



TOWN COUNCIL AGENDA PACKET

STUDY SESSION

**Thursday, March 3, 2011
6:00 p.m.**

**Council Chambers – South Campus
202 N. State Route 89**

NOTICE OF THE STUDY SESSION OF THE CHINO VALLEY TOWN COUNCIL

**MARCH 3, 2011
6:00 P.M.**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Chino Valley Town Council and to the general public that the Chino Valley Town Council will hold a Study Session open to the public on **Thursday, March 3, 2011 at 6:00 p.m.**, in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona. Members of the Town Council will attend either in person or by telephone conference call.

RULES FOR ADDRESSING THE COUNCIL – ADOPTED JULY 14, 1998

Study Sessions are public meetings of the Council, at which no formal vote is taken. The primary purpose of the meetings are the exchange of information between the Council, Staff and/or designated persons and the discussion of specific topics or problems as outlined on the posted agenda.

Members of the public shall be permitted to speak and/or discuss an agenda item only with the permission of the Mayor or at the request of a Councilmember.

The **Agenda** for the meeting is as follows:

- 1) Call to Order; Roll Call.
- 2) Presentation by staff and discussion regarding draft revisions to the Unified Development Ordinance relative to the Arizona **Medical Marijuana** Act.
- 3) Presentation by staff and discussion regarding the fiscal year **2011/2012 budget**.
- 4) Adjournment.

Dated this 1st day of March, 2011.

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 636-1787 (TDD) 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/clerk/townagenda.shtml>, and in the Public Library and Town Clerk's Office.

AGENDA ITEM 2

Draft Revisions to Unified Development Ordinance
Relative to the Arizona Medical Marijuana Act

Amend Definition Section of the Unified Development Ordinance by adding the following definitions:

Medical Marijuana: Means of all part of the genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patients debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

Medical Marijuana Cultivation: the process by which a person grows marijuana.

Medical Marijuana Dispensary: The location where a non-profit entity defined in A.R.S. §36-2801(11), sells, distributes, transmits, gives, dispenses, or otherwise provides medical marijuana to qualifying patients.

Medical Marijuana Infusion (or Manufacturing) Facility: A facility that incorporates medical marijuana (cannabis) by the means of cooking, blending, or incorporation into consumable/edible goods.

Medical Marijuana Qualifying Patient: A person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. 36-2801.13.

Amend the Unified Development Ordinance to allow medical marijuana cultivation as a permitted use in the AR-36 Zoning district with a Conditional Use Permit.

3.5.3.O. Medical Marijuana Cultivation, subject to the following conditions and limitations:

A) Applicant shall provide:

- 1) The name(s) and location(s) of the offsite medical marijuana dispensary.
- 2) A copy of the operating procedures adopted in compliance with A.R.S. 36-2804(B)(1)(c).
- 3) A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation facility location if within 300'

B) Retail sales of medical marijuana is prohibited.

C) Shall not be located within 300' of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

D) Shall not be located within 100' of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

E) Shall not be located within 300' of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

F) Shall have operating hours starting not earlier than 7:00 am and ending not later than 9:00 pm.

G) Drive through services are prohibited.

H) Shall have direct access to a highway or arterial roadway.

Amend the Unified Development Ordinance to allow medical marijuana cultivation as a permitted use in the AR-5 Zoning district with a Conditional Use Permit.

3.6.3.O. Medical Marijuana Cultivation, subject to the following conditions and limitations:

A) Applicant shall provide:

- 1) The name(s) and location(s) of the offsite medical marijuana dispensary.
- 2) A copy of the operating procedures adopted in compliance with A.R.S. 36-2804(B)(1)(c).
- 3) A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation facility location if within 300'

B) Retail sales of medical marijuana are prohibited.

C) Shall not be located within 300' of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

D) Shall not be located within 100' of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

E) Shall not be located within 300' of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

F) Shall have operating hours starting not earlier than 7:00 am and ending not later than 9:00 pm.

