

Honolulu, Hawaii

February 11, 2016

RE: H.B. No. 2617  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2617 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose of this measure is to provide guidance and clarification to chapter 205, Hawaii Revised Statutes, to resolve confusion, eliminate conflicts between sections, establish clear jurisdictional lines between the counties and the State, and prevent disputes over permissible uses allowed by special use permits in land use districts.

The County of Kauai Planning Department, Chamber of Commerce Hawaii, Hawaii Association of Realtors, Building Industry Association of Hawaii, and Land Use Research Foundation of Hawaii provided testimony in support of this measure. The Office of Planning, Land Use Commission, Office of Hawaiian Affairs, Conservation Council for Hawaii, Sierra Club of Hawaii, Hawaii's Thousand Friends, and many individuals provided testimony in opposition. The Department of Agriculture, Honolulu Department of Planning and Permitting, and two individuals offered comments.

Your Committee has amended this measure by:

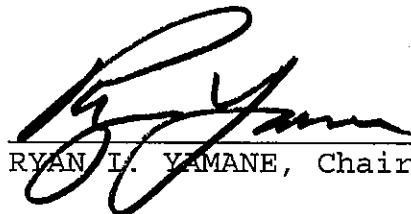
- (1) Requiring the counties to submit for review any general plans adopted to the Land Use Commission and to petition for conforming regional district boundary amendments;



- (2) Deleting the sections of the measure that:
  - (A) Set forth the duties of the Land Use Commission pursuant to section 205-1, Hawaii Revised Statutes;
  - (B) Establish criteria and guidelines for districting and classification of urban, rural, and agricultural lands;
  - (C) Clarify jurisdiction of the counties for amendments to district boundaries for land areas of 15 acres or less;
  - (D) Amend the permissible uses within an agricultural district;
  - (E) Amend section 205-5, Hawaii Revised Statutes, detailing county zoning powers within the urban, rural, and agricultural districts;
  - (F) Establish requirements for special use permit applications; and
  - (G) Repeal section 205-14, Hawaii Revised Statutes, relating to adjustments of assessing practices; and
- (3) Changing its effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2617, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2617, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

  
RYAN I. YAMANE, Chair



