

STAND. COM. REP. NO.

2498

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2287

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committees on Transportation, International and Intergovernmental Affairs and Human Services, to which was referred S.B. No. 2287 entitled:

"A BILL FOR AN ACT RELATING TO COUNTY ZONING FOR GROUP LIVING FACILITIES,"

beg leave to report as follows:

The purpose of this measure is to clarify county zoning requirements concerning group living facilities.

Your Committees received testimony in support of this measure from the Honolulu Department of Planning and Permitting, Aina Haina Community Association and eight individuals. Comments were submitted by the Hawaii Disability Rights Center. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that counties are not allowed under existing law to prohibit state-licensed group living facilities if these facilities otherwise meet all applicable county requirements, including building code provisions. However, some group living facilities situated close together have placed unreasonable hardship on residents of neighborhoods, causing concern about traffic safety and congestion, the disruption caused by commercial deliveries, and elevated noise levels. This measure addresses those concerns by requiring that counties consider the effects on traffic safety and congestion, noise levels, and commercial deliveries in zoning procedures for group living facilities.

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Your Committees note that the City and Community of Arvada, a suburb of Denver, Colorado, enacted a regulatory ordinance (section 5.2.17, Group Living Facilities) that provides in pertinent part: "Effects on Neighborhood. The proposed Group Living Facility will not have an adverse effect on the residential character and quality of life in the particular neighborhood." Your Committees believe that this measure is comparable to the City of Arvada ordinance.

As affirmed by the records of votes of the members of your Committees on Transportation, International and Intergovernmental Affairs and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2287 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Transportation,
International and
Intergovernmental Affairs and
Human Services,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair


J. Kalani English

J. KALANI ENGLISH, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii


Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:* SB 2287	Committee Referral: TIA/HMS	Date: 2/23/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)				✓
ESPERO, Will	✓	✓		
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
TOTAL	2	1	—	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 2287	Committee Referral: TIA/HMS	Date: 2/25/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
HEMMINGS, Fred				✓
TOTAL	3	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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