

REPORT OF  
RECOMMENDATIONS  
TO CITY COUNCIL

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McDowell Mountains Task Force  
September 1993  
Scottsdale, Arizona

## EXECUTIVE SUMMARY

**Mission:** Develop a sound plan and action program to preserve, protect and maintain the beauty and heritage of the McDowell Mountains and related portions of the Sonoran Desert in their natural state in perpetuity with provisions for appropriate public access and use.

**Location:** A 31 square mile area has been designated as the McDowell Sonoran Preserve Study Area that includes the McDowell Mountains, nearby peaks, and surrounding desert land.

**Uses:** Recommended public areas/uses include: General Use Areas, Mountain Recreation Areas, Multi-Use Trail System, Access Areas, Heritage Sites, Wildlife Areas/Corridors, and Mountain and Desert Conservation Areas. Uses which conflict with the mission statement should be excluded.

**Timeliness:** The City must act now to avoid loss of preservation opportunity in the McDowell Sonoran Preserve Study Area.

### Recommended Actions:

**Develop Preservation Strategy-** A strategy is needed to guide public actions. Protection priorities need to recognize existing development pressures as well as the importance of setting aside appropriate land for public purposes.

**Act Now** - It is recommended that the City take immediate steps to pursue the realization of a McDowell Sonoran Preserve.

**Appoint Committee** - It is recommended a McDowell Sonoran Preserve Committee be appointed to develop an implementation strategy.

**Increase Awareness** - The intrinsic value of establishing the McDowell Sonoran Preserve for all communities and visitors must be promoted aggressively. Scottsdale should work in concert with others to achieve public objectives.

**Get The Word Out** - Encourage actions that facilitate implementation by ensuring that landowners, City staff, and decision makers possess an awareness of these recommendations and the value of the McDowell Sonoran Preserve.

**Secure Funding** - Funding will be needed to acquire land. Zoning tools alone cannot accomplish identified public purposes. All possible public and private sources should be explored.

**Accelerate Planning** - Expedite the preparation of a master plan for the McDowell Sonoran Preserve using these recommendations as a framework. Update City policies and plans as necessary to reflect Council approvals.

**Develop A Management Plan** - Scottsdale must take an active role in the management of the McDowell Sonoran Preserve to assure that desired goals and objectives for the preserve are met.



# McDowell Mountains Task Force

## McDOWELL MOUNTAINS TASK FORCE MEMBERS

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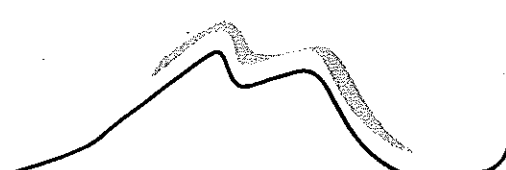
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## McDowell Mountains Task Force

*The mission of the McDowell Mountain Task Force is to develop a sound plan and action program to preserve, protect and maintain the beauty and heritage of the McDowell Mountains and related portions of Sonoran Desert in their natural state in perpetuity with provisions for appropriate public access and use.*

### BACKGROUND

The McDowell Mountains are the most striking visual feature in Scottsdale. The Task Force has identified portions of these mountains and desert area as the McDowell Sonoran Preserve Study Area. It recommends that the land within the Study Area that is ultimately acquired or set aside for public purposes be called the McDowell Sonoran Preserve. These mountains and surrounding desert embody the natural beauty that makes Scottsdale a special place--the most livable city in America. Scottsdale residents have indicated a strong desire to maintain this treasure for future generations to enjoy. Interest in protecting the McDowell Mountains and adjacent Sonoran Desert has intensified as the number of projects nearby have increased. The McDowell Sonoran Preserve should serve as a statement of the community's commitment to conservation and development in harmony with the Sonoran Desert.

The General Plan states that the McDowell Mountains should be primarily open space and that potential development be transferred off the mountains to more suitable locations. Since 1977, the City has used its zoning powers to protect the McDowell Mountains to the extent feasible. More recently, citizens participating in Scottsdale Visioning expressed their desire to retain the unique natural beauty of the mountains. Some participants voiced concerns that zoning alone was not adequate to protect the mountains.

In 1991, a group of citizens formed the McDowell Sonoran Land Trust for the purpose of raising funds to buy land to facilitate the acquisition and preservation of the McDowell

Mountains and surrounding desert. In March of 1993, the City Council discussed conservation efforts and strategies with the Trust and adopted Resolution No. 3769 to establish the McDowell Mountains Task Force. The Task Force was charged to 1) define the public interest in and goals for the mountains; 2) develop concepts for conservation of and recreation in the mountains; 3) assess issues associated with achieving goals including funding, legal tools, ownership, needed facilities, liability, maintenance and intergovernmental coordination; and 4) recommend an action plan to achieve community goals for the mountains.

### OBJECTIVES

The Task Force developed the following objectives to guide their deliberations and formulation of specific recommendations. These objectives represent a consensus vision for the McDowell Sonoran Preserve, the steps that need to be taken and the challenges that must be met to achieve this vision.

- ◆ Establish the McDowell Sonoran Preserve as a significant public recreation, conservation and open space resource.
- ◆ Identify a geographic area of interest.
- ◆ Develop a broad range of facilities and uses in appropriate locations in the McDowell Sonoran Preserve to serve all residents of Scottsdale and surrounding communities.

