



Agenda Item Report

Legislative Board: City Council
Date: December 16, 2025
Contact: Adam McKee
Agenda Item ID / Number: 2025-883- / H.1

ITEM TITLE: Public hearing, deliberation, and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance amending Article 14.04 (Noise) of the City of Buda Code of Ordinances and amending subsections 2.06 “Zoning Use Regulations” and 2.09 “Zoning Development Standards”, section 2 “Zoning Regulations”, City of Buda Unified Development Code, providing for and establishing regulations for Live Music Venues consistent with state law (Development Project Manager Adam McKee and Assistant Director of Development Services Will Parrish) [PUBLIC TESTIMONY]

1. EXECUTIVE SUMMARY

The proposed amendments would update the City's Noise Ordinance based on current practices, modify zoning to expand the allowable use of outdoor and indoor live music, and add a new Section 14.04.010 to create a Live Music Venue license for venues that need to exceed the baseline decibel limits.

2. BACKGROUND/HISTORY

Earlier this year, Councilmember Matt Smith requested an agenda item to discuss live music regulations in downtown. Additionally, the State of Texas Legislature modified municipalities ability to regulate noise from restaurants in the past session.

On April 15, 2025, a Council workshop was held to discuss the rules and regulations affecting live music specific to downtown. In 2024, the City Council updated zoning regulations to enable small, indoor live music in downtown in the F4H and F5H zoning districts. Currently, business owners wanting to add outdoor Live Music Venues are required to go through the SUP process, a time consuming and expensive process. For occasional events, they can apply for a temporary noise permit through the Special Event Permit process. Some business owners found these processes to be cumbersome or expensive obstacles to overcome in order to host events with live music.

Based on these concerns and Council's desire to expand live music opportunities downtown while being business friendly, considerate of residents, and clear with guidelines for establishments, staff began developing updates to the noise ordinance and a new permitting pathway for music venues.

3. ANALYSIS

The proposed ordinance was developed due in response to changes created by the State Legislature, a growing demand by business owners looking to support live music, and residents who have expressed concern over the noise associated with live music affecting neighboring residential areas.

After the Council workshop on April 15, City Staff held open house workshops with downtown business owners on September 30, 2025, and then with the general public on October 2nd, 2025, to discuss potential regulations and get feedback from those who would potentially be affected by the proposed changes. The feedback that staff received helped shape the direction of the ordinance, including the need for clearer expectations, manageable sound limits, and a more predictable process.

SB 1008 (89-R) exempts restaurants more than 300 feet from a residential property from local sound-permit requirements if they comply with the state's limits on hours (10 p.m. weekdays / 11 p.m. weekends) and sound levels (70 dBA / 75 dBC at the property line). However, this exemption does not apply to restaurants within 300 feet of a residence, which may still be regulated locally.

Using this framework from the open house workshops and the introduction of SB 1008, staff developed the Music Venue permit for businesses within 300 feet of a residence that want to host amplified live music. The permit allows amplified noise up to 75 decibels within defined hours each day and provides City staff objective standards to review applications, enforce compliance, and reduce impacts on surrounding neighborhoods.

Commercial businesses and residences are in very close proximity in downtown Buda. The updated ordinance includes more detailed and specific regulatory language to ensure that live music can occur while minimizing impacts to nearby residents. This level of specificity is necessary to balance the interests of both residents and businesses in a dense downtown environment.

Additionally, this Ordinance will amend the Unified Development Code to remove conflicting noise decibel limits and specify which zoning districts Live Music Venues are allowed in by right and with and where they are allowed with an SUP. These amendments were reviewed as part of the larger code amendment process with P&Z and recommended approval of the amendments on September 9, 2025.

4. FINANCIAL IMPACT

Permit fees are proposed to be waived through March 2027 to encourage early adoption and support businesses transitioning to the new system. After March 2027, a standard fee will apply to cover administrative review and enforcement-related costs.

5. STRATEGIC PLAN/GOALS

EXCEPTIONAL CITY SERVICES

6. STRATEGIC PLAN OBJECTIVES

Become a more business-friendly City government "regulations, codes and processes

7. PROS AND CONS

Additional Strategic Plan Goals and Objectives:

Goal 1 is balanced/intentional growth

- Objective 1 is Retain and grow local businesses in Buda
 - "Being a music-friendly designation"

Goal 4 is Charming Downtown - quant and lively:

- Objectives 6 & 7 say
 - "have more reasons for residents to go downtown" and "expand the number of entertainment businesses with live entertainment".

Pros:

- Creates an affordable and timely pathway forward for business owners to become live music venues.
- Provides stronger protections for residents.
- Supports economic development and downtown vitality.
- Aligns with council's goals to grow Buda's entertainment and tourism economy.
- Establishes consistent, objective standards for approval and enforcement.
- Complies with state law (SB 1008).

Cons:

- Increased administrative workload (initially).
- Implementation will require education and outreach.
- Pushback and friction are likely during transition.

8. ALTERNATIVES

The City Council may approve, approved with amendments, table, or deny this item. Without modifications to the Noise Ordinance and Zoning, outdoor live music venues would not be permitted in downtown. Alternatives to creating the Music Venue Permit for venues wanting a slightly higher threshold than the base noise ordinance allows would be to enable live outdoor music and enforce the noise ordinance at the standard level applicable to everyone. However, this alone would preempt many venues from offering live music.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

Staff presents the proposed changes for Council deliberation and consideration.

Attachments:

[Ordinance - DRAFT Noise Ordinance and UDC Amendment.pdf](#)
[Exhibit B UDC Section Amendments Live Music Ordinance 12.16.25.pdf](#)
[Exhibit A Buda Noise Ordinance.pdf](#)
[REDLINE Buda Noise Ordinance.pdf](#)
[Presentation - 12.16.25 Council Noise Ordinance Slides.pptx](#)