



Live Music Task Force: Austin, TX

Sound Advice for Austin's \$1 Billion Dollar Industry

Music cities are challenged with sound mitigation, venues, entertainment district redevelopment and livable wages for musicians. Music and related industries have a \$1 billion yearly economic impact to Austin, the "Live Music Capital of the World". Downtown growth has increased concerns about sound ordinances and the impact of live music on residential neighborhoods. Comprised of musicians, venue owners, promoters and neighborhood representatives, The Live Music Task Force was established by Council resolution to address music-related issues, and to ensure that the economic and creative vitality of live music remains at the forefront of what makes Austin a desirable city.

Problem Statement

According to the City of Austin's January 2006 "Economic Impact of the Cultural Sector in Austin," music has a significant measurable economic and fiscal impact, with more than \$1 billion in economic activity, almost 19,000 jobs and over \$25 million in City tax revenues that can cumulatively be attributed to the influence of music on the local economy.

The continued growth in Austin (current population 750,000), especially in the downtown area, has resulted in increased cost pressures on live music venues, the affordability of housing for musicians, as well as an increase in the number of noise complaints. The City Council believed it was in the City's best interests to develop clear policies that would address issues of concern to those whose livelihoods depended upon live music as well as the concerns of those affected by the output of live music.

Live Music Task Force's Direction

As a result, the Council created the Live Music Task Force and gave the direction that the Task Force shall review issues including, but not limited to:

- Creating, maintaining, and enhancing entertainment districts
- Building requirements related to sound control
- Enforcement of sound issues
- Redevelopment and incentive goals
- Venue affordability

- Possible financing options to retain and improve live music venues
- Analysis of current and potential programs that assist local musicians
- Ensuring representation, research, transparency, ongoing outreach and meaningful input opportunities
- Vetting of Task Force proposed recommendations prior to release and public comment
- Examination of the best practices in peer cities and in literature to possibly emulate
- Provision of a report of findings and recommendations to the City Manager and Council

Stakeholders

The City Council directed that the Task Force be comprised of musicians, venue owners, promoters and neighborhood representatives. Because of the importance of live music to the city's character and economy, the membership was weighted in favor of those who had an intimate knowledge of the live music scene. Neighborhood representatives were included to help address the issues surrounding the effect of sound, including code enforcement, on the neighborhoods abutting entertainment districts and live music venues.

Other stakeholders included citizens, developers, members of the Austin Music Commission, members of the Austin Planning Commission, 6ixth Street Owner's Association, the Downtown Austin Alliance, the Austin Convention and Visitors Bureau, the Austin Police Department, the Austin Fire Department, City of Austin Economic Development and Cultural Arts staff, and members of the Mayor and City Council staffs.

Process

The Mayor and Council established the Live Music Task Force through Council resolution in late January, 2008. The three Council sponsors (Mayor Will Wynn and Council Members Sheryl Cole and Mike Martinez) each appointed 5 members to the 15 member Task Force. The Task Force formed 4 subcommittees (Entertainment Districts, Musician Services, Sound Enforcement, and Venues) and officially began meeting in March, 2008. Each subcommittee sought input from stakeholders with concerns specific to that subcommittee and met twice a month in addition to the monthly full Task Force meeting. Progress updates were also given at the monthly meetings of the Austin Music Commission.

The subcommittees spent 2 to 3 months gathering data and best practices from around the country. In June and July the subcommittees held a total of 7 public hearings to take testimony from interested parties on issues being addressed by the subcommittees. This testimony was incorporated into the data already gathered from around the county.

Following the public hearings, the subcommittees continued to meet to further refine the draft recommendations that were voted on in October. Those draft recommendations will be available for additional public input with a goal of adopting the final recommendations in mid November and presenting to the City Council in late November 2008.

To date, the Task Force has held over 60 meetings addressing the issues mandated in the originating resolution.

Outcome

Although the final report of the Task Force will be made to City Council in late November 2008 it is expected that a number of the recommendations can be implemented within a very short timeframe. However, some of the proposed recommendations may take a number of years to implement, especially if they require legislative, as opposed to municipal, action.

One of the most important recommendations will be the creation of a dedicated Music Office to address issues surrounding the music industry in Austin. Music has an estimated \$1 billion economic impact on the city and the creation of a Music Office will enable the city to further refine its policies dealing with this crucial industry. Even more importantly, a Music Office will ensure that those policies are firmly included within the larger policy discussions on not only downtown revitalization but also other issues surrounding land use and transportation planning.

