1. Town Council - Agenda Packet

   Documents: 2016_02_09_CC_RG_AG_PK - 2.PDF

Town of Chino Valley

MEETING NOTICE
TOWN COUNCIL

REGULAR MEETING
Tuesday, February 9, 2016
6:00 P.M.

Council Chambers
202 N. State Route 89
Chino Valley, Arizona

AGENDA

1. CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a. Proclamation Supporting Increased Awareness Relating to Human Trafficking (Chris Marley, Mayor)

b. Presentation for Chino Valley voters regarding the Presidential Preference Election on March 22, 2016 and the November 8, 2016 General Election. (Jami Lewis, Town Clerk)

3. CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

4. RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

a. Comments in support of pressing ADOT for a traffic light at Road 1 North and State Route 89.

5. CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

a. Status reports by Mayor and Council regarding current events.

b. Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.

c. Report regarding new Council study session schedule and agenda item submission timeline. (Jami Lewis, Town Clerk)

6. CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

a. Consideration and possible action to accept the January 19, 2016 study session minutes. (Jami Lewis, Town Clerk)

b. Consideration and possible action to accept the January 26, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)

7. ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

a. Consideration and possible action to modify the invocation portion of the Council meeting. (Mayor Marley)

Recommended Action: Instruct staff to implement any proposed changes.

b. (i) Public Hearing regarding application from Sonia Martinez for a person transfer and location transfer of a Series 6 (Bar) Liquor License for Casa Chica, located at 443 Butterfield Road, Chino Valley.
(ii) Consideration and possible action to recommend approval for the person transfer and location transfer of a Series 6 (Bar) Liquor License for Casa Chica. (Jami Lewis, Town Clerk)

Recommended Action:

(i) Hold Public Hearing.
(ii) Recommend approval for a person transfer and location transfer of a Series 6 Liquor License for Casa Chica.

c. Consideration and possible action to rezone parcel 306-33-005D from Commercial Light (CL) to Commercial Heavy (CH), consisting of approximately 1.38 acres, located at 1448 S. State Route 89; Section 34, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona. (Agent: Charlie Arnold) (James Gardner, Associate Planner)

Recommended Action: Adopt Ordinance No.15-808 rezoning approximately 1.38 acres of real property generally located at 1448 S. State Route 89, from Commercial Light (CL) to Commercial Heavy (CH) zoning district.

d. Consideration and possible action to approve a Protected Development Rights Plan (PDR Plan) for the property located at 2144 N. Road 1 East. (Applicant: Zoned Properties, Inc.) (Ruth Mayday, Development Services Director)

Recommended Action: Approve PDR Plan 16-001 for the property located at 2144 N. Road 1 East, encompassing approximately 58.3 acres.

e. Consideration and possible action to approve Financial Report for the six months ending December 31, 2015. (Joe Duffy, Finance Director)

Recommended Action: Approve Financial Report for the six months ending December 31, 2015.

f. Consideration and possible action to approve the Letter of Support for a proposed roundabout at Road 5 North and State Route 89. (Michael Lopez, Acting Public Works Director/Town Engineer)

Recommended Action: Approve Letter of Support for the proposed Road 5 North roundabout.

8. EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

9. ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

10. ADJOURNMENT

Dated this 4th day of February, 2016.

By: ***Jami C. Lewis, Town Clerk***

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at http://www.chinoaz.net/agendacenter and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date:_____ Time:_____ By:_____

Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 2. a.**

Meeting Date:	02/09/2016
Contact Person:	Liz Hart, Deputy Town Clerk/Records Technician Phone: 928-636-2646 x-1210
Department:	Council
Estimated length of Staff Presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

Proclamation Supporting Increased Awareness Relating to Human Trafficking (Chris Marley, Mayor)

SITUATION & ANALYSIS:

See attached staff report from Gayle Mabery, Town Manager, Town of Clarkdale.

Attachments

Human Trafficking Proclamation
Clarkdale Staff Report

Office of the Mayor

202 N. State Route 89
Chino Valley, AZ 86323
(928) 636-2646

PROCLAMATION

Supporting Increased Awareness Relating to Human Trafficking

Whereas, *human trafficking is a modern-day form of slavery involving the illegal trade of people for exploitation or commercial gain; and*

Whereas, *every year, millions of men, women and children are trafficked in countries around the world, including the United States; and*

Whereas, *it is estimated that human trafficking generates billions of dollars of profit per year, second only to drug trafficking as the most profitable form of transnational crime; and*

Whereas, *human trafficking is a hidden crime as victims rarely come forward to seek help because of language barriers, fear of the traffickers, and/or fear of law enforcement; and*

Whereas, *traffickers use force, fraud, or coercion to lure their victims and force them into labor or commercial sexual exploitation. They look for people who are susceptible for a variety of reasons, including psychological or emotional vulnerability, economic hardship, lack of a social safety net, natural disasters, or political instability. The trauma caused by the traffickers can be so great that many may not identify themselves as victims or ask for help, even in highly public settings; and*

Whereas, *the United States Senate designated January 11th as National Human Trafficking Awareness Day and other organizations have designated January as Human Trafficking Awareness Month; and*

Whereas, *the Town of Chino Valley is supportive of the many efforts underway in Yavapai County, including the production of the Nursery Rhymes music video, to bring awareness to the issue of human trafficking.*

Now, Therefore, *I, Chris Marley, Mayor of the Town of Chino Valley, do hereby proclaim the Town of Chino Valley's support for increasing awareness of human trafficking.*

In Witness Whereof, *I have hereunto set my hand and caused the Seal of the Town of Chino Valley to be affixed this 9th day of February, 2016.*

Chris Marley, Mayor

ATTEST: Jami C. Lewis, Town Clerk

Staff Report

Agenda Item: **Human Trafficking Awareness –** Approval of a proclamation supporting increased awareness relating to human trafficking.

Staff Contact:

Meeting Date: January 26, 2016

Background: As you may have heard, there is a public awareness/educational project underway in Yavapai County called the Nursery Rhymes Video project with a goal to raise awareness on the issue of human trafficking. The unfortunate reality is that human trafficking exists in every country of the world, including the United States. The U.S. Department of Homeland Security has named Arizona as one of the highest risk states for human trafficking, and we have incidents of human trafficking here in our Yavapai County communities. While many are under the misconception that human trafficking victims are only foreign born and those who are poor, the fact is that human trafficking victims can be any age, race, gender, or nationality and they come from all socioeconomic groups.

The Nursery Rhymes Video project was born out of a song that was written by Scott Mabery, the Director of Juvenile Court Services for Yavapai County. After the kids in the Yavapai County Juvenile Justice Center sang the song in a music therapy session with Scott, the staff members of the Juvenile Justice Center felt that there was a place for the song in raising awareness on the issue of human trafficking. While there are numerous forms of human trafficking, the Nursery Rhymes Video will focus on sex trafficking of the youth of our communities. As word of the project began to gain statewide attention, more and more interest was expressed in getting the music produced and developing a video to assist with public awareness on the issue.

An incredible team of local professionals and community members has come together around the cause, and is working collaboratively to produce the song and shoot the video. Music production began in 2015 and the first scenes of the video began shooting in late December. With the support of our business community, local citizens and several cities and towns, all of the music production and video scenes are taking place in Yavapai County. With several scenes to be shot in January, 2016, the “grand finale” of the video shoot will occur on the steps of the Yavapai County Juvenile Justice Center in Prescott on February 20, 2016. Our goal is to have the video ready for use in April, 2016, which coincides with Child Abuse Prevention Month.

As a show of unity and support for this incredibly important cause, we would be grateful if the Town of Chino Valley would lend its support to our project. Those agencies that choose to sign a Declaration of Support or a Proclamation will be recognized on the Facebook page entitled “Nursery Rhymes Video”. In addition, agencies that provide in-kind or other resources for the project will be listed in the credits at the end of the video.

Finally, we invite the members of the Chino Valley Town Council, the Chino Valley Police Department and others from your organization to be part of the filming of the "grand finale" of the video on Saturday, February 20th, at the Juvenile Justice Center at 1100 Prescott Lakes Parkway in Prescott. This particular scene will symbolize the community coming together to support victims of human trafficking. We anticipate 300 to 500 community members being part of this scene of the video. Although timing is subject to adjustment, those who do participate will need to plan to be on-scene from approximately 10am – 4pm. Agencies that send representatives to participate in this scene are considered in-kind contributors.

This is a great opportunity for us to come together in an effort to shed light on the issue of human trafficking. We also want those involved in this trade to understand that Yavapai County has strong support and is a united front against human trafficking in our communities.

For more information about the project, feel free to contact Scott Mabery at (928) 442-5676 or email Smabery@courts.az.gov

You can also see more information on the project's Facebook and Flickr pages:

https://www.flickr.com/photos/138942041@N04/albums

https://www.facebook.com/Nursery-Rhymes-Video-1539799909665485/?fref=ts

Recommendation: Approval of the Proclamation supporting increased awareness relating to human trafficking.

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 2. b.**

Meeting Date: 02/09/2016

Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Estimated length of Staff Presentation: 10 minutes

Physical location of item: Townwide

AGENDA ITEM TITLE:

Presentation for Chino Valley voters regarding the Presidential Preference Election on March 22, 2016 and the November 8, 2016 General Election. (Jami Lewis, Town Clerk)

SITUATION & ANALYSIS:

Staff will present some information regarding 2016 elections as follows:

- Presidential Preference Election (PPE): The Citizens' Clean Elections offices have created a short, simple video to educate Arizona residents about the upcoming PPE on March 22, 2016. As voter registration for this election closes on February 22, staff will present this video to inform our voters about the PPE in general and how those registered as "Independent" or "Other" can vote in the PPE. The PPE video may be viewed online at http://www.azcleanelections.gov/en/presidential-preference-election
- Vote Centers: As elections this year will *not* be vote-by-mail, voters may request an early ballot, or register for the County's Permanent Early Voting List (PEVL), which results in voters receiving an early ballot automatically.
- Clean Elections Candidate Pamphlet changes: The large newsprint pamphlet distributed by the Clean Elections Commission will no longer include information about all candidates statewide. They will, this year, only contain each district's candidates, reducing the size from 200+ pages to about 50.
- Clean Elections App: Clean Elections is working on an app to assist voters, one feature of which will give voters hourly wait times at vote centers.

Attachments

No file(s) attached.

THIS PAGE INTENTIONALLY LEFT BLANK

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 5. c.**

Meeting Date:	02/09/2016
Contact Person:	Jami Lewis, Town Clerk Phone: 928-636-2646 x-1208
Department:	Town Clerk
Estimated length of Staff Presentation:	5 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Report regarding new Council study session schedule and agenda item submission timeline. (Jami Lewis, Town Clerk)

SITUATION & ANALYSIS:

On January 12, 2016, Council voted to change their study session schedule from the first and third Thursdays to the third Tuesday of the month. The Town Manager asked the Town Clerk to give a brief report on how that will affect the agenda item submission timeline.

Attachments

Agenda Item Submission Timeline

SU	MO	TU	WE	TH	FR	SAT
				10am Ag Item submit deadline 10am Roll List update deadline		
WEEK 1	3pm Agenda Review Mtg 3pm * Agenda Review Mtg		12pm Ag Item appvl deadline	10am Distribute Ag/Pkt 10am Ag Item submit deadline		
WEEK 2		6pm REG MTG #1	12pm Ag Item appvl deadline	10am Distribute Ag/Pkt 10am Ag Item submit deadline		
WEEK 3	3pm Agenda Review Mtg	6pm ** ST SESS	12pm Ag Item appvl deadline	10am Distribute Ag/Pkt		
WEEK 4		6pm REG MTG #2				

*Items to be discussed during Study Session may ONLY be scheduled for action on next ensuing Reg Mtg #2 if the Reg Mtg #2 Ag Items are submitted before the the 1st Agenda Review Mtg AND the Ag Item for the Study Session has at least been entered into the Rolling List

**Items discussed at Study Session and scheduled for action on next ensuing Reg Mtg #2 may remain on Reg Mtg #2 agenda ONLY IF Council recommends no or minor changes to the materials presented

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 6. a.**

Meeting Date: 02/09/2016

Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to accept the January 19, 2016 study session minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the January 19, 2016 study session minutes.

Attachments

January 19, 2016 minutes

D R A F T

MINUTES OF THE STUDY SESSION
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

TUESDAY, JANUARY 19, 2016
6:00 P.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 19, 2016.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Jack Miller; Councilmember Corey Mendoza

Absent: Councilmember Lon Turner

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Grittman; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Assistant Public Works Director/Town Engineer Michael Lopez; Development Services Director Ruth Mayday; I.T. Specialist Spencer Guest (Videographer); Town Clerk Assistant Amy Pyeatt-Lansa; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

Mayor Marley called the meeting to order at 6:02 p.m.

2) Discussion regarding proposed amendments to the UDO further regulating the manner and placement of Medical Marijuana uses in the Town of Chino Valley. (Mayor Marley; Vice-Mayor Croft)

Development Services Director Mayday presented the following topics:

Proposed Text Amendments

1) Cultivation facilities on-site (same site as dispensary) only.
2) Remove Cultivation and Infusion facilities from Conditional Uses in AR-36, AR-5 and AR-4 zoning districts.
3) Require Conditional Use Permit ("CUP") for Cultivation, infusion, and dispensaries in CL, CH, and I zoning districts.
   - 3a) Require CUP in I.
   - 3b) Require CUP in I and CH.
   - 3c) Require CUP in I, CH, and CL.
4) Require 500-foot separation between churches and medical marijuana ("MMJ") facilities.
5) Measure separation from property line to property line.
6) Exclude Public Right-of-Way from measurement of separation.
7) Limit size of cultivation facilities to 3,000 square feet/other specific size.

Considerations

- *CUP:* This was not a tool to keep uses out; if an applicant agreed to conditions, the Commission or Council could not deny a CUP.
- *Pros and cons of concentrating or separating uses:* Like uses in close proximity to each other were easier to monitor; concentration of uses could also minimize impact on the greater community; and separation requirements buffered incompatible uses from each other.
- *Rezoning:* Zoning/rezoning was not a right; compliance with the General Plan made it difficult to say "no."
- *Exclusionary Zoning:* The Town could not use zoning to exclude legal uses; conditional zoning marijuana could be construed as exclusionary.
- *Practical Effect:* The impact of certain amendments may be minimal.
- *Variances:* These may be granted by the Board of Adjustment.
- *Proposition 207:* Council needed to be cognizant of Prop 207 protected development rights.

MMJ Developable Land

A map depicted the developable Commercial and Industrial zoned land with the 500-foot separation buffer that would allow cultivation under the current regulations.

Protected Development Rights Plan ("PDRP")

Ms. Mayday provided an example of a PDRP.

Town Attorney Smiley advised Council that:

- Regulations generated by Arizona Department of Health Services that were required by the proposition and by statutes, were quite restrictive on MMJ cultivation and dispensaries.
- Council must decide whether additional restrictions were best for the Town. They may consider the comments of the public and also take into consideration the business community and current growers.
- The Town's regulations must meet a standard of reasonableness.
- CUPs may not give the Council the level of control that they believe they would have. By allowing MMJ as a use, subject to a CUP, Council would determine that the use was appropriate in a zoning district subject to conditions to mitigate negative effects. If the applicant met the requirements to obtain a CUP, the Council did not have discretion to deny. Additionally, after the CUP was granted, it would be difficult to revoke because it would become a grandfathered use.
- Proposition 207 only applied to the property that was subject to the regulation, not to adjoining properties.
- Council might increase separation requirements and impose requirements that were not in state law.
- In current regulations, the Town had separation requirements for dispensaries. Those could be expanded to include cultivation and infusion facilities. Since the separation requirements were included in the public notice, the Council might do that without readvertising and going back to Planning and Zoning Commission.
- If the Town imposed new restrictions, the current cultivation facilities will become legal non-conforming uses and might continue their operations without expansion. If they wanted to expand, a PDRP, approved by the Council, would be an effective tool.
- Proposition 207 gave a property owner the right to compensation from the Town if a new regulation was imposed or applied to the property owner's property and that imposition decreased the value of their property. After notice of an action from the property owner, the Town had 90 days to act by either paying the compensation, repealing the regulation, deciding not to apply the regulation to the property, or allowing the lawsuit to proceed.
- A PDRP was a tool to prevent a property owner from bringing a Proposition 207 claim

because it might allow for planned expansion and thereby prevent a claim of diminished value.
- The Town could not impose regulations for recreational marijuana because that was not a legal activity at this time. If the voters approve an initiative to allow recreational marijuana use, the Town will have time to impose new regulations to address it.

She also reviewed the options that Council could adopt without having to go back to the Planning and Zoning Commission.

Council and staff discussed the proposed text amendment options:

- *Option 1:* This may not be a valid option, as the state only allowed each dispensary one off-site grow facility.
- *Option 2:* This option was acceptable, and Council preferred to remove CUPs and related permitted uses.
- *Option 3:* No discussion.
- *Option 3a:* If Council restricted growers to Industrial zones only, there were only two areas for a new facility. New Industrial areas would have to be created by Council, which would most likely apply to CL and CH zoned land with appropriate transportation to serve it and Council's determination that it was good for the Town. Staff did not believe Council would not want any Industrial uses on SR 89.

Council recessed the meeting at 6:53 p.m. and reconvened it at 7:03 p.m.

- *Options 3b and 3c:* Council preferred Option 3a.
- *Option 4:* Council could restrict all MMJ facilities to the same distance requirements in the UDO as dispensaries, except that cultivation and infusion in AR districts required a 500-foot distance from any existing residential use. "Schools" did not include homeschools, or those licensed by the state agency that regulated care facilities for the developmentally disabled.
- *Option 5:* Council preferred using the setbacks for all MMJ facilities in lieu of this option.

