

## AGENDA



Thursday, June 5, 2008

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION****Item No. 51**

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**Subject:** Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code to create a height exception for a fly tower constructed for and within a public performing arts theater to permit the fly tower to exceed a zoning district height limit by up to 33%. (Suggested date and time: June 18, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**For More Information:** Bobby Ray, 974-3056

**Prior Council Action:** On May 8, 2008, Council approved a resolution directing the City Manager to initiate amendments to City Code Section 25-2-531 (Height Limitations) to create an exception for a fly tower constructed for and within a public performing arts theater to permit the fly tower to exceed a zoning district height limit by up to 33%.

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Fly towers are the structure and rigging behind and above the stage in a performing arts theatre. The purpose of a fly tower is a system to move set pieces, lights, microphones and other equipment on and off stage. Currently the land development code does not directly address the issue of fly towers, nor any specific development regulations for performing arts theatres.

This amendment will allow (by exception) "fly towers" associated with a public performing arts theatre to exceed the zoning district height limit up to 33%. As an exception this height increase is administrative and not a discretionary decision. A facility meeting the definition of a public performing arts theatre would be allowed a fly tower in excess of the base district height.