

TESTIMONY

HB 2523

LATE

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March 28, 2008

The Honorable Senator Clayton Hee, Chair and Members
Senate Committee on Intergovernmental and Military Affairs
Hawaii State Capitol, Room 229
Honolulu, HI 96813

Subject: HB 2523 Relating to the Land Use Commission

Dear Chair Hee and Members:

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable and rational land use planning, legislation and regulations affecting common problems in Hawaii.

We appreciate the opportunity to provide our testimony **in support of HB 2523**. LURF served on the Interim Task Force on Smart Growth, created pursuant to HR 259, Regular Session of 2007. This bill is a result of the review, discussion and hard work by the 2007 Interim Task Force on Smart Growth and its Chair, State Representative Sharon Har, and it reflects some of the best practices in long-term planning principles.

The purpose of this bill is to amend Section 205-17, Hawaii Revised Statutes ("HRS") to require the Land Use Commission ("LUC") to specifically consider the County General Plan and all community, development, or community development plans adopted pursuant to the County General Plan ("County Plans"), as they relate to the land that is the subject of the LUC petition for reclassification of a district boundary. The general process is that County Plans are enacted only after lengthy review, consultation and public input process, which include public hearings, and reviews by volunteer commissioners and state, county and sometimes federal agencies.

The LUC has already adopted Section 15-15-77(b) (4) Hawaii Administrative Rules, which requires the LUC to consider the general plan of the county when establishing the boundaries of the districts. Also, the practice of the State Office of Planning is to incorporate the status of the county general plan and adopted community or development plans into its review and position statements on all LUC petitions. Thus, this bill would make the language in Section 205-17, Hawaii Revised Statutes, consistent with the current practices at the LUC and State Office of Planning.

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