## McDowell Mountains Task Force

- ◆ Maintain appropriate areas of the McDowell Sonoran Preserve for the preservation of natural habitat.
- ◆ Link the McDowell Sonoran Preserve to nearby existing and planned conservation and open space resources such as the McDowell Mountain Regional Park, Tonto National Forest, desert greenbelts, city parks and other recreational facilities.
- ◆ Recommend a financial plan (using both public and private funds) which is a politically feasible program to achieve desired conservation goals.
- ◆ Assess existing City policies/ordinances and determine whether modifications are warranted to achieve public purposes in the McDowell Sonoran Preserve.
- ◆ Act expeditiously because urban development pressures are intensifying around the McDowell Mountains.

### PLAN

The physical plan for the ultimate McDowell Sonoran Preserve is divided into two parts. The first part outlines an initial geographic area of interest designated as the Study Area. This geographic area includes the peaks and other hillside areas in the McDowell Mountains and adjacent desert areas. Also included are the isolated mountains and adjacent desert areas north and south of the McDowell Mountains. The Task Force views these areas as an important visual and environmental extension of the McDowell Mountains. The second part of the physical plan identifies the uses that the Task Force recommends be included in the McDowell Sonoran Preserve. The McDowell Sonoran Preserve Study Area contains an area large enough to permit a broad range of uses which can be developed over time and which will appeal to the residents of Scottsdale and visitors from the surrounding community.

### Geographic Area

The Task Force spent considerable time identifying and discussing a McDowell Sonoran Preserve geographic area of interest. The Task Force decided not to draw a firm line. Instead, a quarter mile swath was established to represent what the Task Force has termed the McDowell Sonoran Preserve Study Area ("Study Area"). The Study Area contains much land that should be conserved based on its intrinsic value from a character, sensitivity, scenic, heritage, or strategic location perspective. The Study Area and some of the key features identified by the Task Force are shown on Maps 1 and 2. (See Appendix A.)

The McDowell Mountains are the most prominent scenic feature in the northeast valley. The McDowell Sonoran Preserve Study Area includes approximately 31 square miles. Over two-thirds of the area is mountainous terrain. The balance of the Study Area consists of adjacent desert land. Well known features include Thompson Peak (3892'), McDowell Peak (4034'), Tom's Thumb, and Pinnacle Peak. Most of the McDowell Sonoran Preserve Study Area lies in the main range of mountains stretching eight miles from Shea Boulevard on the southeast to Pinnacle Peak Road on the northwest, with an average east-west width of four miles. Adjacent mountains include Saddleback Mountain on the south, and Pinnacle Peak and Troon Mountain to the north. Near Lone Mountain Road, the McDowell Sonoran Preserve Study Area also encompasses a group of three mountains which includes Granite and Brown's Mountains.

A major component of subsequent study will be to define the portion of the Study Area which should be set aside for public purposes and to determine the type, level, and priority of protection that is appropriate and feasible.

## McDowell Mountains Task Force

The Study Area includes both public and private land, areas that are unplanned and unzoned, as well as land that has been zoned and in some cases is under master planning and/or development. It is recognized that some development will likely occur within the Study Area unless land is set aside or otherwise acquired for public purposes.

The Task Force strongly recommends that in the interim prior to the completion of more detailed planning, that the City and others consider protective measures for appropriate land within the Study Area.

### Proposed Public Uses

The Task Force recommends that the McDowell Sonoran Preserve contain a broad range of conservation and passive or unique recreational opportunities. Three objectives guided development of the proposed public areas/uses. These include: 1) areas/uses should serve and be available to the entire community; 2) areas/uses should appeal to a broad range of user groups without focusing on any one type of activity; and 3) overall, the McDowell Sonoran Preserve should maintain a character of openness, emphasize conservation *and contain mostly passive recreational activities as opposed to duplicating the active recreational uses contained in the City's neighborhood and community park facilities.*

The following areas/uses are recommended for appropriate locations in the McDowell Sonoran Preserve:

#### ◆ General Use Areas

*Description* - Within valleys and desert adjacent to hillsides and steep mountain slopes that are near the periphery of the Study Area, several opportunities exist to create mountain or regional parks. The terrain should be suitable for a broad range of facilities, including facilities meeting ADA standards. Uses may include ramadas, picnic areas, nature trails, visitor centers, interpretive or

educational centers, restrooms, park ranger offices, limited museum facilities and ancillary uses such as parking.

*Rationale* - A few large areas of desert are needed to accommodate and to attract many types of users. Multiple general use areas are needed to avoid the problems from overuse and overcrowding experienced in other regional parks. A high priority is placed on gaining a general use area on the western boundary to better serve the Scottsdale community. Other locations should be pursued on the south, north and southeast. The County Regional Park provides access to the mountains from the northeast.

#### ◆ Mountain Recreation Areas

*Description* - These areas occur on moderate or steep slope hillside terrain that can accommodate public uses in addition to trails. In general, these uses will involve limited off-trail activities including, where appropriate, rock climbing, research and educational study, and nature tours.

*Rationale* - There are a number of scenic and recreational attractions that invite closer inspection. The trail system should be expanded to allow exploration of highly attractive features. Off-trail use is necessary for rock climbing or conducting research or classes. Public access should be managed for public safety and to protect the natural resource.



