

MINUTES  
**HOUSE LOCAL GOVERNMENT COMMITTEE**

- DATE:** Monday, February 14, 2022
- TIME:** 1:30 P.M.
- PLACE:** Room EW05
- MEMBERS:** Chairman Mendive, Vice Chairman Kingsley, Representatives Barbieri, Clow, Christensen, Bundy, Erickson, Galloway, Nate, Skaug, Weber, Berch, Green, Burns
- ABSENT/  
EXCUSED:** Representative(s) Christensen
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Chairman Mendive** called the meeting to order at 1:30pm.
- MOTION:** **Rep. Bundy** made a motion to approve the minutes of February 8, 2022. **Motion carried by voice vote.**
- RS 29493:** **Rep. Okuniewicz** explained currently when a property is adjoined by two different cities the property owner can choose which county by which to be annexed. However, the city which does not annex the property often seeks to collect revenue from the property owner using the area of impact argument. **RS 29493** would ensure that the property owner would only be required to pay taxes to the city by which the property has been annexed.
- In response to questions, **Rep. Okuniewicz** said this places primary importance on the rights of the property owner. However, this does not attempt to address the problem of forced annexation.
- MOTION:** **Rep. Weber** made a motion to introduce **RS 29493**. **Motion carried by voice vote.**
- RS 29501:** **Rep. Nash** introduced **RS 29501** which deals with a city or Home Owners Association's ability to prohibit accessory dwelling units. This is important because these types of dwelling can help with the current housing shortage issues. It would decrease government involvement and give more power to the people.
- In response to questions regarding possible ways this would conflict with zoning rules, **Rep. Nash** said the definition of an accessory dwelling unit versus that of multiple family housing will allow them to maintain the character of this legislation and prevent it from being abused in this manner. Additionally, this legislation would simply prevent HOAs and cities from creating broad bans on these types of living situations without preventing them from creating restrictions on other areas that would be affected by this, like parking.
- In response to questions about the definition of an accessory dwelling unit, **Rep. Nash** explained it has to be a place where someone can live; this would prevent storage sheds from being included in the definition. Additionally, the definition prevents motor homes or trailers from being included.
- In response to questions about whether this would only apply to new residents while old residents would still live under the former restrictions, **Rep. Nash** said that this concern was raised and dismissed during the creation of the legislation as the entire subdivision would be under the same set of restrictions.
- Rep. Burns** declared a Rule 80, possible conflict of interest.
- MOTION:** **Rep. Burns** made a motion to introduce **RS 29501**. **Motion carried by voice vote.**

**RS 29516:** **Rep. Gestrin** explained **RS 29516** would reduce the restrictions placed on large land divisions. This legislation requires counties to except certain land divisions from county subdivision regulations. Currently, counties can require all land divisions to comply with highly technical, increasingly expensive, and overly restrictive requirements governing formal subdivisions. The complex and costly subdivision requirements prevent farmers and ranchers from passing portions of family farms and ranches to their children and grandchildren.

**MOTION:** **Rep. Skaug** made a motion to introduce **RS 29516**.

In response to questions about the significance of the one hundred acre limit, **Rep. Gestrin** said he knew of no special significance.

**Rep. Clow** suggested that eighty acres would be a more useful limit as it is a more common lot size in land divisions.

**SUBSTITUTE MOTION:** **Rep. Clow** made a motion to introduce **RS 29516** with Line 35 changed to eighty (80) or more acres. **Motion carried by voice vote.**

**Rep. Gestrin** supported this change.

**RS 29499C1:** **Rep. Green** explained **RS 29499C1** would revise provisions regarding the membership of a Community Improvement District Board in the event of boundaries change from at-large council elections to city council districts. Additionally, the legislation stipulates that no district can exclude land that is surrounded by property within the districts. This currently exists because some houses declined to participate in the Community Improvement District and therefore did not pay any fees even though they still benefit from the Board's actions.

**MOTION:** **Rep. Berch** made a motion to introduce **29499C1**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 1:57pm.

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Representative Mendive  
Chair

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Emily Huddleston  
Secretary