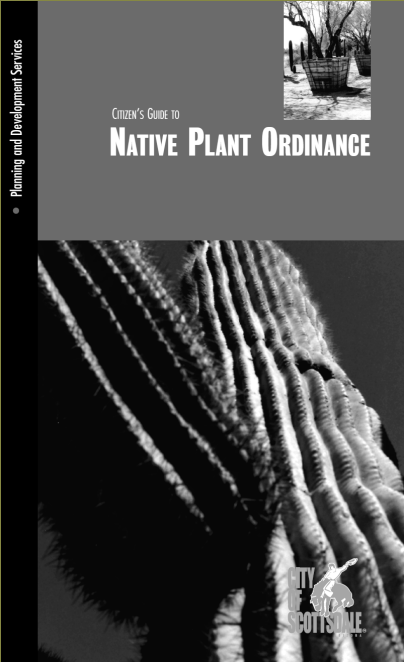
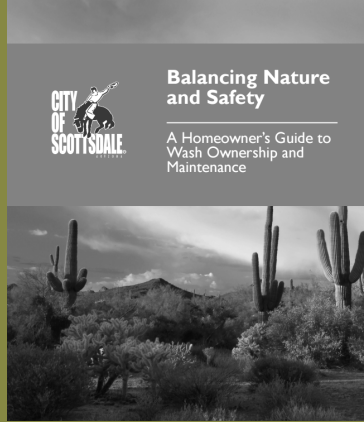
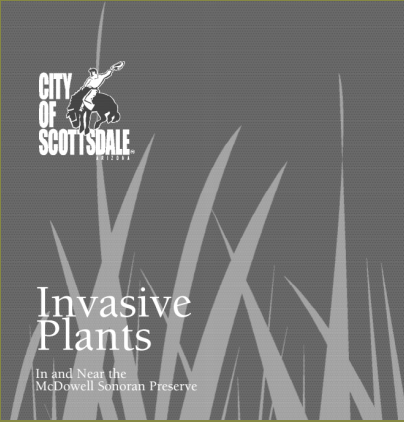
### **What should I do if I believe there is an NAOS violation in my neighborhood?**

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.

**NAOS preserves/protects habitats for native animals.**



Other related brochures available at [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)



**Planning and Development Services**

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