

## NAVAJO COUNTY AGENDA ITEM REQUEST FORM

<b>Meeting Date:</b> January 13, 2015	<b>Time Needed:</b> 15 minutes															
<b>Requesting Department:</b> Public Works/P&Z	<b>Presenter(s) Name:</b> Trent Larson															
<b>Motion before the Board:</b> Motion to consider approval of a Zone Change that will allow property owner Keith Moore to operate a Domestic Farm Winery on APN 202-15-036C.																
<b>Recommendation:</b> (who, what, where, when, how, etc.) Recommend approval.																
<p><b>Background:</b> (why should it be done, what will happen if not approved, etc. include resolution)</p> <p>This request is for a Zone Change from Rural-1(RU-1) Zoning to A-General (A-Gen) Zoning to locate a Domestic Farm Winery on Assessor’s Parcel Number 202-15-036C.</p> <p>The property owner, Keith Moore, wishes to locate a vineyard for the production of wine on this parcel. The property is currently zoned Rural-1 (RU-1) which allows farms, however the definition found in the Zoning Ordinance for “Farm” does not include the processing and packaging of farm products on the premises. RU-1 zoning allows the sale of products produced on the premises, but not the processing and packaging of those products. The A-General (A-Gen) Zone has a provision that does allow “all agricultural uses and the production, harvesting, curing, processing, packaging, shipping...of products produced on the premises”.</p> <p>Under the current RU-1 zoning the grapes can be grown and the farm is allowed to operate, however the zoning designation needs to be changed to A-General in order to process the grapes into wine. Staff has reviewed the Zone Change request and determined that it is ready for action by the Board. Staff requests your approval of the Zone Change request. Thank you</p>																
<b>Fiscal Impact:</b> (what will it cost, where funds will come from, is it budgeted, etc.) N/A																
<b>Reviewed and approved by:</b>	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">County Manager</td> <td style="text-align: center;">County Attorney</td> <td style="text-align: center;">Human Resources</td> <td style="text-align: center;">Finance</td> <td style="text-align: center;">IT</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	County Manager	County Attorney	Human Resources	Finance	IT	<input type="checkbox"/>									
County Manager	County Attorney	Human Resources	Finance	IT												
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>												
<table style="width: 100%; border: none;"> <tr> <td colspan="5" style="text-align: center;"><b>Board Action Taken</b></td> </tr> <tr> <td style="text-align: center;">Approved</td> <td style="text-align: center;">Denied</td> <td style="text-align: center;">No Action</td> <td style="text-align: center;">Continued</td> <td style="text-align: center;">Continued to:</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;">_____</td> </tr> </table> <p>Approved with changes as follows: _____</p>		<b>Board Action Taken</b>					Approved	Denied	No Action	Continued	Continued to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>Board Action Taken</b>																
Approved	Denied	No Action	Continued	Continued to:												
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____												
<b>Clerk’s Notes</b>																
<b>Date:</b>	<b>Initial:</b>															

**REMINDER:** Email this coversheet and all backup documentation to **BOS.Clerk** by **Noon the Tuesday before the BOS meeting.**



**NAVAJO COUNTY  
PUBLIC WORKS DEPARTMENT  
Planning & Zoning**

**STAFF REPORT**

**BOARD OF SUPERVISORS**

**HEARING DATE:** January 13, 2015  
**CASE #:** 14-29  
**ACTION:** Zone Change from RU-1 to A-General  
**PROJECT NAME:** Domestic Farm Winery

**PARCEL INFORMATION:**

**Owner/Applicant:** Keith Moore Trust  
**Location:** 7580 E. Sherwood Road in the Snowflake area  
**APN's:** 202-15-036C  
**Legal Desc:** A portion of Section 25, Township 13 North, Range 21 East, Gila and Salt River Meridian  
**District:** III – Supervisor Jason Whiting  
**Parcel Size:** 9 acres (approximate)

**STATED REASON FOR REQUEST:**

This request is for a Zone Change from Rural-1(RU-1) Zoning to A-General (A-Gen) Zoning to locate a Domestic Farm Winery on Assessor's Parcel Number 202-15-036C.

**BACKGROUND & DISCUSSION:**

The property owner, Keith Moore, wishes to locate a vineyard for the production of wine on the above referenced parcel. The property is currently zoned Rural-1 (RU-1) which allows farms, however the definition found in the Zoning Ordinance for "Farm" does not include the processing and packaging of farm products on the premises. RU-1 zoning allows the sale of products produced on the premises, but not the processing and packaging of those products. The A-General (A-Gen) Zone has a provision that does allow "all agricultural uses and the production, harvesting, curing, processing, packaging, shipping....of products produced on the premises".

