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To: Representative Emil Bergquist, Chairman
and Members of the House Local Government Committee

FROM: Martha Smith, Executive Director

DATE: January 29, 2025

RE: Proponent of HB2025 – Repealing the three-mile extraterritorial planning and zoning authority for cities

Chairman Bergquist and Members of the House Local Government Committee, my name is Martha Smith and I am the Executive Director of the Kansas Manufactured Housing Association (KMHA). KMHA is a statewide trade association representing all facets of the manufactured and modular housing industries (manufacturers, retail centers, manufactured home community owners and operators, service and supplier companies, finance and insurance companies and transport companies) and I appreciate the opportunity to provide a few comments in support of HB2025.

Since 1991, K.S.A. 12-749 has provided cities extraterritorial jurisdiction or the ability to enforce subdivision regulation three miles beyond the city limits. This allows cities to control the development of land surrounding the city without annexing the land. It should be noted that while this statute gives cities control over development within the three miles, *it does not include taxing authority* and not every city enforces the three mile limit.

For landowners within the three mile limit, this can be confusing. They know their property is outside of the city limits, however some city regulations apply.

What KMHA members experience is when a property owner starts thinking about building a new home, they come into one of our retail centers and after starting the home selection and purchasing process, it is discovered that the property they want to build on is within the three mile limit of a city that will require them to follow the city's subdivision requirements. This discovery most likely means that they will not be building a home in that location.

KMHA members appreciate the Sponsor(s) of the bill bringing this issue forward for the Legislature to look at and while we understand the issues covered by this statute, three miles beyond the city limits can cover a lot of land which impacts a lot of landowners that may or may not be aware of the development standards that apply to their property.

We would like to thank Chairman Bergquist and Members of the House Local Government Committee for hearing this issue to see if there is a way to provide organized growth without encumbering three miles of land all the way around a city.