

## TECHNICAL COMMITTEE REPORT

**To:** Planning Commission

**From:** Technical Committee

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**Date:** May 22, 2002

**DGA Number:** DGA 02-005; Hazardous Liquid Pipeline Policies and Regulations

**Recommended Action:** Recommend amendment of the Redmond Comprehensive Plan and Redmond Community Development Guide to add policies and regulations for hazardous liquid pipelines.

**Reasons the Proposal should be** The proposed amendment should be adopted to:

- Adopted:**
- Reduce opportunities for accidental damage to hazardous liquid pipelines.
  - Avoid exposing structures with high on-site populations, emergency facilities, and similar high consequence structures to risk of injury in the event of a pipeline failure.
  - Promote early detection of potential pipeline damage or failures through adequate maintenance of the hazardous liquid pipeline corridor and neighborhood education.
  - Promote continued work among governments and industry representatives to seek improvements in safety measures for hazardous liquid pipelines.
  - Address a gap in the utilities element of the City's Comprehensive Plan.
  - Reduce opportunities for environmental damage.

## **I. APPLICANT PROPOSAL**

### **A. Applicant**

The City of Redmond

### **B. Reason for Proposal**

British Petroleum/Olympic Pipe Line Company (BP/Olympic) operates a 400-mile long petroleum pipeline system from Ferndale, Washington to Portland, Oregon. Two parallel lines, 16-inch and 20-inch, pass through the western portion of Redmond generally within the Puget Sound Energy easement. The pipelines carry gasoline, diesel, and aviation fuel.

The pipelines are hazardous liquid pipelines, as defined by RCW 81.88.040 and WAC 480-93-005. Liquid pipelines provide an important service transporting petroleum products much more efficiently than possible by truck. Pipeline facilities, if ruptured or damaged, can pose a significant risk to public safety and the environment due to the high operating pressure and the highly flammable, explosive, and toxic properties of the transported products.

In June 1999, a section of BP/OPL's pipeline in Bellingham ruptured, spilling 277,000 gallons of gasoline. Three people died when the resultant vapor cloud ignited. The accident has drawn attention and raised concerns about the safety of the pipelines and pipeline operation in Washington state and other areas of the country.

During a January 2000 kick-off workshop for the Willows/Rose Hill Neighborhood Plan update, citizens raised concerns about the hazardous liquid pipelines. Some stated that there should be safety and land use policies for the pipeline area. Neither the City's Comprehensive Plan nor Development Guide address this issue, and staff and the Mayor supported including the issue as part of the Willows/Rose Hill Citizen Committee's scope.

The Citizen Committee's work included considering what provisions Redmond should establish to reduce the risk of hazard due to potential failure of the Olympic Pipeline. This portion of the Citizen Committee's recommendation was separated from the rest for purposes of Planning Commission review since it involves areas of the City south of the Willows/Rose Hill neighborhood. It is included as part of the 2001 Comprehensive Plan Amendments.

## **II. RECOMMENDATION**

The Technical Committee recommends amending the Utility Element of the Comprehensive Plan to include the policies in Exhibit A, and amending the Redmond Community Development Guide (RCDG), Section 20D.55, to include the regulations in Exhibit B. In addition to the RCDG, implementation of the proposed policies would likely be carried out through amendments to the City's franchise agreement with BP/Olympic Pipeline.

The recommended policies and regulations supplement existing federal and state laws and risk management/response plans by focusing primarily on land use measures that help minimize and prevent unnecessary risk to the public due to hazardous liquid pipelines, recognizing it is impossible to eliminate risk entirely. The purpose of these amendments is to:

- Minimize opportunities for damage to hazardous liquid pipelines due to external forces such as construction equipment and vandalism, the leading cause of pipeline accidents.
- Avoid exposing structures with high on-site populations, emergency facilities, and similar high consequence structures to risk of injury in the event of a pipeline failure.
- Facilitate early detection of potential pipeline damage or failures through adequate maintenance of the hazardous liquid pipeline corridor and neighborhood education.
- Promote continued work among governments and industry representatives to seek improvements in safety measures for hazardous liquid pipelines.