Among other proposed recommendations are city rebates to venues as well as possible creation of incentive programs for redevelopment that incorporates live music.

Expected benefits of enacted recommendations will include increased patronage of downtown venues, restaurants and bars. Increased funding for promotional opportunities for live music in Austin, both locally and on a national level will result in increased tourism benefiting numerous local businesses, including hotels and retail.

Additional financial benefits could result in an increase in pay and more affordable housing stock for musicians and others in the creative arts community as well as providing more social services to those in the entertainment industry. The revitalization of existing entertainment districts, along with the creation of new entertainment districts will result in additional sales and property taxes to the city.

With regard to the issue of entertainment districts the Task Force addressed three main areas: existing districts, nodes and standalone venues. The Task Force recognizes that regulations that are appropriate for a dense, downtown entertainment district may not be appropriate for a smaller cluster of live music venues or standalone venues.

The two current entertainment districts are both located in the downtown CBD and the Task Force recommended expanding those districts into one "super" district which would include all the entitlements of the existing districts. New CBD boundaries would be drawn to exclude strictly residential areas to the west of downtown where there are currently no music venues.

The second district designation, "nodes," covered parts of the city where there were two or more music venues within a certain geographic area. Those venues would be granted many

of the same entitlements as the current districts but with some restrictions on the hours of operation and sound levels depending on distance from single family homes.

The third district designation would cover standalone venues. Those venues that did not have sound ordinance violations would continue to operate as they currently do but any new venues would be required to negotiate with the neighborhood representatives to address issues such as sound levels and hours of operation.

A critical component of all districts would be to address issues of parking, busking, incentives to assist venues, and sound issues – including the employment of certified sound engineers. As might be expected, more sound related complaints occurred with outdoor venues, so the Task Force also made a distinction between indoor and outdoor music venues with stricter requirements and regulations for outdoor venues.

Another of the proposed recommendations may advocate shifting enforcement of sound related complaints from APD to the Public Assembly Code Enforcement (PACE) unit. This would be in response to the relatively low priority of sound related complaints to APD, which has been a source of friction with the neighborhoods.

The efforts of the Task Force to gather data, conduct public hearings and increase exposure of the music scene in Austin have resulted in better education among musicians, venue owners, promoters and the average citizen about the financial and cultural impact of music on the city.

Increased collaboration among venue owners and developers has also occurred due to the focus of the Task Force on those issues. For example, two new residential developments worked closely with their neighboring music venues to address issues of soundproofing, with one developer paying to retrofit and soundproof the venue as it was considerably less expensive to do that than to soundproof the first seven floors of the condo tower.

Numerous media stories about the activities of the Task Force have also resulted in heightened awareness of the importance of live music to the city, both from an economic impact but also, and perhaps more importantly, as a defining characteristic of Austin.

Challenges and Lessons Learned

The biggest challenges facing the Task Force were:

- Breaking down the barricades between live music venues and neighborhoods with regard to sound enforcement issues
- Motivating and mobilizing the music community to become actively involved in the Task Force efforts
- Ensuring that the efforts of the Task Force were being considered in the larger context of Downtown planning and revitalization
- Overcoming the perception that the Task Force would be just another ineffective attempt to resolve issues that had been addressed many times in the past without success

The way these challenges were addressed was by ensuring that there were opportunities for all stakeholders to be heard and by all sides agreeing on the need to compromise for the greater good. A critical component of this Task Force was to staff it with stakeholders who were actively engaged with and had the trust of the communities they represented.

The Task Force ensured that city staff were heavily involved in providing the necessary support, not just on issues dealing specifically with music, but also with social services, economic development, public safety, and land use and transportation planning.

Additionally the very public and high level involvement of the Mayor and City Council demonstrated that there was an expectation of concrete, realistic and positive recommendations to be generated by the efforts of the Task Force.

Jurisdiction

City of Austin, Texas. Approximately 200 music entertainment venues are within the City limits, with the majority contained within two established entertainment districts, both located in the Downtown Commercial Business District.

Funding

No specific additional city funds were allocated for the Task Force as its mission was to gather data and make recommendations to the City Council. Resources utilized included existing staff support and minor funding for an online survey that was provided by the Austin Convention and Visitors Bureau.

Spin-off Projects

One of the findings of the Task Force was the realization that in order to successfully address the issues of live music, it could not just be the responsibility of city government. Potential partnerships include venue owners and developers working more closely with regard to revitalization efforts, including soundproofing, parking and diversity of housing stock.

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