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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXEMPT THE ALA WAI  
AND KEEHI BOAT HARBORS FROM COUNTY ZONING AND BUILDING  
ORDINANCES.

1           WHEREAS, numerous economic factors, including the downturn  
2 in Hawaii's two main industries, tourism and construction, have  
3 had a tremendous impact on the state budget and contributed to  
4 the State's growing deficit; and

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6           WHEREAS, although the state economy had been performing  
7 very well until recently, with the lowest rate of unemployment  
8 in the nation and budget surpluses for many years, the meltdown  
9 of the global economy that began in the latter part of 2008  
10 severely reduced the State's revenue projections and  
11 collections; and

12  
13           WHEREAS, many Hawaii residents have lost jobs, investments,  
14 and homes, and there has been a decrease in the number of  
15 visitor arrivals, resulting in a decline of consumer spending;  
16 and

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18           WHEREAS, as a result, in 2009, the Legislature faced a  
19 historic revenue shortfall; and

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21           WHEREAS, if circumstances remain unchanged, the current  
22 budget shortfall of over \$1,100,000,000 will require a reduction  
23 in spending of at least \$550,000,000 over the next two years;  
24 and

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26           WHEREAS, while some solutions to solve the current fiscal  
27 crisis have been or are currently being implemented, additional  
28 revenue sources are still needed; and

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1           WHEREAS, without additional revenue sources, the daily  
2 operations of the State, including essential services to  
3 residents and visitors alike, are in jeopardy; and  
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5           WHEREAS, the State urgently needs to address this revenue  
6 shortfall as soon as possible; and  
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8           WHEREAS, the State holds title to many parcels of land that  
9 could be leased and developed to produce a fair return to the  
10 State and reduce the State's budget deficit; and  
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12           WHEREAS, some of these state lands include fast lands  
13 around the State's small boat harbors, which, once developed,  
14 could generate sorely needed revenue for the State; and  
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16           WHEREAS, all state harbors were exempt from county zoning  
17 and building ordinances under section 266-2, Hawaii Revised  
18 Statutes, until the enactment of Chapter 200, Hawaii Revised  
19 Statutes, in 1991, which transferred the management of the  
20 State's small boat harbors to the Department of Land and Natural  
21 Resources Division of Boating and Ocean Recreation; and  
22

23           WHEREAS, pursuant to Chapter 200, Hawaii Revised Statutes,  
24 only commercial harbors in the State were exempted from county  
25 zoning and building resources under section 266-2, Hawaii  
26 Revised Statutes, and small boat harbors were subject to county  
27 zoning and building ordinances; and  
28

29           WHEREAS, county zoning and building ordinances have caused  
30 delays in the development of these fast lands and in small urban  
31 boat harbors, such as the Ala Wai and Keehi boat harbors, and  
32 the lengthy process of obtaining county permits is unnecessary  
33 given that any development must also comply with the provisions  
34 of Chapter 343, Hawaii Revised Statutes; and  
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36           WHEREAS, exempting development of the fast lands in the Ala  
37 Wai and Keehi boat harbors from county zoning and building  
38 ordinances would expedite these projects at a time when the  
39 revenue from these fast lands is needed; now, therefore,  
40

41           BE IT RESOLVED by the House of Representatives of the  
42 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
43 of 2010, the Senate concurring, that the City and County of  
44 Honolulu is requested to exempt any development, construction,



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1 and improvements of the Ala Wai and Keehi boat harbors and the  
 2 fast lands contained within these harbors from county zoning  
 3 and building ordinances; and  
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5 BE IT FURTHER RESOLVED that if the City and County of  
 6 Honolulu does not grant the exemption by January 1, 2011, the  
 7 Department of Land and Natural Resources is requested to submit  
 8 proposed legislation to the Legislature not later than twenty  
 9 days prior to the convening of the 2011 Regular Session that  
 10 would re-instate the exemption of small boat harbors from county  
 11 zoning and building ordinances; and  
 12

13 BE IT FURTHER RESOLVED that certified copies of this  
 14 Concurrent Resolution be transmitted to the Chairperson of the  
 15 Board of Land and Natural Resources and the Mayor and council  
 16 members of the City and County of Honolulu.  
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OFFERED BY: \_\_\_\_\_

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MAR 10 2010

