

BRIEFING NOTES

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, January 13, 2010, 11:45 a.m. Room 113, County-City Building, 555 S. 10 th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Michael Cornelius, Dick Esseks, Wendy Francis, Leirion Gaylor Baird, Roger Larson, Jeanelle Lust, Jim Partington, Lynn Sunderman and Tommy Taylor.
OTHERS IN ATTENDANCE:	Chris Schroeder and Scott Holmes of the Health Department; Marvin Krout, Nicole Fleck-Tooze, Steve Henrichsen, Mike Brienzo, Mike DeKalb, Brian Will, David Cary and Michele Abendroth of the Planning Department; other interested parties.
STATED PURPOSE OF MEETING:	Proposed text for pipeline notification and Metropolitan Planning Organization process

The meeting was called to order at 11:45 a.m. The Nebraska Open Meetings Act was acknowledged.

Brian Will began by stating that the purpose of this portion of the briefing is to discuss the proposed text for high pressure pipeline notification. This stems from a joint report of the Health Department and Planning Commission. There were multiple outcomes including the need for increased awareness in the community of our pipelines.

Chris Schroeder stated that pipelines carry four things including petroleum, propane anhydrous ammonia and natural gas. He showed a map of Vintage Heights. The gas in the pipeline in this area does not contain an odor so the only way to detect a leak is to hear it. In answering the question, "Do pipelines have bad days?", the answer is yes. If there was a major rupture, there could be considerable property damage as well as possible loss of life. The burning of materials causes the greatest amount of damage.

Only 30% of significant pipeline incidences were caused by excavation damage. Other incidences include corrosion, incorrect operation, equipment failure, and natural and outside force damage.

The basic premise of planning includes protecting the public's health, safety and welfare. Staff recognizes public health issues are important. Health staff are actively involved in reviewing land use and community design. Land use planning and community design is an open public process that welcomes community participation. Elected officials desire clarity and guidance on health implications of land use and community design for decisions they make. New scientific studies on public health and community design are being published.

Schroeder noted that weaknesses include zoning regulations that do not adequately address public health hazards and risks of today's world; and environmental regulations don't address gaps in public health protection found in most zoning regulations.

Identifying hazards is easy, but estimating health risks is hard. And there is no standard for “acceptable” risk.

Gaps include policy makers needing better information from which to base decisions; and the zoning code needs to better address hazardous materials and buffers to protect children, and other vulnerable populations and people in general.

The solution to these issues was to create a Joint Committee of the Board of Health and the Planning Commission. In summary, the Joint Report recommended the following: New developments should avoid Hazard Areas as much as possible; a map delineating the Hazard Areas should be developed; staff should note Hazard Areas in reports and reviews to decision makers; and staff should ensure future lot owners are notified of Hazard Areas.

In response to these recommendations, staff created a ‘Pipeline Notification Zone’ map. In addition, staff has been noting hazard areas as part of application reviews. Staff is also proposing amendments to both County and City subdivision regulations to require notice in the preparation of plats.

Esseks stated that he believes notification is not enough, but the nature of the hazard is what is important.

Will stated that staff is proposing two things. First, both City and County preliminary plats will be required to show the type, size and location of high-pressure pipelines when located within the boundary of the plat or indicate the direction and distance to a high-pressure pipeline from the boundary of the plat on any portion of the plat that is within the required notification distance. Second, both City and County final plats would be required to show the type, size and location of all high-pressure pipelines within the boundary of the final plat, to be in bold, capital typeface. Both City and County final plats would be required to include the following statement: The area within the boundary of this final plat is located within the potential impact radius of a high-pressure underground pipeline. The potential impact radius is defined as the radius of a circle within which the potential failure of a pipeline could have significant impact on people or property.

Staff intends to discuss these proposed amendments and seek input and comments from pipeline industry representatives and the local development community.

Partington asked if staff could provide a chart of comparable risks such as tornados and electrical failures. Holmes stated that they do risk assessment all the time, but questioned what the acceptable risk failure is for a pipeline rupture. Partington added that it is important to put this in perspective to inform people about the risks and let them make a decision based on the information given.

Francis stated that she feels this is a good first step in notifying potential home buyers. In addition to the Realtors Association, she suggested meeting with the Home Builders Association as well.

Esseks asked if this approach is strong enough. Francis commented that developers probably will not find this a soft approach being labeled as a hazard area. Sunderman stated that he is more comfortable using a softer approach.

The next briefing began at 12:29 p.m. Mike Brienzo began by distributing a copy of the Metropolitan Planning Organization (MPO) Management Plan. He stated that an MPO is designated for each urban area with a population over 50,000, and cities with a population over 200,000 has a designation of TMA. Lincoln reached this with the 2000 census. The MPO reviews all projects that come through the transportation planning process and those that require federal funding. The role of the MPO focuses on processes and well as products. The MPO process is tied to the City processes. The Long-Range Transportation Plan is prepared in conjunction with the Comprehensive Plan. Other documents prepared through the MPO include the Transportation Improvement Program, the Unified Planning Work Program, the Congestion Management Process, the Self-Certification, and the Public Participation Plan.

There are two Committees of the MPO and include the Officials Committee and the Technical Committee. The Officials Committee is the key decision-making body. All of the reports and issues that come to the Officials Committee are reviewed and a recommendation forwarded by the Technical Committee. To assist the Technical Committee, five sub-committees have been established. Both Committees are open to the public and receive public comment.

Larson asked why all the representatives on the Committees are public government employees and suggested that there be some private representation on the Committees. He believes that we need to ensure there is a proper balance. Too much bureaucracy slows things up and increases costs. Brienzo stated that there is a Public Participation Plan and the Planning Commission has public hearings. Larson believes there should be a way to ensure public participation. Krout stated that we are seeing increased State and Federal requirements, and we are reacting to those requirements.

The meeting was adjourned at 12:52 p.m.

Respectfully submitted,

Michele Abendroth
Planning Department

Q:\IPC\MINUTES\2010\pcm011310_pipeline&mpo_mma.wpd