

STAND. COM. REP. NO.

236

Honolulu, Hawaii

, 2021

FEB 12

RE: H.B. No. 260

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Housing and Water & Land, to which was referred H.B. No. 260 entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

beg leave to report as follows:

The purpose of this measure is to allow the counties to reclassify lands that are fifteen to one hundred acres in certain rural, urban, and agricultural districts in which at least fifty per cent of the housing units on the land to be classified are set aside for persons and families with incomes at or below one hundred forty per cent of the area median income.

Your Committees received testimony in support of this measure from the Mayor of the County of Maui, one member of the Maui County Council, Building Industry Association of Hawaii, Hawai'i Association of REALTORS, Maui Chamber of Commerce, and one individual. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs, Sierra Club of Hawai'i, and Hawai'i Farm Bureau. Your Committees received comments on this measure from the Department of Agriculture, Office of Planning, and Land Use Commission.

Your Committees find that enabling the counties to reclassify certain rural, urban, and agricultural lands for affordable housing development provides opportunities to address the dire

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demand for affordable housing in the State. Your Committees are aware of competing land use needs for development purposes other than housing and so believe it is therefore appropriate to insert provisions in this measure that ensure a nexus between the reclassification of rural, urban, and agricultural lands and the development of affordable housing.

Your Committees have amended this measure by:

- (1) Establishing enforcement and penalties for violations related to Land Use Commission district boundary amendments;
- (2) Authorizing the counties to reclassify lands that are:
 - (A) Fifty acres in certain rural, urban, and agricultural districts in which fifty percent of the housing units on the lands to be classified are set aside for persons and families with incomes at or below one hundred forty percent of the area median income; and
 - (B) Seventy-five acres in certain rural, urban, and agricultural districts in which one hundred percent of the housing units on the lands to be classified are set aside for persons and families with incomes at or below one hundred forty percent of the area median income;
- (3) Requiring any county reclassification of lands of fifty acres or seventy-five acres to be consistent with county general plans and community development plans;
- (4) Specifying the soil classification for reclassified lands in the agricultural district that are not designated as important agricultural lands;
- (5) Prohibiting the parceling of lands for development related to the fifty-acre or seventy-five acre reclassification of lands;
- (6) Changing the effective date to July 1, 2050, to encourage further discussion; and



- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees request the Office of Hawaiian Affairs and the Land Use Commission to provide suggestions on how to train and better educate county planning departments to increase the vigor of their county analysis regarding customary and traditional practices and statewide agricultural issues.

As affirmed by the records of votes of the members of your Committees on Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 260, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 260, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



DAVID A. TARNAS, Chair



NADINE K. NAKAMURA, Chair