G) Drive through services are prohibited.

H) Shall have direct access to a highway or arterial roadway.

Amend the Unified Development Ordinance to allow medical marijuana dispensaries as a permitted use in the CL Zoning district with the following conditions.

3.15.2.AE. Medical Marijuana Dispensary (No Cultivation), subject to the following conditions and limitations:

A) Applicant shall provide:

- 1) The name(s) and location(s) of the offsite medical marijuana cultivation facility.
- 2) A copy of the operating procedures adopted in compliance with A.R.S. 36-2804(B)(1)(c).
- 3) A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation facility location if within 300'.
- 4) Site plan, floor plan, building permits for occupancy change, and a security plan.

B) Shall be located in a permanent building and may not locate in a trailer, cargo container or motor vehicle.

C) Shall be a maximum 1000 gross square feet.

D) Shall not be located within 300' of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

E) Shall not be located within 300' of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

F) Shall not be located within 300' of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

G) Shall have operating hours starting not earlier than 7:00 am and ending not later than 9:00 pm.

H) Drive through services are prohibited.

I) Cultivation of medical marijuana is prohibited.

J) Shall provide for proper disposal of marijuana, marijuana products and marijuana remnants or by-products, shall not to be disposed or a placed within the facilities exterior refuse containers.

K) Shall not provide outside seating areas within 50 feet of dispensary.

Amend the Unified Development Ordinance to allow medical marijuana cultivation as a permitted use in the CH Zoning district with the following conditions.

3.16.2.P. Medical Marijuana Cultivation, subject to the following conditions and limitations:

A) Applicant shall provide:

- 1) The name(s) and location(s) of the offsite medical marijuana dispensary.
- 2) A copy of the operating procedures adopted in compliance with A.R.S. 36-2804(B)(1)(c).
- 3) A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation facility location if within 300'

B) Retail sales of medical marijuana is prohibited.

C) Shall not be located within 300' of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

D) Shall not be located within 300' of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

E) Shall not be located within 300' of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

Amend the Unified Development Ordinance to allow medical marijuana cultivation as a permitted use in the I Zoning district with the following conditions.

3.17.2.I. Medical Marijuana Cultivation, subject to the following conditions and limitations:

A) Applicant shall provide:

- 1) The name(s) and location(s) of the offsite medical marijuana dispensary.
- 2) A copy of the operating procedures adopted in compliance with A.R.S. 36-2804(B)(1)(c).
- 3) A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation facility location if within 300'

B) Retail sales of medical marijuana is prohibited.

C) Shall not be located within 300' of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

D) Shall not be located within 300' of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

E) Shall not be located within 300' of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

Medical Marijuana Infusion (or Manufacturing) Production Facility,
subject to the following conditions and limitations:

A) Applicant shall provide:

- 1) The name(s) and location(s) of the offsite medical marijuana dispensary.
- 2) A copy of the operating procedures adopted in compliance with A.R.S. 36-2804(B)(1)(c).
- 3) A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation facility location if within 300'

B) The facility shall not be located within 300' of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

C) The facility shall not be located within 300' of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

D) The facility shall not be located within 300' of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

E) There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.

AGENDA ITEM 3

FY2011/2012 Budget Study Session

Town of Chino Valley FY2011/2012 Budget Study Session

March 3, 2011

TOPICS

- General Fund Major Revenue Sources
- Revenue Trends
- FY10/11 General Fund Budgeted Revenues
- FY10/11 General Fund Budgeted Expenditures
- FY 2011/2012

General Fund Major Revenue Sources

General Fund Total Budget = \$5.93 M:
(excludes carry forward and transfers)
(property tax revenues are \$0.00)

