

## ORDINANCE AMENDMENT REVIEW SHEET

**Amendment:** C20-2022-022 Live Music Venue and Creative Space Definitions

**Description:** Consider amendments to Title 25 of the City Code relating to live music venue and creative space definitions.

**Proposed Language:** See attached background information.

### **Summary of proposed code amendment**

- The proposed amendment will modify two (2) land use definitions:
  - PERSONAL IMPROVEMENT SERVICES use is the use of a site for the provision of informational, instructional, personal improvement, and similar services ~~[of a non-professional nature]~~. This use includes music studios, martial arts studios, photography studios, driving schools, health or physical fitness studios, reducing salons, dance studios, and handicraft or hobby instruction.
  - THEATER use is the use of a site for presentation of plays, motion pictures, or other [dramatic] performances within a building
- The proposed amendment will also add the following residential land use:
  - LIVE/WORK use is the use of a site for one or more dwelling units and commercial uses within a single structure and the dwelling unit's occupant operates the commercial use.
- The proposed amendment will also create the Performance District (PD) combining district to enhance the development and preservation of performance venues that support arts, music, and culture; and contribute to the City's status as the Live Music Capital of the World.
  - The PD combining district may be combined with various commercial and office base districts.
  - In the PD combining district a performance venue is the use of as a site for retail sale of alcoholic beverages for consumption on the premises and at least one of the following uses:
    - Indoor Entertainment;
    - Outdoor Entertainment; or
    - Theater.
- Still under consideration: Making ~~The proposed amendment will also make~~ creative space uses accessory uses for principal residential uses.

**Background:** Initiated by City Council Resolutions 20220728-094 and 20220901-089.

On July 28, 2022, the City Council adopted Resolution No. 20220728-094 initiating changes to establish the criteria to be a Live Music Venue to support the creation of a live music venue bonus and incentive program for new and existing venues. On September 1, 2022, the City Council adopted Resolution No. 20220901-089 initiating changes to develop and adopt clear land use definitions and create a bonus and incentive program for broadly defined creative spaces. These Resolutions are being addressed concurrently. After revised land use definitions are adopted, staff will bring forward additional code amendments to support the preservation, development, and prosperity of creative spaces, live music venues, and related arts/music districts.

**Staff Recommendation:** Pending

The Economic Development Department and Planning Department currently do not have any concerns with the proposed amendments. They are Council-recommended actions to allow for more opportunities for live music venues and creative spaces. They are necessary to support the further regulatory changes identified in City Council Resolutions 20220728-094 and 20220901-089, including development bonuses designated districts to support creative spaces. ~~The Law Department supports this approach.~~

**Board and Commission Actions**

**April 8, 2023:** To be presented to Art and Music Joint Commission

**April 19, 2023:** To be reviewed by the Codes and Ordinances Joint Committee.

**May 23, 2022:** A public hearing will be held by Planning Commission.

**Council Action**

**May 4, 2023:** To schedule a public hearing, with a suggested date of June 8, 2023

**Ordinance Number:** NA

**City Staff:** Donald Jackson   **Phone:** (512) 974-2214   **Email:**  
donalde.jackson@austintexas.gov