

## **Part 150: Records of Approval**

### **Kansas City International Airport, Missouri**

**Approved on 8/5/96**

#### **INTRODUCTION**

Kansas City sponsored an Airport Noise Compatibility Planning Study for Kansas City International Airport in compliance with Federal Aviation Regulations (FAR) Part 150. The Noise Compatibility Program (NCP) and its associated Noise Exposure Maps (NEM) were developed concurrently and submitted to the Federal Aviation Administration (FAA) for review and approval. The NEMs were found to be in compliance with applicable requirements of FAR Part 150, effective February 9, 1996. The FAA formally received Kansas City International Airport NCP and began the formal review period on that date.

The airport operator, in accordance with provisions in Part 150, Table 1, has presented a local deviation to the Federal guidelines by selecting the DNL 60dB contour as its area of marginal impact on residential, schools, hospitals and nursing homes, churches and places of public assembly. The airport operator has determined that within the DNL 60dB contour it will discourage further development (page 4-8, NEM). A variety of noise abatement and noise mitigation measures have been proposed by Kansas City for inclusion in the Kansas City NCP. The Noise Compatibility Program includes three elements. The Noise Abatement Element includes those actions that the airport operator proposes to reduce the extent of aircraft noise exposure through changes in aircraft operational procedures. The Land Use Management Element includes those actions that would minimize the impact of aircraft noise in affected communities and neighborhoods through comprehensive planning and application of local land use controls, acquisition and relocation, acoustical treatment, aviation easements, fair disclosure, and other measures directly applicable to specific neighborhoods. The Program Management Element includes a continuing effort to monitor compliance with the Noise Compatibility Program and to identify new or unanticipated problems and changing conditions. These program measures were developed by Kansas City on the basis of input and evaluations by the project consultant, Kansas City, airport users, the FAA, the affected communities, and the public-at-large.

The approvals listed herein include approvals of actions that the airport recommends be taken by the FAA. It should be noted that these approvals indicate only that the actions would, if implemented, be consistent with the purposes of Part 150. These approvals do not constitute a decision to implement the actions. Later decisions concerning possible implementation of these actions may be subject to applicable environmental or other procedures or requirements.

The recommendations below summarize as closely as possible the airport operator's recommendations in the NCP and are cross-referenced to the program. The statements contained within the summarized recommendations and before the indicated FAA approval, disapproval, or other determination do not represent the opinions or decisions of the FAA.

#### **PROGRAM ELEMENTS**

##### **Noise Abatement Measures (Chapter 7, Pages 7-2 -- 7-14, NCP)**

**1. Establish informal preferential runway use program to favor north flow.** The airport management will work with the FAA Air Traffic Control Tower to adopt an informal preferential runway use program. The Tower Manager would issue a Tower Order to reflect the procedure. This procedure will reduce noise exposure over populated areas by dispersing the louder departure operations to the north over less densely populated areas around the airport. Use of this procedure depends on winds at satellite airports in the area. It is necessary to coordinate flow at MCI with the flow at these other airports for safety and efficient use of the airspace. Thus, this procedure can only be used at MCI when winds permit a north flow on a systemwide basis.

**APPROVED as voluntary.** This measure was analyzed in Chapter 5 as Alternative 3 and was combined with Alternatives 1 and 2 (which are submitted as a combined Noise Abatement Measure 2, immediately below) and evaluated as Scenario C. The Chapter 5 analysis indicates that, for Scenario C, Overall population impact reductions are better than those for any of the individual alternatives. The DNL 60-65dB contour shows a reduction by 1,613 people and the DNL 65-70dB contour shows a reduction by 95 people. There is an increase within the 70-75dB contour of 3 people and no people are impacted above DNL 75dB.

**2. Establish a nighttime (10:00 p.m. to 6:00 a.m.) informal preferential runway use program involving landings on Runways 1L and 19L and takeoffs on Runways 1R or 19R.** The airport management will work with the FAA Air Traffic Control Tower to establish this nighttime informal preferential runway use program. In order to minimize current and future exposure to nighttime noise, a segregated preferential use program is recommended. The program can be summarized as land on the left runway, depart on the right runway in either direction. This procedure will primarily affect nighttime cargo traffic at MCI thereby reducing noise impacts to noise-sensitive areas.