Council and staff discussed currently existing MMJ facilities:

- Prop 207 gave property owners the right to compensation from the Town if the Town applied a new regulation to the property that specifically diminished the property's value.
- Once Council adopted amendments, the current MMJ uses will become legal non-conforming uses and could not expand the use or make it more intense. Staff proposed that the PDR Plan, as provided in statute, be used for existing and future MMJ uses.

Mayor Marley recapped Council's discussion:

- MMJ uses on Industrial zoned property only;
- No CUP required; and
- Existing uses that will become legal non-conforming will have the right to propose a PDR Plan to Council.

Mayor Marley recessed the meeting at 7:42 p.m. and reconvened it at 7:50 p.m.

- *Option 6:* No discussion.
- *Option 7:* As the UDO already included standards for lot coverage, Council did not believe there was any value to limiting square footage of structures.

Council also asked staff to provide information on any churches within 500 feet now of growing facilities.

3) Discussion regarding the Administrative Policy, "Communications Policy / Social Media Policy" for the Town of Chino Valley. (Cecilia Grittman, Assistant Town Manager)

Ms. Grittman reported that items or opinions discussed in various Council communications might be perceived to be a personal opinion, such as the Mayor's Reports. Such expressions on specific matters by more than three councilmembers could be a violation of the Open Meeting Law, as such items might come before the entire Council for a future discussion.

Staff needed Council's input related to their own communications:

- If Town platforms were where personal opinions were to be vetted, where should such opinion pieces should be allowed, and what Town resources should be committed to developing them?
- Should councilmembers, when speaking in formal interviews, provide a disclaimer that one councilmember does not speak for all?
- Should Council include a budget for each councilmember so that councilmembers are on equal footing for access to resources?

Council and staff discussed:

- Developing a budget for gatekeeper if councilmembers desired to have individual social media.
- Providing separate space on the website for each councilmember to post current projects, focus area comments, accomplishments, etc.
- How the Town's social media was managed.

Council generally approved of:

- Mayor Marley continuing his Mayor's Reports.
- Reports and factual communications, but not opinions.
- Including the disclaimer.

Council instructed staff to:

- Provide statistics on website use.
- Explore the possibility of a webpage for each councilmember.
- Tone down "legaleze" in the policy.

4) Discussion regarding use of USDA WIFA refinance savings/proceeds to fund Center Street sewer extension; and the Town’s water and sewer extension, buy-in fee, and connection policies. (Mayor Marley)

Mayor Marley reviewed the items resolved at the prior meeting wherein this item was discussed.

Council asked staff to provide the Mollie Rae project costs and defer this item to the February study session.

5) ADJOURNMENT

MOVED by Councilmember Mike Best, seconded by Councilmember Jack Miller to adjourn the meeting at 8:20 p.m.

Vote: 6 - 0 PASSED - Unanimously

_____
Chris Marley, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 19th day of January, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9th day of February, 2016.

_____
Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 6. b.**

Meeting Date: 02/09/2016

Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to accept the January 26, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the January 26, 2016 regular meeting minutes.

Attachments

January 26, 2016 minutes

D R A F T

MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

TUESDAY, JANUARY 26, 2016
6:00 P.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 26, 2016.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Jack Miller; Councilmember Corey Mendoza; Councilmember Lon Turner

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Grittman; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Human Resources Director Laura Kyriakakis; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Police Officer Deana Winn; Civilian Operations Supervisor Laurie Whisenand; Magistrate Catherine Kelley; Acting Public Works Director/Town Engineer Michael Lopez; Utility/Recreation Supervisor Chris Bartels; Associate Planner James Gardner; Town Clerk Assistant Amy Pyeatt-Lansa; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Marley called the meeting to order at 6:00 p.m.

Mayor Marley called for a Moment of Silence and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

None.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to move Call to the Public to the end of the agenda to expedite the meeting.

Vote: 7 - 0 PASSED - Unanimously

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

(This item was heard after item 7f, but is retained here for clarity.)

Craig Brown, Yavapai County District 4 Supervisor, spoke in support of JTED; commended the Town's public process in addressing medical marijuana; spoke in opposition to Lotto expenditures; and announced a state budget presentation in Yavapai County by the Governor's Office on February 1.

Todd League with Overflow Coffee spoke in support of pressuring ADOT to expedite the stoplight at Road 1 North and State Route 89.

Lee Paul, resident, spoke in support of the JTED item and commented on a chili cookoff.

4) RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

None.

5) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

a) Status reports by Mayor and Council regarding current events.

Vice-Mayor Croft reported on the spring Citizen's Academy to start March 3.

b) Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.

Mr. Smith ceded his time to Police Chief Wynn, who spoke about department highlights over the past year related to:

- *Facilities:* shooting range; evidence facility; new interview room.
- *Events:* National Night Out; Halloween; Red Ribbon Week at Del Rio School.
- *Programs:* canines; motor officers.
- *Vehicles:* 1033 military surplus program; motorcycle units; Ford Interceptors.
- *Equipment:* department-issued rifles; mobile technology; reloading equipment.
- *Upcoming events/programs:* PD Citizen's Academy; crime mapping on webpage; self defense through tactical shooting and decision making.

6) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to accept consent agenda items 6a, b, c, d, and e.

Vote: 7 - 0 PASSED - Unanimously

a) Consideration and possible action to adopt Chino Valley's Housing Rehabilitation Guidelines as per requirements of the Arizona Department of Housing, Owner Occupied Housing Rehabilitation program application. HOME/SHF Grant Funds will be used and require no Town matching funds. (James Gardner, Associate Planner)

b) Consideration and possible action to authorize Town Manager to sign/accept two (2) Governor's Office of Highway Safety (GOHS) grants. (Chuck Wynn, Police Chief)

c) Consideration and possible action to appoint Mr. Dean Keller to the Public Safety Retirement Board, effective immediately. (Cecilia Grittman, Assistant Town Manager)

d) Consideration and possible action to re-appoint Claude Baker as Regular Commissioner and Julie Van Wuffen as Alternate Commissioner to the Planning and Zoning Commission, with terms ending January 31, 2019 and January 31, 2017, respectively. (Vice-Mayor Croft; Councilmember Best; Councilmember Turner)

e) Consideration and possible action to accept the January 12, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)

7) ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

a) Consideration and possible action to approve Ordinance No. 16-811, amending the Unified Development Ordinance, Chapter 2 Definitions, Section 2.1 Meaning of Words and Terms; Chapter 3 Zoning Districts, Sections 3.5 Agricultural/Residential (36 Acre Minimum), 3.6 Agricultural/Residential (5 Acre Minimum), Section 3.7 Agricultural/Residential (4 Acre Minimum), 3.15 Commercial Light, 3.16 Commercial Heavy, 3.17 Industrial; and Chapter 4 General Regulations, Section 4.31 Medical Marijuana Dispensaries, Cultivation Sites, and Infusion Facilities. (Phyllis Smiley, Town Attorney)

Recommended Action: Approve Ordinance No. 16-811, amending the Unified Development Ordinance related to regulating medical marijuana facilities as stated in the ordinance.

James Gardner reported on:

- The process leading up to tonight's proposed action.
- The proposed text amendments revised after last week's study session:

    1. Remove cultivation and infusion facilities from conditional uses in AR-36, AR-5, and AR-4, disallowing those uses in these zones.
    2. Remove cultivation, infusion, and dispensaries from permitted uses in CL/CH, disallowing those uses in these zones.
    3. Allow cultivation, infusion, and dispensary facilities in Industrial (I) zoning district.

4. Require 500-foot separation between medical marijuana facilities and schools, parks, public buildings, community centers, drug and alcohol rehabilitation facilities, and any residential zoning district.

- Clarification that commercial greenhouse requirements applied to cultivation facilities only.
- Considerations related to conditional use permits; concentrating uses versus separating uses; zoning rights; exclusionary zoning; minimal impacts of certain amendments; variances; and Proposition 207, protected development right plans (PDRPs), and development agreements.
- Developable commercial and industrial zoned land with a 500-foot separation buffer currently and under the new ordinance.

Council asked for more details about the following:

- *Land and building requirements for MMJ operations:* Building height maximum was 35 feet; building size was unlimited, but there were lot coverage restrictions; and MMJ uses had a 500-foot setback from any residential zoning district.
- *PDRP and dispensaries:* The current dispensary was operating under a PDRP; future ones would not.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Ordinance No. 16-811, amending the Unified Development Ordinance related to regulating medical marijuana facilities as stated in the ordinance.

Vote: 7 - 0 PASSED - Unanimously

b) (i) Public Hearing regarding application from Amanda Cordoba for a new Series 12 (Restaurant) Liquor License for El Charro Norte, located at 2879 Arizona Trail, Chino Valley.
(ii) Consideration and possible action to recommend approval for a new Series 12 Liquor License for El Charro Norte. (Jami Lewis, Town Clerk)

Recommended Action:
(i) Hold Public Hearing.
(ii) Recommend approval for a new Series 12 Liquor License for El Charro Norte.

Staff Report Summary:

- Police and Development Services personnel reviewed the application and recommended approval with no comments.
- Staff posted the establishment with the necessary notices to meet the required 20-day period and did not receive any written arguments in favor of or in opposition to the application.

MOVED by Vice-Mayor Croft, seconded by Councilmember Mike Best to hold the public hearing.
Vote: 7 - 0 PASSED - Unanimously

Amanda Cordoba, applicant, commended the Building Division for their assistance, and announced a soft opening on February 4.

MOVED by Vice-Mayor Croft, seconded by Councilmember Jack Miller to close the public hearing.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to recommend approval for a new Series 12 Liquor License for El Charro Norte.

Vote: 7 - 0 PASSED - Unanimously

c) (i) Public Hearing regarding application from Robert Valenzuela for a new Series 3 (In-State Microbrewery) Liquor License for Insurgent Brewing Company, LLC, located at 990 N. Highway 89, Unit B, Chino Valley.
(ii) Consideration and possible action to recommend approval for a new Series 3 Liquor License for Insurgent Brewing Company, LLC. (Jami Lewis, Town Clerk)

Recommended Action:
(i) Hold Public Hearing.
(ii) Recommend approval for a new Series 3 Liquor License for Insurgent Brewing Company, LLC.

Staff Report Summary:

- Police and Development Services personnel reviewed the application and recommended approval with no comments.
- Staff posted the establishment with the necessary notices to meet the required 20-day period and did not received any written arguments in favor of or in opposition to the application.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to open the public hearing.
Vote: 7 - 0 PASSED - Unanimously

Robert Valenzuela, applicant, spoke about the Town's support and about the business being a tap room only.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to open the public hearing.
Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to recommend approval for a new Series 3 Liquor License for Insurgent Brewing Company, LLC.

Vote: 7 - 0 PASSED - Unanimously

d) Consideration and possible action to approve Ordinance No. 16-809, amending the Town Code, Title III Administration, Chapter 34 Municipal Court, Subchapter Municipal Court Fees,Sections 34.20 Authority to Set Fee Amounts, 34.21 Establishment of Funds and Allocation of Fees, and 34.22 Establishment of Court Fees. (Phyllis Smiley, Town Attorney)

Recommended Action: Approve Ordinance No. 16-809.

Staff Report Summary: Pursuant to Town Code Section 34.20(A), the Presiding Magistrate recommended several changes to the fees currently being charged by the Town and the adoption of new fees not currently provided for in the Town Code. The proposed fees were posted according to law.

Judge Catherine Kelley reported that:

- Nothing was being changed to anyone's detriment.
- The Town's warrant fees of $27 were way out of line from other jurisdictions, as the actual processing costs were close to $900.
- While most jurisdictions had a deferred prosecution fee and suspended sentence fee, the Town did not. Adding these will bring the Town in line with neighboring jurisdictions.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to approve Ordinance No. 16-809.

Vote: 7 - 0 PASSED - Unanimously

e) Consideration and possible action to adopt Resolution 16-1075 to amend, update and revise the fees currently in use by the Chino Valley Municipal Court. (Catherine J. Kelley, Presiding Magistrate.)

Recommended Action: Adopt Resolution 16-1075 amending, updating and revising the fee schedule for the Chino Valley Municipal Court.

Staff Report Summary:

- Town Code Section 34.20 provided that court fees were to be set by the Presiding Magistrate of the Municipal Court and sent to Council for approval by resolution not more often than once every six months. Revisions were last made in 2009.
- In October 2015, Court staff reviewed the fee schedule and proposed to eliminate some fees, add several fees that would be helpful to both the Prosecution and the Court, reduce one fee, and raise several others, bringing Chino Valley's Court fees in line with other Yavapai County courts' fees.
- As amending, updating, and revising these fees was in the best interests of the residents of the Town, and brought the Town's fee schedules into closer alignment with surrounding jurisdictions, the Magistrate recommended approval of the Resolution.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to adopt Resolution 16-1075 amending, updating and revising the fee schedule for the Chino Valley Municipal Court.

Vote: 7 - 0 PASSED - Unanimously

f) Consideration and possible action to authorize the Mayor, on behalf of the Council, to sign a letter of protest to Governor Ducey and other state officials regarding budget cuts to the Joint Technical Education District (JTED) educational program. (Councilmember Best; Mayor Marley)

Recommended Action: Authorize the Mayor, on behalf of the Council, to sign the letter of protest.

Staff Report Summary: The governor's budget would reduce funding and change the funding structure to JTEDs and the Mayor desired that the Council authorize him to sign a letter to legislators protesting this change.

Councilmember Best reported that some senators and representatives had stepped up and complained to the governor for cutting this program. He believed Council needed to let Governor Ducey know that the kids were more important than some of his other programs. For instance, a couple of local students who recently completed the JTED's linesman program started with an $80,000 salary.

Councilmember Cuka commended the JTED program, especially for families that could not afford college.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to authorize the Mayor, on behalf of the Council, to sign the letter of protest.

Vote: 7 - 0 PASSED - Unanimously

g) Consideration and possible action to approve a reorganization to separate the positions of Director of Public Works and Town Engineer by adopting Ordinance No. 16-810 amending Town Code Title V Public Works, Chapter 50 General Provisions, Subchapter Utility Department, Section 50.15 Public Works Director; and approving a revision to the Town of Chino Valley Organizational Chart. (Phyllis Smiley, Town Attorney)

Recommended Action: (i) Approve Ordinance No. 16-810; and (ii) Approve the Organizational Chart as revised to separate the Director of Public Works and Town Engineer positions.

MOVED by Councilmember Lon Turner, seconded by Vice-Mayor Darryl Croft to table this.

Vote: 7 - 0 PASSED - Unanimously

8) EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

None.

9) ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

None.

10) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Councilmember Mike Best to adjourn the meeting at 6:56 p.m.

Vote: 7 - 0 PASSED - Unanimously

_____
Chris Marley, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 26th day of January, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9th day of February, 2016.

_____
Jami C. Lewis, Town Clerk

THIS PAGE INTENTIONALLY LEFT BLANK

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 7. a.**

Meeting Date:	02/09/2016
Contact Person:	Liz Hart, Deputy Town Clerk/Records Technician Phone: 928-636-2646 x-1210
Department:	Council
Item Type:	Action Item
Estimated length of staff presentation:	20 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:
Consideration and possible action to modify the invocation portion of the Council meeting.

RECOMMENDED ACTION:
Instruct staff to implement any proposed changes.

SITUATION AND ANALYSIS:
Mayor Marley desires a discussion regarding the invocation portion of the Council meeting.

Fiscal Impact

Fiscal Impact?:	None
If Yes, Budget Code:	
Available:	
Funding Source:	

Attachments

Oath of Office template
U.S. Constitution, First Amendment

OATH OF OFFICE

State of Arizona, County of Yavapai, I, name, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and Laws of the State of Arizona; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the Office of board/committee member of the Town of Chino Valley to the best of my ability, so help me God (or so I do affirm).

_____

name

State of Arizona)
§
County of Yavapai)

I, Liz Hart, Deputy Town Clerk, do hereby certify that on the _____ of _____, 2016, name duly affirmed his/her Oath of Office of board/committee member of the Town of Chino Valley, Yavapai County, Arizona, and that I administered said Official Oath.

_____

Liz Hart, Deputy Town Clerk

Amendment I

FREEDOM OF RELIGION, SPEECH, PRESS, ASSEMBLY, AND PETITION

Passed by Congress September 25, 1789. Ratified December 15, 1791. The first 10 amendments form the Bill of Rights

Congress shall make no law **respecting** an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

SELECT A CLAUSE OF THE FIRST AMENDMENT

CLAUSES OF THE FIRST AMENDMENT

What's this?

THIS PAGE INTENTIONALLY LEFT BLANK

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 7. b.**

Meeting Date:	02/09/2016
Contact Person:	Jami Lewis, Town Clerk Phone: 928-636-2646 x-1208
Department:	Town Clerk
Item Type:	Action Item - Presentation
Estimated length of staff presentation:	5 minutes
Physical location of item:	Casa Chica, 443 Butterfield Road, Chino Valley

AGENDA ITEM TITLE:

(i) Public Hearing regarding application from Sonia Martinez for a person transfer and location transfer of a Series 6 (Bar) Liquor License for Casa Chica, located at 443 Butterfield Road, Chino Valley.
(ii) Consideration and possible action to recommend approval for the person transfer and location transfer of a Series 6 (Bar) Liquor License for Casa Chica.

RECOMMENDED ACTION:

(i) Hold Public Hearing.
(ii) Recommend approval for a person transfer and location transfer of a Series 6 Liquor License for Casa Chica.