Sources of information used in developing the recommendation include:

- Information from other local governments.
- Model pipeline ordinances prepared by Municipal Research and Services Center
- Literature, including a report on pipelines and public safety by the Transportation Research Board.
- Review by a consultant in the field.
- Information from agencies, including the Federal Office of Pipeline Safety.
- Consultation with City of Redmond staff in several departments.

### III. ALTERNATIVES

#### A. ISSUES CONSIDERED AND ALTERNATIVES

A number of issues and alternative approaches were considered during development of the proposed amendment. The discussion below summarizes these issues and considerations.

##### **Issue 1: Should the City require a building setback from the pipeline, and if yes, for what purpose and how much setback is appropriate?**

###### Rationale for Recommendation

The Office of Pipeline Safety (OPS) keeps statistics on pipeline accidents, including cause and the commodity involved. From 1986 to 2000, pipeline operators nationwide reported 830 releases in pipelines carrying gasoline, diesel, aviation and turbine fuels. OPS data indicate that external forces (such as construction equipment and vandalism) are the leading cause of pipeline releases, accounting for 31 percent of the reported incidents.

Locating structures a minimum of 50 feet from the pipeline corridor helps reduce opportunities for accidental damage. The recommended setback is consistent with a model ordinance developed by the Municipal Research and Services Center (MRSC). It is important to emphasize that this setback is intended only to reduce chances for inadvertent damage, and is not intended to protect the public in the event of a rupture or ignition.

At an initial study session on the draft amendment, the Planning Commission asked about the affect of the proposed amendment on properties. South of Redmond Way, all but one of the properties along the pipeline corridor appears to be developed. The same person who owns this one property owns an adjoining developed lot. South of Redmond Way, the primary impact of the proposed amendments to property owners would occur if they wanted to expand their homes or add another structure to their lots within 50 feet of the corridor. North of NE Rose Hill, the impact of the amendments to vacant and potentially redevelopable parcels is also expected to be negligible due to the presence of steep slopes and R-1 zoning along the pipeline corridor.

The amendments would primarily affect vacant and redevelopable parcels located along the west side of the pipeline corridor in NE Rose Hill. As requested by the Planning Commission, staff will provide an estimate of the number of properties likely to be affected and typical lot depths.

## Alternatives Considered for Issue 1

- Rely on the Existing Easements

This alternative creates the least impact for the property owner in terms of limits on land use. A preliminary review of BP/Olympic easements indicates that structures are prohibited within the easements. However, the location of the pipelines within the easements varies, as does the easement width. While the pipelines are typically buried at a depth of 3 to 4 feet, this varies and can change over time due to erosion or excavation. Adequacy of pipeline markers also varies as removal of markers has been an issue and the markers that are present do not indicate the precise location of the pipelines.

Federal law specifies that “no pipelines may be located within 50 feet of any private dwelling, or any industrial building or place of public assembly in which person work, congregate or assemble, unless it is provided with at least 12 inches of cover in addition to that prescribed in Sec. 195.248.<sup>1</sup> However currently, buildings along the pipelines in the City of Redmond are located as close as five feet from the pipelines.<sup>2</sup> This proximity provides significant potential for accidental damage if a property owner or contractor digs in the area to establish footings for a shed or to add onto a house or garage.

- Recommend a Larger Setback

Another option is to recommend a larger setback for all inhabited structures. In the event of a pipeline release, a greater setback might help increase the distance between flammable or toxic materials and occupied structures, such as residences. However, topography has a significant affect on the danger zone for releases from a hazardous liquid pipeline: distant locations on the downhill side of a pipeline may be in jeopardy since the hazardous liquid can quickly flow downhill.

