

STAND. COM. REP. NO. **1989**-18

Honolulu, Hawaii
, 2018

APR 06
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 Finance, to which was referred S.B. No. 2524, S.D. 1, H.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 clarify a county's powers relating to land subdivision and condominium property regimes located within a county agricultural zoning district or preservation zoning district, by:

- (1) Specifying that sheds or other structures constructed on agricultural lands that are subdivided and leased for agricultural uses or activities cannot be used for residential or congregate purposes and that a violation of this prohibition is subject to county enforcement authority and fines;
- (2) Prohibiting the construction of residential development on lands that were or are currently in a preservation zoning district;
- (3) Requiring condominium property regimes to comply with county subdivision or equivalent requirements, subject



to state law prohibiting dwelling units and habitation on agricultural and preservation land;

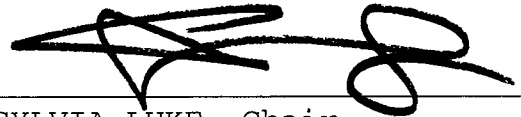
- (4) Allowing counties to adopt supplemental ordinances governing condominium property regimes; and
- (5) Requiring an application for registration of a condominium project in a county agricultural zoning district or preservation zoning district to include:
 - (A) A verified statement that the project complies with any supplemental county ordinances, county subdivision standards, state prohibitions on residential development and habitation, and other rules; and
 - (B) An agricultural business plan, farm plan, or conservation plan, which must be updated every five years after submission.

The Office of Planning and Department of Planning and Permitting of the City and County of Honolulu supported the measure. The Chair and a Councilmember of the Maui County Council; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Clay Chapman Iwamura Pulice & Nervell, Attorneys at Law; Mullen Group; Mullen Properties; Land Use Research Foundation of Hawaii; Maui Bees; and numerous concerned individuals opposed the measure. The Department of Agriculture; Hawaii Real Estate Commission; Mayor of the County of Maui; REALTORS Association of Maui; Imanaka Asato, LLC; and many concerned individuals submitted comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2524, S.D. 1, H.D. 1, and recommends that it pass Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Finance,

A handwritten signature in black ink, appearing to be 'Sylvia Luke', written over a horizontal line.

SYLVIA LUKE, Chair