SITUATION AND ANALYSIS:

Issue Statement

A.R.S. § 4-201 provides that a person desiring a new or amended liquor license shall apply with the State Liquor Board. Upon receipt of such application, the State forwards the application to the local governing body (Council), which is tasked with making a recommendation to the Board for granting or denying the license. A recommendation for disapproval requires a statement of the specific reasons containing a summary of the testimony or other evidence supporting the recommendation for disapproval. The attached Arizona Administrative Code, Rule R19-1-702 provides guidelines for determining whether to grant a license for a certain location.

Per A.R.S. § 4-203(C). A spirituous liquor license issued to a bar, a liquor store or a beer and wine bar shall be transferable as to any permitted location within the same county, provided such transfer meets the requirements of an original application. A spirituous liquor license may be transferred to a person qualified to be a licensee, provided such transfer is pursuant to either judicial decree, nonjudicial foreclosure of a legal or equitable lien, including security interests held by financial institutions pursuant to section 4-205.05, a sale of the license, a bona fide sale of the entire business and stock in trade, or such other bona fide transactions as may be provided for by rule. Any change in ownership of the business of a licensee, directly or indirectly, as defined by rule is deemed a transfer.

Applicable "Policy"
A.R.S. § 4-201 Licensing; application procedure in city, town or county; burden of proof

Satisfaction of "Policy"
Upon reviewing the material provided by the Department of Liquor Licenses and Control, and conducting a public hearing, the Council will meet the statute's requirements by recommending that the state liquor board grant or deny the transfer.

Summary of Issues and Staff Rationale
Sonia Martinez has applied with the state for person transfer and location transfer of a Series 6 (Bar) Liquor License for Casa Chica. The License is being transferred from Guillermo Aldaco and the Wishing Well Tavern, located in Paulden, to Ms. Martinez and Casa Chica.

The bar (series 6) liquor license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, *this liquor license is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges*. This license allows a bar retailer to sell and serve all types of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. A.R.S. 4-206.01.F. states that after January 1, 2011, the off-sale privileges associated with a bar license shall be limited to no more than 30% of the total annual sales receipts of liquor by the licensee at that location. Payment must be made no later than the time of delivery. Off-sale ("To Go") package sales of spirituous liquor can be made on the bar premises as long as the area of off-sale operation does not utilize a separate entrance and exit from the ones provided for the bar. A hotel or motel with a Series 06 license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is by a key or magnetic card device and not furnished to a guest between the hours of 2:00 a.m. and 6:00 a.m. Internet sale of liquor is not permitted in the state of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.

Findings of Fact

- The Police and Planning Departments reviewed the application and recommended approval with no comments.
- Staff posted the establishment with the necessary notices to meet the required 20-day period from January 12, 2016 through February 9, 2016.
- As of the date of this report, staff has not received any written arguments in favor of or in opposition to the application.

Fiscal Impact

Fiscal Impact?: No
If Yes, Budget Code:
Available:
Funding Source:

Attachments

Casa Chica Application

Acceptable reasons to protest liquor license type applications

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007
www.azliquor.gov
(602) 542-5141

'15 DEC 11 Liq. Lic. PM 3:30

Application for Liquor License
Type or Print with Black Ink

SECTION 1 This application is for a:
- ☐ Interim Permit (Complete Section 5)
- ☐ New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
- ☑ Person Transfer (Complete Section 2, 3, 4, 12, 13, 14,16)
- ☑ Location Transfer (Bars and Liquor Stores Only) (Complete Section 2, 3, 4, 11, 13, 14, 16)
- ☐ Probate/ Will Assignment/ Divorce Decree (Complete Sections 2, 3, 4, 9, 13, 14, 16) (Fee not required)
- ☐ Government (Complete Sections 2, 3, 4, 10, 13, 16)
- ☐ Seasonal

SECTION 2 Type of Ownership:
- ☐ J.T.W.R.O.S. (Complete Section 6)
- ☐ Individual (Complete Section 6)
- ☐ Partnership (Complete Section 6)
- ☐ Corporation (Complete Section 7)
- ☑ Limited Liability Co (Complete Section 7)
- ☐ Club (Complete Section 8)
- ☐ Government (Complete Section 10)
- ☐ Trust (Complete Section 6)
- ☐ Tribe (Complete Section 6)
- ☐ Other (Explain) _____

SECTION 3 Type of license **LICENSE #** 06130047

1. Type of License: #6 Bar

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE
A service fee of $25 will be charged for all dishonored checks (A.R.S. § 44-6852)

SECTION 4 Applicants

1. Individual Owner/Agent's Name: Martinez Sonia
   Last First Middle
2. Owner Name: Guima LLC
   (Ownership name for type of ownership checked on section 2)
3. Business Name: Casa Chica
   (Exactly as it appears on the exterior of premises)
4. Business Location Address: 316 W. Perkinsville Rd Chino Valley AZ 86323 Yavapai
   (Do not use PO Box) Street City State Zip Code County
5. Mailing Address: 443 Butterfield Rd. Chino Valley AZ 86323
   (All correspondence will be mailed to this address) Street City State Zip Code
6. Business Phone: 928-636-7772 Daytime Contact Phone: 920-265-5077
7. Email Address: martinez.sonia24@yahoo.com
8. Is the Business located within the incorporated limits of the above city or town? ☑ Yes ☐ No
9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? ☐ Yes ☑ No
   If Yes, what City, Town or Tribal Reservation is this Business located in: _____
10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) $ 1

Department Use Only

Fees: 200 (Application) | Interim Permit | Site Inspection | Finger Prints | $ 200 Total of All Fees

Is Arizona Statement of Citizenship & Alien Status for State Benefits complete? ☑ Yes ☐ No

Accepted by: [illegible] Date: 12/11/15 License # 06130047

Individuals requiring ADA accommodations please call (602)542-9027

SECTION 6 - continued

TRUST

Name of Trust: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

TRIBE

Name of Tribal Ownership: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 7 Corporations/ Limited Liability Co

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE AN "APPLICANT" TYPE FINGERPRINT CARD AND $22 PROCESSING FEE FOR EACH CARD.

☐ **Corporation** **Complete Questions 1, 2, 3, 4, 5, 6, and 7**

☑ **L.L.C.** **Complete Questions 1, 2, 3, 4, 5, 6, and 7**

1. Name of Corporation/ L.L.C: Guima LLC
2. Date Incorporated/Organized: 2/16/2010 State where Incorporated/Organized: Arizona
3. AZ Corporation or AZ L.L.C File No: L15832415 Date authorized to do Business in AZ: 2/23/2010
4. Is Corp/L.L.C. Non Profit? ☐ Yes ☑ No
5. List Directors, Officers, Members in Corporation/L.L.C:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code
Martinez Sonia			Member	523 N Grove Ln Chino Valley AZ 86323			

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
Martinez Sonia			100	523 N Grove Ln Chino Valley AZ 86323			

(Attach additional sheet if necessary)

7. If the corporation/ L.L.C are owned by another entity, attach an Organizational **FLOWCHART** showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.

SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: _____
2. Is the license currently in use? ☐ Yes ☐ No If no, how long has it been out of use? _____

Attach a copy of the license currently issued at this location to this application.

I, _____ declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING PERSON on the stated license and location.
(Print Full Name)

X _____
(Signature)

State _____ County of _____
The foregoing instrument was acknowledged before me this

_____ day of _____, _____
Day Month Year

My Commission Expires on: _____ _____
Date (Signature of Notary Public)

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND $22 PROCESSING FEE FOR EACH CARD.

Individual

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

Is any person other than above, going to share in profit/losses of the business? ☐ Yes ☐ No
If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

Partnership

Name of Partnership: _____

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
☐ ☐								
☐ ☐								
☐ ☐								
☐ ☐								

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)

Name of J.T.W.R.O.S: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 8 Club Applicants

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD, AND $22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____
2. Is Club non-profit? ☐ Yes ☐ No
3. List all controlling members (minimum of four (4) requested)

Last First Middle	Mailing Address City State Zip Code

(Attach additional sheet if necessary)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Liquor License

1. Current Licensee's Name: _____
(Exactly as it appear on the license) Last First Middle

2. Assignee's Name: _____
Last First Middle

3. License Type: _____ License Number: _____

ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE.

SECTION 10 Government (for cities, towns, or counties only)

1. Government Entity: Individual
2. Person/Designee: _____ _____
First Last Middle Day time Contact Phone #

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Location to Location Transfer: Series 6 Bar, Series 7 Beer & Wine Series 9 Liquor Stores only)

1. Current Business: Name: Wishing Well Tavern
Address: 25995 N Hwy 89 Paulden AZ 86334
(Exactly as it appears on license)

2. New Business: Name: Casa Chica
Address: 316 W. Perkinsville Rd Chino Valley AZ 86323

3. License Type: #6 Bar License Number: 06130047

SECTION 12 Person to Person Transfer

Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)

1. Individual Owner / Agent Name: Aldaco Guillermo (Last / First / Middle) Entity: Individual (Individual, Agent, Etc)

2. Ownership Name: Guillermo Aldaco (Exactly as it appears on license)

3. Business Name: Wishing Well Tavern (Exactly as it appears on license)

4. Business Location Address: 25995 N Hwy 89 Paulden AZ 86334 (Street / City / State / Zip)

5. License Type: #6 Bar License Number: 06130047

6. Current Mailing Address: 523 N Grove Ln Chino Valley AZ 86323 (Street / City / State / Zip)

7. Have all creditors, lien holders, interest holders, etc. been notified? ☑ Yes ☐ No

8. Does the applicant intend to operate the business while this application is pending? ☐ Yes ☑ No

If yes, complete Section 5 (**Interim Permit**) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) Guillermo Aldaco hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) Guillermo Aldaco, declare that I am the **CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE** of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

x Guillermo Aldaco
(Signature of CURRENT Individual Owner/Agent)

OFFICIAL SEAL
SELENA MARIE GONZALES
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires February 12, 2016

NOTARY

State of Arizona (State) County of Maricopa (County)

The foregoing instrument was acknowledged before me this 11 (Day) day of December (Month), 2015 (Year)

My commission expires on 2-12-16 (Day/ Month/Year) Selena Marie Gonzales (Signature of NOTARY PUBLIC)

Individuals requiring ADA accommodations please call (602)542-9027

SECTION 13 Proximity to Church or School

Questions to be completed by all in-state applicants EXCLUDING those applying for a Series 5 Government, Series 11 Hotel/Motel, and Series 12 Restaurant licenses.

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02)
b) Hotel/motel license (§ 4-205.01)
c) Government license (§ 4-205.03)
d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest School: 4900 ft. Name of School: Territorial Elementary School
(if less than one (1) mile note footage)
Address: 1088 Mahan Ln. Chino Valley AZ 86323

2. Distance to nearest Church: 2600 ft. Name of Church: First Southern Baptist Church
(if less than one (1) mile note footage)
Address: 1524 N Hwy 89 Chino Valley AZ 86323

SECTION 14 Business Financials

1. I am the: ☑ Lessee ☐ Sub-lessee ☐ Owner ☐ Purchaser ☐ Management Company
2. If the premise is leased give lessors: Name: John P Lively
Address: PO Box 396 Chino Valley AZ 86323
Street City State Zip
3. Monthly Rent/ Lease Rate: $ 1030
4. What is the remaining length of the lease? month to month ~~months~~
5. What is the penalty if the lease is not fulfilled? $ NONE or other: —
(Give details-attach additional sheet if necessary)
6. Total money borrowed for the Business not including lease? $ 0
Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
N/A							

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?
Liquor sales

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year? ☐ Yes ☑ No If yes, attach explanation.
9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business? ☐ Yes ☑ No
10. Is the premises currently license with a liquor license? ☑ Yes ☐ No

If yes, give license number and licensee's name:
License #: 10133153 Individual Owner /Agent Name: Sonia Martinez
(Exactly as it appears on license)

SECTION 15 Restaurant or hotel/motel license applicants

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? ☐ Yes ☐ No

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.

4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this ☐ Restaurant ☐ Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.

_____
(Applicant's Signature)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.

_____
(Applicant's Initials)

SECTION 16 Diagram of Premises
Check ALL boxes that apply to your business:

☑ Entrances/Exits ☑ Liquor storage areas **Patio:** ☐ Contiguous

☐ Walk-up windows ☐ Drive-through windows ☐ Non Contiguous

1. Is your licensed premises currently closed due to construction, renovation or redesign? ☐ Yes ☑ No

   If yes, what is your estimated completion date? _____
   Month/Day/Year

2. **Restaurants and Hotel/Motel** applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.

3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).

4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.

SM
(Applicant's initials)

SECTION 16 Diagram of Premises – continued

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

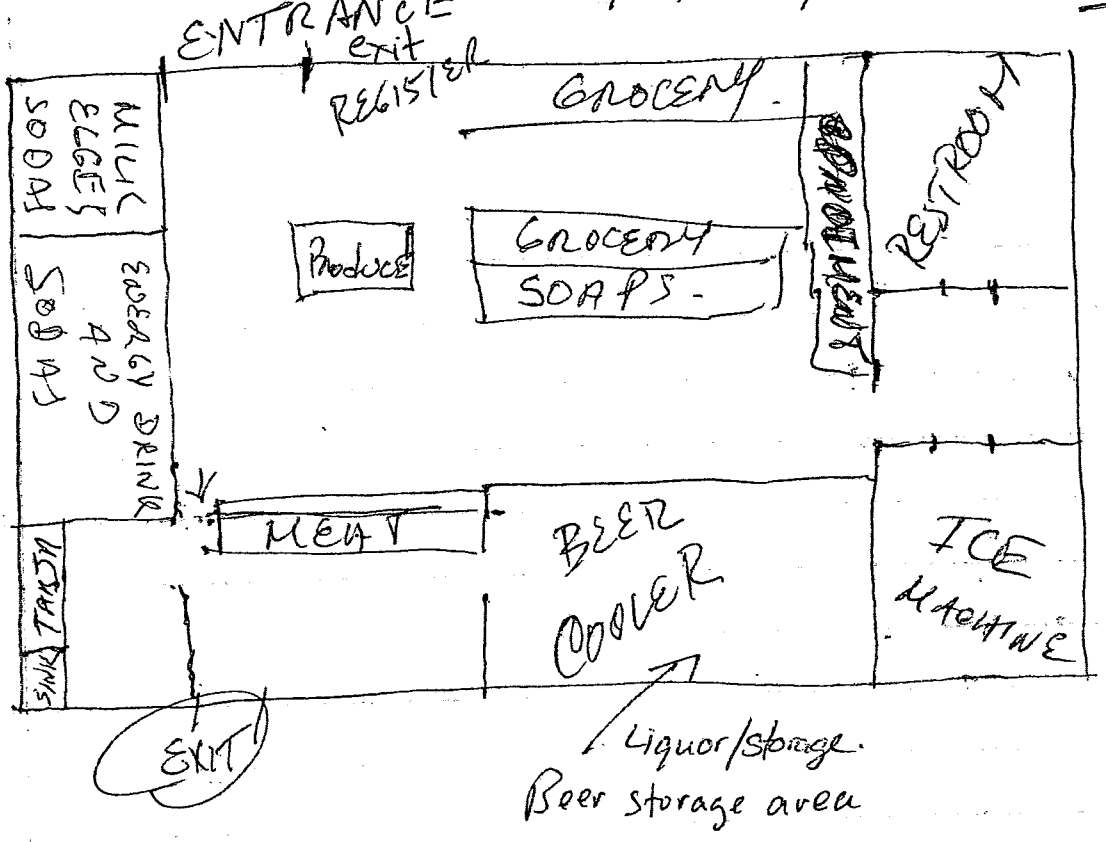
If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES

DIAGRAM ATTACHED

CASA CHICA

Total square feet: 900



SECTION 17 SIGNATURE BLOCK

I, (Print Full Name) Sonia Martinez, hereby declare that I am the Owner/Agent filing this application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

X (Signature) Sonia Martinez

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

12 of December, 2015

Day Month Year

My commission expires on: 2-12-16

Selena Marie Gonzales

Signature of NOTARY PUBLIC

OFFICIAL SEAL
SELENA MARIE GONZALES
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires February 12, 2016

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

Individuals requiring ADA accommodations please call (602)542-9027

	Type of Application	Acceptable Protest
1	New License	May Protest Person and Location
2	Person Transfer	May Protest **"ONLY"** Person
3	Location Transfer	May Protest **"ONLY"** Location
4	Location and Person Transfer	May Protest Person and/or Location

Types of Liquor License Applications and Acceptable Reasons to Protest

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 7. c.**

Meeting Date:	02/09/2016
Contact Person:	James Gardner, Associate Planner Phone: 928-636-2646 x-1295
Department:	Development Services
Item Type:	Action Item - Presentation
Estimated length of staff presentation:	10 minutes
Physical location of item:	1448 S. Highway 89, Chino Valley, AZ 86323

AGENDA ITEM TITLE:

Consideration and possible action to rezone parcel 306-33-005D from Commercial Light (CL) to Commercial Heavy (CH), consisting of approximately 1.38 acres, located at 1448 S. State Route 89; Section 34, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona.

RECOMMENDED ACTION:

Adopt Ordinance number 15-808 rezoning approximately 1.38 acres of real property generally located at 1448 S. State Route 89, from Commercial Light (CL) to Commercial Heavy (CH) zoning district.

SITUATION AND ANALYSIS:

Issue Statement

The purpose of this request is to rezone subject parcel 306-33-005D, consisting of approximately 1.38 acres from Commercial Light (CL) to Commercial Heavy (CH) zoning district. Surrounding zoning include Agricultural/Residential (5 acre minimum) (AR-5) to the west, CL/AR5 to the south, and CL to the east and north.

The property is zoned Commercial Light (CL) and the applicant would like to rezone to Commercial Heavy (CH). Surrounding uses include a single-family residence directly to the south, vacant commercial property to the north, a single-family residence to the west, and State Route 89 to the east. The applicant is interested in rezoning the property to CH for the purposes of manufacturing greenhouse parts, on-site sales of cargo containers, and administrative offices for subsidiary companies.

