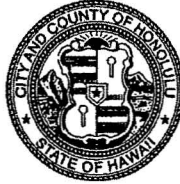


DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
TELEPHONE: (808) 768-8000 • FAX: (808) 527-6743
INTERNET: www.honolulu.gov • DEPT. WEB SITE: www.honoluludpp.org

MUFI HANNEMANN
MAYOR



HENRY ENG, FAICP
DIRECTOR

DAVID K. TANOUE
DEPUTY DIRECTOR

February 11, 2008

The Honorable Ken Ito, Chair
and Members of the Committee on Land,
Ocean Resources & Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

**Subject: House Bill No. 2523
Relating to the Land Use Commission**

The Department of Planning and Permitting **supports** House Bill 2523, which requires the Land Use Commission to explicitly consider county general plans and regional development plans in its deliberations over requests for land reclassification.

Once again, we thank Representative Sharon Har for her leadership in the Smart Growth Task Force, and her positive acknowledgement of county efforts in land use planning and regulations, as evidenced by this bill.

Please adopt House Bill 2523.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Henry Eng", is written in black ink.

Henry Eng, FAICP, Director
Department of Planning and Permitting

HE: jmf
hb2523-kh.doc

Council Chair
G. Riki Hokama

Vice-Chair
Danny A. Mateo

Council Members
Michelle Anderson
Gladys C. Baisa
Jo Anne Johnson
Bill Kauakea Medeiros
Michael J. Molina
Joseph Pontanilla
Michael P. Victorino

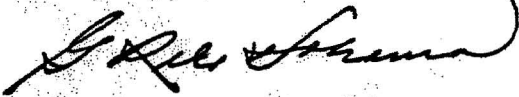


Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

February 10, 2008

TO: Honorable Ken Ito, Chair
House Committee on Water, Land, Ocean Resources & Hawaiian Affairs

FROM: G. Riki Hokama
Council Chair 

SUBJECT: **HEARING OF FEBRUARY 11, 2008; TESTIMONY IN SUPPORT OF HB 2523,
RELATING TO THE LAND USE COMMISSION**

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to require the Land Use Commission to consider each county general plan and all community, development, or community development plans adopted pursuant to the county general plan when making land use classification decisions.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. County general plans, community plans, and other long-range plans adopted pursuant to the general plans are enacted after lengthy review and consultation, with considerable input from the public (including volunteer commissioners), county agencies, and State agencies. Requiring the Land Use Commission to formally acknowledge and contemplate these plans is a matter of basic respect and common sense.
2. The best land use decisions are those made at the local level of government, and this measure will help to ensure that the Land Use Commission gives due consideration to counties' decisions as expressed in their long-range plans.
3. With Maui County currently working on an update of its General Plan, this measure is timely.

For the foregoing reasons, I support this measure.

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

February 11, 2008

9:30 a.m.

Conference Room 312

COMMITTEE ON WATER, LAND, OCEAN RESOURCES, AND HAWAIIAN AFFAIRS

The Honorable Representative Ken Ito, Chair and Members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
State House of Representatives, Room 312
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

Subject: House Bill No. HB 2523 Relating to Land Use Commission

I am Karen Nakamura, Chief Executive Officer of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii strongly supports HB No. 2523 with a proposed amendment.

H.B. No. 2523 purposes to amend the Land Use Commission decision-making criteria to include the County General Plan and plans adopted pursuant to the general plan.

Hawaii was the first state to enact comprehensive land use planning in the early 1960's. At the time, Hawaii's landscape was made up of the urban areas (towns and cities); the agricultural areas (sugar and pineapple plantations); and the conservation areas (forest reserves and restricted watersheds).

In the administration of these land use districts, there were also some questionable land use decisions made by the Counties that begged for more state oversight. For example, the large "paper subdivision" on "lava land" on the island of Hawaii were done without appropriate consideration of the need for infrastructure. These concerns of the county's ability to review and approve subdivisions probably led to the existing entitlement system which provided for state oversight on land use decisions.

Since that time, the Counties have become experienced and better able to deal with urban land use planning. However, the process has not changed. As a result, we have a dual, overlapping system of entitlements in Hawaii. Rather than have the LUC look at the details of a particular project, the LUC should be reclassifying lands in advance of the need and allow the Counties to rezone and subdivide lands as the market conditions change. In considering reclassification of lands among the four land use districts: Urban, Rural, Agricultural and Conservation, the LUC should focus only on the broader public policy issues (as mandated in the State Constitution) such as providing for: housing (Article IX, Section 5); healthy environment (Article IX, Section 8); education (Article 10, Section 1); conservation and development of resources (Article XI, Section 1); agricultural lands (Article XI, Section 3); and, most importantly, the rights of individuals (Article 1, Section 2).

The Counties then would determine the urban and rural zoning issues as the next step in the entitlement process. Zoning and subdivision should follow investment in infrastructure to these identified areas of growth.

