RESOLUTION NO. 20150226-038

WHEREAS, Austin's Downtown is a thriving hub of cultural and economic activity as well as being the center of state government and a growing residential area; and

WHEREAS, many properties within the Downtown core have Central Business District ("CBD") or Downtown Mixed Use ("DMU") zoning; and

WHEREAS, unlike many other zoning categories, CBD allows all adult-oriented businesses as permitted uses and DMU allows adult-oriented businesses, except for adult lounges, as permitted uses; and

WHEREAS, the Land Development Code makes an adult lounge a conditional use in DMU zoning, which triggers a review by the Planning or Zoning and Platting Commission; and

WHEREAS, the Land Development Code prohibits adult-oriented businesses from opening within close proximity to schools, churches, parks and playgrounds, or licensed day-care facilities; and

WHEREAS, museums and libraries are other sites often frequented by children but do not trigger prohibitions for proposed adult-oriented businesses; and

WHEREAS, making adult-oriented businesses conditional rather than permitted uses in the CBD and DMU zoning categories will allow for more public participation and more thoughtful consideration of how a proposed adult-oriented business use relates to the visions outlined in the Downtown Austin Plan, Imagine Austin, and other Council-adopted plans; **NOW, THEREFORE,**

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

The City Council initiates amendments to Title 25 of the City Code and directs the City Manager to process an ordinance that makes all adult-oriented businesses a conditional use in the CBD and DMU zoning categories.

BE IT FURTHER RESOLVED:

The City Manager is directed to consider including in the proposed ordinance a prohibition against locating adult-oriented businesses on lots within 1,000 feet of a museum or library.

BE IT FURTHER RESOLVED:

The City Manager is further directed that the Planning Commission's recommendation should be presented to the Council Planning and Neighborhoods Committee or the full City Council no later than April 23, 2015.

ADOPTED: February 26, 2015 **ATTEST:** For

Jannette S. Goodall
City Clerk