

STAND. COM. REP. NO. 712-08

Honolulu, Hawaii

Feb 28, 2008

RE: H.B. No. 2243  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian  
Affairs, to which was referred H.B. No. 2243 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose of this bill is to provide that a zoning ordinance adopted by the county is not invalidated by a reclassification of land pursuant to the state land use laws, if the uses allowed under the zoning ordinance are permissible uses under the new classification.

The Council Chair of the Maui County Council, Dowling Company, Inc., Hanohano LLC, and Hawaii Building and Construction Trades Council, AFL-CIO, testified in support of this bill. The Office of Planning supported the intent of this measure. The City and County of Honolulu Department of Planning and Permitting provided comments.

Your Committee has amended this bill by:

- (1) Specifying that only zoning ordinances adopted prior to January 1, 1980, cannot be invalidated by a reclassification of the state land use designation, if the use under the zoning ordinance is a permissible use under the reclassification;

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- (2) Moving the statutory provisions from Chapter 46, Hawaii Revised Statutes (HRS), relating to county zoning powers, to Chapter 205, HRS, relating to state land use laws;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2243, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, Ocean  
Resources & Hawaiian Affairs,

  
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KEN ITO, Chair