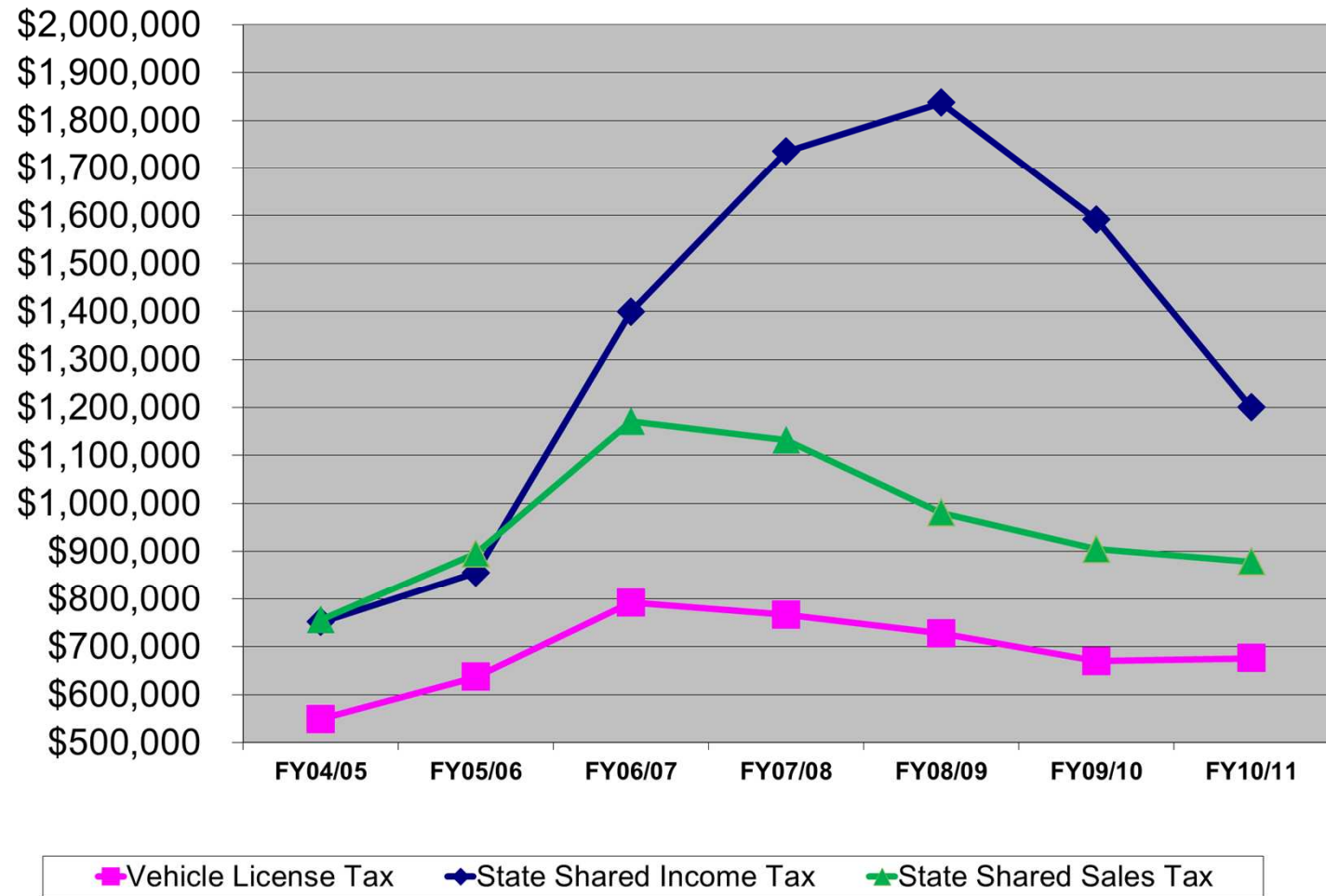
- 39 % - Town Sales Tax Revenues
- 20 % - State Shared Income Tax Revenues
- 15 % - State Shared Sales Tax
- 11 % - Vehicle License Tax