Applicable "Policy"

Chino Valley General Plan, 2014

Satisfaction of "Policy"

The proposed zoning is in conformance with the General Plan's recommendation for a commercial corridor along State Route 89.

Summary of Issues and Staff Rationale

History

On August 6, 1981, the property owner of parcel 306-33-005A, Vaudie Allmon was issued a building permit application for a 50' x 60' structure, which was to become the Napa Auto Parts store. The property was split from parcel 306-33-005A on December 17, 1993, which created the current subject parcel, 306-33-005D. On August 28, 2005 another 50' x 60' expansion was added, thereby increasing the square footage of the Napa building to 6000 square feet. The current building configuration is still 6000 square feet. Proposed improvements are within the building, including reconfiguration into office and light manufacturing spaces, and will include safety improvements as required by building code. Also proposed is a new 120' x 50' structure, which would double the existing square footage of building on site to a total of 12,000 square feet.

A neighborhood meeting was held on December 2, 2015, at Town Hall, 202 N. State Route 89. The applicant described the proposal and was available to answer questions from interested parties. The one citizen who attended the neighborhood meeting was concerned about the proposed rezoning. The concerns arose from rumors that medical marijuana infusion and dispensation would be conducted on-site. Both the applicant, who represents the property owner, as well as a representative from the tenant of the building, assured the neighbor that no medical marijuana would be stored, sold, processed, or infused on-site per the lease agreement, and Town staff assured the neighbor that any medical marijuana uses such as cultivation, infusion, or dispensation would not be allowed on-site due to the proximity to residential uses and zoning.

The Planning and Zoning Commission held a public hearing on January 5, 2016 and voted 6 to 0 to send the rezoning request to Town Council with a recommendation of approval.

General Plan Conformance

The proposed rezoning is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map, which places the property in a commercial/mixed use corridor, part of the overall State Route 89 area (See Figure 1, below). The subject property is not located within a "Community Core" area indicated by the General Plan Land Use Element (See Figure 2, below.) The proposed rezoning is not expected to impact circulation and traffic, due to its limited scope as an employment center, and will not affect the other focus areas of the General Plan.

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Planning & Zoning Commission Staff Brief

Ordinance 15-808

Exhibit A: Legal Description

Exhibit B: Zoning Map

Site Plan

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Planning and Zoning Commission Staff Brief

Date: February 9, 2016

Agenda Item: ZC 15-005

Location: 1448 S. State Route 89; Parcel #: 306-33-005D

Summary

The purpose of this request is to rezone subject parcel 306-33-005D, consisting of approximately 1.38 acres. The subject parcel is located in Section 34, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona. The property is located at approximately 1448 S. State Route 89, north of Road 3 South, on the west side of State Route 89. Surrounding uses include AR-5 to the west, CL/AR5 to the south, and CL to the east and north.

The property is zoned Commercial Light (CL) and the applicant would like to rezone to Commercial Heavy (CH). The applicant is interested in rezoning the property to CH for the purposes of manufacturing greenhouse parts, on-site sales of cargo containers, and administrative offices for subsidiary companies.

History

On August 6, 1981, the property owner of parcel 306-33-005A, Vaudie Allmon was issued a building permit application for a 50' x 60'structure, which was to become the Napa Auto Parts store. The property was split from parcel 306-33-005A on December 17, 1993, which created the current subject parcel, 306-33-005D. On August 28, 2005 another 50' x 60' expansion was added, thereby increasing the square footage of the Napa building to 6000 square feet. The current building configuration is still 6000 square feet. Proposed improvements are within the building, including reconfiguration into office and light manufacturing spaces, and will include safety improvements as required by building code. Also proposed is a new 120' x 50' structure, which would double the existing square footage of building on site to a total of 12,000 square feet.

A neighborhood meeting was held on December 2nd, 2015, at Town Hall, 202 N. State Route 89. The applicant described the proposal and was available to answer questions from interested parties. The one citizen who attended the neighborhood meeting was concerned about the proposed rezoning. The concerns arose from rumors that medical marijuana infusion and

dispensation would be conducted on-site. Both the applicant, who represents the property owner, as well as a representative from the tenant of the building, assured the neighbor that no medical marijuana would be stored, sold, processed, or infused on-site per the lease agreement, and Town staff assured the neighbor that any medical marijuana uses such as cultivation, infusion, or dispensation would not be allowed on-site due to the proximity to residential uses and zoning.

Planning and Zoning Commission held a public hearing on January 5, 2016 and voted 6-0 to forward the application to Town Council with approval.

General Plan Conformance

The proposed rezoning is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map, which places the property in a commercial/mixed use corridor, part of the overall State Route 89 area (See Figure 1, below). The subject property is not located within a "Community Core" area indicated by the General Plan Land Use Element (See Figure 2, below.) The proposed rezoning is not expected to impact circulation and traffic, due to its limited scope as an employment center, and will not affect the other focus areas of the General Plan.

Technical Review

A Technical Review meeting for this site was held on December 9, 2015. The Technical Review comments were as follows:

Planning and Zoning:

Landscaping (UDO §4.26):

- 20' landscape strip for all properties fronting State Route 89 is required. Fencing must be behind the required landscape strip.
- Refuse disposal areas and roof-mounted mechanical equipment must be screened from public view.
- Minimum landscaping requirements are as follows:

  1. One (1) tree per 20 linear feet; 75% must be 15 gallons and 25% must be 24" box or greater.

  2. Four (4) shrubs per 400 square feet of required landscape area; minimum 5 gallon

  3. All required plantings shall be mulched and maintained with shredded hardwood/cypress bark or gravel mulch and mulched in a continuous bed.

  4. Ground covers shall be planted in continuous beds and spaced to achieve substantial cover within two (2) years.

Parking (UDO §4.22):

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

- Parking analysis was not included in the original site plan, therefore parking requirements were not given at the meeting, however, the applicant has subsequently submitted a site plan with more detail. Approximately 3480 sq. ft. of the existing building will be used as a business use and the remaining 8074 sq. ft. of building (including the proposed building) would be used for manufacturing uses. The total required parking for this combination of uses would be 25 parking spaces (1 space per 300 sf business use and 1 space per 600 sf manufacturing use), and the proposed site plan depicts 26 spaces.
- Hard surfacing shall be required for all parking, loading, and maneuvering spaces.

Lighting (UDO §4.24):

- The proposed change of use necessitates all outdoor lighting meet existing standards
- Floodlighting by light projection above the horizontal plane is prohibited
- All outdoor lighting shall be located, aimed, or shielded to minimize light trespass
- Mercury vapor light fixtures or lamps are prohibited

Signage (UDO §4.21):

- Signage is by separate permit. It is staff's understanding that no signage will be requested. If this is not correct, please consult with staff as soon as possible.

Engineering Department:

- Paved parking and drive isles required.
- Minimum driveway width is 40-feet per the Town of Chino Valley Unified Development Ordinance (UDO, 4.22.5.C).
- Grading Plans and permit required.
- Please provide SWPP measures as required by the Arizona Department of Environmental Quality (ADEQ).
- Please note that all drainage improvements shall be completed per the approved plans prior to the issuance of a building Certificate of Occupancy.
- ADOT driveway permit change of use may be required.

Building Department:

- If occupant load exceeds 15 you will need to supply two ADA bathrooms.
- The Town of Chino Valley is on the following building codes: 2012 International Building Code, 2012 International Plumbing Code, 2012 International Mechanical Code, 2012 International Fuel Gas Code, 2012 International Energy Conservation Code and the 2011 National Electric Code.

- The Town of Chino Valleys design criteria is as follows: 90 mph wind 3 second gust exposure C, 30 pound roof snow load and seismic C
- All plans to be stamped by an Arizona design professional.

Fire Department:

- Parking lot shall be surfaced to meet Town of Chino Valley specifications and shall support the weight of a 75,000 lb fire apparatus.
- Access shall be no less than 20 feet wide with an unobstructed vertical clearance of 13 feet 6 inches.
- Minimum turning radius shall be 28 feet inside and 50 feet outside.
- Gates shall require a Knox padlock or key switch.

Yavapai County Environmental Services:

- No environmental unit concerns

Findings of Fact

The purpose of the applicants request is to change the zoning of the parcel from Commercial Light (CL) to Commercial Heavy (CH). The request to rezone will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare. The request to rezone is in general conformance with the zoning classifications in the immediate area. Surrounding uses include AR-5 to the west, CL/AR5 to the south, and CL to the east and north. The nearest CH zoning to this parcel is approximately 393 feet to the north, which is Lantana Plaza, APN 306-33-005R.

Recommendation

This request will not have a detrimental effect on persons residing or working in the vicinity and is appropriate for the existing structure and surrounding properties, given the proximity to other Commercial Heavy (CH) and Commercial Light (CL) zoning.

Planning and Zoning Commission voted 6-0 to forward the application to Town Council with approval and staff recommends adopting attached Ordinance 15-808, thereby changing the zoning of the subject parcel.

ORDINANCE NO. 15-808

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 1.38 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 1448 S. STATE ROUTE 89, SECTION 34, TOWNSHIP 16N, RANGE 2W, FROM COMMERCIAL LIGHT (CL) ZONING DISTRICT TO COMMERCIAL HEAVY (CH) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission, after holding a public hearing on the matter, voted 6-0 to recommend approval of the rezoning;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

1. The Change of Zoning and amendment to the Official Zoning Map is hereby approved for property consisting of approximately 1.38 acre(s), described in Exhibit A and as shown on the Zoning Exhibit (map) in Exhibit B, both attached hereto and incorporated herein by this reference, from Commercial Light (CL) Zoning District to Commercial Heavy (CH) Zoning District.

2. The Property described in Paragraph 1 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this ___ day of _____, 2016 by the following vote:

AYES: _____ ABSENT: _____

NAYS: _____ ABSTAINED: _____

APPROVED this ___ day of _____, 201_.

_____
Chris Marley, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Phyllis L. N. Smiley, Town Attorney

The following exhibits are attached hereto and incorporated herein:
1. Legal Description
2. Zoning Exhibit (map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE ____ DAY OF _____, 2016, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2016.

_____
Jami C. Lewis, Town Clerk

PLS:pls 2566129.1 1/25/2016

UnOfficial Copy

Exhibit A

All that portion of the Southwest quarter of the Northeast quarter of Section 34, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the East quarter corner of Section 34 marked with a 1/2 inch rebar;

Thence South 89 degrees, 24 minutes, 08 seconds West, 2,063.05 feet along the East- West midsection line to the Westerly right-of-way of U.S. Highway 89 marked with a found 1/2 inch rebar P.E. 2398;

Thence North 01 degrees, 58 minutes, 44 seconds West, 375.71 feet along the Westerly right-of-way to a 1/2 inch rebar and the TRUE POINT OF BEGINNING;

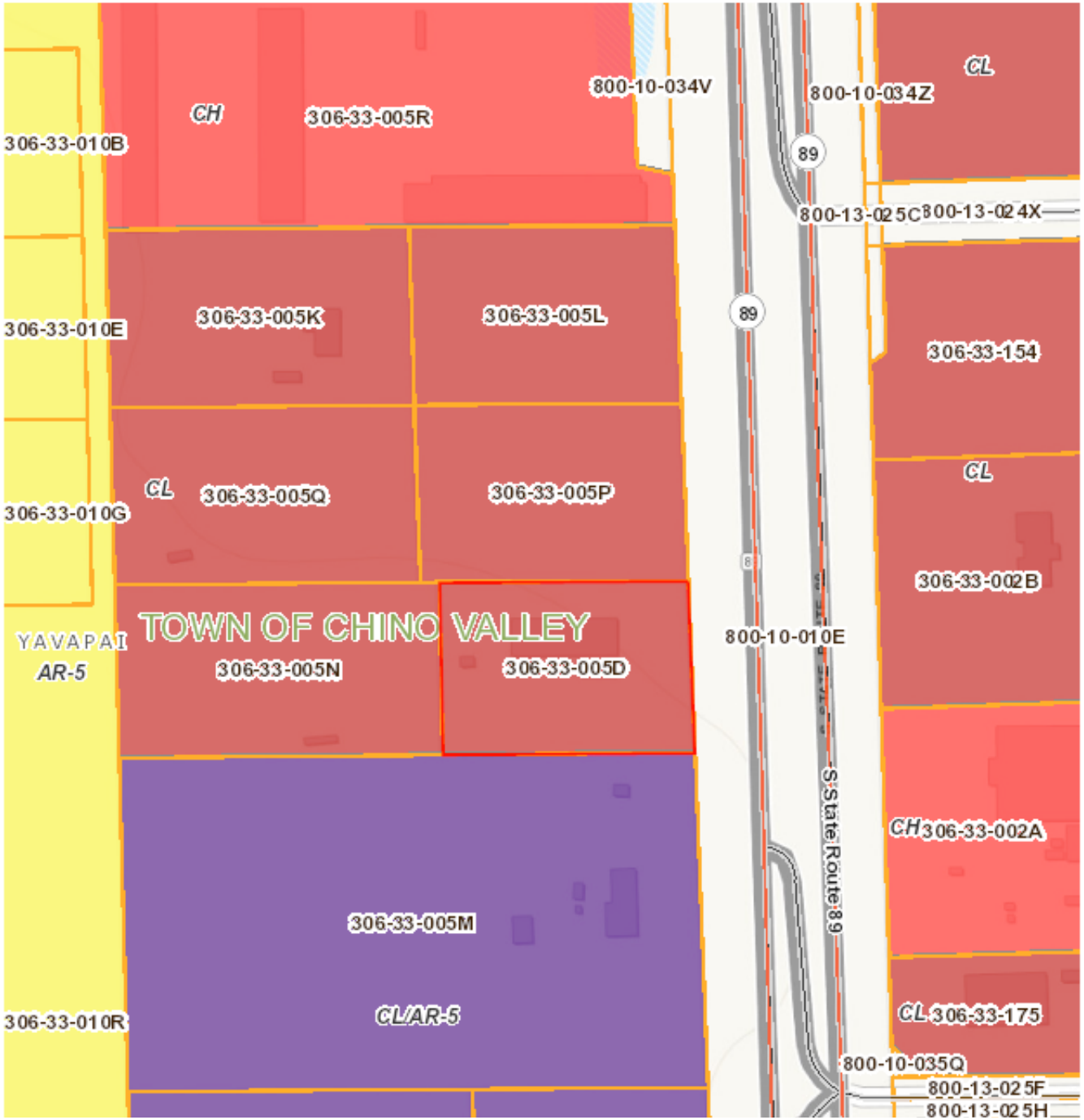
Thence North 01 degrees, 58 minutes, 44 seconds West, 200.00 feet along said right-of- way to a 1/2 inch rebar;

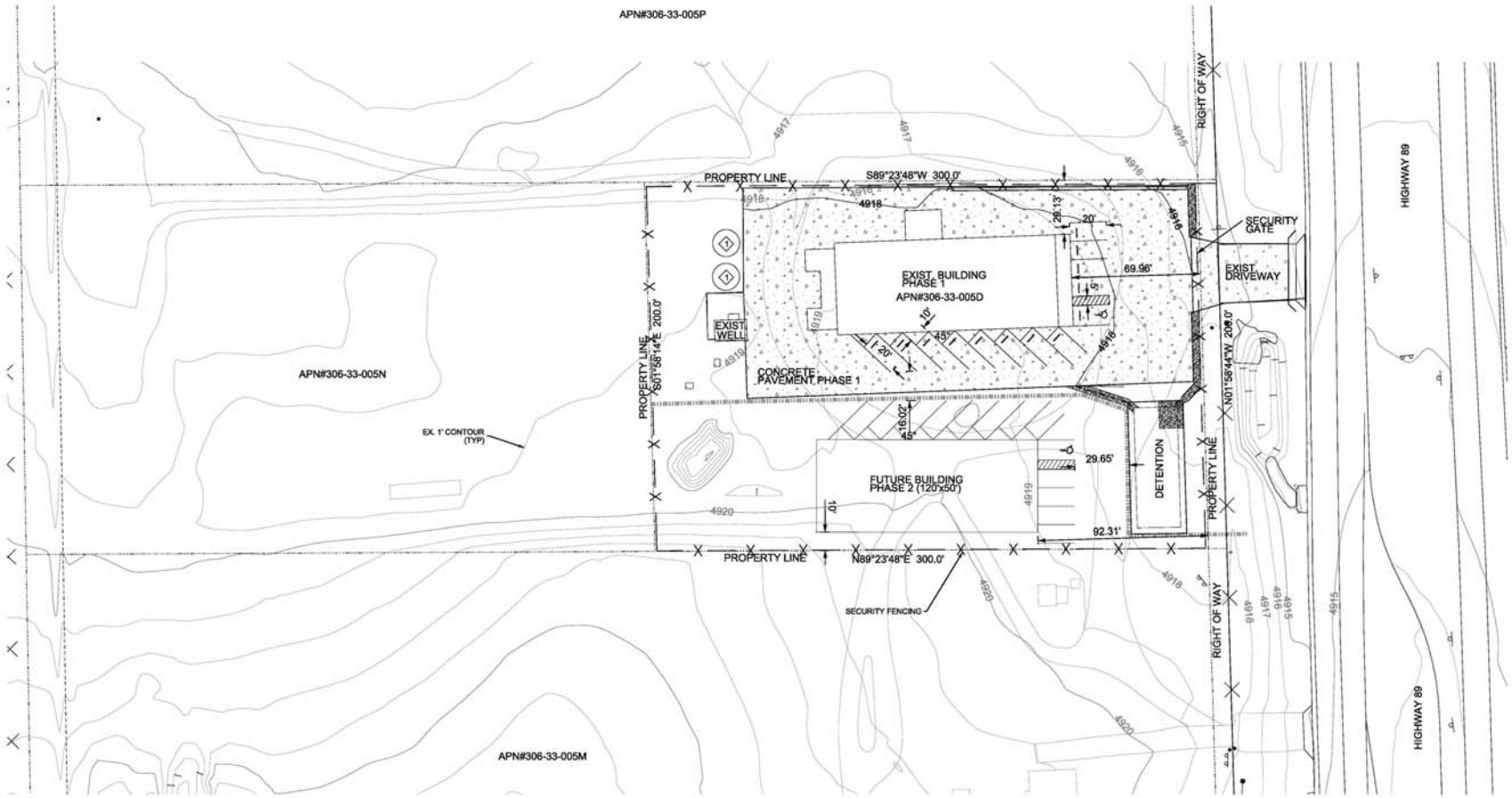
Thence South 89 degrees, 23 minutes, 48 seconds West, 300.00 feet to a 1/2 inch rebar;

Thence South 01 degrees, 58 minutes, 14 seconds East, 200.00 feet to a 1/2 inch rebar;

Thence North 89 degrees, 23 minutes, 48 seconds East, 300.00 feet to the TRUE POINT OF BEGINNING.

