

Archaeology for Developers

Background

In July 1999, the Scottsdale City Council adopted Ordinance No. 3243, which is codified in Scottsdale Revised Code, [Chapter 46, Article VI](#), to protect archaeological resources. Scottsdale is at the forefront of Arizona communities for its proactive efforts to identify and protect significant archaeological resources within the city borders. In general, the archaeology ordinance requires an applicant for either a public or private development project to hire a qualified archaeologist to survey their property to determine if there are any archaeological resources that could be impacted by the development. The ordinance is implemented by the City Archaeologist with oversight from the [Historic Preservation Commission](#). In most instances archaeological review will be administrative and occurs during the development review process.

Key Points

1. The Ordinance defines criteria to determine which archaeological sites are significant and focuses on protecting significant sites in place and/or mitigating development impacts on significant sites.
2. On-call archaeologists review survey reports submitted to the city for both public and private projects. If it is determined that a development project will not impact any significant archaeological resources, the applicant will receive a Certificate of No Effect-Archaeological Resources.
3. Exemptions from survey requirements are allowed for certain development projects.
4. If the development will impact significant archaeological resources, then the applicant must follow established procedures for the preparation and implementation of a mitigation plan.
5. If mitigation is required, after all fieldwork and data collection has been obtained by archaeologists from a site, and a report on the findings has been approved, the applicant will receive a Certificate of Approval-Archaeological Resources.
6. City capital projects, including trails or other projects in the McDowell Sonoran Preserve, must comply with the ordinance to be sure that city projects will not adversely impact significant archaeological sites.

Protection of Archaeological Resources

Only certain types of development require archaeological surveys and/or reports. Before undertaking any project you will want to review our [Archaeological Resources Fact Sheet](#). These requests are usually required for larger projects and those with long term affects. The fact sheet includes details about the survey and review processes, and when exemptions might be possible.

In addition to city of Scottsdale guidelines, you will want to consult state guidelines for any concerns about archaeological and cultural resources. State requirements can be found here (link to <https://azstateparks.com/shpo> and <https://statemuseum.arizona.edu>).

Application Information

Each of the following application types require archaeological survey reports. For many applications, the surveys might have been completed and will not need to be updated. If your project involves any kind of excavation, then a new survey will likely be required. Construction of swimming pools, a wash modification, and construction on dry desert washes will all require updated or current archaeological reports. If you happen to discover archaeological remains during construction of your project, even if exempt, you must stop the work immediately and report the discovery to the City Historic Preservation Office to avoid any legal issues.

[Pre-Application & Case Submittal Process](#)

Conditional Use Permit (UP) – Used when a proposed development requires a special permit to be approved by the City Council before the land use will be allowed on the parcel.

Development Review Board (DR) – Used when constructing new buildings or when adding to an existing structure.

Preliminary Plat (PP) – Used when a proposed development requests a subdivision of a parcel(s).

Wireless Communication Facilities (WCF) – Used for any development which sends or receives signals using wireless antennae, necessitated through Section 106 of the National Historic Preservation Act in coordination with the FCC. This legislation requires developers and the city to consider the effect that construction might have on any nearby historic resources.

Zoning District Map Amendment (ZN) - Used when a proposed development requests a change to the zoning district for the parcel(s).

The above list does not include all possible development projects which require an archeological report or survey. In addition to the above, you will want to check the [Fact Sheet](#) to see if your project requires this consideration.

Public Records Request

Archaeological survey reports often contain confidential information that will be shared only with a qualified archaeologist. Reviewing an old or current report requires a [public records request](#) and many public records are accessible through the city's online services. Planning and Development Records can also be searched for other items such as property records, building permits, case file status, elevation certificates, right-of-way

permits, certificates of occupancy reports, GIS maps and data. Consulting archaeologists usually want all previous reports from city, Arizona state museum, and state historic preservation office.

Discovery of Archaeological Resources During Construction

If previously unreported archaeological resources are identified during project activities, all ground disturbing activities in the vicinity of the discovery shall cease until the city of Scottsdale Historic Preservation Office is notified and the nature of the significance of the discovery is evaluated.

Discovery of Human Remains During Construction

If human remains are encountered during ground-disturbing activities, all work must immediately cease within 30 meters (100 feet) of the discovery and the area must be secured. The Arizona State Museum (ASM), city of Scottsdale (COS), State Historic Preservation Office (SHPO), and appropriate Tribes must be notified of the discovery. All discoveries will be treated in accordance with Arizona Revised Statutes §41-865, as appropriate, and work must not resume in this area without authorization from ASM and COS.

Additional Resources

Arizona Archaeological Council is available to coordinate with developers interested in preserving archaeological resources. They help enforce laws and regulations in place to protect and preserve cultural remnants. The council also publishes a semi-annual journal which covers various related subjects. Contact information can be found on their [website](#).

Arizona State Museum, located in Tucson Arizona, possesses a wealth of information for cultural resource management and anthropological works specific to the Southwest. They may also be useful when considering undertaking a new project with any archaeological concerns. Additional information can be found on their [website](#).