**APPROVED as voluntary.** This two-part measure was separately evaluated in Chapter 5 as Alternatives 1 and 2, and combined with Noise Abatement Measure 1, above, as Scenario C in that chapter. Benefits are described above under the FAA approval paragraph, above.

### **Land Use Management Element (Chapter 7, Pages 7-7 -- 7-28, NCP)**

**1. Define Noise contours for a land use compatibility planning scenario to use as the basis for land use planning in the airport environs (Kansas City, Platte County).** Kansas City has prepared contours for a land use compatibility scenario, which define the outer limits of the area which is expected to experience cumulative aircraft noise above DNL 60dB, 65dB, 70dB and 75dB. This will be used as a guide for future land use planning in the airport environs. This will be reflected in appropriate planning documents and regulations as specified in detail in the recommendations below. Kansas City will also encourage Platte County to use the land use compatibility planning scenario for its airport environs planning activities.

**APPROVED in concept.** This measure is approved in concept as a local prerogative for purposes of long-range preventative land use planning. The land use compatibility planning scenario map has not been accepted by the FAA as an official Noise Exposure Map meeting Part 150 official map requirements. It is presented in the NCP as the airport operator's representation of a possible worst-case noise environment for preventative planning purposes to reduce the likelihood of future noncompatible development.

**2. Retain the GP Planned Development District designation for the MCI environs (City of Kansas City).** Within the GP district, the City has special authority to review and approve development proposals. This authority is used to require the dedication of aviation easements and the filing of fair disclosure agreements and covenants regarding

potential airport noise impacts. This method of compatible land use planning has proven effective in Kansas City and will be continued in the future. This will be a continuation of existing procedures.

**APPROVED.** This preventative land use planning measure is within the authority of the local land use planning jurisdictions

**3. Within DNL 60dB, maintain future compatible land use designations according to MCI General Development and Land Use Plan (City of Kansas City).** To ensure that areas now planned for compatible use remain planned for compatible use, the city will preserve the compatible land use designations in the MCI General Development and Land Use Plan (Exhibit 1-9 in NEM) for all areas within the DNL 60dB contour, based on the land use compatibility planning scenario. Adoption of the Noise Compatibility Program by Kansas City will be sufficient to implement this policy.

**APPROVED.** This preventative land use planning measure is within the authority of the local land use planning jurisdictions.

**4. Expand the MCI General Development and Land Use Plan to include land south of Barry Road (City of Kansas City).** A strip of land south of Barry Road is currently outside the limits of the MCI General Development and Land Use Plan. This area will be included in the MCI General Development and Land Use Plan and be designated for agricultural and residential use. By adding this property to the Plan, the city can ensure that any development of the area will be subject to special review requirements of the GP district. The city typically requires the dedication of an aviation easement and the signing of a fair disclosure agreement and covenant for development within any GP zone. The City Council will adopt an amendment to the MCI General Development and Land Use Plan making this change. This amendment will have to be adopted by ordinance.

**APPROVED in part.** This preventative land use measure is within the authority of the responsible local land use jurisdictions. It would extend special review requirements to areas not currently included in the MCI General Development and Land Use Plan. This approval does not extend to noncompatible development which may still be permitted in accordance with zoning in this area. Sound attenuation and/or easements at the time of construction are encouraged by the FAA to be incorporated into local planning for this proposal.

**5. Maintain existing commercial, industrial, and airport-related zoning within DNL 60dB contour based on land use compatibility planning scenario (Kansas City and Platte County).** Within the DNL 60dB contour, areas zoned for commercial, industrial and airport-related use will be preserved for future compatible land use. The intent is not to lock into place all detailed zoning designations that might exist today. Changes from one kind of compatible zoning district to another are acceptable. The intent is to preserve in some kind of compatible zoning all areas that are so designated today. Adoption of the Noise Compatibility Plan by Kansas City will be sufficient to implement this policy in the city. Kansas City will also encourage Platte County to adopt the same policy.

**APPROVED.** This preventative land use planning measure is within the authority of the local land use planning jurisdictions.

**6. Maintain existing rural residential zoning within DNL 60dB contour based on land use compatibility planning scenario (Platte County).** Kansas City will encourage

Platte County to establish this policy. It would be appropriate for Platte County to adopt such a policy in its updated land use plan for southern Platte County.