1448 S. State Route 89 Zoning Map





NORTH

0 30 60

DRAWING SCALE
1 Inch = 30 Feet
(This scale is valid for 22"x34" sheets only)

SITE DATA

CURRENT ZONING: CL

SITE AREA: 1.38 AC

PHASE 1:

- BUILDING AREA: 6,000 SF
- EXPECTED OCCUPANCY LOAD: 4 FULL TIME EMPLOYEES
- LOT COVERAGE: 10.0%
- LANDSCAPE AREA: 3,078 SF 0.07 AC
- # OF PARKING SPACES: 13 EA

PHASE 2:

- BUILDING AREA: 6,000 SF
- EXPECTED OCCUPANCY LOAD: 4 FULL TIME EMPLOYEES
- LOT COVERAGE: 10.0%
- LANDSCAPE AREA: 3,078 SF 0.07 AC
- # OF PARKING SPACES: 13 EA

TOTAL @ END OF PROJECT:

- BUILDING AREA: 12,000 SF 0.275 AC
- EXPECTED OCCUPANCY LOAD: 8 FULL TIME EMPLOYEES
- LOT COVERAGE: 19.96%
- LANDSCAPE AREA: 3,078 SF 0.275 AC
- BUSINESS 3,480 SF NET (300 PER SQ.FT.) = 12
- MANUFACTURING 8,074 SF NET (600 PER SQ.FT.) = 13
25 SPACES REQUIRED
PARKING PROVIDED = 26

EXISTING WELL ON SITE
EXISTING SEPTIC ON SITE

LEGEND

EX P=01.00	EXISTING PAVEMENT
TW=01.00	TOP OF WALL GRADE
BW=01.00	BOTTOM OF WALL GRADE
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PHASE LINE

SCOTT A. LYON, P.E.

MICHAEL PATRICK LYON
STATE OF ARIZONA
38898
SCOTT A. LYON
11/04/15
REGISTERED PROFESSIONAL ENGINEER (CIVIL)

EXPIRES 3/31/2016

VERIFY SCALE

BAR IS ONE INCH ON ORIGINAL DRAWING.
0 1 2 3 4 5
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DESIGN	DRAWN	CHECKED	APPROVED
BAB	BAB	SAL	-

NO.	DATE	REVISION	BY	APVD
-	-	-	SAL	-

LYON ENGINEERING
Civil Engineers • Land Surveyors
1650 Willow Creek Rd. Prescott, AZ 86301
Phone: (928) 778-1782, Fax (928) 778-0888

GREEN GLOBAL FARMS INC.
1448 S STATE ROUTE 89

CIVIL

SITE PLAN

DATE 11/4/2015
LYON PROJECT # 1054-03
DRAWING NUMBER EX.01
SHEET 1 of 1
SCALE: 1:30

FILENAME: G:\Projects\1054_Pickard\1054-05 Napa Building\CADD\DGN\PLANSET\Napa Final Site Plan.dgn

THIS PAGE INTENTIONALLY LEFT BLANK

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 7. d.**

Meeting Date:	02/09/2016
Contact Person:	Ruth Mayday, Development Services Director Phone: 928-636-4427 x-1217
Department:	Development Services
Item Type:	Action Item
Estimated length of staff presentation:	10 minutes
Physical location of item:	2144 N. Road 1 East

AGENDA ITEM TITLE:

Consideration and possible action to approve a Protected Development Rights Plan (PDR Plan) for the property located at 2144 N. Road 1 East.

RECOMMENDED ACTION:

Because the PDR Plan as submitted meets the requirements set forth in ARS §9-1202 and will ensure the landowner(s)' right to develop the subject property as described in the plan for a period of five (5) years, staff recommends approval of the PDR Plan.

MOTION: I move that we approve PDR Plan 16-001 for the property located at 2144 N. Road 1 East, encompassing approximately 58.3 acres as described herein.

SITUATION AND ANALYSIS:

Issue Statement

On January 26, 2016, the Town Council approved Ordinance No. 16-811, amending the Unified Development Ordinance (UDO) to allow the cultivation of Medical Marijuana only in the I (Industrial) zoning district. Prior to the effective date of the amendments (February 26, 2016), medical marijuana cultivation is permitted in several other zoning districts, either by right or with a conditional use permit. There are owners of existing facilities in these zoning districts whose planned expansions will not be permitted when the amendments become effective. Through the approval of a Protected Development Rights Plan ("PDR Plan" or "Plan") owners of land currently zoned for cultivation of medical marijuana will preserve their right to expand.

Summary of Issues and Staff Rationale

ARS §9-1201 et seq. establish the Protected Development Right Plan (PDR Plan), specific requirements for the plans, and length of term of approval, among other things. The purpose of a PDR plan is to grant landowners the right to develop a specific property in the manner set forth in the plan, as long as the development occurs within a specific period of time. To establish this right, the plan must be approved by the legislative body (after meeting the requirements set forth in the statute).

The application of recent amendments to the UDO regarding Medical Marijuana cultivation facilities will change several existing or under construction medical marijuana cultivation facilities into legal, non-conforming uses that, among other things, cannot be expanded or intensified. In other words, upon the effective date of Ordinance 16-811, those with existing medical marijuana facilities will not be able to increase the size of the facility beyond its footprint on February 25, 2016. Landowners have made significant financial investments in these facilities; implementation and approval of the PDR Plan will preserve the right to expand these existing uses for a minimum of five (5) years for phased plans. Additionally, approving a PDR Plan for these properties will provide the owners/developers reasonable certainty, stability, and fairness in the development process and secure the reasonable investment backed expectations of the landowner.

The PDR Plan does not entitle the applicant to a building permit. The plan confers on the landowner the right to undertake and complete the development and use of the property under the terms and conditions of, and as shown on the PDR. An approved plan is valid for three (3) years for a non-phased development and five (5) years for a phased plan; the approval can be extended for an additional two (2) years at the discretion of the municipality; the rights afforded by approval are attached to and run with the land.

The applicant, Zoned Properties, Inc., acting on behalf of Chino Valley Properties, LLC and ABA Enterprises, LLC, submitted a complete application, project narrative, and PDR Plan on or about January 25, 2016. In addition to the medical marijuana cultivation facilities, the Plan proposes approximately 14 acres in hay cultivation, ten (10) in vineyards, ten (10) for residential uses, and about 17 acres for ground-based solar tracking facilities. The Plan encompasses approximately 53.8 acres. As each phase develops, more detailed site plans may be required.

Findings of Fact

Staff has reviewed the PDR Plan and finds that it meets the requirements as set forth in ARS §9-1202, including the identification of the proposed uses.

Staff finds that approval of the Plan that "granting a protected development right to undertake and complete the development shown on the plan will promote reasonable certainty, stability and fairness in the land use planning and regulatory process and secure the reasonable investment backed expectations of the landowner." (ARS §9-1202 (F)).

Staff finds that the plan as submitted constitutes a phased plan and should be approved for the period of five (5) years, as requested.

Fiscal Impact

Fiscal Impact?: No
If Yes, Budget Code:
Available:
Funding Source:

Attachments

PDR16-001 Application
PDR Plan

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

PLANNED AREA DEVELOPMENT APPLICATION

Name of Applicant: "Zoned Properties, Inc." on behalf of "Chino Valley Properties, LLC" & "ABA Enterprises, LLC"

Mailing Address: 14300 N. Northsight Blvd #208, Scottsdale, AZ, 85260

Phone Number: 602-628-7690 **Email:** Bryan@zonedproperties.com

Name of Property Owner/s: Chino Valley Properties, LLC & ABA Enterprises, LLC

Mailing Address: 14300 N. Northsight Blvd #208, Scottsdale, AZ, 85260

Phone Number: 602-628-7690 **Email:** Bryan@zonedproperties.com

Name of Architect: David Cintron (DAC Studios, Ltd.)

Mailing Address: 14300 N. Northsight Blvd #208, Scottsdale, AZ, 85260

Phone Number: 312.491.9069 **Email:** dac@dacstudios.com

Name of Engineer:

Mailing Address:

Phone Number: **Email:**

Site Location: 2144 N. Road 1 East, Chino Valley, AZ **APN/S:** 306-14-008H, 306-14-008K, 306-14-008M

Gross Area: ~58.3 Acres **Net Area:** **Density:**

Total No. of Lots: 3

Description of requested use:

Phased Protected Development Right Plan - 5 Years. Please See Attachment.

Project Narrative:

Phased Protected Development Right Plan - 5 Years. Please See Attachment.

Application Fees:

PAD with Rezoning: Requires an $800.00 application fee along with $20.00 per lot and $115 per advertisement.

Applicant Signature: _____ 01-25-2016 **Date**

Owner Signature: _____ 01-25-2016 **Date**

ZONED®
PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

Hand Delivered

January 25, 2016

Ms. Ruth Mayday
Development Services
Director Town of Chino Valley
1982 Voss Drive
Chino Valley, AZ 86323

Dear Ms. Mayday:

Zoned Properties, Inc. on behalf of ABA Enterprises, LLC and Chino Valley Properties, LLC ("Property Owners") is pleased to submit to you the attached Project Narrative and Phased Protected Development Right Plan ("PPDRP") in support of our request to the Town of Chino Valley ("Town") for a Five Year Phased Protected Development Right Plan.

We have reviewed the Town's Fee Schedule and understand that there is not an established fee for this type of application. Please let me know what the application fee for this proposal is, and I will be happy to send you a check.

It is my understanding that at the February 9, 2016 meeting of the Town Council, the Council Members may be discussing the proposed changes to the Chino Valley Unified Development Ordinance regarding Medical Marijuana ("MMJ"). As you know, over the past few months our development team has made presentations to the Planning & Zoning Commission and Town Council regarding the proposed changes to the Chino Valley MMJ zoning ordinance and, more specifically, how a PPDRP can be used to preserve the expansion rights of our existing MMJ businesses in Chino Valley. It might be appropriate to include our PPDRP on the Council's agenda for action at the meeting on the 9th. In our opinion, approval of the PPRDP by the Town Council "will promote reasonable certainty, stability and fairness in the land use planning and regulatory process and secure the reasonable investment backed expectations of the landowner." (A.R.S. §96 1202(F)

Thank you for your review of the enclosed materials. Please contact me at 602-628-7690 or Ralph Pew at 480-461-4670 if you have any questions or comments. We look forward to working collaboratively with the Town staff, Planning & Zoning Commission and Town Council to create development strategies, which will serve the interests of the Town and the Property Owners.

Sincerely,

Bryan McLaren
Zoned Properties, Inc.

ZONED PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

PHASED PROTECTED DEVELOPMENT RIGHT PLAN
PROJECT NARRATIVE
FOR 58.30 ACRES
SEC OF Arizona State Route 89 and Road 3 ½ North

Submitted on behalf of:
ABA Enterprises, LLC
&
Chino Valley Properties, LLC

Submitted by:
Bryan McLaren
Zoned Properties, Inc.,
14300 N. Northsight Blvd., Suite 208
Scottsdale, AZ 85260
602-628-7690
bryan@zonedproperties.com

Submitted to:
The Town of Chino Valley ("Town")
Development Services
Planning and Zoning Division
1982 Voss Drive
Chino Valley, AZ 86323

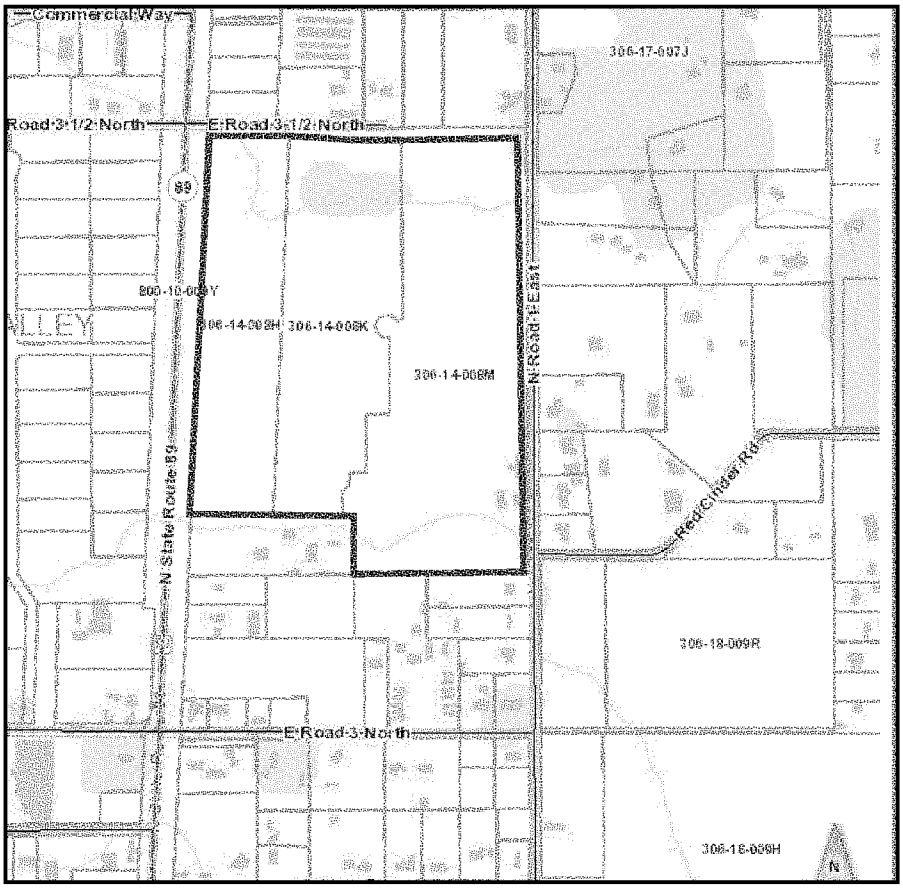
Submitted: January 25, 2016

ZONED PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

Purpose of Request

Zoned Properties, Inc. on behalf of ABA Enterprises, LLC and Chino Valley Properties, LLC ("Property Owners"), is pleased to submit this project narrative to the Town of Chino Valley in support of an application for a Phased Protected Development Right Plan ("PPDRP") on 58.30 acres. The PPDRP includes this project narrative and all exhibits described herein. The property, shown below in red, is known as Yavapai County parcels #306-14-008H, 306-14-008K and 306-14-008M ("the Property"). Legal descriptions for the three parcels are attached as **Exhibits A, B and C** of this narrative. The Property Owners are filing an application for PPDRP consistent with the enabling authority available to the Town in A.R.S §9-1201 et seq. Pursuant to Arizona Revised Statutes §9-1202(C), a more detailed site plan for each phase of the PPDRP will be submitted prior to the development of each phase.



ZONED® PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

Description of Proposal

As shown on the Phased Protected Development Right Plan, **Exhibit D** of this narrative, the Property Owners are proposing to develop the site in three different phases, identified on the PPDRP as Phases 1, 2 and 3.

The first phase includes the existing and planned expansion of a licensed medical marijuana cultivation facility. Additional uses for phase one include a hay farm, vineyard and a solar power array.

The second phase of development will include expansions of the hay farm and vineyard established in phase one, an additional solar power array, and a residential housing project.

The third and final phase of development will include another solar power array, an additional licensed medical marijuana cultivation facility and additional residential housing.

Every land use element of a previous phase of the PPDRP is not required to be completely built out before a new phase could begin.

As previously noted, a more detailed plan for each phase of the PPDRP will be submitted prior to the development of each phase for site plan approval by the Town.

Relationship to Surrounding Properties and Existing Zoning

The project site is on the east side of State Route 89, south of Road 3 ½ North and west of Road 1 East.

	Zoning Classification	Use
Project Site	CH and CL/AR-5	Agricultural/ Medical Marijuana Cultivation
North	Heavy Commercial and Agricultural/Residential	Landscape Supply/Vineyard
South	Light Commercial and Residential 1 du/ac	Vacant/Residential
East	Single Family Residential 2.5 du/ac	Road 1 East/Residential
West	Light Commercial	Frontage/ State Route 89

ZONED PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

As demonstrated by the graphic above, the project site is bound by roadways on three sides, and mostly commercially zoned properties. There is residentially zoned property to the south and on the east side of Road 1 East.

Development Schedule

As shown on the PPDRP, this project will be developed in three phases. Per Arizona Revised Statute §9-1203(A), as a phased development, the development rights established with the approval of this PPDRP would be valid for five years. However, as outlined in A.R.S. §9-1203(B), the Town may extend the duration period for two additional years if a longer time period is warranted by "all relevant circumstances, including the size, type and phasing of the development on the property, the level of investment of the landowner, economic cycles and market conditions." However, the protected development right shall not remain established for more than seven years.

