

RESOLUTION NO.

WHEREAS, commercial entertainment venues that host performances such as live music concerts and plays in an outdoors setting, such as in an amphitheater or similar structure, are considered by the City Code to be “outdoor entertainment” uses; and

WHEREAS, “outdoor entertainment” is a conditional use in every zoning district where it may be considered, requiring approval of a conditional use site plan by the Land Use Commission; and

WHEREAS, consideration of a conditional use site plan includes the evaluation of a project’s impacts on adjacent uses, such as noise, parking, and traffic circulation; and

WHEREAS, a land use determination was made that an amphitheater may be used as part of a primary use in certain non-commercial circumstances; and

WHEREAS, any amphitheater or similar structure may have significant impacts on the adjacent community and should be evaluated fairly, regardless of its status as a commercial or non-commercial venue; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council initiates amendments to City Code Chapter 25-2 (*Zoning*) and directs the City Manager to develop a proposed ordinance to make outdoor amphitheaters or similar structures a conditional use in all

zoning districts, similar to outdoor entertainment, even if the amphitheater or similar structure is associated with a civic or residential use.

ADOPTED: _____, 2012 **ATTEST:** _____
Shirley A. Gentry
City Clerk