85 %

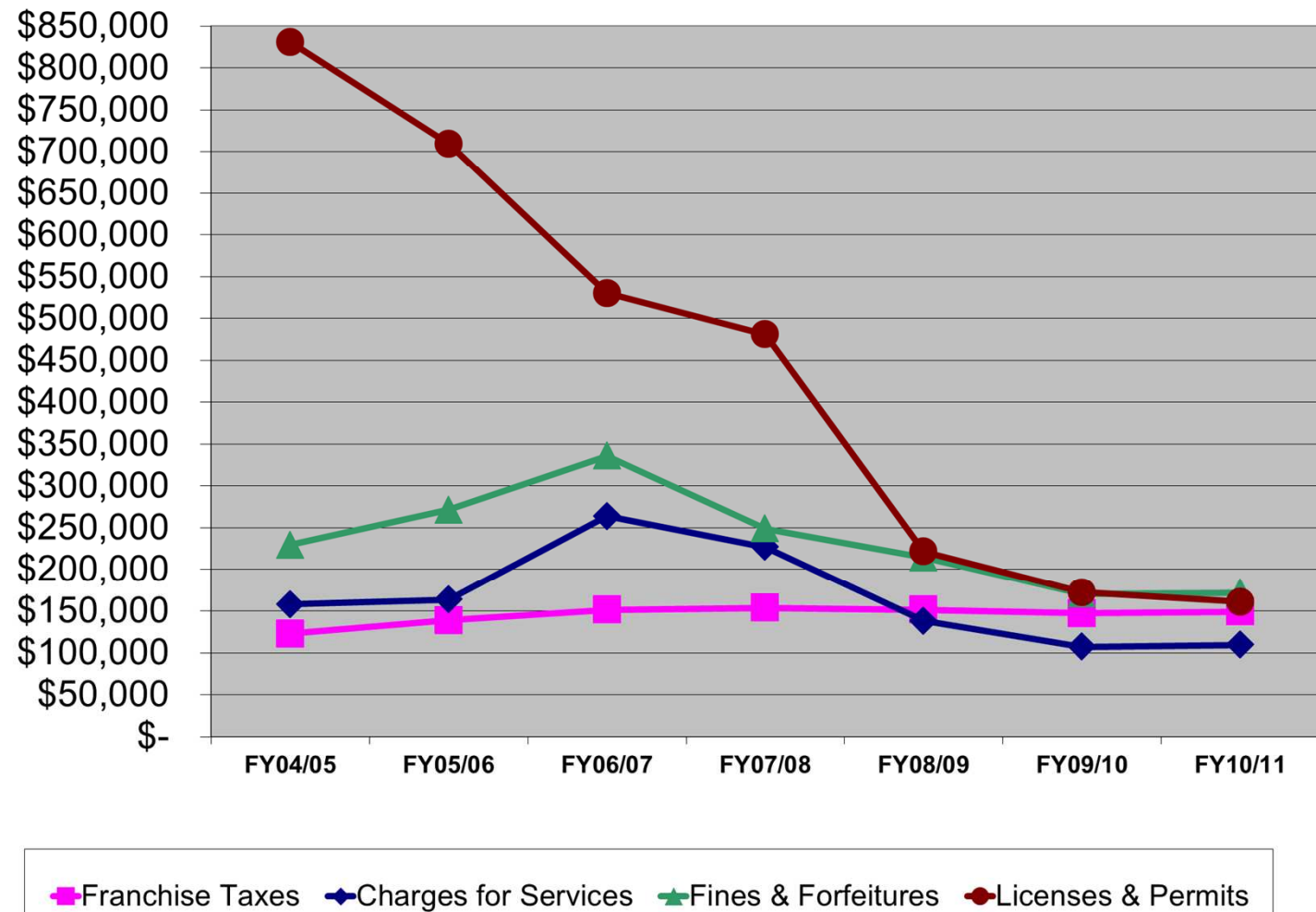
6 YEAR ACTUAL REVENUES COMPARISON (WITH FY10/11 BUDGETED)



