

ZONING INTERPRETATION RECORD

Subject of Interpretation:

The interpretation is in regard to the limitation on non-native plant height within areas covered by the Environmentally Sensitive Lands (ESL) and Foothills Overlay (FO) districts.

Zoning Ordinance Section Number:

Sections 6.1004.E.4. and 6.1070.G.1.i.

Title of Section:

Foothills Overlay Zone – Sensitive building design and integration.; Environmentally Sensitive Lands Ordinance – Site and Structure Development Design Standards

Cause for Interpretation:

There is a need to provide greater clarity and specificity for these standards in order to achieve more consistent compliance. The language in the two ordinances that is of focus for this interpretation is: "Plant materials that are not indigenous to the area shall not exceed twenty (20) feet in height and ..." within the Foothills Overlay Zone and "... and non-indigenous plants that have the potential of exceeding twenty (20) feet in height are prohibited."

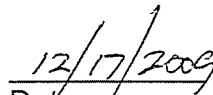
Interpretation:

In order to achieve the intent of maintaining the overall natural desert character within areas that have the ESL and FO ordinances applied, a detailed plant materials list has been prepared. The "Indigenous, Desert Appropriate and Recommended Plant Lists" for the Environmentally Sensitive Lands overlay areas (www.scottsdaleaz.gov/codes/nativeplant/eslo.asp) includes plant materials that are assured of meeting this standard. The installation of any trees within the ESL governed areas that are not on this list shall be subject to prior city review. Any tree not on this list that is planted within the ESL governed area may be required to be removed.




Interpretation By

Donald Hadder, Sr.
Principal Planner



Date

December
17, 2009



Approved By

Lusia Galav AICP
Zoning Administrator