

BILL ANALYSIS

Senate Research Center
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S.B. 1360
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows zoning around airports to ensure compatible land uses. The Houston airport system is currently considering additional capacity enhancements to George Bush Intercontinental Airport to accommodate growing aviation demand, but the federal government is insisting upon the adoption of land use control measures to protect its investment in airport facilities both existing and new, consistent with the assurances. However, the City of Houston's charter requires the city to wait six months and then hold a citywide referendum if the city council adopts a zoning ordinance.

As proposed, S.B. 1360 clarifies that Chapter 241 (Municipal and County Zoning Authority Around Airports), Local Government Code, preempts the City of Houston's charter. Any proposed zoning ordinance would not be applied citywide under this bill, rather only around the perimeter of the three Houston airports, consistent with Chapter 241, Local Government Code. Application of this bill would also provide that the City of Houston would not be required to conduct a citywide referendum after it adopts a "controlled compatible land use areas" zoning ordinance.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 211.015(c) and (f), Local Government Code, as follows:

- (c) Provides that this subsection (regarding municipal zoning authority) does not apply to the adoption of airport zoning regulations under Chapter 241 (Municipal and County Zoning Authority Around Airports). Makes a nonsubstantive change.
- (f) Prohibits the provisions of this section (Municipal Zoning Authority) from authorizing the repeal of an ordinance approving airport zoning regulations adopted under Chapter 241.

SECTION 2. Amends Section 241.017, Local Government Code, by adding Subsection (d), as follows:

- (d) Provides that a procedural requirement adopted or applied by a political subdivision, including any requirement in the charter of home-rule municipality, that imposes a waiting period before the adoption of a zoning regulation or requires the submission of a zoning regulation to a binding referendum election does not apply to this chapter.

SECTION 3. Effective date: upon passage or September 1, 2007.