A larger setback was not recommended for the following reasons: 1) the amendment is focused on reducing opportunities for the leading cause of pipeline failures – accidental damage, 2) due to the properties of the fuels and topography in the area, it is difficult to determine an adequate setback to protect the general public, 3) a larger setback increases the impact on property owners in terms of limits on land use, and 4) staff and the Citizens Committee believed a larger setback was warranted in limited circumstances, as described below in Issue 4.

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<sup>1</sup> Title 49, Code of Federal Regulations, Section 195.210 Pipeline Location.

<sup>2</sup> Redmond Fire Department, Olympic Pipeline Response Plan, page 2.

**Issue 2: Should the setback be measured from the pipelines or from the edge of the easement for the pipelines?**

Rationale for Recommendation and Alternatives

The easement location is recorded as a legal document and can be verified. Since the location of the pipelines within the easement is not known, measuring from the pipelines creates the need to field verify the pipeline location, which could be costly and risk damage to the pipelines. The MRSC model ordinance and research for this amendment indicate that measuring the setback from the easement is the recommended approach. Staff believes these benefits outweigh the issue of variation in easement widths and the location of the pipelines within the easements.

**Issue 3: Should the policies provide for exceptions to the setback?**

Rationale for Recommendation and Alternative

Allowing for consideration of exceptions to the setback is recommended for three reasons. First, some structures may be installed at grade or at minimal depth, decreasing or eliminating the opportunity for damage to the pipelines, which are typically buried at a depth of 3 to 4 feet. Second, some structures, such as streets and utilities, need to cross the pipelines to provide access or connectio~~n~~s. Finally, a few properties in the area are small and narrow enough that it is important to provide a variance opportunity to avoid potentially denying all reasonable use of the property.

An alternative is to allow exceptions for streets, utilities or trails and allow consideration of variances, but not allow a potential exception for structures installed at grade or at minimal depth. This alternative would further reduce the risk of accidental damage to the pipelines, but could prohibit property owners from making improvements to their property that would likely not affect the pipelines.

**Issue 4: Do certain land uses create compatibility issues if located near the pipelines, and if yes, what responses are appropriate?**

Rationale for Recommendation

The Redmond Fire Department has established a plan for response and mitigation of a fire or spill due to damage or rupture of the hazardous liquid pipelines. Sheltering in place is not an option when dealing with petroleum products. The vaporizing ability coupled with the potential for ignition sources located in almost every home and business makes it too great a risk.<sup>3</sup>

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<sup>3</sup> Redmond Fire Department, Olympic Pipeline Response Plan, page 8.

The Response Plan addresses the potential need for people living or working in the area to evacuate. In addition, the plan identifies existing special transportation needs in the area, including students at Rose Hill Junior High, residents at nursing homes and scattered residential care homes, and handicapped persons. Locating schools and multi-family housing or facilities exclusively for elderly or handicapped near the pipelines creates compatibility issues. These types of facilities include a high-density population of special concern that is more difficult to evacuate than able-bodied adults. Facilities that serve critical “lifeline” or emergency functions, such as fire and police facilities, also create compatibility issues if located near the pipelines. The proposed amendment would prohibit additional location of these kinds of uses near the pipelines and provide for review and potential restrictions on expansions if they would significantly increase risk to public safety.

Approximately 5,000 people work along Willows Road, posing another area of concern due to the potential for released fuel to flow downhill from the pipelines through the employment area. Standard methods can be used to evacuate people working along Willows Road and prohibiting additional businesses along here would create a significant burden. However, staff recommends that new or expanded development with high on site employment in the Willows/Rose Hill Neighborhood be required to use mitigation measures to reduce adverse impacts to employees in the event of a pipeline failure. Steps could include maximizing the distance between buildings and anticipated flow paths of leaking hazardous materials and developing education programs and response plans, including an evacuation plan.

#### Alternatives Considered for Issue 4

- Do Not Include Policies that Address Land Use Compatibility or Mitigation

One alternative is to not address land use compatibility for high consequence land uses or mitigation for nearby employment areas as part of the amendment. This alternative would reduce the number of properties and businesses affected by the proposed amendment. However, it creates the potential to contribute to increased public safety risks if, for example, the number of students at Rose Hill Junior High is significantly expanded or new businesses are located over flow paths.

