

1 AN ACT relating to planning and zoning.

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

3 ➔SECTION 1. A NEW SECTION OF KRS 100.273 TO 100.292 IS CREATED
4 TO READ AS FOLLOWS:

5 (1) (a) Before a new subdivision plat is approved, or any construction documents
6 are approved under KRS 198B.062, for a building to be located within one
7 thousand (1,000) feet from the center of a natural gas transmission pipeline
8 constructed or operated prior to the subdivision or building development, a
9 commission shall notify the operator of the natural gas transmission
10 pipeline, as defined in 15 U.S.C. sec. 3301(15), or any amendments thereto,
11 of the planned subdivision development or construction of a building no
12 later than when the application for approval of the development is
13 submitted.

14 (b) Upon receiving notice of a planned subdivision development from a
15 commission, a pipeline operator shall provide pipeline location information
16 to the developer, including but not limited to marking facilities on design
17 drawings and providing maps.

18 (2) No subdivision plat shall be approved or building permit issued until one (1) of
19 the following happens:

20 (a) The developer has received written consent from the natural gas pipeline
21 operator;

22 (b) The developer has filed written correspondence from the natural gas
23 pipeline operator demonstrating that discussions have occurred between the
24 developer and the operator; or

25 (c) The developer has filed written correspondence with a commission that
26 demonstrates attempts to contact the natural gas pipeline operator, and no
27 response has been received within one hundred eighty (180) days of the

- 1 developer sending the correspondence.
- 2 (3) Within sixty (60) days of the effective date of this Act, all commissions shall
3 gather National Pipeline Mapping System geospatial data about the location of
4 pipelines in their jurisdictions from the Pipeline and Hazardous Materials Safety
5 Administration in the United States Department of Transportation.
- 6 (4) The developer shall provide notice on a plat that efforts were used to obtain
7 information about natural gas transmission pipelines in the area of the planned
8 subdivision development and that operators were notified to verify the location of
9 the pipeline, including its easement. The notice shall also contain a statement
10 that the developer has reviewed or attempted to review preliminary information
11 about the development with the operator.
- 12 (5) This section shall not exempt developers or operators from the requirements of
13 the Underground Facility Damage Prevention Act of 1994, KRS 367.4901 to
14 367.4917.