

Houston Airport Commission

AGENDA

June 11, 2009

Meeting to be held in
Council Chambers, Public Level, City Hall Annex
2:00 p. m.

Call to Order

Director's Report

- Announcement regarding upcoming activities or schedule
- I. **Presentation of proposed amendment to the Compatible Land Use Ordinance, to allow new single family residential development within Tier Two boundaries at George Bush International Airport, Houston Hobby Airport, and Ellington Field. (Amending Article VI, Chapter 9, Sections 9-404(b)(4), 9-504(b)(4), and 9-604(b)(4))**
- II. **Consider, discuss, and possibly act on a preliminary report on the proposed amendments to the Compatible Land Use Ordinance**
- III. **Establish public hearing dates for the proposed amendments to the Compatible Land Use Ordinance**
- IV. **Excuse the absence of Commissioners: Carol Abel Lewis, D. Fred Martinez, Jeff Ross, Lee Schlanger, Jon N. Strage**
- V. **Consider and possibly act on the Minutes of the October 16, 2008 meeting of the Houston Airport Commission**
- VI. **Public Comment**
- VII. **Adjourn**

City of Houston, Texas, Ordinance No. 2009-_____

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 9 OF THE CODE OF ORDINANCES OF THE CITY OF HOUSTON, TEXAS, RELATING TO AIRPORT LAND USE REGULATIONS; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council passed Ordinance No. 2008-1052 on December 3, 2008, establishing regulations relating to compatible land uses around the City's three airports, codified in Article VI of Chapter 9 of the Code of Ordinances, City of Houston, Texas ("Article VI"); and

WHEREAS, Article VI provides that no new single family residential development uses will be allowed in the areas identified by that Article as Tier Two; and

WHEREAS, the policy discussion leading up to the adoption of Article VI indicated that new single family residential uses were to be allowed in Tier Two under the condition that the new construction meets certain sound attenuation requirements; and

WHEREAS, the City Council, upon recommendation of the Airport Commission, desires to amend Article VI to permit construction of new single family residential uses in Tier Two provided the new construction meets certain sound attenuation requirements; and

WHEREAS on June 11, 2009, the Airport Commission held a meeting and adopted a preliminary report on the proposed amendments; and

WHEREAS, on July 9, 2009_and July __, 2009, the Airport Commission held properly noticed public hearings on the proposed amendments and adopted its final report recommending the adoption of such amendments; and

WHEREAS, on _____City Council held a properly noticed public hearing on the proposed amendments; and

WHEREAS, the City Council finds that to promote the public health, safety, morals and general welfare of the City, it is desirable to adopt this Ordinance; and

WHEREAS, the City Council finds that all procedural requirements necessary for the adoption of this Ordinance have been complied with and satisfied; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings and recitals contained in the preamble of this Ordinance are declared to be true and correct and are hereby adopted and made a part of this Ordinance.

Section 2. That Item (4) of subsection (b) of each of Sections 9-404, 9-504, and 9-604 are each hereby amended to read as follows:

“(4) A new single family use shall be permitted only on the condition that the new construction shall meet or exceed a 45 dBA interior sound level.”

Section 3. Except as specifically amended herein, all other provisions of Article VI shall remain in full force and effect as currently set forth therein.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code Annotated; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on that date and shall take effect immediately.

PASSED AND APPROVED this day of _____, 2009.

Mayor of the City of Houston

(Prepared by Legal Dep't) _____
(DFM:dfm June 1, 2009) Senior Assistant City Attorney
(Requested by Eric R. Potts, Acting Director, Houston Airport System)
(L.D. File No. 0040400188001)

Minutes of the Houston Airport Commission

(An audio file of the full proceedings is on file at the Houston Airport System)

October 16, 2008
Meeting held in
City of Houston Legal Department,
Room 372, City Hall Annex
2:30 p.m.

Call to order:

Mark Kilkenny, Vice Chair, called the meeting to order at 2:32 p.m. with a quorum present.

Carol Abel Lewis, Chair	Absent
Mark A. Kilkenny, Vice Chair	
Darryl Boeske	Arrived
John W. H. Chiang	
David Collins	
Kay Crooker	
Melvin Embry	Arrived at 2:33p.m.
Sonny Garza	Arrived at 2:41p.m.
Jim Jard	
D. Fred Martinez	Absent
Robin Reed	
Richard A. Rice	
David Robinson	
Jeff Ross	Absent
Lee Schlanger	Absent
Algenita Segars	Arrived at 2:50p.m.
Talmadge Sharp, Sr.	Arrived at 2:46p.m.
Jon N. Strange	Absent
Beth Wolff	
Shaukat Zakaria	
The Honorable James Grady Prestage	
Jackie Freeman for	
The Honorable Ed Emmett	
Mark Mooney for	
The Honorable Ed Chance	

Attorneys

Kim Mickelson
Deborah McAbee
Randy Rivin

**CHAIRMAN'S REPORT
NONE**

I. APPROVE OCTOBER 16, 2008 MINUTES.

Commission action: Approved October 16, 2008 Airport Commission Meeting Minutes.

Motion: **Crooker** Second: **Robinson** Vote: **Unanimous** Abstaining: **None**

Commissioner Jim Jard Was Sworn In

II. PRESENTATION OF PUBLIC COMMENTS RECEIVED THROUGH OCTOBER 3, 2008

Commission action: Approved October 16, 2008 Airport Commission Meeting Minutes.

Motion: **Collins** Second: **Reed** Vote: **Unanimous** Abstaining: **None**

III. DISCUSSION OF PROPOSED AIRPORT COMPATIBLE LAND USE REGULATIONS AND MAPS FOR BUSH INTERCONTINENTAL, HOBBY, AND ELLINGTON AIRPORTS AND RECOMMENDED CHANGES TO REGULATIONS AND MAPS.

Commission action: Discussed and approved recommended changes to regulations and maps.

Motion: **Crooker** Second: **Robinson** Vote: **Unanimous** Abstaining: **None**

IV. APPROVAL OF FINAL REPORT ON ADOPTION OF LAND USE REGULATIONS FOR BUSH INTERCONTINENTAL, HOBBY AND ELLINGTON AIRPORTS RECOMMENDING BOUNDARIES OF REGULATED AREAS AND REGULATIONS FOR THE REGULATED

Commission action: Discussed and approved final report on adoption of land use regulations for Bush Intercontinental, Hobby and Ellington Airports recommending boundaries and regulations for boundaries (deleting subparagraph A on (1) and (3) which would deal with renovation and replacement).

Motion: **Collins** Second: **Zakaria** Vote: **Unanimous** Abstaining: **None**

V. Excuse the absence of Commissioners Beth Wolff and James Jard

Commissioners' absences are excused.

VI. Public Comments

Speakers: Ms. Dusty Hyde – supportive with reservations re: health issues; Mr. Gordon Hyde – does not support

VII. Adjourn

There being no further business brought before the Commission Vice-Chair, Mark Kilkenny, adjourned the meeting at 3:22 p.m.

Motion: **Crooker** Second: **Reed** Vote: **Unanimous** Abstaining: **None**

Dr. Carol Abel Lewis, Chair

Eric Potts, Secretary