



## Recommendation for Action

**File #:** 23-2309, **Agenda Item #:** 159.

7/20/2023

### **Posting Language**

Conduct a public hearing and consider amendments to City Code Title 25 (Land Development Code) to modify land use definitions related to theaters and personal improvement services, regulations applicable to home occupations, and performance venues and related alcohol sales.

### **Lead Department**

Economic Development Department.

### **Fiscal Note**

This item has no fiscal impact.

### **Prior Council Action:**

On July 28, 2022, the City Council adopted Resolution No. 20220728-094, which initiated amendments to City Code Title 25 (Land Development Code) to establish criteria for live music venue. The goal of establishing these criteria is 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, which initiated amendments to City Code Title 25 (Land Development Code) related to land use definitions and a bonus and incentive program for broadly defined creative spaces.

### **For More Information:**

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### **Council Committee, Boards and Commission Action:**

Arts and Music Commission Joint Meeting - April 8, 2023

- Arts Commission recommended approval 6-0 with Commissioner Garza absent.
- Music Commission recommended approval 6-0 with Commissioners Bartell and Davila absent.

Codes and Ordinances Joint Committee - April 19, 2023

- Recommendation postponed to June 21, 2023 meeting 5-0 with Commissioner Anderson off the dais.

Planning Commission - June 27, 2023.

- Postponed to July 25, 2023.

### **Additional Backup Information:**

If approved, this ordinance will amend City Code Title 25 (Land Development Code) to provide greater opportunities to support the preservation, increase, and prosperity of live music venues and creative sector businesses. The amendments modify what constitutes a personal improvement service, clarifies that theaters include venues with live music performances, and adds "performance venue" land use. Additionally, the ordinance will establish site development regulations for performance venues and establishes when this use is conditional and permitted. The ordinance also modifies when a theater is a permitted or conditional use. Lastly, the ordinance modifies regulations applicable to home occupations to facilitate the prosperity of creative sector

businesses. These Code changes will expand opportunities for live music venues and creative spaces in Austin and allow them to be targeted for regulatory incentives in future actions.