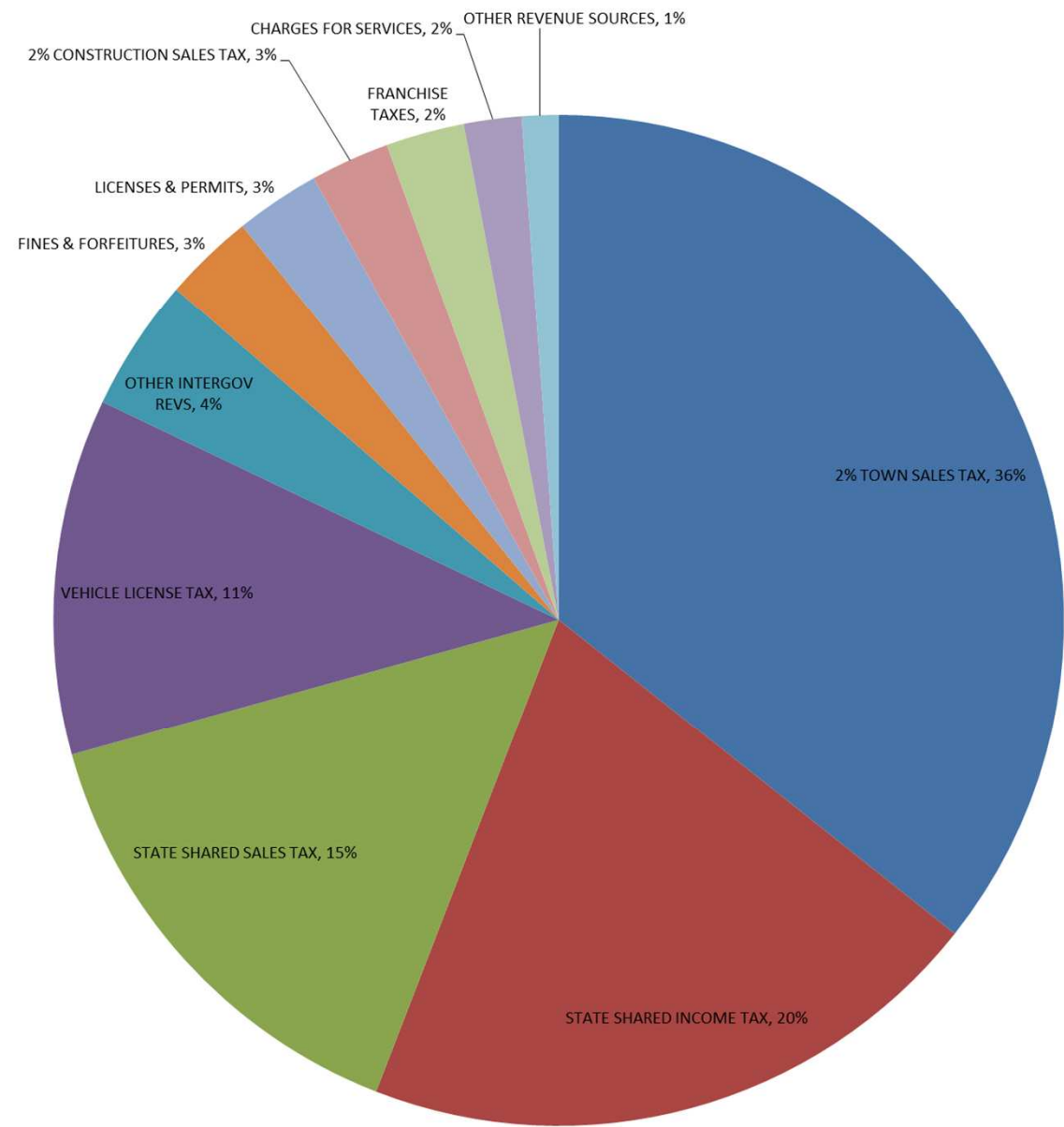
6 YEAR ACTUAL REVENUES COMPARISON (WITH FY10/11 BUDGETED)



