

TESTIMONY ON HOUSE BILL 1222

Senate Political Subdivisions Committee

March 19, 2021

Ryan Brooks, Interim City Planner, City of Grand Forks, ND

Chairman Burckhard and members of the Senate Political Subdivisions Committee, my name is Ryan Brooks the Interim City Planner for the City of Grand Forks. Thank you for the opportunity to provide testimony and express my opposition to House Bill 1222.

The city has many issues with this bill. We ask for the state to continue to allow the city to work with property owners and neighborhoods in issues that deal with non-conforming structures.

A real-world example where this bill would be problematic happened in Grand Forks two years ago when a fire occurred on a small residential lot (1,400 square feet), leaving the structure damaged beyond 50% of its value. The now-damaged house was located within a few feet of an adjacent house. It was very fortunate that the fire did not consume both homes. Under this bill, the City would have to allow the structure to be rebuilt despite the life-safety issues of its close proximity to another residential structure.

Another prime example is an instance in Grand Forks about 15 years ago where a neighborhood came to the city and asked for their neighborhood to be rezoned. The neighborhood was located near the University of North Dakota and houses in the neighborhood were being purchased and being turned into multiple unit rental houses. The neighborhood was frustrated with the change in character of their neighborhood. Traffic in the neighborhood increased and the neighborhood elementary school experienced decreased attendance. The neighborhood worked with the city council to allow only single-family homes in the neighborhood. The homes could still be rented but the altering the homes to increase the units is no longer allowed. The existing multiple unit rentals were changed to a non-conforming status. These homes are still allowed to do basic maintenance, but they cannot expand their homes. In addition, if the home was damaged beyond 50% it would have to be rebuilt as a single-family home.

In sum, if adopted, House Bill 1222 would deny cities the ability to address life-safety concerns, in partnership with property owners and through a proper and thorough evaluation of existing zoning and building codes, that may result from

non-conforming properties, as well as the limit the evaluation of the impact a given non-conforming property may have on surrounding land uses.

The passage of House Bill 1222 is not in the best interests of the City of Grand Forks, nor any other cities, counties, or townships in North Dakota. Thank you for your time and consideration.

The City of Grand Forks asks for a DO NOT PASS for HB 1222