- Seek Improvements in the Pipelines to Improve Safety

Another alternative considered was to ask the pipeline operator to make changes to the pipelines to improve safety, such as burying the pipelines lower, increasing the thickness of the pipelines, lowering the pipeline pressure, or moving the pipelines to a safer location. Staff believes that the likelihood of the pipeline operator agreeing to these changes is low.

## **Issue 5: Should the scope of the amendment include natural gas pipelines?**

### Rationale for Recommendation and Alternatives

The Planning Commission raised this question during an initial study session on the amendments. As described above under Reason for Proposal, the scope of the proposed amendment was developed in response to public comment during the Willows/Rose Hill Neighborhood Plan Update. In addition, Redmond Fire Department staff have identified hazardous liquid pipelines as the appropriate focus for this amendment due to the different properties of hazardous liquids and natural gas. When a natural gas pipeline ruptures and ignites, the blast and heat are centered at the point of rupture rather than a potentially much larger area in the case of hazardous liquid pipelines. However, other jurisdictions have addressed the issue of natural gas transmission pipelines. If the Planning Commission wants to address this issue, staff recommends that it be added to the work plan to provide adequate time to consider what amendments should be considered given the location of natural gas pipelines, adjoining land uses, and other factors.

## **Issue 6: Should the amendment include policies concerning the location of new or relocated pipelines?**

### Rationale for Recommendation and Alternatives

Staff believes that the likelihood of a pipeline operator significantly relocating the pipelines or constructing new pipelines is low and did not recommend policies to address this issue. However, though the potential may be low, staff believes considering policies to address this issue is reasonable.

## **B. COMPARISON WITH OTHER COMMUNITIES, APPROACHES**

There is variation among communities in approach for this issue. The following is a summary of key provisions from other communities and reference materials.

### Municipal Research and Services Center (MRSC)

The Washington Pipeline Safety Act of 2000 (ESSHB 2420) required the Municipal Research and Services Center (MRSC) to develop and periodically update model ordinances for hazardous liquid and gas transmission pipelines. MRSC produced a model ordinance that establishes setback and depth requirements related to hazardous liquid and gas transmission pipelines, and setback requirements.

The model ordinance includes a minimum 50-foot setback from a hazardous liquid pipeline corridor for all general residential, commercial, and industrial buildings, and a doubling of the setback for educational, religious, exhibition, and other facilities used for

public gatherings. The ordinance provides for variances from setback requirements. The model ordinance provides that setbacks for gas transmission pipelines shall be based on pipe diameter and maximum operating pressure, and be measured from the edge of the corridor.

### King County

King County's regulations establish a minimum setback of 100 feet from a hazardous materials or gas transmission pipeline for any structure designed for human occupancy. This setback may be modified in the case of loss of all reasonable use, topography, use of physical barriers such as berming, other construction of a containment system. The County's Comprehensive Plan includes policies concerning the location of new hazardous liquid or gas transmission pipelines, limits on allowable uses (such as trails) within the corridor, pipeline markers, and use of the one- number locater service.

### City of Bellingham

The City of Bellingham has not considered the issue of establishing policies or regulations specifically related to hazardous liquid pipelines. Currently, City development review staff recommend design of residential plats and sizing of setbacks to increase the distance between combustible sources associated with new development and the pipelines. Currently, City staff are recommending a building setback that is roughly 45 feet from the corridor.

## **IV. SUPPORTING ANALYSIS: FACTS AND CONCLUSIONS**

### **A. EXISTING CONDITIONS**

#### Characteristics of the Pipelines and Product

The BP/Olympic pipelines extend approximately four miles through Redmond from NE 124<sup>th</sup> Street to NE 58<sup>th</sup> Street, following the line of NE 135<sup>th</sup>/NE 136<sup>th</sup> Avenues NE. The pipelines are generally located within the Puget Sound Energy power line easement. The two pipelines run parallel to each other, approximately five feet apart. The pipelines are constructed of steel at least ¼ inch thick and protected by heavy fiberglass wrap. Permits for the 16-inch and 20-inch pipelines were issue in 1964 and 1973, respectively.