## McDowell Mountains Task Force

### ◆ Multi-Use Trail System

*Description* - Multiple locations for non-paved trails that allow hiking, running, mountain biking, bicycling and horseback riding should be made available. This trail system would exclude motor vehicles. It is expected that trails in the McDowell Sonoran Preserve will link with city and regional trails so there will be numerous access points into the preserve. To ensure continuity of the trail system, coordination with adjacent development is essential.

*Rationale* - An integrated network of trails will allow users to explore the mountains whether for a leisurely one mile stroll or a strenuous twenty mile hike. Plans for trails in the McDowell Sonoran Preserve should be compatible with the adopted Trail Plan in the Scottsdale General Plan. Some of the trails may be designated for particular uses due to the character of the terrain. Motor vehicles are not recommended because of their negative impacts on the environment and safety.

### ◆ Access Areas

*Description* - These small areas, typically under five acres, will provide staging areas for exploration deeper into the McDowell Sonoran Preserve. Access areas may include vehicle parking, horse trailer parking, trailheads, rest rooms, ramadas, and drinking fountains. Multiple locations are proposed. There will be other access points that only require a small staging area due to their location and the access provided. Trails from access areas shall provide connections to main trails, mountain recreation areas, or other public use areas.

*Rationale* - Experience with mountain park/preserve facilities throughout the Valley indicates that multiple access points/nodes with adequate parking/staging facilities are critical to prevent overuse of a few access points. For this reason, it was important to the Task Force that an adequate number of small access areas

be provided.

### ◆ Heritage Sites

*Description* - The McDowell Mountains contain numerous archeological and historical sites. Significant heritage sites should be preserved and, where appropriate, open to the public for viewing and educational purposes.

*Rationale* - Local archeological and historical sites remind residents and visitors of the long history of human habitation in the area. Heritage sites can potentially raise people's appreciation and understanding of the past. Protecting and highlighting these sites, where appropriate, can attract people to the area and serve educational purposes.

### ◆ Wildlife Areas/Corridors

*Description* - The McDowell Sonoran Preserve Study Area contains, or is an integral part of, the important habitat for a number of desert animals. Wildlife areas should be set aside to sustain populations in and around the mountains and to provide corridors to permit free movement between natural areas. Human activities in these areas would be greatly limited.

*Rationale* - Preserving wildlife habitat is vital for sustaining the ecology of the area. This habitat is being threatened by urban growth into prime desert areas. Part of the experience of visiting the mountains and desert is enjoying the wildlife. Wildlife populations in the mountains will decline significantly unless a strong effort is made to protect critical habitat areas and to maintain access for wildlife. Wildlife corridors from the mountains to the Verde River, Camp Creek, and the Tonto National Forest will help maintain the present variety and quantity of wildlife.



## McDowell Mountains Task Force

### ◆ Mountain and Desert Conservation Areas

*Description* - These areas would encompass sensitive and fragile sections of the McDowell Mountains including habitats for various desert plants and animals, scenic features, fragile riparian environments, unstable and steep slopes with hazardous rock formations. Activities within these areas and access would be greatly limited where appropriate.

*Rationale* - The Environmentally Sensitive Lands Ordinance (ESLO) was approved to limit development in areas containing severe development constraints and safety hazards. These same fragile areas may be unsuitable for trails or other recreational facilities. However, sensitive locations can be very pleasing to look at in an undisturbed state. Public access could harm or destroy the character of these areas unless access is carefully managed.

It is recommended that the preserve not include or permit: large museums; commercial uses like concession stands; additional communication antennas or towers; stables; campgrounds or RV parks; golf courses; ATVs or other off-road vehicles including jeep tours; hunting or trapping; agriculture; grazing or mining; overnight camping; hang gliding; fires (except in picnic areas); and construction of roadways, electrical transmission lines, telecommunication lines, pipelines, irrigation ditches or canals through the preserve.

### IMPLEMENTATION

The following implementation strategies are recommended by the Task Force:

#### ◆ Develop Preservation Strategy

A significant portion of the land contained in the Study Area is in private ownership. The most efficient and effective strategy to achieve all public purposes considered by the Task Force would be for the City, County, State, or

McDowell Sonoran Land Trust to acquire all the land ultimately identified as appropriate for inclusion in the McDowell Sonoran Preserve. However, since the extent of public resources is unknown, the development of the McDowell Sonoran Preserve is likely to take time to accomplish. The City needs an approach for making effective short and long term decisions. It is also the conclusion of the Task Force that certain areas have been or will be set aside by private landowners or through some other process such as application of ESLO that will not require fee simple acquisition. The Task Force recommends that the City develop a preservation strategy that will establish priorities to guide decisions on public actions. Priorities should be determined based on a Protection Time Frame, related to development pressures, and Protection Strategies, related to the importance of the land for public purposes.

*Protection Time Frame* - The Protection Time Frame is shown on Map 3. Development pressures within the Study Area for should be an important factor used to determine the time frame needed for public actions. Another important factor should be the natural features broken into landforms. Development pressure is based on the proximity of existing development activity to the Study Area. Areas which are readily available for development should be assigned more urgent priority than remote areas that are unplanned. Immediate action is typically recommended for land adjacent to the mountains where development pressure is intense. On the steepest and highest slopes of the McDowell Mountains the protection time frame is typically long term because the development pressures are generally low and because of the inherent development constraints. Delaying actions in the areas where immediate actions are recommended could result in lost opportunities.

