

Honolulu, Hawaii

MAR 28 2018

RE: S.R. No. 97
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Water and Land and Housing, to which was referred S.R. No. 97 entitled:

"SENATE RESOLUTION REQUESTING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO REQUIRE A CONDITIONAL USE PERMIT-MAJOR FOR ANY AND ALL ALLOWED USES ON LANDS IN P-2 GENERAL PRESERVATION DISTRICTS THAT ARE WITHIN ONE HUNDRED FEET OF A RESIDENTIAL AREA, "

beg leave to report as follows:

The purpose and intent of this measure is to request the City Council of the City and County of Honolulu to require a conditional use permit-major for any and all allowed uses on lands in P-2 General Preservation Districts that are within one hundred feet of a residential area.

Your Committees received testimony in support of this measure from the Sierra Club of Hawai'i. Your Committees received testimony in opposition to this measure from the Hawaiian Electric Company, Inc., and Land Use Research Foundation.

Your Committees find that a conditional use permit-major is required for projects that are considered appropriate in zoning districts in the City and County of Honolulu only if certain standards and conditions are met. The Department of Planning and Permitting of the City and County of Honolulu uses a Master Use Table under the Revised Ordinances of Honolulu that lists uses



within each zoning district that may be permitted only after obtaining a conditional use permit-major. By requesting the Honolulu City Council to require a conditional use permit-major for all uses on lands in P-2 General Preservation Districts that are within one hundred feet of a residential area, this measure will assist in ensuring that preservation zoning districts are preserved and managed as open spaces, recreational lands, or lands of scenic and other natural resource value.

Your Committees note that there are existing electrical utility transmission, sub-transmission, and distribution facilities throughout P-2 zoned areas that are critical to maintaining the overall reliability of the electrical utility systems from conventional systems as well from renewable energy resources to the grid. This measure could delay work on electrical utility facilities in these areas and negatively impact any emergency repairs on electrical systems, which could elevate the risk for long-term power outages.

Accordingly, your Committees have amended this measure by:

- (1) Exempting Utility Installations Type A or Type B from the request to require a conditional use permit-major for any and all allowed uses on lands in P-2 General Preservation Districts within one hundred feet of a residential area;
- (2) Amending its title accordingly;
- (3) Adding language that requests the City Council of the City and County of Honolulu to consider whether conditional use permits-major should be required for all uses on lands in other zoning districts; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Housing that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 97, as amended herein, and recommend that it be referred to your Committee on Ways and Means, in the form attached hereto as S.R. No. 97, S.D. 1.



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

Will Espero

WILL ESPERO, Chair


Karl Rhoads

KARL RHOADS, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Housing
HOU

Bill / Resolution No.:*	Committee Referral:	Date:		
SR 97	WTL/HOU, WAMA	3-28-18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
HARIMOTO, Breene (VC)				✓
GREEN, Josh	✓			
KAHELE, Kaiali'i				✓
NISHIHARA, Clarence K.	✓			
TOTAL	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes