

Local Government Perspective

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Cities – An Overview

- There are 19,429 cities and towns nationwide
- 76 million people live in cities with a population of at least 100,000
- There are 9,361 cities and towns with a population of less than 1,000
- Cities get their power directly from the states and some have more autonomy than others
- Forms of government
 - Mayor-Council
 - Council-Manager
- Typically, cities must have balanced budgets each year



Counties – An Overview

- There are 3,066 counties nationwide
 - 2200 are considered rural – populations of less than 50,000
- Size ranges from 27 square miles to over 87,000 square miles
- Population ranges from 67 people to over 9 million people
- 48 states have functioning county governments
- Forms of government – Commission, Administrator, Council-Executive
- The average annual budget for a rural county with a population of 50,000 or less is \$16 million
- “Dillon’s Law” - State constitutions and statutes dictate the revenue sources counties may use. They also set the responsibilities and authorities allotted to a county. It’s not the same nationwide.



The Planning Process

- Four functions of a land use planning program
 - Intelligence
 - Advance plan-making
 - Problem solving
 - Managing development



Four Functions of a Land Use Planning Program

1. Intelligence

- Gathering, organizing, analyzing and disseminating information to stakeholders in the use and development of land
- Alerts decision-makers to conditions, trends, and projections, as well as the social, economic and environmental impacts
- Aside from serving public officials and agencies, the information is a resource for private firms, organizations and other individuals
- Better and more information leads to improved public discourse, more equitable and effective policies and better land use decisions



Four Functions of a Land Use Planning Program

2. Advance plan-making

- The most traditional function of a land use planning program consists of setting long- and intermediate-range plans
- Involves formulating goals, defining desirable future land use patterns that balance social, market and environmental values, devising policies and action programs to achieve them, and getting policies and programs adopted
- Long-term planning is general and vision-oriented, focusing on the future of the project. It tends to be more policy-oriented, such as smart growth planning
- Short-term planning is specific and action-oriented and usually deals with only one component of the long-term plan



Four Functions of a Land Use Planning Program

3. Problem solving

- Assists the community in addressing issues not anticipated in advance-planning
- Differs from advance-planning in that problem solving is responsive rather than anticipatory and addresses individual problems instead of coordinating solutions across many community issues



Four Functions of a Land Use Planning Program

4. Managing development

- Involves the day to day administration, enforcement and revisiting of policies, regulations, public investments and other measures that constitute the actual (as opposed to proposed) development management system
- Includes all aspects of implementation after adoption



The Planning Process

- Roles of players in the planning process
 - Planners or planning department
 - Elected officials
 - Appointed officials
 - Interest groups and stakeholders



Roles of Players in the Planning Process

- Planners or planning department
 - Visionary or creative innovator with the responsibility to look beyond present conditions and near-term projections and invent and visualize possibilities
 - Advocates on behalf of future citizens, firms, and organizations, as well as current residents who otherwise have little voice in the land use game
 - Contributes a comprehensive perspective required for coordinating multiple interests, objectives, policies and programs of action
 - Close ties to the city or county manager's office



Roles of Players in the Planning Process

- Elected officials
 - Lead in the broader sense of setting the agenda of issues and priorities to be addressed
 - Determine the scope of the planning program and size of the planning agency
 - Should participate throughout the advance planning and problem solving process to assure their sense of ownership and commitment to the plans
 - Determine the allocation of responsibility and authority in making development permit decisions and public investments among planners, other local officials, appointed boards and citizens
 - Besides setting policy and adopting legislation, they play a key role in the day-to-day development management



Roles of Players in the Planning Process

- Appointed officials
 - Includes government employees and the lay people who serve on various advisory, administrative or quasi-judicial boards
 - Serve as sounding boards or advisors, as well as decision makers on permits required for development proposals
 - Help define the problem, formulate goals and policies, and evaluate alternatives, as well as administer development regulations and build infrastructure



Roles of Players in the Planning Process

- Interest groups and stakeholders
 - Includes environmental representatives, development industry, landowners, neighborhoods, business owners and other development market players
 - Advocate their view during goal-setting, policy formulation and evaluation of development management system measures, as well as in development-permitting procedures and public infrastructure decisions
 - Influence land development as it relates to them



Pipelines: Current Realities

- Pipeline companies have power of eminent domain over land
- Pipelines are not contained to one community or one corridor within a community
- Pipelines are not accurately mapped
- Some pipeline companies have better relationships with local governments than others; some have none



Local Government: Current Realities

- Planning process attempts to achieve an “ideal” vision of the community 20-30 years into the future
- Most cities and counties have some type of comprehensive development plan, though they are rarely updated
- Land use plans differ greatly, as communities have different concerns and characteristics
 - A primarily rural community that is experiencing rapid growth will handle planning differently than an older, preexisting community
- It is difficult for communities to plan for growth and land use changes
- There has been rapid development in previously rural communities, sprawl
- Cities and counties (where specified under state statute) only have real control over the land development process



City and County Approaches to Dealing with Pipelines

- Cities and/or counties may not have a pipeline GIS layer
- Local governments may not have the adequate knowledge, staff or money to assess dangers and to set appropriate zoning regulations
- Most cities and counties **react** to an accident near a pipeline, do not take a **proactive** approach in considering pipelines in their development plans
- Mandate fixed setbacks – hundreds of feet are required for a safe distance from a pipeline, which creates takings problems
- Resolving takings issues is most challenging for small communities – a large percent of land would be unavailable for economic and housing development



Why Local Governments and Pipeline Companies Should Work Together

- Pipeline protection – pipelines can get damaged when developers are not aware of pipeline location and start construction, causing unexpected expenses and problems for the pipeline company
- Development planning – projects that begin without full knowledge of pipeline locations can be delayed and run over budget at taxpayer expense
- Without knowledge of pipeline location an inappropriate structure could be placed on or near a pipeline, causing problems for both the pipeline company and local community



Why Local Governments and Pipeline Companies Should Work Together

- Pipeline operators cannot monitor all of their pipelines at all times
- Local governments think about development at all times. Pipelines can be damaged inadvertently by the unknowing public, i.e. someone digging a hole in their backyard and hitting a pipeline. Local governments are the first responders if there is a pipeline accident.



How Local Governments and Pipeline Companies Can Work Together

- Pipeline companies should contact local governments:
 - Give the planning department a point of contact in the pipeline company
 - Give the cities/counties accurate maps in the format they use or work with the local government to develop accurate maps
 - Ask what development projects are coming up or ask to see the comprehensive master plan (if applicable)
- Local governments should develop growth plans around pipelines, with their locations taken into consideration, not without knowing where they are located



How Local Governments and Pipeline Companies Can Work Together

- Local governments should make access to information easily accessible – who to talk to, when and where to start
- Local governments could require that before a construction permit is issued, it must be demonstrated that the pipeline company has been contacted and the development plans reflect any pipeline considerations that are in the area