Public Utilities and Services

Utilities and services to the development will be provided as follows:

Utility	Provider
Water	Pumped Well Access
Wastewater	Septic
Electricity	Arizona Public Service
Gas	Southwest Gas
Cable	Cable One
Telephone	n/a
Police	Chino Valley Police Department
Fire	Chino Valley Fire Department

Development Team

Applicant: Zoned Properties, Inc.
14300 N. Northsight Blvd., Suite 208
Scottsdale, AZ 85260
Bryan McLaren
602-628-7690

Property Owners: ABA Enterprises, LLC & Chino Valley Properties, LLC
c/o Zoned Properties, Inc.
14300 N. Northsight Blvd., Suite 208
Scottsdale, AZ 85260

ZONED PROPERTIES INC

Bryan McLaren

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

Land Use Counsel: Pew & Lake, PLC
1744 South Val Vista Drive, Suite 217
Mesa, AZ 85204
W. Ralph Pew
480-461-4670

Conant Law Office
2398 East Camelback, Suite 925
Phoenix, AZ 85016
Paul Conant
602-508-9010

Effective Date

Pursuant to ARS. §9-1202(G), this PPDRP will be deemed established and effective with respect to the Property upon its approval by the Chino Valley Town Council on February 9, 2016.

Conclusion

Approval of this PPDRP will allow for the continued development of a well-designed Commercial enterprise, which includes renewable energy sources, residential housing, Licensed Medical Marijuana Facilities and diverse agricultural facilities. The Property Owners look forward to working with the Town to develop the planning and legal framework, which will implement this phased development vision.

ZONED PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

EXHIBIT A

Escrow No. 68150793-068-BR

LEGAL DESCRIPTION

All that portion of the Southeast quarter of Section 10, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, as described in Book 4644 of Official Records, page 294, on file in the office of the Yavapai County Recorder and further shown on the Record of Survey recorded in Book 103 of Land Surveys, Page 81, on file in the office of the Yavapai County Recorder, said portion thereof being more particularly described as follows:

Commencing at the Southeast corner of said Section 10;

Thence North 00 degrees 12 minutes 00 seconds West, a distance of 686.48 feet to a point on the East line of said Section 10 and the centerline of Road 1 East in the Town of Chino Valley, Arizona;

Thence South 89 degrees 47 minutes 42 seconds West, a distance of 25.00 feet, to a point on the West right of way line of said Road 1 East;

Thence continuing South 89 degrees 47 minutes 42 seconds West, a distance of 761.32 feet;

Thence North 00 degrees 13 minutes 03 seconds West, a distance of 277.13 feet;

Thence South 89 degrees 57 minutes 43 seconds West, a distance of 352.05 feet, to the POINT OF BEGINNING;

Thence continuing South 89 degrees 57 minutes 43 seconds West, a distance of 370.43 feet, to a point on the East right of way line of U. S. Highway 89;

Thence North 02 degrees 42 minutes 45 seconds East, a distance of 1661.30 feet, along the said East right of way line of U. S. Highway 89, said right of way being 200.00 feet in width;

Thence North 89 degrees 58 minutes 46 seconds East, a distance of 302.20 feet, to the beginning of a tangent curve, concave to the South, with a radius of 1304.26 feet, the radius point of which bears South 00 degrees 01 minutes 14 seconds East;

Thence Easterly along said curve, through a delta angle of 02 degrees 59 minutes 40 seconds, an arc distance of 68.16 feet, the chord bearing of which is South 88 degrees 31 minutes 24 seconds East, with a chord distance of 68.16 feet;

Thence South 02 degrees 42 minutes 45 seconds West, a distance of 1659.41 feet, to the POINT OF BEGINNING.

Lgldescr

ZONED PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

EXHIBIT B

Escrow No. 68150794-068-BR

LEGAL DESCRIPTION

All that portion of the Southeast quarter of Section 10, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, as described in Book 4644 of Official Records, Page 294, on file in the office of the Yavapai County Recorder and further shown on the Record of Survey recorded in Book 103 of Land Surveys, Page 81, on file in the office of the Yavapai County Recorder, said portion thereof being more particularly described as follows:

Commencing at the Southeast corner of said Section 10;

Thence North 00 degrees 12 minutes 00 seconds West, a distance of 686.48 feet to a point on the East line of said Section 10 and the centerline of Road 1 East in the Town of Chino Valley, Arizona;

Thence South 89 degrees 47 minutes 42 seconds West, a distance of 25.00 feet, to a point on the West right of way line of said Road 1 East;

Thence continuing South 89 degrees 47 minutes 42 seconds West, a distance of 761.32 feet;

Thence North 00 degrees 13 minutes 03 seconds West, a distance of 277.13 feet;

Thence South 89 degrees 57 minutes 43 seconds West, a distance of 47.73 feet, to the POINT OF BEGINNING;

Thence continuing South 89 degrees 57 minutes 43 seconds West, a distance of 304.32 feet;

Thence North 02 degrees 42 minutes 45 seconds East, a distance of 1659.41 feet, to the beginning of a non-tangent curve, concave to the Southwest, with a radius of 1304.26 feet, the radius point of which bears South 02 degrees 58 minutes 26 seconds West;

Thence Southeasterly along said curve, through a delta angle of 04 degrees 49 minutes 41 seconds, an arc distance of 109.91 feet, the chord bearing of which is South 84 degrees 36 minutes 43 seconds East, with a chord distance of 109.87 feet, to a point of reverse curve, concave to the Northeast, with a radius of 1382.26 feet, the radius point of which bears North 07 degrees 48 minutes 07 seconds East;

Thence Southeasterly along said curve, through a delta angle of 07 degrees 49 minutes 21 seconds, an arc distance of 188.72 feet, the chord bearing of which is South 86 degrees 06 minutes 33 seconds East, with a chord distance of 188.57 feet;

Thence North 89 degrees 58 minutes 46 seconds East, a distance of 193.04 feet;

Thence South 00 degrees 12 minutes 00 seconds East, a distance of 777.65 feet, to the beginning of a tangent curve, concave to the Northwest, with a radius of 15.50 feet, the radius point of which bears South 89 degrees 48 minutes 00 seconds West;

Thence Southwesterly along said curve, through a delta angle of 146 degrees 05 minutes 10 seconds, an arc distance of 39.52 feet, the chord bearing of which is South 72 degrees 50 minutes 35 seconds West, with a chord distance of 29.65 feet, to a point of reverse curve, concave to the Southeast, with a radius of 50.00 feet, the radius point of which bears South 55 degrees 53 minutes 10 seconds West;

Thence Southerly along said curve, through a delta angle of 246 degrees 36 minutes 10 seconds, an arc distance of 215.20 feet, the chord bearing of which is South 22 degrees 35 minutes 05 seconds West, with a chord distance of 83.58 feet;

Thence South 00 degrees 12 minutes 00 seconds East, a distance of 335.33 feet;

Thence South 89 degrees 57 minutes 43 seconds West, a distance of 102.06 feet;

Thence South 01 degrees 05 minutes 30 seconds West, a distance of 255.06 feet;

Thence South 89 degrees 57 minutes 43 seconds West, a distance of 69.69 feet;

Thence South 02 degrees 43 minutes 15 seconds West, a distance of 31.98 feet, to the beginning of a tangent curve, concave to the Northwest, with a radius of 52.00 feet, the radius point of which bears North 87 degrees 16 minutes 45 seconds West;

Thence Southwesterly along said curve, through a delta angle of 60 degrees 35 minutes 42 seconds, an arc distance of 54.99 feet, the chord bearing of which is South 33 degrees 01 minutes 06 seconds West, with a chord distance of 52.47 feet;

Thence South 00 degrees 50 minutes 00 seconds West, a distance of 104.35 feet, to the POINT OF BEGINNING.

Lgldescr

ZONED PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

EXHIBIT C

Escrow No. 68150795-068-BR

LEGAL DESCRIPTION

All that portion of the Southeast quarter of Section 10, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, as described in Book 4644 of Official Records, Page 294, on file in the office of the Yavapai County Recorder and further shown on the Record of Survey recorded in Book 103 of Land Surveys, Page 81, on file in the office of the Yavapai County Recorder, said portion thereof being more particularly described as follows:

Commencing at the Southeast corner of said Section 10;

Thence North 00 degrees 12 minutes 00 seconds West, 686.48 feet to a point on the East line of said Section 10 and the centerline of Road 1 East in the Town of Chino Valley, Arizona;

Thence South 89 degrees 47 minutes 42 seconds West, a distance of 25.00 feet, to a point on the West right-of-way line of said Road 1 East;

Thence continuing South 89 degrees 47 minutes 42 seconds West, a distance of 25.00 feet, to the POINT OF BEGINNING;

Thence North 00 degrees 12 minutes 00 seconds West, 25.00 feet West of and parallel to the said West right of way line of said Road 1 East, a distance of 1908.96 feet;

Thence South 89 degrees 58 minutes 46 seconds West, a distance of 513.66 feet;

Thence South 00 degrees 12 minutes 00 seconds East, a distance of 777.65 feet, to the beginning of a tangent curve, concave to the Northwest, with a radius of 15.50 feet, the radius point of which bears South 89 degrees 48 minutes 00 seconds West;

Thence Southwesterly along said curve, through a delta angle of 146 degrees 05 minutes 10 seconds, an arc distance of 39.52 feet, the chord bearing of which is South 72 degrees 50 minutes 35 seconds West, with a chord distance of 29.65 feet, to a point of reverse curve, concave to the Southeast, with a radius of 50.00 feet, the radius point of which bears South 55 degrees 53 minutes 10 seconds West;

Thence Southerly along said curve, through- a delta angle of 246 degrees 36 minutes 10 seconds, an arc distance of 215.20 feet, the chord bearing of which is South 22 degrees 35 minutes 05 seconds West, with a chord distance of 83.58 feet;

Thence South 00 degrees 12 minutes 00 seconds East, a distance of 335.33 feet;

Thence South 89 degrees 57 minutes 43 seconds West, a distance of 102.06 feet;

Thence South 01 degrees 05 minutes 30 seconds West, a distance of 255.06 feet;

Thence South 89 degrees 57 minutes 43 seconds West, a distance of 69.69 feet;

Thence South 02 degrees 43 minutes 15 seconds West, a distance of 31.98 feet, to the beginning of a tangent curve, concave to the Northwest, with a radius of 52.00 feet, the radius point of which bears North 87 degrees 16 minutes 45 seconds West;

Thence Southwesterly along said curve, through a delta angle of 60 degrees 35 minutes 42 seconds, an arc distance of 54.99 feet, the chord bearing of which is South 33 degrees 01 minutes 06 seconds West, with a chord distance of 52.47 feet;

Lgldescr

Thence South 00 degrees 50 minutes 00 seconds West, a distance of 104.35 feet;

Thence North 89 degrees 57 minutes 43 seconds East, a distance of 47.73 feet;

Thence South 00 degrees 13 minutes 03 seconds East, a distance of 277.13 feet;

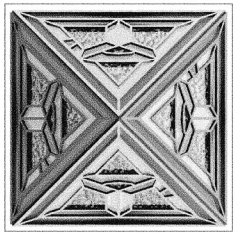
Thence North 89 degrees 47 minutes 42 seconds East, a distance of 736.32 feet, to the POINT OF BEGINNING.

Lgldescr

ZONED PROPERTIES INC

14300 N. Northsight Blvd #208
Scottsdale, AZ 85260

EXHIBIT D

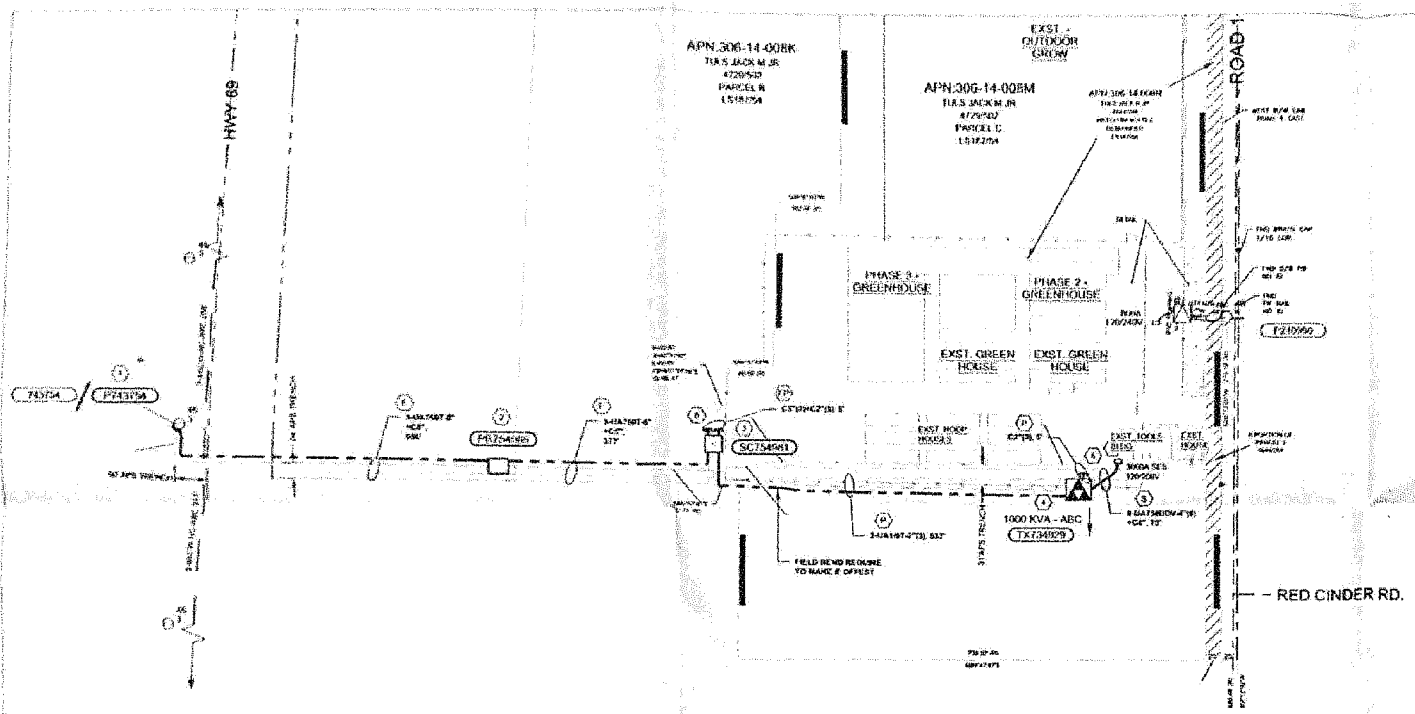


Proj. Team: #184-003-595

WA307678 - CHINO VALLEY PROPERTIES
2148 N. ROAD 1 EAST

FINAL
APS DESIGN
11/13/2015

DESIGN CENTER
CHECKED BY:
J BRONSON
11/13/2015



CONSTRUCTION NOTES:

1. INSTALL
   5/8IN W/ WINDOW
   (ACTUAL WIRE IN CACW)
2. INSTALL
   STRAND (APS TO PROVIDE, CUSTOMER TO INSTALL)
   ECIA AD
   RRE 3/0 AL (APS TO PROVIDE, CUSTOMER TO INSTALL)
3. INSTALL
   M70 AW
   2996 AWL750T(3)
   2996 BOY
   2470 D
   2954 FAUS 197(3)
   2954 COU
   2950 CTA(3)
   5542 B (APS TO PROVIDE, CUSTOMER TO INSTALL)
   6881 3C4 (APS TO PROVIDE, CUSTOMER TO INSTALL)
   5661 D0R0 (APS TO PROVIDE, CUSTOMER TO INSTALL)
4. INSTALL
   2996 B2B 1 BUS EUS (120/208V) END-OF-LINE
   2726 (UA750D2W4)
   6881 D0R0 (APS TO PROVIDE, CUSTOMER TO INSTALL)
   6881 UCA10 (APS TO PROVIDE, CUSTOMER TO INSTALL)
   CUSTOMER TO PROVIDE AND INSTALL BARRIER POST AROUND TRANSFORMER PER APS SPECIFICATION 3986
5. INSTALL
   3944 GTS0W4 SES, 120/208V, 3Ø, 4W,
   2704 (UA750D2W4)
   6881 D0R0 (APS TO PROVIDE, CUSTOMER TO INSTALL)
   CUSTOMER TO PROVIDE AND INSTALL BARRIER POST AROUND SES PER APS SPECIFICATION 3986
6. INSTALL
   2726 (APS TO PROVIDE, CUSTOMER TO INSTALL)

(2) LOCATIONS:

(R6) INSTALL
   6215 (UA750D2W13)
   6215 (UA10T2D6W7)
   6220 UA PAD0W4T(R)
   R995 BRW1T(R)
   R995 BRW1T(R)
   R995 BRW1T(R)
   R995 ME1(R)
   R995 ME1(R)

(INSTALL)
TOTAL WIRE DATA FOOTAGE
FEEDER
6215 (UA750D) = 3,117'
PRIMARY
6215 OR (UT) = 2,067'
SECONDARY (SERVICE) (ST 1 T 10-0)
6220 (UA750D2W) = 296'

TOTAL TRENCH (FT)	1,832'
TOTAL TRENCH IN R/W (FT)	210'

