

FAQs about Airport Compatible Land Use Regulations

Q: When will the approved regulations go into effect?

A: The approved Airport Land Use Regulations are scheduled to take effect February 1, 2009.

Q: What if I own a building already in one of these regulated areas?

A: All existing buildings, if left unchanged, are not affected by the new regulations. Existing buildings may be affected if they are rebuilt, renovated or undergo other structural improvements, depending on the use and location.

Q: If the use of my property is “considered incompatible with airport operations,” does this mean that the city will buy my house or other incompatible land use, or pay to insulate it and make it more soundproof?

A: No. These approved regulations operate independently of unrelated Federal programs which address the purchase or sound insulation of structures.

Q: How will the new regulations limit development in the areas around the airports?

A: Development is limited and will require some additional sound insulation measures in **Tier 1** and **Tier 2**, only for those land uses that are considered incompatible with airport operations. Generally, these land uses include residential (all types), places of public assembly, schools, day care centers, and nursing homes – uses where there are concentrations of sensitive populations.

Q: How were these “tiers” determined?

A: The City reviewed the areas where noise from airport operations and airport-related land use might have the most adverse impact now and in the future based upon current airport master plans and projected growth in air traffic. In order to regulate as little area as necessary for airport operations, the regulated area at each airport is divided into three so-called “tiers.”

- **Tier 1** is the area closest to the airport runways.
- **Tier 2** follows natural or man-made boundaries (e.g., bayous, streets) to identify the areas that are associated with airport-related land use and service functions.
- **Tier 3** is the state law defined area, the 3 x 5 mile box, where the city could regulate land uses.

Q: Where will these regulations be implemented in relation to my building?

A: Your building permit will be reviewed as part of the existing permitting process at the City of Houston’s Code Enforcement Section of Public Works and Engineering Department’s Permitting Center located at 1002 Washington Avenue.

Q: Will the new regulations delay the time the City takes to review my permits?

A: No.

Q: How will I or the City know I need this review?

A: The regulated areas are integrated into the City’s Geographic Information System (GIS) that links Public Works and Engineering, Planning, and the Houston Airport System offices. When a property

owner applies for any kind of development or building permit, the system will indicate the property is located within one of the airport tiers.

Q: How are areas outside the Houston city limits affected?

A: Some areas in the regulated Tiers are within other jurisdictions and the City is working with those jurisdictions to determine how to integrate the goals of these approved regulations with their local rules and processes. The goal is to provide a seamless, simple permit process no matter where the land is located.

Q: Why did the City of Houston approve these regulations?

A: Houston’s economic growth and prosperity depend greatly on the three major airports serving the metropolitan area. However, rapid development around these airports and encroaching on airport operations and future expansion pose a threat to the public’s quality of life and safety.

To address these concerns, the City of Houston approved new regulations aimed at preventing land use and developments around the three major airports—George Bush Intercontinental Airport (IAH), William P. Hobby Airport (HOU) and Ellington Airport (EFD)—that are incompatible with airport operations, safety and future growth.

Under federal law, as a recipient of Federal Aviation Administration (FAA) airport development grants, the City of Houston is required to assure that “appropriate actions have been taken to restrict the use of land adjacent to or near the airport”... and “to protect the airport and any future Federal investment to meet the air travel needs of the citizens and businesses in the Houston metropolitan area.” Compliance is both a matter of federal law and necessary to protect the Houston Airports from encroachment and incompatible land uses that may affect safety, reduce capacity or hinder future growth and federal funding.

Q: What authorizes the City of Houston to regulate land use around the airports?

A: The City of Houston employed existing state legislation as a basis for addressing these issues. Chapter 241 of the Texas Local Government Code allows cities with public airports to adopt compatible land use and height regulations around the airport(s).

This law allows cities to regulate land uses around an airport within a determined area of airport operations. The regulated area is 3 miles wide by 5 miles long, as measured 1.5 miles on each side of the center line of each runway and five miles from the ends of the runways.