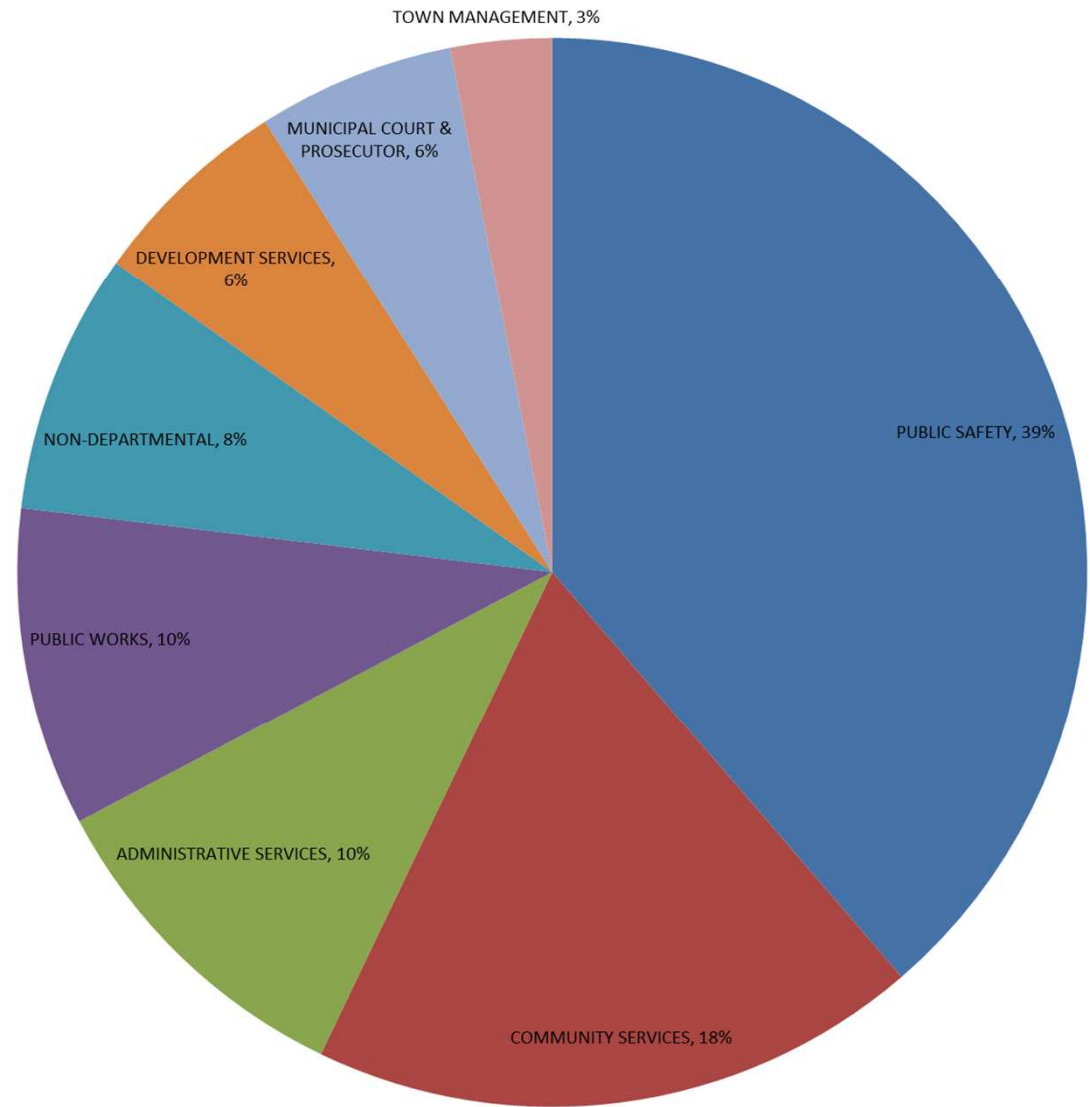
6 YEAR ACTUAL REVENUES COMPARISON (WITH FY10/11 BUDGETED)



