



## SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS

Pete Meitzner • Jeff Blubaugh • Stephanie Wise • Ryan Baty • Jim Howell

100 N. Broadway • Suite 660, Wichita, KS 67202 • Phone (316) 660-9300 • Fax (316) 660-9345

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Dear Chair Alley, Vice Chair Owens, Ranking Minority Member Ware, and Other Members of the Committee,

I am writing on behalf of the Sedgwick County Board of County Commissioners regarding HB 2343, which proposes to create what is termed the no-impact home-based business fairness act. The Sedgwick County Board of County Commissioners strongly respects property owners' ability to utilize their property rights.

It is important to note that HB 2343 would allow much more than just "no-impact home-based businesses." **HB 2343 would allow homeowners in the unincorporated areas to run any business by right (without any zoning change), except for a business that would sell liquor, operate as a sober living house, or be a sexually-oriented business.** All other businesses would be permitted, including industrial uses of all types and event centers that may have hundreds of attendees.

The Sedgwick County Board of County Commissioners supports the ability of businesses to operate from within homes, but only to the extent that it would not unreasonably interfere with the ability of nearby property owners to enjoy their property. Within Sedgwick County's zoning code, home occupations are categorized based upon the impact they would have to surrounding property owners with common sense provisions that provide appropriate balance between allowing individuals to run businesses out of their homes, while also protecting neighboring property owners against the most impactful uses.

Unfortunately, HB 2343 proposes to take local elected officials out of planning and zoning, which is inherently one of the most local issues that municipalities encounter. HB 2343 also proposes to utilize a one-size-fits-all approach within unincorporated areas that fails to account for residential communities that may exist outside of city limits. For example, within Sedgwick County, residential developments in improvement districts, such as the Crestview Country Club Improvement District and the Oaklawn Improvement District, as well as other residential developments just outside of city limits contain houses and properties that mirror development that can be found within cities. However, HB 2343 fails to recognize this distinction and would treat such properties precisely the same as unzoned land in the most sparsely populated counties in Kansas, where houses may be miles apart. As such, HB 2343 is out of step with the local factors that municipalities have developed within their own zoning codes.

Passage of HB 2343 would reflect an intrusion upon local zoning powers that would be likely to result in the frustration of many Kansans. As a result, we would request that you would not pass the bill out of Committee.

Sincerely,

A handwritten signature in blue ink, appearing to read "RB", written over a blue circular stamp.

Ryan Baty, Chairman  
Board of County Commissioners of Sedgwick County