

STAND. COM. REP. NO.

2674

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 2774  
S.D. 2

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Housing and Water, Land, and Agriculture, to which was referred S.B. No. 2774, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

beg leave to report as follows:

The purpose of this measure is to make plantation communities such as Kunia Camp a permitted, rather than a nonconforming, use within the state agricultural land use district.

Testimony in support of the measure was submitted by the International Longshore and Warehouse Union Local 142, Kunia Camp Association, Poamoho Camp Community Association, and two individuals. The Department of Planning and Permitting of the City and County of Honolulu opposed the measure. The Department of Agriculture and Executive Officer of the Land Use Commission as an individual offered comments.

Your Committees find that housing is a fundamental need which will shortly be denied to residents of Kunia Camp unless the State takes prompt affirmative action. Eviction notices are already being issued to residents following the announced closure of Del Monte Fresh Produce Kunia Plantation. Employees and former employees of the plantation must be assured that their homes are secure and protected against any action that might declare them an impermissible or illegal land use.



After hearing and considering the testimony offered on this measure, your Committees acknowledge that further discussion is warranted on the issues of transfer of ownership, property regime, development rights, infrastructure requirements, density limits, and the unexpected consequences of allowing "spot zoning" for plantation communities in transition. Nevertheless, it is critically important that the measure move forward to protect the homes of the current residents of Kunia Camp.

Your Committees have amended this measure to:

- (1) Amend the term "plantation community" so that it refers to a subdivision of land in one or more parcels;
- (2) Include acreage together with employee housing and community buildings in the definition of plantation community subdivision;
- (3) Provide that the measure applies only to plantation community subdivisions acquired by employees or former employees;
- (4) Allow plantation community subdivisions formed after the effective date of the measure to qualify for similar relief;
- (5) Provide that the land surrounding a plantation community subdivision may have been leased or operated as well as owned by a plantation company; and
- (6) Make technical, nonsubstantive amendments for consistency and style.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Housing and Water, Land, and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2774, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2774, S.D. 2, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committees on Commerce,  
Consumer Protection, and  
Housing and Water, Land, and  
Agriculture,

  
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RUSSELL S. KOKUBUN, Chair

  
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RON MENOR, Chair