## McDowell Mountains Task Force

*Protection Strategies* - Protection Strategies are described below and are shown in Table 1.

The Task Force identified a range of tools that are available to achieve desired public purposes in the Study Area. Each proposed use or area for the McDowell Sonoran Preserve was reviewed to determine the level of public control and access that is desired. The tools that could be used to achieve public purposes include: fee title acquisition, the development review process (zoning), easements and covenants (A description of each tool is contained in Appendix B). The greater the desired public use of and access to an area, the greater the need for public control.

The Study Area should be divided into priority areas for public action using these two factors. The higher the priority of a particular area, the more proactive the City and others should be to ensure that the land is conserved. The specific tool that is most appropriate for a particular area will be based on how important the area is to the preserve, and the availability or lack of availability of other more certain tools (e.g., funds for acquisition). The Task Force is also aware that certain areas, due to development constraints or other factors, have been or will be conserved by private landowners through some other process such as application of ESLO that will not require fee simple acquisition. The City should actively encourage landowners or developers who could be voluntary partners in the implementation process through donations of land or other similar actions.

### ◆ Act Now

The Task Force is concerned that because development is occurring close to the proposed McDowell Sonoran Preserve, delay will both reduce the land available for conservation and substantially raise the cost of achieving desired public purposes. It is important for the City Council to act immediately to begin implementation of the program outlined in this report.

### ◆ Appoint McDowell Sonoran Preserve Committee

An important recommendation of the Task Force is that the City Council immediately appoint a new committee to deal specifically with implementation of the recommendations contained in this report. The McDowell Sonoran Preserve Committee is needed to refine the work of the Task Force, to encourage and spearhead conservation efforts and to monitor progress toward achieving desired public purposes. Initially the committee should develop a blueprint of specific actions that must be taken and who could best achieve desired results. This can be viewed as a business plan outlining the process with expected results.

### ◆ Increase Awareness of the McDowell Sonoran Preserve

The intrinsic value of establishing the McDowell Sonoran Preserve for all communities must be promoted aggressively. This must be a high profile, concerted effort. The ultimate objective will be to gain support of residents for specific public actions designed to protect the mountains and for encouraging donations and private and public fund raising activities.

The recommendations of the Task Force should be presented to the Scottsdale Planning Commission, the Scottsdale Parks and Recreation Commission, the Bureau of Land Management, the State Land Department, the State Game and Fish Department, Maricopa County, the Town Council of Fountain Hills, and other interested organizations and groups. Endorsements and suggestions should be encouraged from these entities.

## McDowell Mountains Task Force

### ◆ Get The Word Out

Ensure that landowners, the general public, City staff, and decision makers possess a keen awareness of the recommendations of the Task Force. The objective is to encourage actions that will facilitate achievement of Task Force recommendations.

### ◆ Secure Funding

To realize fully the public purposes envisioned for the McDowell Sonoran Preserve, funding will be needed to acquire key lands in the Study Area where public control/access is desired and other tools are not appropriate. A realistic estimate of the level of funding needed and what that funding can secure will be critical to gaining support to publicly fund acquisitions. It will also be important to identify the likely level of funding that will be publicly available and the timing of its availability. It is recognized that acquisition costs and funding availability is dynamic and that frequent updates will be required.

All possible public and private resources should be explored: bond issuance, sales and property taxes, surtaxes, planned gifts and endowments, private and public grants, land exchanges, and others. In addition to land acquisition, funding should also provide for costs of management and infrastructure development.

### ◆ Accelerate Planning

Planning activities need to coincide with the recommendations of the Task Force. The Scottsdale General Plan and the Parks Plan should be updated in conjunction with the preparation of a master plan for the McDowell Sonoran Preserve to be consistent with the uses and activities proposed. The preparation of a master plan for the area should include a complete inventory of existing conditions and resources including ownership, flood hazards, geology, biology, historical or archeological resources, and land values. These plans also