**DISAPPROVED for purposes of Part 150.** This measure has been recommended by the airport operator as a means to reduce the number of possible future noncompatible structures. However, rural residential zoning would still allow the introduction of additional noise sensitive land uses. This measure, therefore, does not meet the Part 150 criteria of preventing the introduction of additional noncompatible land uses. The FAA understands that this may be the best available local option for airport-land use compatibility within the DNL 60dB contour, and it is within the authority of the responsible land use jurisdictions to carry it out as a local measure outside of the Part 150 process. Sound attenuation and/or easements at the time of construction are encouraged by the FAA to be incorporated into local planning.

**7. Maintain existing AG Agricultural zoning within DNL 60dB (Platte County).**

Kansas City will encourage Platte County to retain this zoning within the DNL 60dB contour, based on the land use compatibility planning scenario. It would be appropriate for Platte County to adopt such a policy in its updated land use plan for southern Platte County.

**APPROVED.** This measure is within the authority of the responsible local land use jurisdictions to carry out. This approval is limited to maintaining compatible agricultural zoning consistent with Table 1 of Part 150, including recommended sound attenuation and/or easements in accordance with that Table.

**8. Rezone land acquired by Kansas City Aviation Department to GP-8, Airport and Conservation (Kansas City).** The city will rezone for airport-related use any land acquired by the Aviation Department. Permitted uses include airports and aviation facilities, supporting commercial and industrial activities, and various park and open space uses. After the land is purchased, the Aviation Department will initiate a rezoning application with the City Development Department. The action requires review of a zoning map amendment by the Planning Commission and approval by the City Council.

**APPROVED.**

**9. Change Southern Platte County Land Use Plan south of 76th Street and west of I-435 to rural residential rather than single family residential (Platte County).** It would be desirable if these areas could be reserved for lower density residential development to minimize the number of potential future residents within the noise contours.

Redesignating the areas to rural residential rather than future single-family residential would promote this objective. Kansas City will encourage Platte County to implement this measure by adopting an amendment to the Southern Platte County Land Use Plan. This would be done by a resolution of the County Court.

**DISAPPROVED for purposes of Part 150.** This measure has been recommended by the airport operator as a means to reduce the number of possible future noncompatible structures by rezoning from single family residential to rural residential. However, rural residential zoning would still allow the introduction of additional noise sensitive land uses. This measure, therefore, does not meet the Part 150 criteria of preventing the introduction of additional noncompatible land uses. The FAA understands that this may be the best available local option for airport-land use compatibility in this area, and it is within the authority of the responsible land use jurisdictions to carry it out as a local measure outside of the Part 150 process. Sound attenuation and/or easements at the time of construction are encouraged by the FAA to be incorporated into local planning.

**10. Rezone areas from RMD, Multi-family, to R-80 or RE rural residential within the DNL 60dB contour (Platte County).** Six areas that are currently zoned for multi-family residential should be rezoned for rural residential development, either R-80 or RE, One Family Residential. The R-80 district requires a minimum lot size of 80,000 square feet and the RE district a minimum of five acres. By rezoning these areas for large-lot residential use, the maximum number of potential future residents within these noise-impacted areas can be reduced. Kansas City will encourage Platte County to implement this measure. Platte County would have to rezone the land by an amendment to the Zoning Order. This requires review and recommendation by the Planning Commission and approval of the amending order by the County Court. A public hearing before the Planning Commission is required.

**DISAPPROVED for purposes of Part 150.** This measure has been recommended by the airport operator as a means to reduce the number of possible future noncompatible structures by rezoning six areas currently zoned for multi-family to R-80 or RE rural residential. However, rural residential zoning would still allow the introduction of additional noise sensitive land uses. This measure, therefore, does not meet the Part 150 criteria of preventing the introduction of additional noncompatible land uses. The FAA understands that this may be the best available local option for airport-land use compatibility in this area, and it is within the authority of the responsible land use jurisdictions to carry it out as a local measure outside of the Part 150 process. Sound attenuation and/or easements at the time of construction are encouraged by the FAA to be incorporated into local planning.

**11. Rezone area at I-435/M-152 interchange to commercial or industrial (Platte County).** This land should be rezoned for industrial or commercial use. It is now zoned for multi-family residential, although it is designated in the Southern Platte County Land Use Plan for industrial, commercial, and office development. Kansas City will encourage Platte County to implement this measure. Platte County would have to rezone the land by amending the official zoning map. This requires review and recommendation by the Planning Commission and approval by the County Court. A public hearing before the Planning Commission is required.

