



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 5/22/2018
District F, District G, District J
Item Creation Date:

20RPS66-R - Westchase Area Management District

Agenda Item#: 20.

Summary:

ORDINANCE AMENDING SECTION 40-485 OF THE CITY CODE OF ORDINANCES TO ADD THE WESTCHASE AREA MANAGEMENT DISTRICT to the list of design districts and provide for management districts created by state law to be considered for design district designation; containing findings and provisions related to the foregoing subject; declaring an effective date; providing for severability

Background:

RECOMMENDATION: (Summary)

The Director of Houston Public Works (HPW) recommends City Council approve the Westchase Area Management District as a design district under Section 40-485 of the City Code of Ordinances.

SPECIFIC EXPLANATION:

Houston Public Works (HPW) recommends that City Council approve an ordinance amending Section 40-485 of the City Code of Ordinances regarding design districts for facilities in the public right-of-way. Section 40-481 City Code of Ordinances: Design district has the meaning assigned in Chapter 284 of the Texas Local Government Code, "an area that is zoned, or otherwise designated by municipal code, and for which the city maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis."

Westchase Management District is requesting to be included as a design district so it can protect aesthetics in its district as small cell and Digital Antenna Systems (DAS) networks deploy in the city. Westchase Management District does not overlap and does not affect the other management districts. Westchase Management District has decorative street light poles and wants to be included in the list of design districts in Section 40-485(a). The amendment will include the Westchase Area Management District, as a design district also include management districts that are created by state laws other than Chapter 375 of the Texas Government Code for consideration as design districts.

HPW has reviewed the information provided by the Westchase Area Management District. HPW has determined that the management district has provided complete information that demonstrates that it has clearly defined boundaries, decorative poles, and aesthetic and design standards. The information regarding designs in the Westchase Area Management District is similar and consistent with the information provided by the other districts that are currently listed as design districts in Section 40-485 of the City Code of Ordinances.

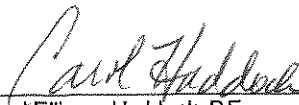
Under state law (Section 284.105 of the Texas Local Government Code), the City can determine and protect aesthetics of wireless facilities (i.e. small cell/DAS) in the right-of-way by requiring advance approval and enforcing design standards but only in areas designated by the City as design districts and that have decorative street light poles. Management districts and TIRZs are the areas of the city that have decorative street light poles. City Council previously passed a code amendment ordinance designating several management districts as design districts (Section 40-485(a)).

Section 40-485(b) City's code of ordinances also authorizes City Council to consider designation of the following entities as design districts if they submit an application:

- (1) Municipal management districts created under Chapter 375 of the Texas Local Government Code;
- (2) Tax increment reinvestment zones created under Chapter 311 of the Texas Tax Code (TIRZs); and
- (3) Cultural districts designated by the Texas Commission on the Arts.

The Westchase Management District was not created under Chapter 375 of the Texas Local Government Code. It was created by the legislature as stand-alone legislative bill. Amending Section 40-485(b) would allow management districts not created under Chapter 375 of the Texas Local Government Code to be eligible for future design district consideration by City Council.

LOCATION: located in Council District(s) G, F, and J



Carol Ellinger Haddock, P.E.
Director
Houston Public Works

Prior Council Action:

Ordinance #2017-0677 Dated: 08/23/17

Contact Information:

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ATTACHMENTS:

Description

Signed Coversheet
Application Package w/maps
Ordinance

Type

Signed Cover sheet
Backup Material
Ordinance/Resolution/Motion