Pressure, fluid characteristics, and rates of flow are monitored and controlled by remote control from the Operations Control Center in Renton. The Center is staffed continuously. Within Redmond, an electric motor valve to shut down the pipelines is located at Redmond Way. The next closest electric valves are located at SR 522 and in Bellevue. The table below includes operating parameters for the pipelines through Redmond.

<b>BP/Olympic Operating Parameters City of Redmond</b>		
	16 inch line	20 inch line
Max Allowed Pressure (PSI)	1,440	930
Average Pressure (PSI)	800 to 1,250	350 to 500
Flow – gallons per minute	6,200	6,700
Flow – gallons per day	8.9 million	9.9 million

The liquids and vapors from the pipelines are highly flammable and will be easily ignited by heat, sparks or flames.<sup>4</sup> The terrain along the pipeline corridor is variable, and includes fields, creeks, and ravines. The liquids are lighter than water and will travel on the surface. The vapors are heavier than air and will spread along the ground and collect in low or confined areas, such as sewers, basements, tanks and ravines. The eventual destination of the vapors or leakage will be the Sammamish Valley floor or Sammamish Slough. However, depending on the location of the failure, the liquids and vapor will first pass through the business areas along Willows Road with large numbers of workers and additional ignition sources.

#### Land Use

Nearly all of the development along the west side of the pipeline corridor in the City of Redmond is single family residential. Major exceptions include the business park development along NE 124<sup>th</sup> Street and Rose Hill Junior High, located between NE 70<sup>th</sup> and 75<sup>th</sup> Streets.

Land uses within 1 mile of the pipeline corridor to the east are primarily single-family dwellings also, but other land uses are present. Particular uses of note include the following:

- Business and manufacturing park uses along the east and west sides of Willows Road.
- Several multi-family developments, including Cedar Ridge Condominiums, 6001 Apartments, and Shadowbrook Apartments.
- Active recreational facilities, including Grass Lawn Community Park, Willows Run Golf Course, and King County’s Sixty Acres Park.
- Churches, including Overlake Christian Church.
- Utility facilities, including GTE and Puget Sound Energy substations, north and south of Redmond Way.
- Child day care facilities, including KinderCare and Grass Lawn Children’s Centers.
- Nursing homes and assisted living facilities, including Cascade Vista and Sterling Park.

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<sup>4</sup> Redmond Fire Department, Olympic Pipeline Response Plan, page 5.

## Environmental Considerations

Depending on the amount of spill and damage, a failure in the hazardous liquid pipelines could have significant impacts on the environment in Redmond. Major water features in the vicinity include the Sammamish Slough, several Class 2 and 3 streams, aquifer recharge areas located along and east of Willows Road, and the City's well 4, located on the City Hall campus. Other environmental considerations include the significant amount of critical wildlife habitat located in the Willows/Rose Hill Neighborhood

## **Existing Regulations/Provisions**

The following laws, plans, and agreements form the context for this work:

Federal and state law: The Federal Office of Pipeline Safety (OPS) is responsible for regulation of interstate pipeline facilities. OPS regulations and other risk management approaches address safety in design, construction, testing, operation, maintenance, and emergency response for pipeline facilities. Through passage of the Washington Pipeline Safety Act of 2000, the state legislature significantly enhanced the local pipeline safety program. As part of this legislation, the Washington State Utilities and Transportation Commission (UTC) was directed and obtained the authority to inspect interstate pipelines from the Federal Office of Pipeline Safety (OPS). By being an agent for OPS, the UTC is able to dedicate more resources to inspections and preventive safety measures.

