



29 Utah National Guard.

30 (c) "Military land" means the following land or facilities:

31 (i) Camp Williams;

32 (ii) Hill Air Force Base;

33 (iii) Dugway Proving Ground;

34 (iv) Tooele Army Depot;

35 (v) Utah Test and Training Range;

36 (vi) Nephi Readiness Center;

37 (vii) Cedar City Alternate Flight Facility; or

38 (viii) Little Mountain Test Facility.

39 (2) (a) Except as provided in Subsection (2)(b), on or before July 1, 2025, for any area in  
40 a municipality within 5,000 feet of a boundary of military land, a municipality shall,  
41 in consultation with the department, develop and maintain a compatible use plan to  
42 ensure permitted uses and conditional uses relevant to the military land are  
43 compatible with the military operations on military land.

44 (b) A municipality that has a compatible use plan as of January 1, 2023, is not required  
45 to develop a new compatible use plan.

46 (3) If a municipality receives a land use application~~[, other than an individual building~~  
47 ~~permit,]~~ related to land within 5,000 feet of a boundary of military land, before the  
48 municipality may approve the land use application, the municipality shall notify the  
49 department in writing.

50 (4) (a) If the department receives the notice described in Subsection (3), the executive  
51 director of the department shall:

52 ~~[(a)]~~ (i) determine whether the proposed land use is compatible with the military use  
53 of the relevant military land; and

54 ~~[(b)]~~ (ii) within 90 days after the receipt of the notice described in Subsection (3),  
55 respond in writing to the municipality regarding the determination of  
56 compatibility described in Subsection (4)(a)(i).

57 (b) (i) For a land use application pertaining to a parcel within 5,000 feet of military  
58 land that may have an adverse effect on the operations of the military installation,  
59 except as provided in Subsection (4)(b)(ii), the municipality shall consider the  
60 compatible use plan in processing the land use application.

61 (ii) For a land use application pertaining to a parcel within 5,000 feet of military land  
62 that may have an adverse effect on the operations of the military installation, if the

63 applicant has a vested right, the municipality is not required to consider the  
 64 compatible land use plan in consideration of the land use application.

65 (5) If the department receives the notice described in Subsection (3) before the municipality  
 66 has completed the compatible use plan as described in this section, the department shall  
 67 consult with the municipality and representatives of the relevant military land to  
 68 determine whether the use proposed in the land use application is a compatible use.

69 Section 2. Section **17-27a-533** is amended to read:

70 **17-27a-533 . Land use compatibility with military use.**

71 (1) As used in this section:

- 72 (a) "Department" means the Department of Veterans and Military Affairs.
- 73 (b) "Military" means a branch of the armed forces of the United States, including the  
 74 Utah National Guard.
- 75 (c) "Military land" means the following land or facilities:
  - 76 (i) Camp Williams;
  - 77 (ii) Hill Air Force Base;
  - 78 (iii) Dugway Proving Ground;
  - 79 (iv) Tooele Army Depot;
  - 80 (v) Utah Test and Training Range;
  - 81 (vi) Nephi Readiness Center;
  - 82 (vii) Cedar City Alternate Flight Facility; or
  - 83 (viii) Little Mountain Test Facility.

84 (2) (a) Except as provided in Subsection (2)(b), on or before July 1, 2025, for any area in  
 85 a county within 5,000 feet of a boundary of military land, a county shall, in  
 86 consultation with the department, develop and maintain a compatible use plan to  
 87 ensure permitted uses and conditional uses relevant to the military land are  
 88 compatible with the military operations on military land.

89 (b) A county that has a compatible use plan as of January 1, 2023, is not required to  
 90 develop a new compatible use plan.

91 (3) If a county receives a land use application~~[, other than an individual building permit,]~~  
 92 related to land within 5,000 feet of a boundary of military land, before the county may  
 93 approve the land use application, the county shall notify the department in writing.

94 (4) (a) If the department receives the notice described in Subsection (3), the executive  
 95 director of the department shall:

96 ~~[(a)]~~ (i) determine whether the proposed land use is compatible with the military use

97 of the relevant military land; and  
98 ~~[(b)]~~ (ii) within 90 days after the receipt of the notice described in Subsection (3),  
99 respond in writing to the county regarding the determination of compatibility  
100 described in Subsection (4)(a)(i).

101 (b) (i) For a land use application pertaining to a parcel within 5,000 feet of military  
102 land that may have an adverse effect on the operations of the military installation,  
103 except as provided in Subsection (4)(b)(ii), the county shall consider the  
104 compatible use plan in processing the land use application.

105 (ii) For a land use application pertaining to a parcel within 5,000 feet of military land  
106 that may have an adverse effect on the operations of the military installation, if the  
107 applicant has a vested right, the county is not required to consider the compatible  
108 land use plan in consideration of the land use application.

109 (5) If the department receives the notice described in Subsection (3) before the county has  
110 completed the compatible use plan as described in this section, the department shall  
111 consult with the county and representatives of the relevant military land to determine  
112 whether the use proposed in the land use application is a compatible use.

113 Section 3. **Effective date.**

114 This bill takes effect on May 1, 2024.