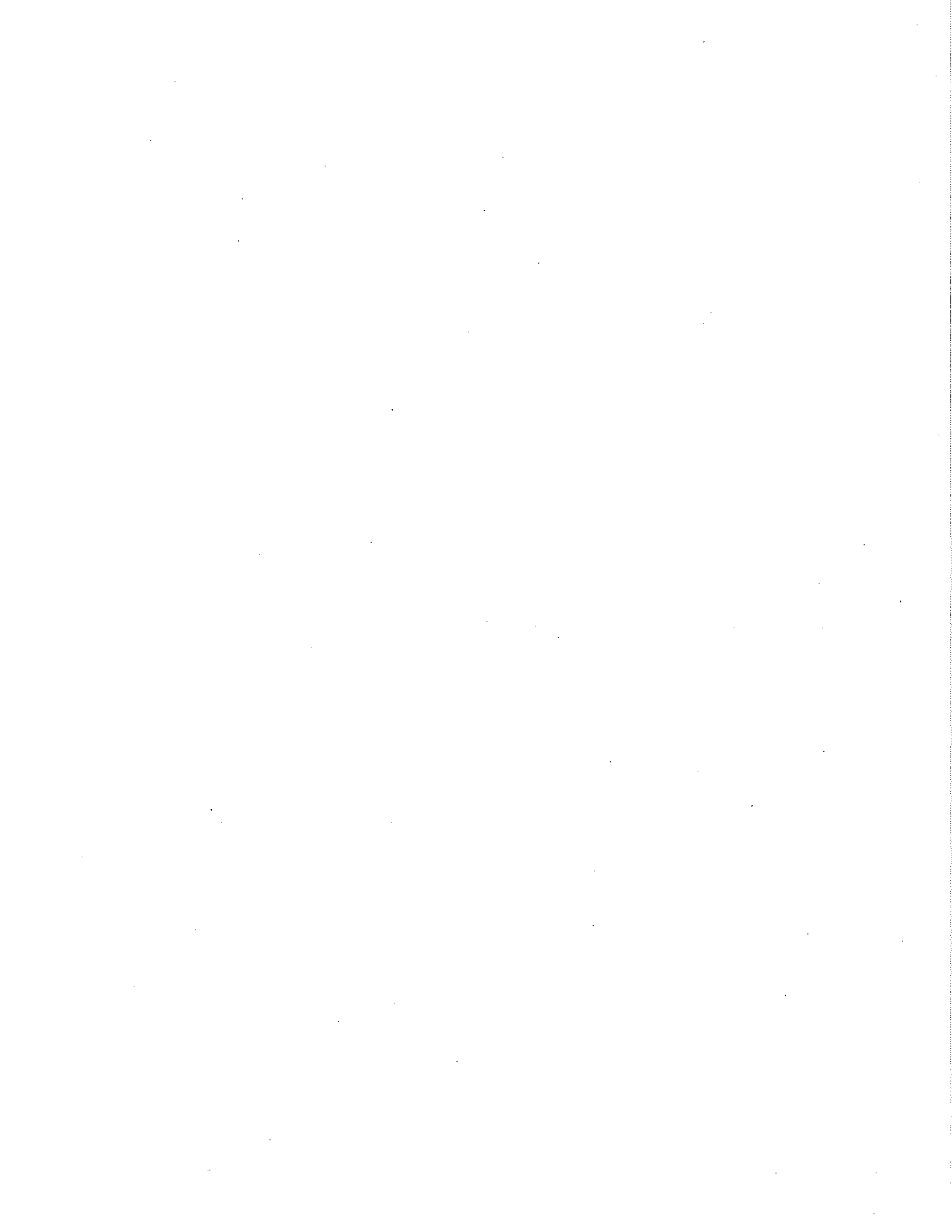
need updating to reflect the linkage and regional open space and recreational objectives discussed and recommended by the Task Force. Task Force recommendations should be incorporated into Maricopa County open space and recreational policies and into the MAG Regional Open Space Plan.

### ◆ Develop a Management Plan

The need for management begins with the acquisition of land for preservation, especially in areas that are easily accessible or adjacent to properties already under development. It is the recommendation of this Task Force that Scottsdale take an active role in management to assure that its own goals and objectives for the preserve are fulfilled.

The first step would be the management of a management plan to include a process for assessment of the archaeological, historical and biological resources in the preserve; and an on-going evaluation of Preserve land and uses.

*The Task Force also suggests that the Committee assess the idea of Scottsdale's passing of a resolution, as Phoenix did, to require voter approval before a future City Council can sell or trade land out of the McDowell Sonoran Preserve.*



