

RESOLUTION NO.

WHEREAS, the compatibility standards of the Land Development Code mitigate the impacts of commercial development on adjacent residential homes by, among other things, restricting noise from the placement of dumpsters and mechanical equipment; and

WHEREAS, the noise regulations in City Code Chapter 9-2 generally prohibit noise that disturbs a reasonable person of normal sensibilities from between 10:30 p.m. and 7:00 a.m. and includes more specific regulations for particular kinds of noise, such as amplified sound; and

WHEREAS, despite these protections, existing noise regulations fail to adequately address disruptive spikes in noise levels that result from activities such as weight-dropping at gyms; and

WHEREAS, existing regulations are sometimes vague and difficult to enforce because they do not quantify what constitutes a “disturbing” sound, which makes it difficult for staff to evaluate complaints; and

WHEREAS, the Land Development Code is clear on the permissible decibel limits from sound equipment, but does not clearly address sources of noise other than sound equipment; and

WHEREAS, there may be other activities that produce loud noises that are disruptive to residential properties which are difficult to measure and enforce under existing code; **NOW, THEREFORE**,

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

1. The City Manager is directed to evaluate options for better regulating non-amplified sound generated by outdoor recreation and fitness, and other activities that result in sudden spikes in noise levels.
2. The City Manager is further directed to present his recommendations to the Planning Commission, which shall:
 - (a) facilitate two stakeholder discussions, separately or as part of a regularly scheduled meeting, to review the Manager's recommendations and consider any alternative options deemed appropriate; and
 - (b) make a recommendation, based on consideration of both the stakeholder feedback and the Manager's recommendation.
3. The City Manager is directed to present his recommendation, and that of the Planning Commission, to the City Council by no later than November 6, 2014, or as soon thereafter as is reasonably practicable.

ADOPTED: _____, 2014 **ATTEST:** _____

Jannette S. Goodall
City Clerk