Redmond Fire Department Response Plan: In 2000, Redmond's Fire Department established a response plan in the event of a pipeline failure. The Olympic Pipeline Response Plan includes technical information about the pipeline, potential hazards, a guide to hazardous-materials scene management, emergency response and evacuation plans, and contacts and other resources.

Pipeline Safety Consortium: In 2000, Redmond joined the Washington City and County Pipeline Safety Consortium. The consortium purpose is to take a unified approach in addressing pipeline safety issues with particular emphasis on operation of the pipeline system. The consortium is not a permanent organization. Among the issues to be addressed include: developing a model franchise agreement, reviewing the pipeline operator's safety action plan to identify any deficiencies, and advocacy of city and county concerns regarding pipeline safety regulations.

Franchise Agreement: A franchise agreement grants a pipeline operator the right to operate pipeline facilities in a city in accordance with certain requirements. The City of Redmond is planning to negotiate a new franchise agreement with BP/Olympic Pipeline but has had difficulty staffing the effort due to staff call up for the Coast Guard.

Requirements for Development Application: The City currently requires that easements within 150 feet of a proposed project must be shown on site plans. The proposed amendments are consistent with this requirement.

**B. Compliance with Criteria for Comprehensive Plan and Development Regulations Amendments:**

The following is an analysis of how this proposal complies with the Comprehensive Plan and requirements for amendments.

**Redmond Comprehensive Plan Policy LU – 142 sets out the following Comprehensive Plan amendment criteria:**

**1. Consistency with Growth Management Act (GMA), state of Washington Department of Community Trade and Economic Development Procedural Criteria, and the King County Countywide Planning Policies;**

The proposed amendment is consistent with the Growth Management Act (GMA). The utilities element, one of the required comprehensive plan elements under the GMA, is to cover the general location, proposed location, and capacity of existing and proposed utilities (RCW 36.70A.070). While Redmond’s Comprehensive Plan includes a Utilities Element, this element does not include information or policies related to hazardous liquid pipelines. The proposed amendment addresses this gap.

The GMA directs that a second required element, land use, provide for protection of the quality and quantity of groundwater used for public water supplies. A failure in the hazardous liquid pipelines could affect one or more of the City’s wells. The proposed amendment is designed to reduce the opportunities for pipeline failure by reducing opportunities for accidental damage. In addition, the GMA states that comprehensive plans may include additional elements or items dealing with other subjects relating to physical development within a jurisdiction (RCW 36.70A.080).

**2. Consistency with the Comprehensive Plan Policies and the designation criteria;**

The proposed amendments are consistent with Redmond’s Comprehensive Plan. The Comprehensive Plan speaks to promoting compatibility between uses and minimizing adverse impacts. Policy LU-75 refers specifically to regulations that may be used to provide for compatibility between uses:

*LU-75      Zoning districts shall include limits on height, impervious surfaces, building bulk, building placement and intensity applicable to the particular uses allowed within the zoning districts which are necessary to provide for compatibility between uses, achieve the desired scale and character for an area, ensure adequate light and air, protect environmental quality, match the development capability of an area and manage potential impacts on transportation systems, other public facilities and public services.*

The Comprehensive Plan also speaks to the important role the City has as the principal environmental steward, considering the environmental effects of

regulations and undertaking activities to protect the environment. The policies below speak to the City's important role in taking steps to avoid environmental degradation, promote education to raise awareness about potential issues and steps individuals can take to maintain a healthy environment, and work with other governments and agencies to protect the environment. The proposed amendments are consistent with these policies.

