

Honolulu, Hawaii

MAY 01 2012

RE: S.B. No. 2927
S.D. 2
H.D. 1
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2927, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to prevent urban sprawl and facilitate development in appropriate areas by:

- (1) Establishing planning districts and creating a process for developers to apply for residential and commercial exceptional planning projects;
- (2) Establishing the transit-oriented or main-street redevelopment program;
- (3) Authorizing state and county incentives for exceptional planning projects; and



- (4) Establishing a discretionary review process for the transfer of floor area within the planning district.

Your Committee on Conference finds it necessary for the State to streamline its efforts and implement ideas that would result in reasonable, rational, and equitable land use planning. Existing laws contain unnecessary and oftentimes burdensome requirements that lengthen the process of worthy development projects. This measure would provide for a more timely and efficient process for the development of Hawaii's lands within appropriate locations and prevent urban sprawl.

Your Committee on Conference has amended this measure by:

- (1) Adding a purpose section;
- (2) Renaming the term "exceptional planning project" as "qualified project" and making conforming amendments;
- (3) Adding a definition of "qualified project" or "project";
- (4) Restricting the establishment of planning districts that consist of a transit-oriented development to counties with a population of five hundred thousand or more;
- (5) Restricting the establishment of planning districts that consist of a transit-oriented development near bus transit stations or centers to locations within the county development or sustainable counties plans for Ewa, Central Oahu, and the Primary Urban Center;
- (6) Adding Pearl Highlands to the list of rail transit stations near which a transit-oriented development exists that authorizes the establishment of a planning district;
- (7) Renaming the "transit-oriented or main-street redevelopment program" as the "transit-oriented or main-street redevelopment district program" and making conforming amendments;
- (8) Deleting the indemnity provision;
- (9) Requiring contractors or subcontractors to be pre-qualified by demonstrating at least three years of experience in Hawaii on similar projects;



- (10) Deleting the legislative approval requirement for qualified projects to receive state incentives;
- (11) Authorizing state incentives for qualified projects established in planning districts, subject to rules;
- (12) Inserting language to require the transit ridership study to be included in a qualified project application to demonstrate the need for development by determining factors that will achieve overall land use density that is consistent with existing county general plans and state plans;
- (13) Restricting receiving sites of floor area ratio transfers to sites only within planning districts that consist of a transit-oriented development within a radius of a rail transit station located at east Kapolei, the University of Hawaii West Oahu, West Loch, Waipahu, Leeward Community College, or Pearl Highlands;
- (14) Authorizing the Office of Planning to hire two temporary positions under certain conditions;
- (15) Appropriating \$250,000 provided by the Honolulu Authority for Rapid Transportation for two temporary positions in the Office of Planning;
- (16) Adding a severability clause;
- (17) Inserting an effective date of July 1, 2012; and
- (18) Making technical, nonsubstantive amendments for the purposes of consistency and clarity.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2927, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2927, S.D. 2, H.D. 1, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



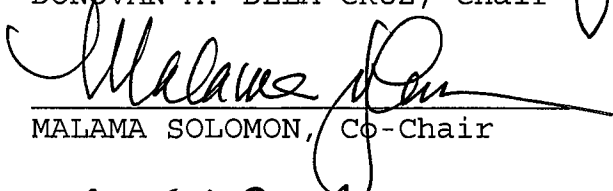
JERRY L. CHANG, Co-Chair



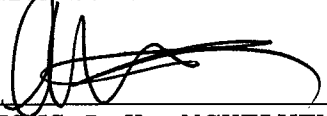
DONOVAN M. DELA CRUZ, Chair




RIDA T.R. CABANILLA, Co-Chair



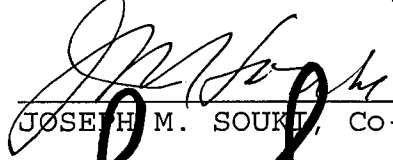
MALAMA SOLOMON, Co-Chair



ANGUS L.K. MCKELVEY, Co-Chair



DAVID Y. IGE, Co-Chair



JOSEPH H. M. SOUKI, Co-Chair



SHARON E. HAR, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 2927, SD 2, HD 1	Date/Time: 4-27-12 / 5:15pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input checked="" type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
DELA CRUZ, Donovan M., Chr.	✓				CHANG, Jerry L., Co-Chr.	✓			
SOLOMON, Malama, Co-Chr.	✓				CABANILLA, Rida T.R., Co-Chr.				✓
IGE, David Y., Co-Chr.		✓			MCKELVEY, Angus L.K., Co-Chr.	✓			
FUKUNAGA, Carol				✓	SOUKI, Joseph M., Co-Chr.				✓
HARA, Les, Jr. <i>Kandi, R</i>		✓			HAR, Sharon E., Co-Chr.	✓			✓
					PINE, Kymberly Marcos	✓			✓
TOTAL	2	2		1	TOTAL	4			2

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: <i>[Signature]</i>	House Lead Chair's or Designee's Signature: <i>[Signature]</i>
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