**NAVAJO COUNTY ORDINANCES, PLANS & REGULATIONS:**

**ZONING DISTRICTS:**

- RU-1 (Article 8): Single-family residential uses. Principal uses permitted in this zoning district include single-family dwellings, churches, schools, parks, playgrounds, and other community facilities.
- A-Gen (Article 3): Single-family residential uses. Principal uses permitted in this zoning district include single-family dwellings, churches, schools, parks, playgrounds, commercial and industrial uses specifically listed in this article and other community facilities.

**COMPREHENSIVE PLAN: Community Village**

The subject parcel is located in the Community Village character area as designated by the Navajo County Comprehensive Plan. The purpose of the Community Village area is to provide large areas with residential development with a mix of related commercial, industrial and institutional uses.

**GENERAL CHARACTER OF AREA:** The immediate surrounding area is rural in nature with a mix of agricultural and low density residential uses.

**PUBLIC COMMENTS & CONCERNS:**

As of the date of preparation of this staff report, 0 comments in favor and 0 opposed have been expressed by the public.

**P&Z COMMISSION:**

The Planning & Zoning Commission recommended approval of the Zone Change at their November 20, 2014 hearing. There was **no** opposition to the Zone Change at the November hearing.

**COUNTY DEPARTMENT REVIEW COMMENTS:**

**COUNTY ATTORNEY:**

The County Attorney's office has no objection to the Zone Change.

Initial: B.C. Date: 11/2014

**ENGINEERING:**

Engineering has no objection to the Zone Change.

Initial: W.R.B. Date: 11/2014

**FLOOD CONTROL:**

Flood Control has no objection to the Zone Change

Initial: W.R.B. Date: 11/2014

**PLANNING & ZONING:** The primary use and density for both of these Zone designations are the same, Single-family Residential with a 1 acre minimum lot size. Permitted uses in

these zones are similar in that they both allow farm and non-farm residential uses, farms, recreational and institutional uses. The major difference between the two zones is that A-General is our base Zoning designation and cannot be subdivided. It also allows for more agricultural type uses. The RU-1 zoning district is the closest of our zones to allowed uses and density as that of A-General. A Zone Change from RU-1 to A-Gen is moving to a somewhat more restrictive Zone as A-Gen cannot be subdivided, however A-Gen does allow for more commercial type uses and therefore is in line with the Comprehensive Plan designation of Community Village. Under the current RU-1 zoning the grapes can be grown and the farm is allowed to operate, however the zoning designation needs to be changed to A-General in order to process the grapes into wine. Staff has reviewed the Zone Change request and determined that it is ready for action by the Board. Staff supports the Zone Change request.

Initial: T.L.

Date: 11/2014

**PUBLIC WORKS DEPARTMENT RECOMMENDATION:** Should the Board decide approve this Zone Change staff recommends the following condition be applied:

1. Future development of the site shall comply with all applicable Navajo County and State of Arizona requirements, including but not limited to those of the Navajo County Planning & Zoning, Flood Control and Building Safety Ordinance.

NAVAJO COUNTY PUBLIC WORKS DEPARTMENT

PLANNING & ZONING

Post Office Box 668 - 100 East Code Talkers Drive
Holbrook, Arizona 86025
(928) 524-4100 FAX (928) 524-4122

APPLICATION FOR A ZONE CHANGE

RU-1 To A-General
Current Zoning Proposed Zoning

OWNER INFORMATION:

OWNER'S NAME: Keith Moore Trust
AGENT/POINT OF CONTACT: Keith Moore
CONTACT PHONE NO.: 602-300-9867 FAX NO.: 602-944-4966
MAILING ADDRESS: 6715 W Camino De Oro
CITY: Peoria STATE: AZ ZIP CODE: 85387

SUBJECT PARCEL INFORMATION:

LEGAL DESCRIPTION: T 13 N - R 21 E, SECTION 28, ASSESSOR PARCEL NO.: 202-15-036C
SUBDIVISION NAME: N/A LOT:
RURAL ADDRESS: 7580 E Sherwood Rd AREA: Snowflake AZ
PARCEL SIZE: 9 acres DATE OF OWNERSHIP: 11-4-2009
PRESENT USE OF PROPERTY: Residence
PROPOSED USE: Vineyard - winery - Farm
GENERAL DIRECTION TO PARCEL: 9th to Hoyt to Sherwood
Drive full the road ends - look for the Big red Barn

CURRENT ZONING: (Please Check appropriate Zoning Classification)

A-Gen RU-20 RU-10 RU-5 X RU-1 R1-43 R1-10
R-2 R-3 C-R I-1 I-2 Special Development

OWNER'S AFFIDAVIT:

I, (print name) Keith Moore, being duly sworn, depose and say that I am an owner of the property involved in this application and that the information herewith submitted is true and correct to the best of my knowledge.

