

NO FISCAL IMPACT**Drafting Number:** LLS 10-0506**Date:** February 23, 2010**Prime Sponsor(s):** Rep. Ryden
Sen. Spence**Bill Status:** House SVMA**Fiscal Analyst:** Harry Zeid (303-866-4753)

TITLE: CONCERNING LAND USE PLANNING BY LOCAL GOVERNMENTS TO ADDRESS THE IMPACTS OF LAND USE DEVELOPMENT UPON MILITARY INSTALLATIONS IN CLOSE PROXIMITY TO SUCH GOVERNMENTS.

Summary of Legislation

HB10-1205 modifies statutory provisions affecting land use planning by county and municipal governments to address the impacts of military installations that are in close proximity to the local government. A military installation is defined to include a base, camp, post, station, airfield, yard, center, or any other land area under the jurisdiction of the U.S. Department of Defense that is larger than 500 acres. Military installations covered by the bill include Buckley Air Force Base, Cheyenne Mountain Air Force Station, Fort Carson Army Post, Peterson Air Force Base, Schriever Air Force Base, and the United States Air Force Academy.

County and municipal master plans must reflect the off-site impacts of any military installation located within its boundaries utilizing noise contour data provided by the U.S. Department of Defense instruction #4165.57. As recommended by the instruction, local governments must take impact areas into account when plotting noise contours for an airfield. The bill also modifies requirements for local governments to notify military installations of certain zoning changes occurring near a military installation. Military installations will be given 60 days for review and comment regarding proposed zoning changes occurring within two miles of its boundaries. Finally, the bill clarifies that it is not the bill's intent to require a county or municipality to prepare a new master plan in order to satisfy any of the bill's requirements.

The bill takes effect August 11, 2010, assuming the General Assembly adjourns May 12, 2010, as scheduled, and no referendum petition is filed.

Assessment

The bill is assessed at no fiscal impact. Adding notification about zoning changes within two miles of a military installation to the flying mission commanding officer will not create a local government fiscal impact. Currently, information about proposed changes to the local government's comprehensive plan or land development regulations are submitted to the installation's commanding officer. Furthermore, the bill states that new county and municipal master plans are not required to satisfy the requirements of the bill.

Departments Contacted

Local Affairs

Military Affairs