# McDowell Mountains Task Force

## ILLUSTRATIONS

MAP 1 STUDY AREA

MAP 2 KEY FEATURES IN STUDY AREA

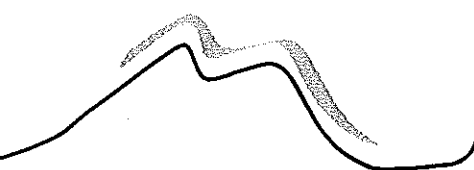
MAP 3 PROTECTION TIME FRAMES

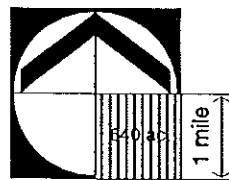
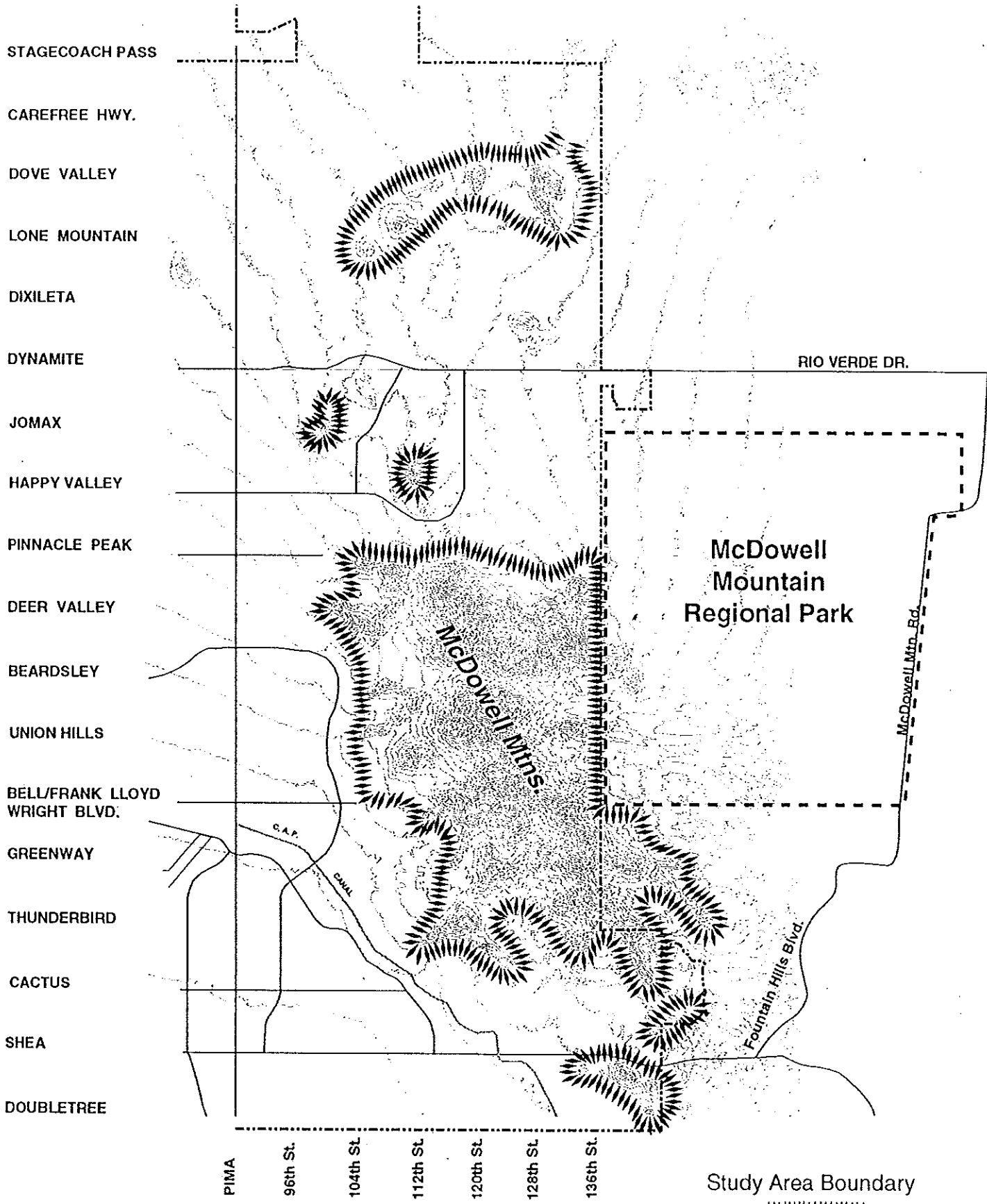
TABLE 1 PROTECTION STRATEGIES

## APPENDICES

APPENDIX A KEY FEATURES

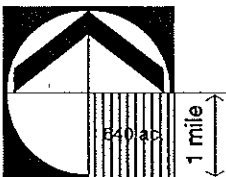
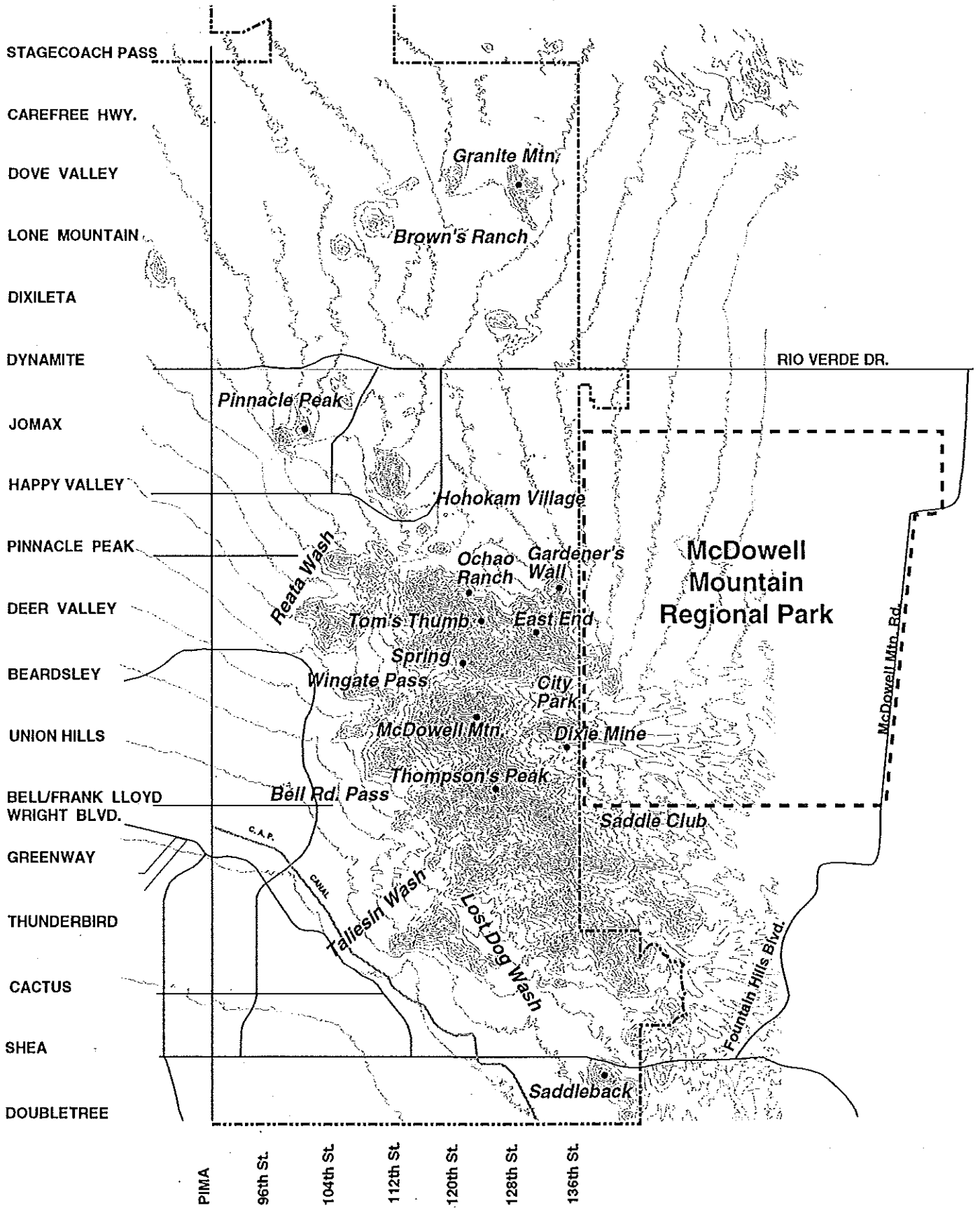
APPENDIX B LIST OF LAND PROTECTION TOOLS