FY10/11 GENERAL FUND BUDGETED REVENUES



FY10/11 GENERAL FUND BUDGETED EXPENDITURES



FY 2011/2012 Anticipated General Fund Revenue Changes

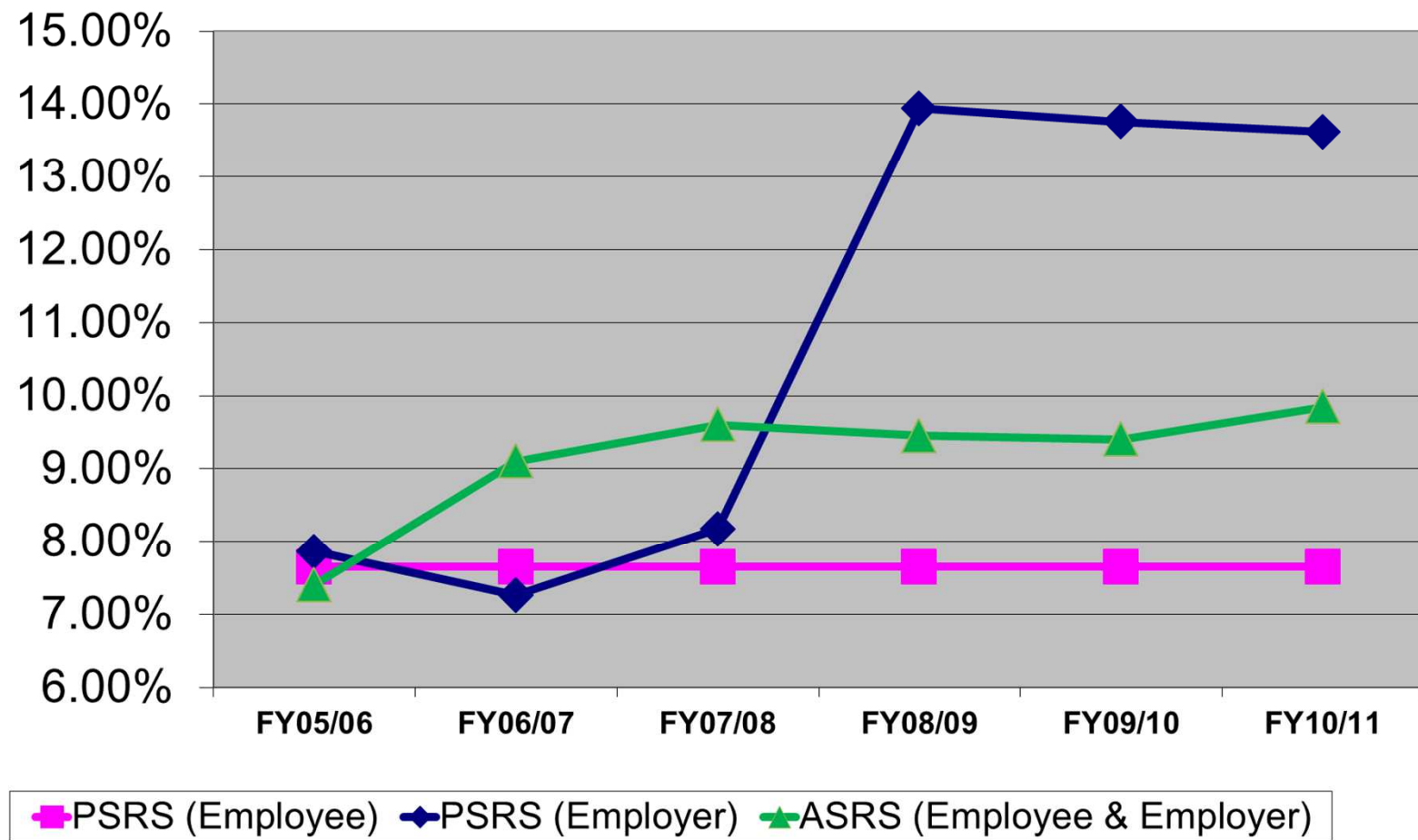
- State Shared Income Tax Revenues 8 % decrease = \$ 95,956
- State Shared Sales Tax Revenues 5.1% decrease = \$ 45,000
- Vehicle License Tax Revenues 8% decrease = \$ 54,000
- New ADWR Assessment decrease = \$ 16,274
- Town Sales Tax Revenues 1.7% decrease = \$ 40,000