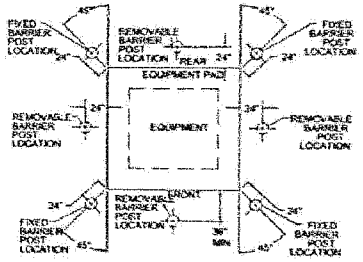
APS SYMBOLS LEGEND

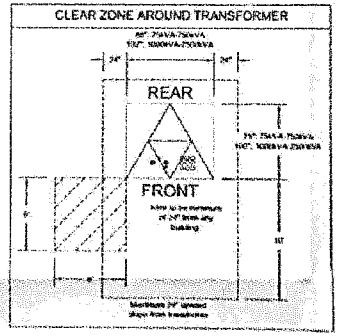
EXISTING EQUIPMENT	PROPOSED EQUIPMENT	DESCRIPTION
		- PADMOUNTED TRANSFORMER
S	S	- SWITCHING CABINETS
J	J	- TID SWITCHING CABINET
		- OH/UG CAPACITOR BANK
		- J-BOX/ PULL BOX
		- MANHOLES
		- OH TRANSFORMER
		- OH SWITCH (KUF)
		- APS OWNED POLE
		- APS OWNED STEEL POLE
		- APS OWNED JOINT USE POLE
		- OIP (TRANSITION) POLE
		- STREET LIGHT
		- DUSK TO DAWN LIGHT

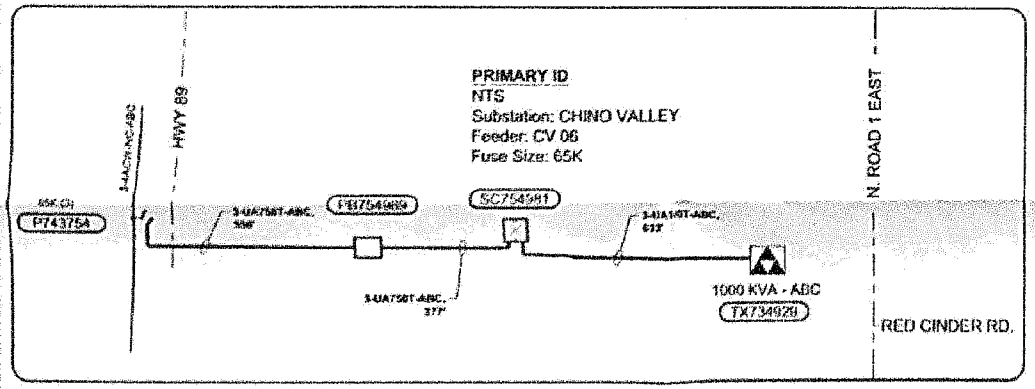
APS UTILITIES KEY

EXISTING		PROPOSED
W	WATER	W
S	SEWER	S
G	GAS	G
	STORM DRAIN	
IRR	IRRIGATION	IRR
	TRAFFIC SIGNAL	
T	TELE	T
(CATV)	CATV	CATV
FO	FIBER	FO
	UG ELECTRIC TRANSMISSION	
	UG ELECTRIC PRIMARY	
	UG ELECTRIC SECS/VC	
	OH ELECTRIC TRANSMISSION	
	OH ELECTRIC PRIMARY	
	OH SECS/VC	
	CONDUIT	
	U.L.S.	

DATA MODIFIED PER FIELD CONDITIONS







NOTE:
DEVELOPER IS RESPONSIBLE TO MAINTAIN 6' HORIZONTAL CLEARANCE FROM WATER AND SEWER MAIN, 5' FROM SERVICE LINE

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

JOINT USE TRENCH DETAILS

MAINTAIN 36" VERTICAL SEPARATION BETWEEN TOP OF CONDUIT AND BOTTOM OF UTILITY CROSSING APS CONDUITS. FOR FUTURE UTILITY INSTALLATIONS OF STORM DRAINS, IRRIGATION, ETC. MAINTAIN 18" VERTICAL SEPARATION BETWEEN APS CONDUITS AND UTILITIES BEING CROSSED. ALSO MAINTAIN A MINIMUM COVER OF AT LEAST 36" FROM FINAL GRADE FOR APS CONDUITS. TRENCH DEPTH MAY BE DEEPER WHEN APPROACHING APS EQUIPMENT. SET APS TRANSMISSION AND DISTRIBUTION CONSTRUCTION STANDARDS SPECIFICATION 9941 AND 9948 FOR MORE DETAIL.
TRENCH DEPTH MAY BE REDUCED UTILIZING APS RANDOM LAY REQUIREMENTS (REFER TO APS'S 9941 & 9948) CHECK WITH OTHER UTILITIES FOR HORIZONTAL & VERTICAL SEPARATION REQUIREMENTS.
* ALL SERVICE CROSSINGS IN CITY & COUNTY R/W TO MAINTAIN 36" MINIMUM COVER.
*CHECK WITH OTHER UTILITIES FOR HORIZONTAL SEPARATION REQUIREMENTS.

ELECTRICAL CONDUIT CLEARANCES
UNDER STORM DRAIN OR BOX CULVERT
N.T.S.

JOINT TRENCH NOTES

CHECK WITH THE LOCAL GAS COMPANY FOR BEDDING CONDUIT & DEPTH REQUIREMENTS

GAS TO MAINTAIN MIN. 12" VERTICAL SEPARATION FROM ALL ELECTRIC CONDUITS

CABLE TV WILL BE 24" SERVICE CONDUITS

TELCO WILL BE 12" DRAINAGE CONDUITS

6" SPACE BETWEEN GAS, CABLE, & TELCO WILL BE PROVIDED

A MIN. OF 36" COVER IS REQUIRED OVER ALL FACILITIES IN CITY & COUNTY RIGHT OF WAYS.

CUSTOMER TO INSTALL APS PROVIDED ELECTRONIC MARKERS AT ALL CONDUIT STUBOUTS.

GENERAL CONSTRUCTION NOTES

CUSTOMER TO PROVIDE & INSTALL:

1. STAKING PROPERTY CORNERS WITH OFFICIAL SURVEY CAPS, ELEVATIONS AND GRADES. THERE IS A RE-STAKING FEE IF RE-SURVEYING IS REQUIRED DUE TO APS SURVEY STAKES BEING DESTROYED IN THE FIELD
2. ALL APPROVED TRENCH & CONDUIT MATERIALS IN COMPLIANCE WITH THE A.P.S. TRENCH AGREEMENT & THE TRANSMISSION & DISTRIBUTION CONSTRUCTION STANDARDS, UNLESS OTHERWISE NOTED

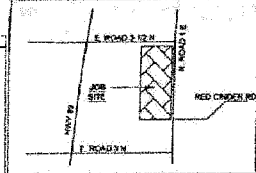
APS TO PROVIDE, CUSTOMER TO INSTALL:

1. EQUIPMENT PADS (EXCEPT 3 PHASE TRANSFORMER PADS), J-BOXES, PULL BOXES, FLAT STRAP AND MANHOLES UNLESS NOTED OTHERWISE. PLEASE CONTACT CSR TO ARRANGE TO PICK UP YOUR MATERIAL

COORDINATE WITH WOR _____

Curbs and Sidewalks
SIDEWALKS AND CURBS INSTALLED PRIOR TO THE CONSTRUCTION OF APS CONSTRUCTION, WHICH MAY INTERFERE WITH APS CONSTRUCTION, WILL BE REPAIRED AT CUSTOMER'S EXPENSE.
Revisions
THERE WILL BE A CHARGE TO THE CUSTOMER FOR CHANGES MADE AT THE REQUEST OF THE CUSTOMER TO THE FINAL DESIGN.
Easements
TRENCH, CONDUIT, AND ANY OTHER FACILITIES INSTALLED PRIOR TO OBTAINING EASEMENTS ARE AT THE RISK OF THE CUSTOMER. IF THE FINAL DESIGN MUST CHANGE BECAUSE EASEMENTS CANNOT BE GRANTED, THE CUSTOMER IS RESPONSIBLE FOR ALL COST AND INSTALLATION ASSOCIATED WITH THE CHANGE.
Permits
APS WILL SUBMIT PERMITS. CONTRACTOR MUST SHOW PROOF OF BOND AND SIGN PERMITS PRIOR TO STARTING WORK
Existing Underground Electric Lines
THE LOCATION OF LINES IS APPROXIMATE AND THE AS-BUILT LOCATIONS IN THE FIELD MAY BE DIFFERENT.

VICINITY MAP



T 16.0N	R 02.0W	Sec 10	SE	1/4	MAPR	
T	R	Sec		1/4	MAPR	
T	R	Sec		1/4	MAPR	
T	R	Sec		1/4	MAPR	
T	R	Sec		1/4	MAPR	

CONTACT: LINDA GRIMMER
PHONE: 928 443 6618 POS/MOBILE: 928 713 3753
INSPECTOR: MARTY PINKO
PHONE: 928 443 6737 POS/MOBILE: 928 713 4464

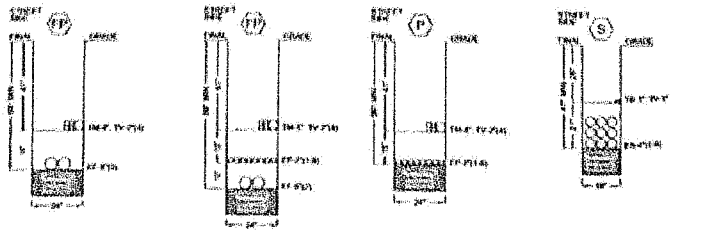
NO	DATE	INSCRIPTION	BY

aps
CHINO VALLEY PROPERTIES
2148 N. ROAD 1 EAST

WOR	WA307678	DATE	11/13/2015
BY	J BRONSON	SCALE	1:100
FILENAME	WA307678.DWG	SHEET	NO. 1

TRANSFORMER ORDER (UNDERGROUND THREE PHASE TRANSFORMER)

OPERATING NO	KVA	INSERTION	PHASING	EQUIPMENT NO	SERIAL NO	INSTALLED KVA TRANS PRIMARY	SECONDARY	ADDRESS
PE3PAPA	1000	1	A B C			12KV	120/208V	2148 N. RD 1 EAST



CUSTOMER COPY

Property Owner / Parcel Number (Zoning Designation):

ABA Enterprises, LLC / APN 306-14-008H (Commercial Light/AR-5)
Chino Valley Properties, LLC / APN 306-14-008K (Commercial Heavy)
Chino Valley Properties, LLC / APN 306-14-008M (Commercial Light/AR-5)

Utility Provider:

Water	Pumped Well Access
Sewer	Septic
Electricity	APS
Gas	Southwest Gas
Cable	Cable One
Telephone	N/A
Police	Chino Valley Police Department
Fire	Chino Valley Fire Department

Legal Description:

SECTION 10 TOWNSHIP 16 NORTH, RANGE 2 WEST, G&SRB&M, YAVAPAI COUNTY, ARIZONA

General Notes:

Pursuant to A.R.S. §9-1202(C), a more detailed plan for each phase of the plan will be submitted prior to the development of each phase.

Land Use Schedule

Phased Use	Area	Acreage
Phase 1: Existing MMJ Operation	66,588.19 SF	1.53
Phase 1: Ground based Solar Power Generation Tracking Array	385,996.84 SF	8.86
Phase 1: Hay Farm	254,494.78 SF	5.84
Phase 1: Vineyard	229,381.73 SF	5.27
P1	936,461.54 SF	21.50
Phase 2: Ground based Solar Power Generation Tracking Array	172,232.32 SF	3.95
Phase 2: Hay Farm	361,404.51 SF	8.30
Phase 2: Residential	210,731.24 SF	4.84
Phase 2: Vineyard	203,568.82 SF	4.67
P2	947,936.89 SF	21.76
Phase 3: Ground based Solar Power Generation Tracking Array	192,533.04 SF	4.42
Phase 3: Proposed MMJ Operation	267,071.46 SF	6.13
Phase 3: Residential	195,346.36 SF	4.48
P3	654,950.86 SF	15.04
Grand total: 12	2,539,349.29 SF	58.30

Proposed MMJ Operation

Existing MMJ Operation

Existing Building To Remain

Proposed Building Expansion

1 Master Site Plan
1" = 100'-0"

Proj. Team: #184-003-595 © DAC Studios, Ltd.

DAC Studios, Ltd.
Design ▲ Architecture ▲ Construction
PO Box 0685 ▲ Chicago, IL ▲ 60690-0685
312.491.9069 ▲ dac@dacstudios.com
Contact: David A. Cintron, Jr. AIA, LEED A.P.

ZONED® PROPERTIES INC

3 Regional Map
12" = 1'-0"

No.	Description	Date
		12/18/15

CHINO VALLEY PROPERTIES LLC
Chino Master Plan and Operations Expansion

Phased Protected Rights Development Plan - 5 Years

Project number	15025
Date	11/18/15
Drawn by	DAC
Checked by	DAC

C1

Page 30 of 62

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 7. e.**

Meeting Date:	02/09/2016
Contact Person:	Joe Duffy, Finance Director Phone: 928-636-2646 x-1211
Department:	Finance
Item Type:	Action Item - Presentation
Estimated length of staff presentation:	10 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Financial Report for the six months ending December 31, 2015.

RECOMMENDED ACTION:

Approve Financial Report for the six months ending December 31, 2015.

SITUATION AND ANALYSIS:

The Finance Department prepares Financial Reports for the Mayor, Council, Staff and Community.

Upon Council approval, the reports will be posted on the Town's website.

The report includes the following sections:

Revenue and Expense Summary - This section details the Revenues and Expenditures of each fund. Comparing the year to date figures to the current year's annual budget and the prior year's month to date figures.

Major Revenue Summary - This section details the year to date figures for the Town's eight major revenue sources that account for 60% of the Town's Revenue.

Other Information - This section details other pertinent financial and statistical information including the Impact Fee Fund balance and the amount of General Fund Contingencies that have been allocated this fiscal year and a debt summary.

The Finance Director will supplement these reports with periodic presentations and other information throughout the fiscal year.

Fiscal Impact

Fiscal Impact?: No
If Yes, Budget Code:
Available:
Funding Source:

Attachments

Financial Report December 2015

Town of Chino Valley

Arizona

Financial Report

To The Town Council

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

Town of Chino Valley

Revenue and Expense Summary

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16		Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
GENERAL FUND							
General Fund Revenues by Category							
Franchise Taxes	$ 31,493	$ 30,440	*	$ (1,053)	-3%	$ 134,500	23%
Tax Revenues	$ 1,868,858	$ 1,930,433		$ 61,575	3%	$ 3,904,000	49%
Licenses & Permits	$ 90,319	$ 115,617		$ 25,298	28%	$ 260,000	44%
Intergovernmental	$ 1,469,232	$ 1,494,597		$ 25,365	2%	$ 3,189,500	47%
Charges for Services	$ 26,031	$ 44,409		$ 18,378	71%	$ 108,000	41%
Fines and Forfeitures	$ 45,777	$ 56,649		$ 10,872	24%	$ 140,000	40%
Other Revenues	$ 3,091	$ 1,750		$ (1,341)	-43%	$ 1,500	117%
Contributions and Donations	$ 955	$ 1,089		$ 134	14%	$ 3,500	31%
Investment Earnings	$ 312	$ 300		$ (12)	-4%	$ 500	60%
Transfers In	$ 50,000	$ 129,996		$ 79,996	160%	$ 310,000	42%
Total Revenues	**$ 3,586,068**	**$ 3,805,280**		**$ 219,212**	**6%**	**$ 8,051,500**	**47%**

*** Estimated final quarter accruals.**

Total Revenues for the General Fund are up $219,212 over the previous fiscal year. Licenses and Permits are up 28% due to an increase in Building Permits and Plan Check Fees this fiscal year. Transfers In were increased in the current years budget over the prior year. The total General Fund Revenues are up 6% compared to the last fiscal year.

Town of Chino Valley

Revenue and Expense Summary

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
General Fund Expenditures by Department						
Prosecutor	$ 59,175	$ 59,055	$ (120)	0%	$ 130,600	45%
Town Clerk	$ 103,298	$ 98,110	$ (5,188)	-5%	$ 197,600	50%
Town Manager	$ 189,922	$ 183,178	$ (6,744)	-4%	$ 392,500	47%
Human Recourses	$ 28,812	$ 96,111	$ 67,299	234%	$ 195,300	49%
Municipal Court	$ 141,871	$ 125,332	$ (16,539)	-12%	$ 261,900	48%
Finance	$ 158,771	$ 178,053	$ 19,282	12%	$ 329,200	54%
Management Information Systen	$ 94,737	$ 102,991	$ 8,254	9%	$ 273,600	38%
Mayor and Council	$ 11,149	$ 16,758	$ 5,609	50%	$ 33,000	51%
Planning	$ 73,120	$ 90,408	$ 17,288	24%	$ 186,300	49%
Building Inspection	$ 120,584	$ 130,642	$ 10,058	8%	$ 277,100	47%
Police	$ 1,276,399	$ 1,277,441	$ 1,042	0%	$ 2,651,800	48%
Animal Control	$ 57,316	$ 48,762	$ (8,554)	-15%	$ 123,300	40%
Recreation	$ 12,170	$ 31,076	$ 18,906	155%	$ 63,800	49%
Library	$ 137,908	$ 154,959	$ 17,051	12%	$ 309,600	50%
Senior Center	$ 105,797	$ 116,174	$ 10,377	10%	$ 242,400	48%
Parks Maintenance	$ 187,812	$ 225,617	$ 37,805	20%	$ 333,200	68%
Aquatic Center	$ 83,222	$ 94,335	$ 11,113	13%	$ 244,900	39%
Facilities Maintenance	$ 157,053	$ 170,014	$ 12,961	8%	$ 345,900	49%
Fleet Maintenance	$ 162,351	$ 106,814	$ (55,537)	-34%	$ 341,000	31%
Engineering	$ 37,906	$ 58,254	$ 20,348	54%	$ 122,000	48%
Non Departmental	$ 286,388	$ 382,696	$ 96,308	34%	$ 996,500	38%
Total Expenditures	**$ 3,485,761**	**$ 3,746,780**	**$ 261,019**	**7%**	**$ 8,051,500**	**47%**
Total Revenue Over (Under) Total Expenditures	**$ 100,307**	**$ 58,500**	**$ (41,807)**		**$ -**	

GENERAL FUND (Continued)

Total General Fund Expenditures are up $261,019 or 7% compared to last fiscal year. Through December each department should be less than 50%. In total the General Fund Departments are at 47%. Finance Department is up due to the timing of the Audit Firm fees. Parks Maintenance is up due to increased watering cost over the prior fiscal year. All other departments appear to be on track so far this budget year.

