EXHIBIT 1
DATE 4.7.11
SB 417

Amendments to Senate Bill No. 417
2nd Reading Copy

Requested by Senator Edward Buttrey

For the House Local Government Committee

Prepared by Leanne Kurtz
April 5, 2011 (2:30pm)

1. Page 2, line 5.
Following: "(3)"
Insert: "(a)"
Following: "means"
Strike: "the"
Following: "land"
Strike: "and" through "area"

2. Page 2, line 6.
Strike: "or an area used for military purposes"
Following: "that"
Insert: "is directly affected or that"
Following: "will be"
Insert: "directly"

3. Page 2.
Following: line 7
Insert: "(b) The term does not mean an area over which military aircraft operate when no other components of military facilities or military uses exist."

4. Page 3, line 11.
Strike: "and"

5. Page 3, line 14.
Following: "recommendations"
Insert: "; and
(f) existing and potential future uses of the land proposed to be included in a military affected area"

6. Page 3, line 15.
Following: "regulations"
Insert: "must be limited to addressing current and known future military uses and"
Following: "may"
Insert: "be adopted only to"

7. Page 4, line 16 through line 19.
Following: "continue" on line 16

Strike: "," on line 16 through "destroyed" on line 19

8. Page 4.
Following: line 19
Insert: "(2) A nonconforming structure or use that is destroyed or substantially damaged by fire, flood, or other natural disaster may not be restored as a nonconforming structure or use unless a variance is issued by the appeals board provided for in [section 10] or unless the restoration occurs within 24 months of the damage having occurred and the resulting structure or use occupies the same physical footprint and is used for the same purpose as the original nonconforming structure or use. A nonconforming structure or use is considered to be substantially damaged when 80% or more of a structure is damaged or destroyed."
Renumber: subsequent subsection

9. Page 4, line 26.
Strike: ", repairing,"

10. Page 5, lines 26 and 27.
Following: "contrary to" on line 26
Strike: "the" on line 26 through "public interest" on line 27
Insert: "military missions"

- END -

Explanation - With amendments #1 through #4, the definition of "Military affected area" in [section 3(3)] would read:

(3)(a) "Military affected area" means land used for military purposes or in close proximity to military facilities that is directly affected or that will be directly affected by military uses.

(b) The term does not mean an area over which military aircraft operate when no other components of military facilities or military uses exist.

With amendment #6, [section 5(2)] would read:

"(2) Military affected area regulations must be limited to addressing current and known future military uses and may be adopted only to:

(a)..."