

Honolulu, Hawaii

MAR 23 , 2018

RE: S.B. No. 2524  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 2524, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require condominium property regimes to comply with county subdivision or equivalent requirements and all county permitting requirements;
- (2) Clarify that the counties may adopt supplemental ordinances governing condominium property regimes;
- (3) Require an application for registration of a condominium project in a county agricultural zoning district or preservation zoning district to include a verified statement that the project is in compliance with any supplemental county ordinances, county subdivision standards, and other rules; and
- (4) Specify that the Real Estate Commission shall not process any incomplete application for a condominium



project and shall return the incomplete application to the developer.

The City and County of Honolulu Department of Planning and Permitting, Maui Land & Water Planning LLC, and an individual supported this measure. The Maui Real Estate Team, Inc., Hawaii Association of REALTORS, Honolulu Board of Realtors, Hawai'i Farm Bureau, Hawaii Cattlemen's Council, Inc., and numerous individuals opposed this measure. The Department of Agriculture, Office of Planning, and Real Estate Commission provided comments.

Your Committee has amended this measure by:

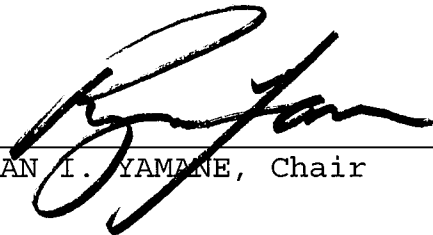
- (1) Restoring the exemption of agricultural lands that are subdivided and leased for agricultural uses or activities from county subdivision standards;
- (2) Clarifying that sheds or other structures constructed on agricultural lands that are subdivided and leased for agricultural uses or activities shall not be used for residential or congregate purposes and that a violation of this prohibition shall be subject to county enforcement authority and fines;
- (3) Prohibiting construction of residential development on lands that were or are currently in a preservation zoning district;
- (4) Requiring submission of an agricultural business plan, farm plan, or conservation plan with an application for registration of a condominium project in a county agricultural zoning district or preservation zoning district, to be updated every five years after submission;
- (5) Restoring the discretionary authorization of the Real Estate Commission to process any incomplete application for a condominium project or return the incomplete application to the developer;
- (6) Changing its effective date to July 1, 2100, to encourage further discussion; and



(7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 S.B. No. 2524, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2524, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

  
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RYAN I. YAMANE, Chair



State of Hawaii  
House of Representatives  
The Twenty-ninth Legislature

HSCR 1356-18

**Record of Votes of the Committee on Water & Land**

<b>Bill/Resolution No.:</b> SB 2524 SDI	<b>Committee Referral:</b> WAL, FIN	<b>Date:</b> 3/21/18		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>WAL Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. YAMANE, Ryan I. (C)	/			
2. TODD, Chris (VC)				/
3. CULLEN, Ty J.K.	/			
4. KONG, Sam Satoru	/			
5. LEE, Chris				/
6. LOWEN, Nicole E.	/			
7. McKELVEY, Angus L.K.				/
8. THIELEN, Cynthia		/		
<b>TOTAL (8)</b>	4	1	0	3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted? If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				