



## Santa Cruz County Community Development Department

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Frank Dillon, Director

### **RE: Interpretation of Santa Cruz County Zoning and Development Code**

This is an interpretation regarding the application of zoning requirements for the Los Milics Winery PAD in Sonoita, AZ.

#### **Background:**

Los Milics Vineyard is seeking a rezoning for the existing 20-acre vineyard from GR to PAD to incorporate a commercial kitchen and allow guests of the existing vineyard, winery, and tasting room to enjoy overnight stays and dining.

The applicant is requesting an interpretation of Section 1205 of the Santa Cruz County Zoning and Development Code as it relates to open space requirements, for the Los Milics Vineyard Planned Area Development (PAD).

#### **Definitions:**

##### *Open Space*

*1. Functional Open Space – means land that includes, but is not limited to, road rights of way (excluding paved areas intended for use by motor vehicles), golf courses, parks, ball fields, play grounds, tennis courts, and equestrian centers. Functional open space also includes land that is under cultivation for food, feed or fiber crops with or without irrigation.*

*2. Natural Open Space – means any area of land essentially unimproved and undisturbed, but which may include old farm, ranch, and mining structures, and dirt roads set aside, dedicated or reserved for public or private enjoyment as a preservation or conservation area, including fallowed land no longer under cultivation, where no further disturbance is allowed, floodway fringe areas and floodways*

#### **Applicable Code Sections:**

##### SEC. 1205 REQUIREMENTS

- A. A minimum of 50% open space is required of which at least half shall be natural open space, except that a PAD consisting of five or fewer acres has no minimum open space requirement.*

#### **Considerations:**

- The entire property was graded in 2018 to accommodate the winery and grapevines for wine production and, thus, is devoid of any unimproved or undisturbed land. As such, satisfying the 25% provision of natural open space is impossible on this property since there isn't any left;
- Los Milics Vineyard currently occupies one-hundred percent of the 20-acre site, more than 10 acres of which are utilized for crop production (i.e., the existing grapevines effectively account for over half of the site's open space);

- *The current General Rural (GR) zoning allows 100% disturbance without any required open space.*
- 50% of the required open space will be provided as functional open space, which we will meet or exceed in the final design of the site.

**Conclusion:**

Under current zoning and development regulations for the GR zone there are no natural open space requirements. As part of the PAD, the applicants are able to provide the required amount of functional open space. The request for interpretation that the functional open space requirement meets the total open space requirement for the project is consistent with the intent of the code and surrounding community character.

Approved December 9, 2021 by Frank Dillon, Director of Community Development:   *F. Dillon*  

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