

IC 36-7-30.1

Chapter 30.1. Planning and Zoning Affecting Military Bases

IC 36-7-30.1-1

"Military base"

Sec. 1. As used in this chapter, "military base" means a United States government military installation that:

- (1) has an area of at least sixty thousand (60,000) acres; and
- (2) is used for the design, construction, maintenance, and testing of electronic devices and ordnance.

As added by P.L.5-2005, SEC. 7.

IC 36-7-30.1-2

Notification requirement

Sec. 2. (a) Before a unit may take action to:

- (1) plan or regulate the:
 - (A) use, improvement, and maintenance of real property; or
 - (B) location, condition, and maintenance of structures and other improvements; or
- (2) regulate the platting and subdividing of real property;

located within three (3) miles of the perimeter of a military base, the unit must notify the commander of the military base of the unit's intent to take action to ensure the action will not have an adverse impact on the operation of the military base.

(b) The notice provided under subsection (a) must request that the commander of the military base respond to the notice:

- (1) with written recommendations and supporting facts concerning the action and its impact on the operation of the military base; and
- (2) not more than fifteen (15) days after the date the commander receives the notice.

(c) If the commander does not submit a response to the notice provided under subsection (a) not more than fifteen (15) days after the date the commander receives the notice, the unit may presume that the action will not have an adverse impact on the operation of the military base.

As added by P.L.5-2005, SEC. 7.

IC 36-7-30.1-3

Impact on military bases

Sec. 3. A unit may not take action to:

- (1) plan or regulate the:
 - (A) use, improvement, and maintenance of real property; or
 - (B) location, condition, and maintenance of structures and other improvements; or
- (2) regulate the platting and subdividing of real property;

located within three (3) miles of the perimeter of a military base if the action will have an adverse impact on the operation of the military base.

As added by P.L.5-2005, SEC. 7.