**APPROVED.** This is within the authority of the local land use planning jurisdictions.

**12. Establish airport noise and land use compatibility performance standards (Platte County).** Kansas City will encourage Platte County to amend the Platte County Zoning Order to provide for airport noise and land use compatibility performance standards (listed in Table 7.3 of NCP), which would apply within the DNL 60dB contour based on the land use compatibility planning scenario. The standards would apply to all applications for special use permits and planned unit developments within the DNL 60dB contour. Special uses and planned unit developments are actions requiring specific review and approval by the Platte County Planning Commission. The County Court of Platte County would have to adopt an order amending the Zoning Order. The amendment would be reviewed by the Planning Commission before being forwarded to the County Court for action. A public hearing before the Planning Commission is required.

**APPROVED.** This is within the authority of the local land use planning jurisdictions.

**13. Amend subdivision regulations to require dedication of aviation easements and recording of fair disclosure agreements for new subdivisions (Kansas City, Platte County).** Kansas City now requires the dedication of aviation easements for all new developments in the airport area. Kansas City also requires an agreement for noise disclosure. This agreement, which is a covenant running with the land, requires the seller to show the buyer a copy of the airport's most recent noise exposure map before closing

the sale. The buyer must sign a statement acknowledging receipt of the information and agreeing not to file for noise damages. This requirement will be included in the subdivision regulations, applying it to the area within the GP Planned Development District. Platte County subdivision regulations require the recording of plat notes and the dedication of aviation easements for subdivisions within the DNL 65dB contour and along the extended runway centerline. Kansas City will encourage Platte County to revise this requirement to reflect the updated noise analysis and so that it applies within the DNL 65dB contour based on the land use compatibility planning scenario. Kansas City and Platte County will start the ordinance review and approval process after the approval of the Noise Compatibility Program by the City Council of Kansas City.

**APPROVED.** This is within the authority of the local land use planning jurisdictions.

**14. Adopt performance standards describing sound insulation requirements for noise-sensitive buildings within the DNL 65dB based on the land use compatibility planning scenario (City of Kansas City).** Any new noise-sensitive developments shall be required to provide for sound insulation as described in the standards of Table 7.4 of the NCP. The developer will be required to provide evidence at the time of plan approval that the building as planned is capable of achieving the required level of noise reduction. The developer will also be required to provide evidence that the building as constructed achieves the required level of noise reduction. Adoption of the Noise Compatibility Program by the City Council is sufficient to implement this measure.

**APPROVED.** This is within the authority of the local land use planning jurisdictions. The FAA believes that the prevention of additional residential land uses within the DNL 65dB contour is highly preferred over allowing such uses even at lower densities and combined with sound attenuation. The airport operator and local land use jurisdictions are urged to pursue all possible avenues to discourage new residential development within these levels of noise exposure.

**15. Work with Kansas City Metropolitan Board of Realtors to develop voluntary and informal ways to disclose airport impacts to prospective buyers of property in airport area (City of Kansas City).** This measure provides a means for the disclosure of noise impacts on property developed before the current fair disclosure requirements were imposed. Voluntary and informal means of ensuring fair disclosure will be pursued by the City. The Aviation Department will work with Kansas City Metropolitan Board of Realtors to develop voluntary ways of disclosing airport impacts, such as the five suggested measures listed on page 7-22 of the NCP. After the City has established satisfactory objectives and defined a specific process, appropriate City representatives will initiate consultations with the Board of Realtors. The City will begin efforts to promote informal and voluntary fair disclosure after approval of the Noise Compatibility Program by the City Council.

**APPROVED.** This is within the authority of the local land use planning jurisdictions.

**16. Adopt discretionary project review guidelines for subdivision, rezoning, special use, conditional use, and variance applications (Kansas City, Platte County).** Kansas City will establish informal guidelines for community development proposals and applications for subdivision, rezoning, special conditional use, and variance applications. The City also intends to encourage Platte County to adopt similar guidelines. The zoning ordinances will detail the uses that are acceptable or unacceptable in the noise-impacted area. Adoption of the Noise Compatibility Program by Kansas City is sufficient to implement this measure in the City. Platte County would need to implement this through an amendment to the Southern Platte County Land Use Plan.