Anticipated Total Revenue Decrease		\$251,230

FY 2011/2012 Anticipated Expenditure Changes

- Health Insurance + 8.1 % for employer & employee
- SUTA + .26 % for employer
- ASRS + .9 % for employer & employee
- PSRS not finalized, but indications are could increase for employer & employee

CONTRIBUTION RATE COMPARISON



<u>HEALTH INSURANCE --</u>		Total cost varies due to coverage selected.		
<u>EMPLOYEE:</u>		Employee Only	Employee + Family	Employee + Family
FY 10/11 Employee Contribution -- Per Payday		\$ -	\$ 46.62	\$ 246.00
Estimated FY 11/12 Increase		8.1%	8.1%	8.1%
FY 11/12 Employee Contribution -- Per Payday		\$ -	\$ 50.40	\$ 265.93
Estimated Increase -- Per Payday		\$ -	\$ 3.78	\$ 19.93
Estimated Increase -- Yearly		\$ -	\$ 98.18	\$ 518.08

<u>HEALTH INSURANCE --</u>		Total cost varies due to coverage selected.		
<u>EMPLOYER:</u>		Employee Only	Employee + Family	Employee + Family
FY 10/11 Employer Contribution -- Per Payday		\$ 250.62	\$ 300.00	\$ 332.77
Estimated FY 11/12 Increase		8.1%	8.1%	8.1%
FY 11/12 Employer Contribution -- Per Payday		\$ 270.92	\$ 324.30	\$ 359.72
Estimated Increase -- Per Payday		\$ 20.30	\$ 24.30	\$ 26.95
Estimated Increase -- Yearly		\$ 527.81	\$ 631.80	\$ 700.81

<u>ASRS --</u>						
		FY 10/11 Employee Contribution	FY 10/11 Employer Contribution	Estimated FY 11/12 Employee Contribution	Estimated FY 11/12 Employer Contribution	FY 11/12 Increase
Gross Wages		\$35,000.00	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00	
Contribution %		9.85%	9.85%	10.75%	10.75%	0.90%
Contribution -- Yearly		\$ 3,447.50	\$ 3,447.50	\$ 3,762.50	\$ 3,762.50	\$ 315.00
Contribution -- Per Payday		\$ 132.60	\$ 132.60	\$ 144.71	\$ 144.71	\$ 12.12

<u>PSRS --</u>					
		FY 10/11 Employee Contribution	FY 10/11 Employer Contribution	Estimated FY 11/12 Employee Contribution	Estimated FY 11/12 Employer Contribution
Gross Wages		\$35,000.00	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00
Contribution %		7.65%	13.62%	unknown	unknown
Contribution -- Yearly		\$ 2,677.50	\$ 4,767.00	unknown	unknown
Contribution -- Per Payday		\$ 102.98	\$ 183.35	unknown	unknown