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Mr. Chairman and Members of the House Local Government Committee,

On behalf of the City of Liberal, thank you for this opportunity to provide testimony in opposition to H.B. 2704, AN ACT concerning economic development; creating the no-impact home-based business fairness act; limiting the regulatory powers of cities and counties.

First, I would like to make clear that as one of the few communities in rural Kansas with a young and growing population, the City of Liberal is proud of its efforts to be a welcoming and enticing city for small and large businesses alike. Furthermore, we believe the intentions behind this bill were good, but the potential consequences are significant enough that we find ourselves in opposition.

The act of restricting Home Rule in the state is not a decision we believe should be made lightly. Local planning and zoning regulations are carefully crafted to best serve the community, and the issuing of variances is controlled by the representatives of the people who would be directly impacted. H.B. 2704 would disregard these considerations, putting a blanket policy in place of a successful system that evaluates issues on a case-by-case basis and allows the input of all involved parties.

For instance, should a resident with a large backyard be allowed to lay down pavement and build a privacy fence in order to operate a used car lot if it did not result in "a substantial increase in traffic." Or, say, build a self-storage facility in the same manner? The answer very well may be yes, but that is a decision residents and officials should come together to make instead of having their hands tied by state law. Another scenario could be a home-based business growing over the years until it is clearly in violation. At that point, it would likely be a long and cumbersome process to rectify the matter, which could have been avoided entirely by retaining local control.

Again, we believe this bill may have good intentions, but whatever underlying issue it is seeking to resolve would be better addressed either at the local level or with a much more fine-tuned piece of legislation. For these reasons, the City of Liberal stands in opposition to H.B. 2704 and asks that you do the same. I am happy to stand for questions at the appropriate time.

Very respectfully yours,

Nathaniel Blank
Government Affairs, City of Liberal