

AN ACT relating to airport noise overlays.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 100 IS CREATED TO READ AS FOLLOWS:

(1) *As used in this section:*

(a) *"Noise contour" means a line on an airport's noise exposure map that represents equal levels of noise exposure;*

(b) *"Noise exposure map" means the map created in accordance with Federal Aviation Regulation 14 C.F.R. pt. 150 that shows the level of noise exposure surrounding a commercial airport; and*

(c) *"Noise reduction level" means a measurement standard for the reduction in sound level transmission, expressed in decibels between two (2) designated locations, that is used to evaluate the effectiveness of or to establish requirements for techniques to limit sound transmission to prevent or mitigate undesirable impacts.*

(2) *A planning unit may incorporate airport noise overlay districts within its zoning text and map. An airport noise overlay district may restrict, permit, prohibit, or control uses and activities not present at the time of the effective date of the overlay in terms of noise sensitivity. The overlay:*

(a) *Shall be based upon a noise exposure map that has been accepted by the Federal Aviation Administration;*

(b) *May contain multiple noise contours, as set out on the noise exposure map; and*

(c) *May provide for restrictions, permissions, prohibitions, or controls of the uses that are different for each noise contour.*

(3) *The planning unit may incorporate guidelines on building techniques and materials that are designed to provide acoustical insulation benefits to structures*

within the overlay. The zoning text or zoning text amendment shall clearly set out the building materials and techniques applicable to each desired noise reduction level goal.

(4) Nothing in this section shall be construed to permit a planning unit to have authority under this chapter to restrict, permit, prohibit, approve, or control uses or building standards on land owned or used by an airport, or on land leased by an airport to an aeronautical or non-aeronautical tenant.