**McDowell Sonoran Preserve Study Area**

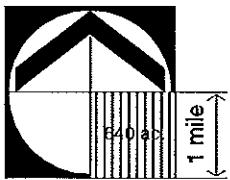
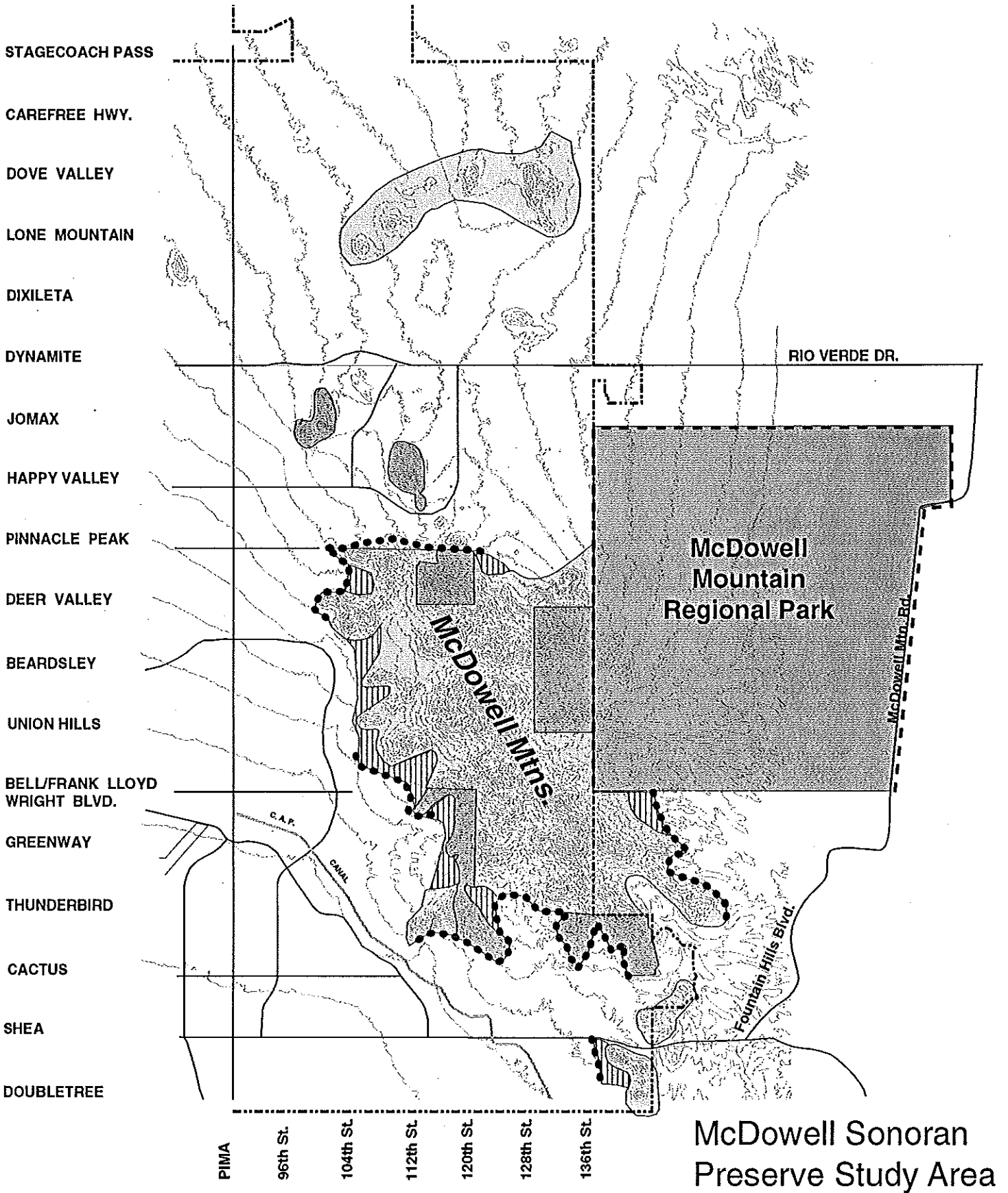
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**McDowell Sonoran Preserve Study Area  
Key Features**

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PROTECTION TIME FRAME		DEVELOPMENT PRESSURE		PROTECTED LAND
	Immediate (Within 1 Yr.)		Intense (0 to 3 Yrs.)	
	Short Term (1 to 4 Yrs.)		Moderate (4 to 9 Yrs.)	
	Long Term (5+ years)		Low (10 Plus Yrs.)	

