

Honolulu, Hawaii

, 2018

MAR 23

RE: S.B. No. 2969

S.D. 2

H.D. 1

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

Sir:

Your Committees on Water & Land and Housing, to which was referred S.B. No. 2969, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Reduce the size threshold for a single-family residence that is not part of a larger development to 2,000 square feet of floor area to be excluded from the definition of "development" for purposes of the special management areas law;
- (2) Authorize each county planning authority to determine a size threshold that is less than 2,000 square feet of floor area for a single-family residence to be excluded from the definition of "development" used in the special management areas law; and
- (3) Require the county planning authorities to consider sea level rise when reviewing and approving all developments.



The County of Kauai Planning Department supported this measure. The Building Industry Association of Hawaii opposed this measure. The Department of Land and Natural Resources, Office of Planning, Mayor of the County of Maui, County of Hawai'i Planning Department, County of Maui Department of Planning, and City and County of Honolulu Department of Planning and Permitting provided comments.

Your Committees have amended this measure by:

- (1) Removing the size threshold for a single-family residence and clarifying that the reconstruction or alteration of an existing single-family residence that is less than the valuation threshold for a special management area minor permit when cumulatively combined with other reconstruction ten years trailing and is not part of a larger development is excluded from the definition of "development" for purposes of the special management areas law;
- (2) Clarifying that each county planning authority is authorized to define new single-family residence construction taking into account its size, location relative to the shoreline, or any related characteristics which may not cumulatively and negatively impact the shoreline area, yet provide for reasonable residential habitation;
- (3) Adding a definition of the term "single-family residence";
- (4) Providing that the definition of "single-family residence" and the amendments to the definition of "development" made by this measure shall take effect on January 1, 2020;
- (5) Changing its effective date to July 1, 2100, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Housing that are attached to this

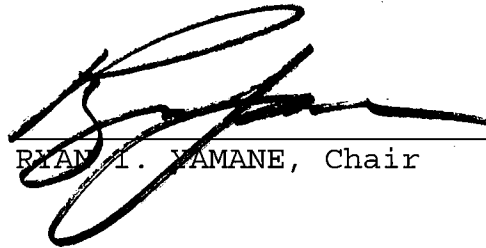


report, your Committees are in accord with the intent and purpose of S.B. No. 2969, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2969, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Housing,



TOM BROWER, Chair



RYAN I. YAMANE, Chair