Having the LUC consider the Counties Development or Sustainable Community Plans will improve the process. However, we recommend that the legislature consider a one-time reclassification of the lands, identified by the Counties for development, to urban. The counties will have the ability through zoning and subdivision to allow development of these areas over time. But it removes the overlapping jurisdiction of the State from the process.

Thank you for this opportunity to express our views.

Karen I. Nakamura



The REALTOR® Building
1136 12th Avenue, Suite 220
Honolulu, Hawaii 96816

Phone: (808) 733-7060
Fax: (808) 737-4977
Neighbor Islands: (888) 737-9070
Email: har@hawaiiirealtors.com

February 9, 2008

The Honorable Ken Ito, Chair
House Committee on Water, Land,
Ocean Resources & Hawaiian Affairs
State Capitol, Room 312
Honolulu, Hawaii 96813

RE: H.B. 2523 Relating to the Land Use Commission
Hearing Date: February 11, 2008 @ 9:30 a.m., Room 312

Dear Chair Ito and members of the House Committee on Water, Land, Ocean Resources & Hawaiian Affairs:

On behalf of our 10,000 members in Hawaii, the Hawaii Association of REALTORS® (HAR) supports the intent of H.B. 2523 which amends Land Use Commission decision-making criteria to include the County General Plan and plans adopted pursuant to the general plan.

HAR served on the Interim Task Force on Smart Growth created pursuant to HR 259, Regular Session of 2007 and was very pleased with the high level of cooperation and discussion that occurred at all of the meetings. HAR strongly supports the ten smart growth principles which include creating a range of housing opportunities and choices, mixed land uses, and a variety of transportation choices. H.B. 2523 would guide the Land Use Commission to specifically consider, in its review of any petition for reclassification of district boundaries, the county general plan and all community, development, or community development plans adopted pursuant to the county general plan, as they relate to the land that is the subject of the reclassification petition. The consideration of the county general plan is necessary to ensure that issues specific to that county are not overlooked.

HAR looks forward to working with our state lawmakers in building better communities by supporting quality growth, seeking sustainable economies and housing opportunities, embracing the cultural and environmental qualities we cherish, and protecting the rights of property owners.

Mahalo for the opportunity to testify.

From: Joe Fadrowsky [mailto:joef@gentryhawaii.com]
Sent: Sunday, February 10, 2008 9:42 PM
To: WLHtestimony
Cc: har1-En
Subject: Testimony for HB 2523, 2524, 2525 and 2526 Relating to Smart Growth

February 10, 2008

The Honorable Representative Ken Ito, Chair, and Members
Committee on Water, Land, Ocean Resources & Hawaiian Affairs
Hearing – Monday February 11, 2008 at 9:30am
State House of Representatives, Room 312
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

Subject: House Bill Nos. HB 2523, 2524, 2525 and 2526 Relating to Smart Growth

My name is A. Joseph Fadrowsky, III, a participant in the 2007 Interim Task Force on Smart Growth meetings chaired by Representative Sharon Har.

I support House Bill Nos. 2523, 2524, 2525 and 2526.

These bills enhance the decision making criteria of State agencies (LUC, DOT, HCDA, etc.) by adding smart growth principles to their deliberations and direct the State Agencies to consider existing County plans in their deliberations.

Attendees at the meetings represented a broad cross section of experienced and knowledgeable people from both the public and private sector. These bills represent a well balanced effort to enhance State decision-making regarding land use matters by: a) including a spectrum of smart growth principles that should be fair and cost effective, and b) more closely integrating State planning efforts with County planning efforts.

Thank you for this opportunity to express my views.

A. Joseph Fadrowsky, III
1360 Laukahi Street
Honolulu, Hawaii 96821



**The Chamber of
Commerce of Hawaii**

Since 1850

TESTIMONY TO THE HOUSE COMMITTEE ON WATER, LAND, OCEAN RESOURCES &
HAWAIIAN AFFAIRS
MONDAY, FEBRUARY 11, 2008 AT 9:30 A.M.
ROOM 312, STATE CAPITOL

RE: H.B. 2523 Relating to the Land Use Commission

Chair Ito, Vice Chair Karamatsu, Members of the Committee:

My name is Christine Camp, Chair of The Chamber of Commerce of Hawaii, Land Use and Transportation Committee. The Chamber of Commerce of Hawaii strongly supports HB 2523 with a proposed amendment.

The Chamber is the largest business organization in Hawaii, representing over 1100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. The organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

H.B. No. 2523 purposes to amend the Land Use Commission decision-making criteria to include the County General Plan and plans adopted pursuant to the general plan.

Hawaii was the first state to enact comprehensive land use planning in the early 1960's. At the time, Hawaii's landscape was made up of the urban areas (towns and cities); the agricultural areas (sugar and pineapple plantations); and the conservation areas (forest reserves and restricted watersheds).

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Page 2

The Chamber of Commerce of Hawaii Testimony on HB 2523
February 11, 2008

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