**APPROVED.**

**17. Acquire ten homes south of airport within DNL 65dB based on 1998 Noise Compatibility Plan (Kansas City).** Kansas City will initiate a voluntary program to acquire existing homes within the DNL 65dB contour, based on the 1998 Noise Compatibility Plan. Ten homes are proposed for acquisition. This totals 371 acres. The homes are now, and will continue to be, impacted by noise, particularly since several of the homes are off the extended centerline of the runway. It would be best if the property directly off the runway ends be reserved for non-intensive open space uses. If the lands are used in the future for park lands, the Aviation Department will clearly retain the right to the use of the land in the future if the need for some unanticipated aviation-related need should arise. The land acquisition will be subject to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act (49 CFR Part 24). The acquisition program will be managed by the City Aviation Department. Kansas City Aviation Department can start this acquisition program after approval of the Noise Compatibility Program by the FAA.

**APPROVED.** This measure is based on the 1998 Noise Exposure Map determined in compliance by the FAA on February 9, 1996.

**18. Acquire undeveloped land south of airport within DNL 65dB contour based on 1998 Noise Compatibility Plan (Kansas City).** Kansas City will acquire such property to prevent the possibility of future residential development. This element involves four parcels of land directly south of the airport along the extended centerline of

Runway 1L-19R, that are impacted by noise above DNL 65dB, and three parcels within the DNL 65dB directly south of Runway 1R-19L. These areas total approximately 281 acres and are currently zoned GP-7 Agricultural Residential. These parcels were recommended for purchase because they are likely to come under increasing pressure for residential rezoning. Thus, to ensure future land use compatibility in this high-noise area, the land should be acquired. The land acquisition will be subject to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act (49 CFR Part 24). The acquisition program will be managed by the City Aviation Department. Kansas City Aviation Department can start this acquisition program after approval of the Noise Compatibility Program by the FAA.

**DISAPPROVED pending submission of additional information to make an informed analysis.** Exhibit 1-8 depicts the parcels as undeveloped, with the exception of scattered homes, and the 1998 NEM determined in compliance by the FAA in February 1996 depicts the parcels as Undeveloped or Compatible Use with the exception of the homes which are proposed for acquisition in Land Use Management Element 17, above. It has not otherwise been shown that local controls are inadequate to prevent noncompatible development nor that the parcels are in imminent danger of being developed noncompatibly.

**19. Acquire aviation easements over three residences within DNL 65dB, based on 1998 NCP, north and east of airport (Kansas City).** Kansas City will acquire aviation easements over three homes within the DNL 65dB contour. These homes are impacted by aircraft noise and will continue to be through the future. Because they are separated from the airport by Interstate 29, outright acquisition would present property management difficulties and the property would be of little benefit to the airport. Thus, easements will be acquired over the homes and the surrounding area equivalent to a city lot. Acquisition of these easements is a voluntary measure. Easements will be purchased only from

property owners who wish to sell voluntarily. Easement acquisitions will be subject to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act (49 CFR Part 24). The acquisition program will be managed by the City Aviation Department. Kansas City Aviation Department can start this acquisition program after approval of the Noise Compatibility Program by the FAA.

**APPROVED.**

**Program Management Element (Chapter 7, Pages 7-28 -- 7-30, NCP)**

**1. Maintain system for receiving and responding to noise complaints (Kansas City Aviation Department).** The airport has a well organized system of recording and responding to noise complaints. The staff will periodically analyze the complaint records. If the geographic pattern of the complaints, or the causes of complaints, indicate that consistent problems exist, the airport management will investigate, and, if possible, seek corrective action. This is an ongoing activity that will be continued. No special implementation efforts are required.

**APPROVED.**

**2. Review of Noise Compatibility Plan implementation (Kansas City Aviation Department).** The airport management will take steps to monitor compliance with the NCP. It will maintain communications with local planning officials to follow their progress in implementing the Land Use Management Element. The airport management will also monitor compliance with the Noise Abatement Element. To verify compliance with preferential runway use programs, the airport management will periodically coordinate with the air traffic control manager to study runway use procedures. No specific actions are required to implement this action. This is an ongoing activity that will continue as soon as the Noise Compatibility Program is approved by the City Council.

**APPROVED.**

**3. Update Noise Exposure Maps and Noise Compatibility Program (Kansas City Aviation Department).** Kansas City will periodically review the NEM and NCP and consider revisions and refinements as necessary. Kansas City will plan to update the NEM approximately every five years, or more often if equivalent operations levels change significantly from forecast conditions.

**APPROVED.**