## Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

## **Part I: Measure Information**

Bill Request #: 1582		
Bill #: HB 512		
<b>Document ID #:</b> 4664		
Sill Subject/Title:   AN ACT relating to planning and zoning.		
ponsor: Representative D. J. Johnson		
Init of Government: x City x County x Urban-County   Unified Local Unified Local		
<u>x</u> Charter County <u>x</u> Consolidated Local <u>x</u> Government		
Office(s) Impacted: county and municipal utilities; city planning and zoning		
equirement: <u>x</u> Mandatory Optional		
ffect on owers & Duties: <u>x</u> Modifies Existing <u>x</u> Adds New Eliminates Existing		

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 512 creates a new section of KRS 100.273 to 100.292 requiring a planning commission to notify operators of natural gas transmission pipelines before a new subdivision plat is approved or any construction documents for a building are approved that is to be located within 1,000 feet from the center of a natural gas transmission pipeline(s).

The bill **requires advance notification to the operator, and requires that planning commissions gather National Pipeline Mapping System geospatial data about the location of pipelines in their jurisdiction** from the Pipeline and Hazardous Materials Safety Administration.

Specifically, the Act provides that **no subdivision plat can be approved or building permit issued until one of three conditions are met:** 

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

- (b) The developer has filed written correspondence from the natural gas pipeline operator demonstrating that discussions have occurred between the developer and the operator or;
- (c) The developer has filed written correspondence with a commission that demonstrates attempts to contact the natural gas pipeline operator, and no response has been received within one hundred eighty (180) days of the developer sending the correspondence.

The fiscal impact of HB 512 is indeterminable and minimal. However, there will be additional time and effort costs incurred by local planning and zoning departments as a consequence of meeting provisions of this legislation. Specifically,

- Notification of pipeline operators prior to any plat or building approvals;
- Obtaining and recording the required documentation for plat, construction, or building permits; and
- (Timely) obtaining and subsequently using the required geospatial mapping information.

The Kentucky League of Cities (KLC) states the primary challenge associated with HB 512 is accessing the National Pipeline Mapping System information within 60 days of enactment. Local planning commissions and officials can request access to information in their county and receive a digital file. KLC does not know how long the approval process typically lasts. Cities with gas systems would have to respond to requests from developers, but KLC believes that likely wouldn't be much different than they currently do. As a result, KLC believes **the bill may result in a minimal negative financial and administrative impact.** 

## Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced.

Data Source(s):	Kentucky League of Cities; Kentucky Association of Counties; Kentucky
	Municipal Utilities Association