

MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, MAY 17, 2004 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – President Gary D. Rasmussen, Tucson Arizona Stake, The Church of Jesus Christ of Latter-Day Saints

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- (a) Presentation of awards from the Southern Arizona Branch of the State of Arizona Chapter of the American Public Works Association
- (b) Proclamation – Proclaiming May 16 through 22 to be Public Works Week

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager MAY17-04-237 CITY-WIDE

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager MAY17-04-238 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- (a) Report from City Manager MAY17-04-236 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

New License(s)

- (1) C.I. CHU'S MONGOLIAN BARBEQUE Staff Recommendation
4540 E. Broadway Blvd.
Applicant: Calvin I. Chu Police: In Compliance
City #025-04, located in Ward 6 DSD: In Compliance
Series #12 Bus.: License: In Compliance
Action must be taken by: June 6, 2004

NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

(c) Special Event(s)

- (1) SOUTH TUCSON LIONS Staff Recommendation
3700 S. La Cholla Blvd.
Applicant: Fernando Acevedo Police: In Compliance
City #T048-04, located in Ward 1 DSD: In Compliance
Date of Event: May 30, 2004 Parks & Rec.: In Compliance
(Fundraiser)

6. CONSENT AGENDA ITEMS A THROUGH C

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, address, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a "retained speaker". Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience".

8. PUBLIC HEARING: TUCSON CODE - AMENDING (CHAPTER 23) THE *LAND USE CODE (LUC)*; DEVELOPMENT COMPLIANCE REVIEW CODES; THE WATERCOURSE AMENITIES, SAFETY AND HABITAT REGULATIONS; AND THE DEVELOPMENT STANDARDS

- (a) Report from City Manager MAY17-04-241 CITY-WIDE
- (b) Hearing on amendments to the Tucson Code that consolidate the legislative, administrative and appeal procedures for land use and development approvals. Changes are proposed in the *Land Use Code (LUC) (Chapter 23)*; the Development Compliance Review codes (*Chapter 23A*); and the Watercourse Amenities, Safety and Habitat (WASH) regulations (*Chapter 29*). The Development Standards are also amended to conform to the code amendments.
- (c) Ordinance No. 9967 relating to planning and zoning; consolidating the procedures for implementation of development regulations, including the legislative, administrative and appeal procedures in the Land Use Code, Development Compliance Review Code, and Watercourse Amenities, Safety and Habitat Code; making necessary technical and conforming amendments; amending Tucson Code Chapter 23, the Land Use Code by amending Article I, General provisions, Divisions 1, Introduction, 2, Interpretation, and 3 Mapping; Article II, Zones, Divisions 2, Rural Residential Zones, 3, Urban Residential Zones, 4, Office Zones, 5, Commercial Zones, 6, Mixed Use Zones, 7, Industrial Zones, and 8, Overlay Zones; Article III, Development Regulations, Divisions 1, General Provisions, 2, Development Criteria, 5, Performance Criteria, 6, Development Incentives, 7, Landscaping and Screening Regulations, and 8, Native Plant Preservation; Article IV, Subdivisions, Divisions 1, Generally, 2, Minor Subdivisions, and 3, Land Splits; Article V, Administration, Divisions 1, Powers and Duties, 2, Special Planning Documents, 3, Special Development Applications, 4, Procedures, and 5, Compliance and Enforcement; and Article VI, Definitions, Division 2, Listing of Words and Terms; amending Tucson Code Chapter 23A, to retitle Chapter 23A as the “Development Compliance Code”; and repealing current Article II, Review Procedures and adding a new Article II, Review Procedures, consisting of Divisions 1, General Zoning Review Procedure, 2, Special Zoning Review-Limited Notice Procedure, 3, Special Zoning Review-Full Notice Procedure, and 4, Appeal Procedures; and amending Article III, Definitions, Division 2, Listing of Words and Terms; amending Tucson Code Chapter 29, Energy and Environment, Article VII, Watercourse Amenities, Safety and Habitat, Sections 29-13, Definitions, 29-15, Development in the Study Area, 29-16, Development Requirements for Resource Areas, 29-17, Review and approval, 29-18, Violation Declared a Civil Infraction, and 29-19, Appeals and Variances; declaring an emergency and setting an effective date.

9. MAGISTRATES: APPOINTMENT OF CITY MAGISTRATES

- (a) Report from City Manager MAY17-04-242 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

10. MAGISTRATES: APPOINTMENT OF LIMITED SPECIAL CITY MAGISTRATES

- (a) Report from City Manager MAY17-04-243 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

11. MAGISTRATES: APPOINTMENT OF SPECIAL CITY MAGISTRATES AND SELECTION PROCESS FOR TUCSON CITY COURT SPECIAL MAGISTRATES

- (a) Report from City Manager MAY17-04-244 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

12. TUCSON CODE: AMENDING (CHAPTER 8) PROVIDING FOR THE APPOINTMENT OF JUSTICES OF THE PEACE TO PERFORM WEEKEND ARRAIGNMENTS AND INITIAL APPEARANCES

- (a) Report from City Manager MAY17-04-245 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

13. CITY COURT: APPOINTMENT OF JUSTICES OF THE PEACE TO PERFORM WEEKEND ARRAIGNMENTS AND INITIAL APPEARANCES

- (a) Report from City Manager MAY17-04-246 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

14. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager MAY17-04-235 CITY-WIDE

15. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, May 24, 2004, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.