

STAND. COM. REP. NO.

444

Honolulu, Hawaii

FEB 15 , 2023

RE: H.B. No. 676
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Housing and Water & Land, to which was referred H.B. No. 676 entitled:

"A BILL FOR AN ACT RELATING TO DISTRICT BOUNDARY AMENDMENTS,"
beg leave to report as follows:

The purpose of this measure is to authorize the appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres if the county has adopted an ordinance that meets certain requirements.

Your Committees received testimony in support of this measure from the Chief Housing Officer of the Office of the Governor; Planning Department of the County of Hawaii; Hawai'i Association of REALTORS; Building Industry Association of Hawaii; Mark Development, Inc.; Maui Chamber of Commerce; and one individual. Your Committees received testimony in opposition to this measure from one member of the Maui County Council; Sierra Club of Hawai'i, Kupuna for the Mo'opuna, Pele Lani Farm LLC, Hawai'i Farm Bureau, Kihei Community Association, and numerous individuals. Your Committees received comments on this measure from the Department of Agriculture, Land Use Commission, and Grassroot Institute of Hawaii.

Your Committees find that the lack of affordable housing in the State requires innovative solutions to help residents become

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homeowners. Your Committees further find that under existing law, only the state Land Use Commission has the power to determine district boundary amendments involving lands over fifteen acres. However, your Committees believe this inhibits the counties' abilities to provide necessary housing to residents within each county. This measure will provide the counties with flexibility to make certain district boundary amendments to increase the availability of affordable units throughout the State.

Your Committees have amended this measure by:

- (1) Excluding from the provisions of this measure lands designated as important agricultural lands or lands where the soil is classified by the Land Study Bureau's detailed land classification as overall (master) productivity rating class A or B;
- (2) Amending the requirements for county ordinances that will authorize a county to amend district boundaries of lands over fifteen acres by:
 - (A) Specifying that affordable housing is defined by county ordinance rather than as a certain percent of area median income;
 - (B) Providing that mitigation efforts for State and county resources approved by the appropriate department; and
 - (C) Requiring the county ordinances be adopted pursuant to all state laws and the public trust doctrine;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.


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. 676, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 676, 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,


LINDA ICHIYAMA, Chair


TROY N. HASHIMOTO, Chair



