



Agenda Item:

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## COUNCIL COMMUNICATION City Manager's Office

### GENERAL INFORMATION

Agenda Date: 05/09/05  
250

Communication No.: 05-

Agenda Item Type: Ordinance  
No.:

Roll Call

Submitted by: Larry Hulse, Community Development Director

### SUBJECT—

Sound Permit Clarification in C-3R District

### SYNOPSIS—

While reviewing the requirements for a requested sound permit, staff has found that the rezoning of the Court Avenue area to a C3-R District Mixed Use Residential/Commercial prohibits issuance of a sound permit that will allow amplified sound past 11:00 PM. Downtown Community Alliance (DCA) has requested a permit to run the amplifying equipment until 12:30 AM on Friday and Saturday's only, as was permitted in the C-3 district, and as previously permitted in this area. (Sunday through Thursday night the 11:00 PM restriction would still apply.) This restriction is an inadvertent consequence of the rezoning action. This can be corrected by adoption of the attached draft code amendment proposed by the Legal Department.

### FISCAL IMPACT—

There will be no impact on the budget.

### RECOMMENDATION—

Approval

### BACKGROUND—

The Court Avenue area was rezoned from C-3 to C-3R to encourage residential uses along with the entertainment and commercial uses. That change inadvertently affected the restrictions on sound permits, which limits the hours for increased amplified sound to 11:00 PM. The proposed

amendment will amend the ordinance for the C-3R zoning in the Court Ave district area only. These changes will add provisions to this district to allow the C-3 district amplified sound provisions.

This was discovered when representatives of Downtown Community Alliance (DCA) recently requested the renewal of their annual sound permit for the Court Avenue District. Such a permit is required by ordinance for the use of sound amplifying equipment for special events in this area. The permit issued does not allow amplified sound past 11:00 PM. Upon adoption of the proposed code amendment the permit can also be amended to allow amplified sound until 12:30 AM on Friday and Saturday as desired by DCA.