

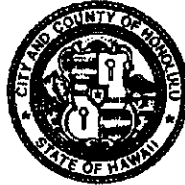
SB751

Establishes an urban growth commission to establish standards for density, building design, and infrastructure, and other standards the commission deems necessary to mitigate adverse impacts of development on the surrounding community, within urban growth boundaries.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



JIRO A. SUMADA
ACTING DIRECTOR

February 11, 2013

The Honorable Donovan M. Dela Cruz, Chair
and Members of the Committee on Economic Development,
Government Operations and Housing
The Honorable Malama Solomon, Chair
and Members of the Committee on Water and Land
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Dela Cruz, Solomon and Committee Members:

**Subject: Senate Bill No. 751
Relating to an Urban Growth Commission**

The Department of Planning and Permitting **opposes** Senate Bill No. 751 which would establish an urban growth commission under the State Department of Business, Economic Development and Tourism (DBEDT). The commission would establish regulations on density, building design, infrastructure and other requirements to mitigate impacts of development on surrounding communities within urban growth boundaries. This commission would convene every five years, and its adopted rules would supersede all state and county standards.

Clearly, this is a violation of homerule. This bill appears to establish a statewide zoning code. There are other concerns:

1. There is no stated purpose or objective of the proposed commission, other than to override existing regulations. There is no definition of "urban growth boundaries".
2. Without any staffing support, and apparently meeting infrequently, it is unlikely that the large commission can be effective.
3. It is perplexing why the State Office of Planning and the State Land Use Commission are not represented on the commission, as they deal directly with land development.

The Honorable Donovan M. Dela Cruz, Chair
and Members of the Committee on Economic Development,
Government Operations and Housing

The Honorable Malama Solomon, Chair
and Members of the Committee on Water and Land

State Senate

Re: Senate Bill No. 751

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4. The bill appears to disregard the unique needs, issues and regulatory framework of each individual county.
5. How will any new regulations be enforced? Will there be an administrative relief process to allow for variances from adopted standards?
6. It is questionable whether an appointed body should administratively override regulations adopted by the legislative body of each jurisdiction. This is one of the issues that raised public concern over the Public Land Development Corporation.

Please hold Senate Bill No. 751 in Committee until more justification for an urban growth commission is provided. Thank you for the opportunity to testify.

Very truly yours,


Jiro A. Sumada, Acting Director
Department of Planning and Permitting

JAS:jmf
sb751UrbanGrCom-k

Dane Wicker

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 11, 2013 8:35 AM
To: EGHTestimony
Cc: MSMatson@hawaii.rr.com
Subject: *Submitted testimony for SB751 on Feb 11, 2013 14:50PM*

SB751

Submitted on: 2/11/2013

Testimony for EGH/WTL on Feb 11, 2013 14:50PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
MS Matson	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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