

Houston Airport Commission

AGENDA

July 9, 2009

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

Call to Order

- I. Consider and possibly act on the Minutes of the June 11, 2009 meeting of the Houston Airport Commission**
- II. Excuse the absence of Commissioners who were not present at the last meeting**
- III. Presentation of proposed amendment to the Airport Compatible Land Use Ordinance, to allow new single family residential development within Tier Two boundaries at George Bush Intercontinental 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))**
- IV. Public Hearing on proposed amendment to the Airport Compatible Land Use Ordinance, to allow new single family residential development within Tier Two boundaries at George Bush Intercontinental 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))**
- V. Adjourn**

Minutes of the Houston Airport Commission

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

June 11, 2009
Meeting held in
City of Houston Council Chambers
City Hall, 901 Bagby
2:00 p.m.

CALL TO ORDER

Mark Kilkenny, Vice Chair, called the meeting to order at 2:00 p.m. with a quorum present.

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

ATTORNEYS

Deborah McAbee
Randy Rivin

CHAIRMAN'S REPORT

Upcoming activities include public hearings on proposed amendment to airport compatible land use regulations and a planned height hazard ordinance.

I. PRESENTATION OF PROPOSED AMENDMENT TO THE AIRPORT COMPATIBLE LAND USE ORDINANCE, TO ALLOW NEW SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITHIN TIER TWO BOUNDARIES AT GEORGE BUSH INTERCONTINENTAL 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))

Presentation was given by Eric Potts, Interim Director of Houston Airport System.

II. CONSIDER, DISCUSS, AND POSSIBLY ACT ON A PRELIMINARY REPORT ON THE PROPOSED AMENDMENTS TO THE AIRPORT COMPATIBLE LAND USE ORDINANCE

Commission action: Approved preliminary report.

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

III. ESTABLISH PUBLIC HEARING DATES FOR THE PROPOSED AMENDMENTS TO THE AIRPORT COMPATIBLE LAND USE ORDINANCE

Commission action: Discussed and recommended July 9, 2009 and July 23, 2009 public hearing dates.

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

IV. EXCUSE THE ABSENCE OF COMMISSIONERS CAROL ABEL LEWIS, D. FRED MARTINEZ, JEFF ROSS, LEE SCHLANGER, JON N. STRANGE

Commission action: Discussed and excused absences.

Motion: **Sharp** Second: **Segars** Vote: **Unanimous** Abstaining: **None**

V. CONSIDER AND POSSIBLY ACT ON THE MINUTES OF THE OCTOBER 16, 2008 MEETING OF THE HOUSTON AIRPORT COMMISSION

Commission action: Approved.

Motion: **Crooker** Second: **Zakaria** Vote: **Unanimous** Abstaining: **Ross**

VI. PUBLIC COMMENT

None

VII. ADJOURN

There being no further business brought before the Commission, Vice-Chair, Mark Kilkenny, adjourned the meeting at 2:09 p.m.

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

Mark A. Kilkenny, Vice Chair

Eric Potts, Secretary

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)