Town of Chino Valley

Revenue and Expense Summary

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
HIGHWAY USER REVENUE FUND						
Total Revenues	$ 398,589	$ 443,249	$ 44,660	**11%**	$ 1,014,000	**44%**
Expenditures						
Road Maintenance	$ 379,666	$ 409,717	$ 30,051	**8%**	$ 1,014,000	**40%**
Total Revenue Over (Under) Total Expenditures	**$ 18,923**	**$ 33,532**	**$ 14,609**		**$ -**	

Total Fund Revenues are up 11% over the prior fiscal year due to the budgeted increase in HURF fund distributions. Expenditures are up 8% primarily due to lease purchase payments being made on equipment purchased last fiscal year.

WATER ENTERPRISE FUND						
Water Revenues	$ 209,275	$ 245,446	$ 36,171		$ 5,038,000	
Transfers In	$ 140,350	$ 75,000	$ (65,350)		$ 150,000	
Total Revenues	**$ 349,625**	**$ 320,446**	**$ (29,179)**	**-8%**	**$ 5,188,000**	**6%**
Expenditures						
Water Utility Operations	$ 260,787	$ 224,799	$ (35,988)		$ 484,200	
Debt Service/Reserve		$ -	$ -		$ 4,646,000	
Total Expenditures	**$ 260,787**	**$ 224,799**	**$ (35,988)**	**-14%**	**$ 5,130,200**	**4%**
Total Revenue Over (Under) Total Expenditures	**$ 88,838**	**$ 95,647**	**$ 6,809**		**$ 57,800**	

Total Water Enterprise Fund Revenues are down 8% due to reduced budgeted transfers in from the Capital Improvement Fund. Water Service Fees are up 29% primarily due to an increase in active accounts and usage by the Parks Department. Expenditures are down over last fiscal year.

SEWER ENTERPRISE FUND						
Total Revenue	**$ 758,806**	**$ 772,309**	**$ 13,503**	**2%**	**$ 2,204,200**	**35%**
Expenditures						
Sewer	$ 428,144	$ 561,363	$ 133,219		$ 751,200	
Debt Service/Reserve	$ 82,102	$ 149,997	$ 67,895		$ 1,453,000	
Total Expenditures	**$ 510,246**	**$ 711,360**	**$ 201,114**	**39%**	**$ 2,204,200**	**32%**
Total Revenue Over (Under) Total Expenditures	**$ 248,560**	**$ 60,949**	**$ (187,611)**		**$ -**	

Total Sewer Enterprise Fund Revenues are up 2% over last fiscal year. Sewer Buy In fees are down but offset by a 11% increases in Sewer Service Fees. Operating expenses are up due to additional personal costs and maintenace and repair expenses bringing the plant up to the Town's standards.

Town of Chino Valley

Revenue and Expense Summary

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
CAPITAL IMPROVEMENT FUND * (excludes bond projects)						
Total Revenues	**$ 622,957**	**$ 655,141**	$ 32,184	**5%**	**$ 4,060,500**	**16%**
Lease Purchase Proceeds	**$ 715,346**		$ (715,346)			
Bond Proceeds	**$ 3,310,000**		$ (3,310,000)			
Transfers In Road Impact Fees			$ -		**$ 529,000**	
Capital Improvements	$ 350,170	$ 792,734	$ 442,564		$ 3,304,000	
Equipment Acquisition	$ 593,802		$ (593,802)			
WWTP Acquisition	$ 3,310,000		$ (3,310,000)			
Transfers	$ 625,066	$ 568,500	$ (56,566)		$ 1,137,000	
Total Expenditures	**$ 4,879,038**	**$ 1,361,234**	**$ (3,517,804)**	**-72%**	**$ 4,441,000**	**31%**
Total Revenue Over (Under) Total Expenditures	**$ (230,735)**	**$ (706,093)**	**$ 3,549,988**		**$ 148,500**	

Capital Improvement Fund Tax Revenues are up slightly by 5% over the prior fiscal year primarily due to an increase in Construction Sales Tax activity. Transfers are down due to the decreased amount budgeted this fiscal year. Capital Improvements include the Chino Meadows Unit 5 at Peavine drainage project being constructed this fiscal year. The Town will be receiving a reimbursement from the Yavapai County Drainage District for this project.

Town of Chino Valley

Revenue and Expense Summary

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	% FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
OTHER MINOR FUNDS						
Other Minor Funds -Revenues						
CDBG Grant			$ -			
Grants Fund	$ 147,780	$ 191,749	$ 43,969		$ 3,385,000	
Special Revenue Fund Court	$ 3,285	$ 4,470	$ 1,185		$ 38,500	
Capital Asset Replacement	$ 2,543	$ 35,361	$ 32,818		$ 10,000	
Police Impact Fee Funds	$ 402	$ 12,384	$ 11,982		$ 63,000	
Library Impact Fee Funds	$ 16,562		$ (16,562)			
Parks/Rec Impact Fee Funds	$ 9	$ 9	$ -		$ 16,000	
Roads Impact Fee Funds	$ 2,689	$ 300	$ (2,389)		$ 529,000	
Special Revenue Fund PD	$ 27,292	$ 24,746	$ (2,546)		$ 45,000	
CVSLID Districts	$ 2,785	$ 1,814	$ (971)		$ 4,000	
Total Revenues	**$ 203,347**	**$ 270,833**	**$ 67,486**	**33%**	**$ 4,090,500**	**7%**
CDBG Grant			$ -			
Grants Funds	$ 71,594	$ 166,852	$ 95,258		$ 3,385,000	
Special Revenue Fund - Court	$ 4,775	$ 4,446	$ (329)		$ 38,500	
Capital Replacement Fund		$ 15,087	$ 15,087		$ 10,000	
Police Impact Fee Funds	$ 2,024	$ 19,349	$ 17,325		$ 63,000	
Library Impact Fee Funds	$ 16,562		$ (16,562)			
Parks/Rec Impact Fee Funds	$ 18,474		$ (18,474)		$ 16,000	
Roads Impact Fee Funds			$ -		$ 529,000	
Special Revenue Fund PD	$ 11,034	$ 19,411	$ 8,377		$ 40,000	
CVSLID Districts	$ 1,946	$ 2,171	$ 225		$ 4,000	
Total Expenditures	**$ 126,409**	**$ 227,316**	**$ 100,907**	**80%**	**$ 4,085,500**	**6%**
Total Revenue Over (Under) Total Expenditures	**$ 76,938**	**$ 43,517**	**$ (33,421)**		**$ 5,000**	
TOTAL ALL FUNDS						
Total Revenue All Funds	$ 5,919,392	$ 6,267,258	$ 347,866	**6%**	$ 24,608,700	**25%**
Total Expenditures All Funds	$ 9,641,907	$ 6,681,206	$ (2,960,701)	**-31%**	$ 24,926,400	**27%**
Total Revenue Over (Under) Total Expenditures All Funds	**$ (3,722,515)**	**$ (413,948)**	**$ 3,308,567**		**$ (317,700)**	

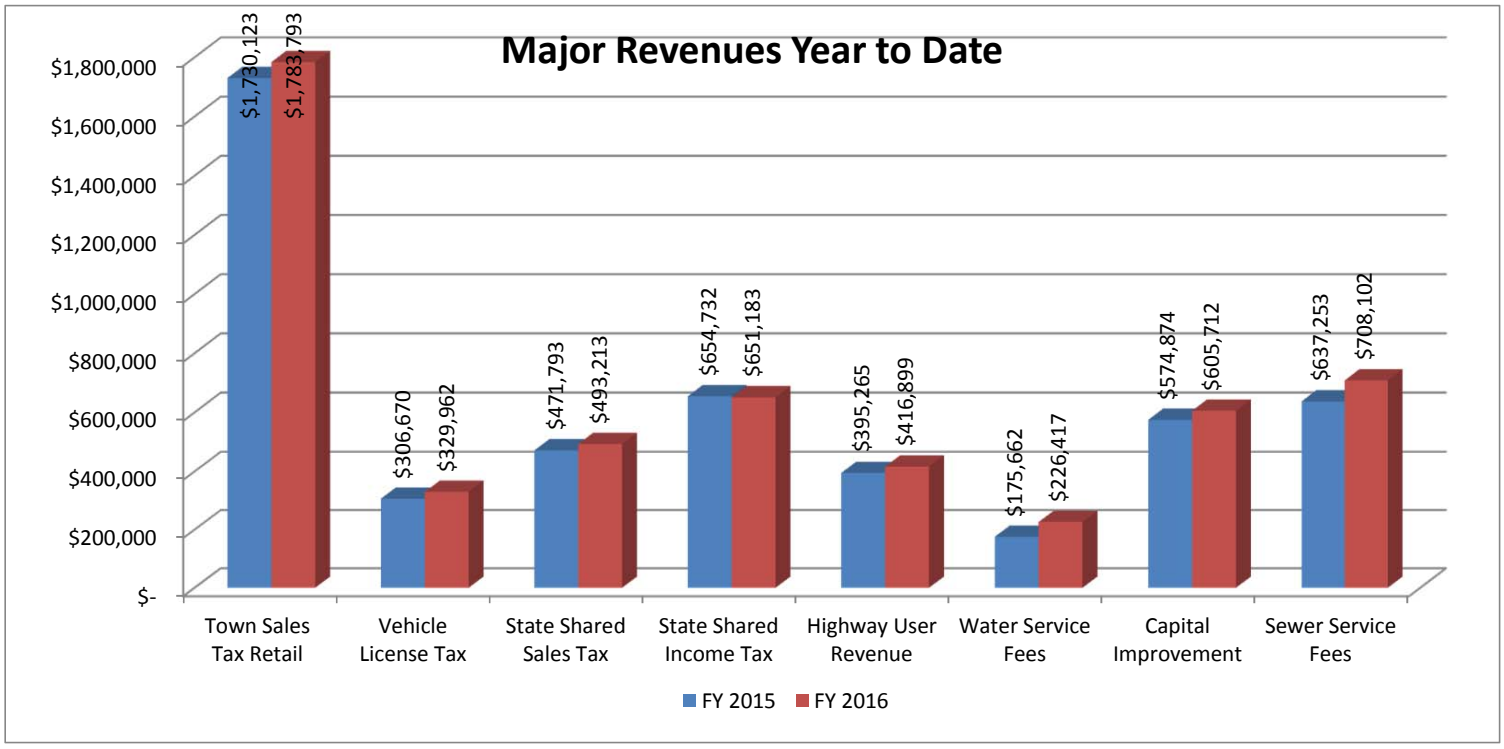
(1) Budget does not include Carryover Amounts from Prior Fiscal Years

(2) Year to date amounts include actual expenditures paid to date.

Town of Chino Valley
Major Revenue Summary
For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Actual Year to Date FY 2014-15	Annual Budget FY 2015-16	Actual Year to Date FY 2015-16	% of Budget YTD	Actual vs Prior Year Amount	%
Town Sales Tax Retail	$ 1,730,123	$ 3,550,000	$ 1,783,793	50%	$ 53,670	3%
Vehicle License Tax	$ 306,670	$ 641,000	$ 329,962	51%	$ 23,292	8%
State Shared Sales Tax	$ 471,793	$ 1,033,000	$ 493,213	48%	$ 21,420	5%
State Shared Income Tax	$ 654,732	$ 1,302,000	$ 651,183	50%	$ (3,549)	-1%
Highway User Revenue	$ 395,265	$ 843,000	$ 416,899	49%	$ 21,634	5%
Water Service Fees	$ 175,662	$ 365,000	$ 226,417	62%	$ 50,755	29%
Capital Improvement	$ 574,874	$ 1,304,000	$ 605,712	46%	$ 30,838	5%
Sewer Service Fees	$ 637,253	$ 1,450,000	$ 708,102	49%	$ 70,849	11%
Major Revenues Y.T.D.	**$ 4,946,372**	**$ 10,488,000**	**$ 5,215,281**	**50%**	**$ 268,909**	**5%**
Total Revenue All Funds	**$ 5,919,392**	**$ 24,608,700**	**$ 6,267,258**	**25%**	**$ 347,866**	**6%**
	84%	**43%**	**83%**			

The Major Revenues are up $268,909 or 5% over the prior fiscal year in line with the budget projections. Town Sales Tax Retail is up 3% so far this fiscal year. Water Service Fees are up 29% primarily due to an increase in active accounts and the Parks Department water usage. Sewer Service Fees reflect the rate increase that went into effect January 1, 2015 and new accounts added to the system. Total combined revenue for all funds is up 5%.



Impact Fee Fund Recaps

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Police Impact Fees	Library Impact Fees	Parks/Rec Impact Fees	Roads Impact Fees
Beginning Fund Balance @ 6/30/15	$ 13,254	$ -	$ 18,281	$ 575,032
Impact Fees Revenue to Date	$ 12,384	$ -	$ 9	$ 299
Impact Fees Expenditures to Date	$ 19,349	$ -	$ -	$ -
Ending Fund Balance to Date	**$ 6,289**	**$ -**	**$ 18,290**	**$ 575,331**
Budgeted Expenditures FY 15/16	$ 63,000	$ -	$ 16,000	$ 529,000

Contingency Funds Budget

For the Six Months Ending December 31, 2015 50% of the Fiscal Year

	Actual Year to Date FY 2015-16	Annual Budget FY 2015-16
General Fund Budget		**$ 380,000**
General Fund Balance		**$ 380,000**
HURF Fund Budget		**$ 42,000**
Water Fund Budget		**$ 31,000**
Sewer Fund Budget		**$ 49,000**
Balance of Contingency Budget	**$ -**	**$ 502,000**

Annual Debt Service Summary By Fund

Fiscal Year Ended June 30, 2016

Debt Issue	Date Issued	Original Amount	Outstanding Amount as of June 30, 2015	FY 2016 Principal	FY 2016 Interest
General Government					
GADA Loan 2007A	7/1/2011	$ 3,825,000	$ 3,385,000	$ 240,000	$ 162,806
US Bank Series 2010	12/15/2010	$ 7,280,000	$ 7,280,000		$ 331,638
		$ 11,105,000	$ 10,665,000	$ 240,000	$ 494,444
Water Enterprise Fund					
US Bank Series 2010	12/15/2010	$ 745,000	$ 565,000	$ 45,000	$ 24,712
Sewer Enterprise Fund					
WIFA	1/10/2007	$ 1,580,000	$ 1,012,403	$ 80,034	$ 27,922
WIFA	1/11/2008	$ 4,853,000	$ 3,496,027	$ 248,952	$ 98,378
WIFA	1/1/2015	$ 2,963,671	$ 2,841,817	$ 124,303	$ 57,121
USDA	2/16/2007	$ 1,595,000	$ 1,374,323	$ 40,329	$ 55,947
USDA	4/10/2008	$ 1,505,000	$ 1,337,955	$ 36,343	$ 54,509
USDA	4/16/2008	$ 1,332,000	$ 1,185,137	$ 32,116	$ 48,284
		$ 13,828,671	$ 11,247,662	$ 562,077	$ 342,161
Total Town of Chino Valley Debt		**$ 25,678,671**	**$ 22,477,662**	**$ 847,077**	**$ 861,317**

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 7. f.**

Meeting Date: 02/09/2016

Contact Person: Michael Lopez, Assistant Public Works Director/Town Engineer
Phone: 928-636-2646 x-1226

Department: Public Works

Item Type: Action Item

Estimated length of staff presentation: 10 minutes

Physical location of item: Road 5 North and State Route 89

AGENDA ITEM TITLE:

Consideration and possible action to approve the Letter of Support for a proposed roundabout at Road 5 North and State Route 89.

RECOMMENDED ACTION:

Approve Letter of Support for the proposed Road 5 North roundabout.

SITUATION AND ANALYSIS:

Issue Statement

Applicable "Policy"

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Findings of Fact

Fiscal Impact

Fiscal Impact?: none

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Letter of Support for Road 5 North roundabout

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Date 2/2/16

Town of Chino Valley
202 N. State Route 89
Chino Valley, Arizona 86323

Alvin Stump
District Engineer
1109 E. Commerce Dr.
Prescott, AZ 86305
Arizona Department of Transportation Northwest District

Re: Support for Proposed Roundabout at Road 5 North and State Route 89

Dear Mr. Stump:

This letter is written to express the Town of Chino Valley's support for the proposed roundabout project at Road 5 North and State Route 89 in Chino Valley. Currently, the intersection at Road 5 North and State Route 89 is an offset intersection, which has presented some dangerous situations to motorists in the past. The construction of a roundabout at this location would benefit travelers on State Route 89, as well as local traffic. The location will also serve residents of Yavapai County in the greater Chino Valley area. The Town's support for this project is also on the basis of improved traffic flow at the subject intersection. Currently, a left turn from Road 5 North onto State Route 89 is challenging, and with adjacent zoning classifications of Multi-Family Residential (MR-1) and Commercial Light (CL), a roundabout improvement in this area would serve future growth for the foreseeable future.

If you have any questions or concerns, please contact Michael Lopez at 928-636-2646, ext. 1226.

Sincerely,

Michael Lopez
Acting Public Works Director/Town Engineer