Owner's Signature

STATE OF ARIZONA )
) SS
COUNTY OF Maricopa )

Sworn and subscribed before me on this 9 Day of October, 2014

Notary Public signature



1-24-17 My Commission Expires

Letter of Intent to Navajo County Planning and Zoning

10-10-14

Attn: Trent Larson

I would like to have the Parcel #202-15-035C zoning classification changed from RU-1 to A-General for the purpose of using the property has a Farm Vineyard/Winery. The zoning has to be revised to incorporate the winery portion of the business. This is a small boutique winery operation using the varietal grapes grown on the property. The grapes will be grown crushed, fermented and bottled on the premises and promoted has a Navajo County Winery operation.

Most of the wine will be sold at Wine Tasting Festivals, Local Restaurants and through a Wine Club. A small portion of wine tasting and tours will be done on site for wine club members and special events.

I am hopeful this will be beneficial to the area for the purpose of exploring a new type of business that other counties in Arizona have had a lot of success in. The Farm/Winery industry is growing fast in Arizona and I would like to bring this industry to Navajo county.

Thank You for your consideration

Keith Moore

602-300-9867



RESOLUTION NO. \_\_\_\_\_-15

**A RESOLUTION OF THE NAVAJO COUNTY BOARD OF SUPERVISORS APPROVING A ZONE CHANGE FROM RURAL-1 (RU-1) TO A-GENERAL (A-GEN) FOR ASSESSORS PARCEL NUMBER 201-15-036C**

**WHEREAS**, a Change of Zoning classification from RU-1 to A-General was duly filed on October 10, 2014 by Keith Moore Trust, in regard to the following described property: APN: 202-15-036C, a.k.a. a portion of Section 25, Township 13 North, Range 21 East of the G&SRM in the Taylor area, for a Domestic Farm Winery; and

**WHEREAS**, Keith Moore Trust is the owner of the above referenced parcel according to a Warranty Deed recorded in the Office of the Navajo County Recorder's on November 4, 2009 in 2009-21440; and

**WHEREAS**, the application was considered by the Navajo County Planning & Zoning Commission at a duly noticed public hearing held on November 20, 2014; and

**WHEREAS**, the Board of Supervisors, after considering the testimony and other evidence presented at the hearing, as well as the recommendations of staff, found that the Zone Change was consistent with the public health, safety and general welfare and should be approved subject to the conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors hereby APPROVES the Zone Change to A-General for the property subject to the following conditions:

1. Future development of the site shall comply with all applicable Navajo County and State of Arizona requirements, including but not limited to those of the Navajo County Planning & Zoning, Flood Control, and Building Safety Ordinance.

**PASSED, APPROVED AND ADOPTED** by the Board of Supervisors by a vote of \_\_\_\_\_ yeas and \_\_\_\_\_ nays on January 13, 2015.

---

**Chairman, Navajo County  
Board of Supervisors**

**ATTEST:**

---

**Melissa Buckley, Clerk of the Board**

RESOLUTION NO. \_\_\_\_\_-15

**A RESOLUTION OF THE NAVAJO COUNTY BOARD OF SUPERVISORS DENYING A ZONE CHANGE FROM RURAL-1 (RU-1) TO A-GENERAL (A-GEN) FOR ASSESSORS PARCEL NUMBER 201-15-036C**

**WHEREAS**, a Change of Zoning classification from RU-1 to A-General was duly filed on October 10, 2014 by Keith Moore Trust, in regard to the following described property: APN: 202-15-036C, a.k.a. a portion of Section 25, Township 13 North, Range 21 East of the G&SRM in the Taylor area, for a Domestic Farm Winery; and

**WHEREAS**, Keith Moore Trust is the owner of the above referenced parcel according to a Warranty Deed recorded in the Office of the Navajo County Recorder's on November 4, 2009 in 2009-21440; and

**WHEREAS**, the application was considered by the Navajo County Planning & Zoning Commission at a duly noticed public hearing held on November 20, 2014; and

**WHEREAS**, the Board of Supervisors, after considering the testimony and other evidence presented at the hearing, as well as the recommendations of staff, found that the Zone Change was not consistent with the public health, safety and general welfare and should not be approved.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors hereby DENIES the Zone Change to A-General for the property.

**PASSED, APPROVED AND ADOPTED** by the Board of Supervisors by a vote of \_\_\_\_\_ yeas and \_\_\_\_\_ nays on January 13, 2015.

---

**Chairman, Navajo County  
Board of Supervisors**

**ATTEST:**

---

**Melissa Buckley, Clerk of the Board**