



NAOS Maintenance

Plan Review Submittal Requirements

The function of the Natural Area Open Space (N.A.O.S.) easement is to serve as meaningful open space. N.A.O.S. shall be permanently preserved in its natural condition to be self-sustaining. Activities that constitute manicuring such as clearing, pruning and raking are prohibited and dead or dying plant material shall be left in place to provide wildlife habitat.

Scottsdale Zoning Ordinance allows for minimal maintenance of N.A.O.S. when prior city staff approval is received and in only those cases where at least one of the following can be demonstrated.

- Flash fuels within thirty (30) feet from a habitable structure.
- Vegetation that is obstructing a drainage and flood control facility.
- Invasive, non-indigenous or parasitic plant material. Only ISA Certified Arborists may be contracted to remove mistletoe from native trees.

Project Name:	
Property's Address:	A.P.N.:
Property's Zoning District Designation:	
Application Request:	
Owner:	Applicant:
Company:	Company:
Address:	Address:
Phone:	Phone:
Fax:	Fax:
E-mail:	E-mail:

Is there an outstanding Code Enforcement citation or Notice of Compliance? Yes No If yes, please provide a copy

Submittal Requirements: Please submit materials requested below. All plans must be folded.

<input checked="" type="checkbox"/> Plan Review Fee – \$ _____ per hour (fee subject to change every July)
<input checked="" type="checkbox"/> Affidavit of Authority to Act for Property Owner, letter of authorization, or owners signature below
<input checked="" type="checkbox"/> Request for Site Visits and/or Inspections form
<input checked="" type="checkbox"/> Two (2) copies (8 ½" x 11") Narrative <ul style="list-style-type: none"> • The narrative shall detail all work to be performed including justification.
<input checked="" type="checkbox"/> Two (2) copies of a site plan or aerial map <ul style="list-style-type: none"> • The site plan shall include the property address and vicinity map of the Site Plan. • Indicate the location where maintenance is being requested.
<input type="checkbox"/> Mistletoe removal <ul style="list-style-type: none"> • If mistletoe is being proposed to be removed, the applicant shall provide the name of the ISA Certified Arborist that will be utilized.
<input type="checkbox"/> Color photographs of site – Photos of the disturbed and surrounding area depicting vegetation densities.
<input type="checkbox"/> Homeowners or Property Owners Association Approval (if applicable)

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2):

<input type="checkbox"/> Enhanced Application Review:	I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.
<input type="checkbox"/> Standard Application Review:	I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

<hr style="border: none; border-top: 1px solid black;"/> Owner Signature	<hr style="border: none; border-top: 1px solid black;"/> Agent/Applicant Signature
--	--



Review Methodologies For Application for Permitting and Development Applications

Review Methodologies

The City of Scottsdale maintains a business and resident friendly approach to new development and improvements to existing developments. In order to provide for flexibility in the review of Development Applications, and Applications for Permitting, the City of Scottsdale provides two methodologies from which an owner or agent may choose to have the City process the application. The methodologies are:

1. Enhanced Application Review Methodology

Within the parameters of the Regulatory Bill-of-Rights of the Arizona Revised Statutes, the Enhanced Application Review method is intended to increase the likelihood that the applicant will obtain an earlier favorable written decision or recommendation upon completion of the city's reviews. To accomplish this objective, the Enhanced Application Review allows:

- the applicant and City staff to maintain open and frequent communication (written, electronic, telephone, meeting, etc.) during the application review;
- City staff and the applicant to collaboratively work together regarding an application; and
- City staff to make requests for additional information and the applicant to submit revisions to address code, ordinance, or policy deficiencies in an expeditious manner.

Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

2. Standard Application Review Methodology:

Under the Standard Application Review, the application is processed in accordance with the Regulatory Bill-of-Rights of the Arizona Revised Statutes. These provisions significantly minimize the applicant's ability to collaboratively work with City Staff to resolve application code, ordinance, or policy deficiencies during the review of an application. After the completion the city's review, a written approval or denial, recommendation of approval or denial, or a written request for additional information will be provided.

The City is not required to provide an applicant the opportunity to resolve application deficiencies, and staff is not permitted to discuss or request additional information that may otherwise resolve a deficiency during the time the City has the application. Since the applicant's ability to collaboratively work with Staff's to resolve deficiencies is limited, the total Staff Review Time and the likelihood of a written denial, or recommendation of denial is significantly increased.

Required Notice

1. Pursuant to A.R.S. §9-836, an applicant may receive a clarification from the City regarding interpretation or application of a statute, ordinance, code or authorized substantive policy statement. A request to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning, Neighborhood and Transportation Division shall be submitted in writing to the One Stop Shop to the attention of the Planning, Neighborhood & Transportation Administrator or designee. All such requests must be submitted in accordance with the A.R.S. §9-839 and the City's applicable administrative policies available at the Planning, Neighborhood and Transportation Division's One Stop Shop, or from the city's website: <http://www.scottsdaleaz.gov/bldgresources/forms>.

Planning, Neighborhood and Transportation Division
One Stop Shop
Planning, Neighborhood & Transportation Administrator
7447 E. Indian School Rd, Suite 105
Scottsdale, AZ 85251

Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

City of Scottsdale Website: www.scottsdaleaz.gov



NAOS Maintenance

Arizona Revised Statutes Notice

§9-834. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.