McDowell Mountains Task Force

TABLE 1

**PROTECTION STRATEGIES  
MCDOWELL SONORAN PRESERVE**

USES/AREAS	PROTECTION TOOLS			
	MINIMUM PUBLIC RESPONSIBILITY NEEDED			
	COVENANT	EASEMENT	ZONING	ACQUISTION
General Use Areas			██████████	██████████
Access Areas			██████████	██████████
Mountain Recreation Areas		██████████	██████████	██████████
Multi-Use Trail System		██████████	██████████	██████████
Heritage Sites		██████████	██████████	██████████
Wildlife Areas Corridors	██████████	██████████	██████████	██████████
Mountain & Desert Conservation Areas	██████████	██████████	██████████	██████████



**APPENDIX A**

**KEY FEATURES**

**SCENIC FEATURES** - McDowell and Thompson Peak, Tom's Thumb, East End Peak, Taliesin Wash, Rock Knob, several peaks on State lands, plus many western and eastern mountainsides, canyons, and valleys.

**HISTORIC FEATURES** - Several petroglyph sites, Hohokam ruins, pre-Columbian quarries, several old homesteads and ranch sites, and old well heads and tanks.

**SENSITIVE NATURAL AREAS** - A perennial spring, saguaro forests, unique boulder formations, several rugged canyons, major washes, mountaintop meadows and a juniper tree site.

**IMPORTANT ACCESS AREAS** - Mountain Spring Road, Wingate Pass, East End Draw (128th Street and Deer Valley Road), Bell Road Pass, Lost Dog Wash area, and Fountain Hills Saddle Club area.

**RECREATION SITES** - Areas suited for general use activities, sites for nature, riding, or hiking trails, and climbing areas like Gardener's Wall.

**WILDLIFE AREAS** - Numerous washes and canyons with large populations of deer, javelina, coyotes, horned owls and other Sonoran Desert species.



**APPENDIX B**

**LAND PROTECTION TOOLS**

The list below shows land protection tools. The burden and the responsibility of public protection decreases as the list progresses.

**A. FEE TITLE ACQUISITION:** Fee title acquisition involves the transfer of ownership of the property to the City or another public conservation entity for protection purposes.

**1. PURCHASE:** Acquiring ownership of property through financial reimbursement. Purchases will be made at a negotiated settlement price, Trustee Sale, or Back Taxes Certificates of Purchase.

**METHODS OF FINANCING PURCHASES:**

a. Annual Operating Budget: Funds can be allocated from the annual budget.

b. Tax Revenue: The following tax sources provide a stream of revenue to service the debt on bonds that are issued to fund a particular purchase.

- Sales Tax: A tax imposed at a set rate by state or local governments based on the sale of certain goods and services.

- Bed Tax: A tax imposed upon motels, hotels and resorts based on the number of guests in residence.

- Property Tax: Tax imposed by cities upon property owners based on the value of their property.

- Land Transfer Tax: Tax on the transfer of real property, based on the sale price.

- Estate Tax Benefits, Charitable Remainder Trusts

c. Assessment District/Community Facilities District: Beneficiaries would be taxed to service the bonds that would be issued to provide funds for a particular purpose.

d. Funding from Other Sources:

- Grants from County, State or Federal Programs (e.g., Heritage Funds).

- Loans and gifts from corporations and individuals.

- General fundraising.

- Corporate partners.

- Endowments.



## McDowell Mountains Task Force

2. **Land Swaps:** Trading of land by any government entity that is developable in return for land that is environmentally sensitive.

3. **Donations:** A transfer of land by an owner in the nature of a gift or grant and acceptance of that land by or on behalf of the public. Donors may qualify for IRS deductions if the property is donated in perpetuity.

### B. ZONING

1. **ZONING STANDARDS:** Legislative action which divides municipalities into districts for the purpose of regulating, controlling, or in some way limiting the use of private property, as well as the construction of buildings erected within the zones or districts established.

#### Zoning Protection Methods:

a. **ESLO:** The Environmentally Sensitive Lands Ordinance is a special set of zoning regulations which control development on fragile desert lands and mountains in North Scottsdale. Implementation allows the City to encourage protection of environmentally sensitive land by allowing an increased density on less sensitive land.

b. **Transfer of Development Rights:** Transfers development rights to areas where density is encouraged. Owners of land which is to be preserved as open space may sell their "development rights" to other landowners who have property suitable for greater density.

2. **ZONING STIPULATIONS/DEDICATIONS:** Concessions or compromises imposed by the City in exchange for zoning or development approval. (Stipulations can require dedication of land for public use.)

### C. EASEMENTS: Non-owner's right to enter and use land.

#### Examples of Public Easements:

1. Public Recreation Easements
2. Trail Easements
3. Parking Easements
4. Street Right-of-Way Easements

### D. COVENANTS: Landowner's promise to do or not to do something on his land.

#### Examples of Covenants:

1. Deed Restrictions and Homeowner's Association Rules
2. Conservation Area Covenants
3. Historic Preservation Covenants
4. The City can also impose "no build", "no visible construction", "no access areas", and other limitations on land use.