- NE-1 Redmond shall consider the immediate, long range and cumulative environmental impacts of policy, regulatory and service decisions. These impacts shall be considered in the context of the City's commitment to provide for the public safety, public facilities and services, a high quality of life and economic development in a sustainable environment.*
- NE-3 Redmond should minimize and, where practicable, eliminate the release of substances into the air, water, soil and ground water that may degrade the quality of these resources or contribute to global atmospheric changes.*
- NE-6 Redmond should promote and lead education and involvement programs to raise public awareness of environmental issues, encourage respect for the environment and show how individual actions and the cumulative effects of a community's actions can have significant effects on the environment.*
- NE-7 Redmond should cooperate with other local governments, state, federal and international agencies and nonprofit organizations to protect and enhance the environment, especially for issues that affect areas beyond Redmond's boundaries.*

### **3. The capability of the land including prevalence of sensitive areas;**

This proposed amendment addresses issues of land capability associated with the hazardous liquid pipelines in the following ways:

- Reduces opportunities for accidental damage to the pipelines by establishing a building setback, ensuring the corridor is identified on development site plans, and seeking construction monitoring in the vicinity of the pipelines.
- Avoids risk by not locating new schools, multi family housing just for elderly, and other high consequence land use near the pipelines.
- Promotes detection of pipeline problems through education and inspections.
- Promotes continued improvements in pipeline safety.

**4. Consistency with the preferred growth and development pattern in Section B of the Land Use Chapter of the Comprehensive Plan;**

The proposed amendment is consistent with the preferred growth and development section of the Comprehensive Plan. The affect on the City's capacity for housing and employment growth should be minimal. The RCDG allows development to be clustered on the buildable portions of a site. In addition, the proposed amendment includes provisions for reasonable use of property.

**5. The capacity of the public facilities and whether public facilities and services can be provided cost-effectively at the intensity allowed by the designation;**

The proposed amendment would not allow facilities or services that provide critical "lifeline" or emergency functions, such as fire and police facilities, to be located within 500 feet of the pipelines. This limit is not expected to affect the capacity of the City's public facilities and services.

**6. Whether the allowed uses are compatible with the nearby uses;**

The proposed amendment addresses issues of compatibility between the pipelines and potential nearby uses.

**7. If the purpose of the amendment is to change the allowed use in an area, the need for the land uses that would be allowed by the Comprehensive Plan amendment and whether the amendment would result in the loss of the capacity to meet other needed land uses, especially whether the proposed amendment complies with the policy on a no-net loss of housing capacity; and**

See response to Criteria 4.

**8. For issues that have been considered within the last four annual updates or comprehensive land use plan amendments, whether there has been a change in circumstances that makes the proposed plan designation or policy change appropriate or whether the amendment is needed to remedy a mistake.**

This question is not applicable. This issue has not been considered within the last four annual updates.

## **V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW**

### **A. Subject matter jurisdiction:**

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed Development Guide Amendment.

### **B. Washington State Environmental Policy Act (SEPA):**

A Determination of Non-Significance and SEPA Checklist will be issued for this non-project action.

### **C. Public Involvement:**

People who live, work and own property in the Willows/Rose Hill Neighborhood had several opportunities to comment on the issue of hazardous liquid pipelines as part of workshops and surveys for the neighborhood plan update. Exhibit C includes public comments concerning the Citizen Committee's recommendations.

The January 2001 survey results indicated that most citizens who responded supported the Citizen Committee's recommendations for hazardous liquid pipelines. At workshops, most participants who commented also supported the recommendations, though the comments were more mixed. Some commented that perhaps the setback should be larger or should be measured from the pipelines. Others expressed concern about the potential affect for properties, particularly those that are small or might otherwise be unduly burdened.

The public will have additional opportunities to comment through the Planning Commission review process and public hearing.

### **D. Appeals:**

RCDG 20F.30.55 identifies Development Guide Amendments as a Type VI permit. Final action is held by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the requirements

## **VI. LIST OF EXHIBITS**

**Exhibit A: Redmond Comprehensive Plan Amendments**

**Exhibit B: Redmond Community Development Guide Amendments**

**Exhibit C: Public Comments on Hazardous Liquid Pipelines from Workshops and Surveys for the Willows/Rose Hill Neighborhood Plan Update**

**Exhibit D: SEPA – to be provided**

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Roberta Lewandowski, Planning Director

Date

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