

Entertainment + Sound Compatibility Background and Overview

Current & Potential Issues:

- New residential and mixed-use projects have developed in vibrant downtown entertainment areas, leading to compatibility issues and increased noise complaints against existing music and entertainment venues
- As Austin grows, desire developing for entertainment options outside of downtown that are accessible to residents in all parts of the city
- As market pressured increase downtown, entertainment and live music venues considering new homes outside of downtown, resulting in more music and entertainment venues closer to existing residential

Solutions:

- Preserve music and entertainment venues while maintaining residential quality of life through policies encouraging compatibility
- Advanced planning to prevent future compatibility issues

Background/History of Entertainment-Related Sound Compatibility Policy in Austin:

2009-2014: Numerous ordinances implemented to strengthen regulation of outdoor sound

2013: Policy proposal requiring sound mitigation building standards for residential development failed

2015: Austin Music Census

- Top policy: Protect existing venues/entertainment districts from new mixed-use development

Mar, 2016: Music and Creative Ecosystem Omnibus Resolution

- Review the feasibility of the “Agent of Change” principle

June, 2016: Staff Response to Omnibus Resolution

- Priority Recommendation: Preserve venues through compatibility policy using agent of change

June, 2017: Compatibility Policy Proposal Developed by City Staff

- After a stakeholder engagement process staff proposed a policy utilizing the agent of change principle and making revisions to outdoor music venue permitting
- Stakeholders (venues, residents, hotels) urged postponement so they could work together to help develop alternative recommendations that have consensus from all stakeholders

Overview of City Staff Compatibility Policy Recommendation (June, 2017):

Agent of Change:

- Responsibility:
 - Requires the new use moving into the area to be responsible for compatibility related to sound, and to build accordingly to manage the sound impact.
- Acknowledgement:
 - Requires residential and hotel development within 600' of a permitted outdoor venue to acknowledge their location near an existing venue and commit to building design/standards that mitigate sound conditions for residents.
 - Requires the same of new venue within 600' of residential
- Disclosure:
 - Requires disclosure when the property is leased or sold so new owners and residents understand the existing sound environment
- Sound Testing/Education:
 - Encourages development projects to conduct an after-hours sound level report as part of the design process and offers City staff support for sound level reports. City staff to make available best practices in sound mitigation construction practices

Outdoor Music Venue Permit:

- Code:
 - Clarified and streamlined code to make it easier to interpret, enforce, and administer
- Process:
 - All functions associated with permit transitioned from DSD to EDD, Music & Entertainment Division to streamline process
- Term:
 - Permit term extended from 1 year to 2 years, saving venues and staff time and money
- Appeals:
 - Appeals decided by City Manager instead of Council
- Neighborhood Agreement
 - Existing neighborhood agreements must be considered, but for new permits, neighborhood agreement requirement removed
- Hearings
 - Hearing required prior to venue permit being suspended or revoked
- Trigger:
 - Serves as the trigger for agent of change