

STAND. COM. REP. NO.

2748

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2969
S.D. 2

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

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 2969, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to reduce the size threshold for a single-family residence that is not part of a larger development to be excluded from the definition of "development" for purposes of the special management areas law.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Planning Department of the County of Kaua'i. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii. Your Committee received comments on this measure from the Office of Planning, Department of Planning and Permitting of the City and County of Honolulu, and Department of Planning of the County of Maui.

Your Committee finds that a reduction in the floor area threshold of a single-family residence will offer further opportunity for the county planning departments to review potential cumulative impacts, or significant environmental or ecological effects, from construction or reconstruction of a single-family residence in a special management area.



Your Committee notes the written testimony submitted by the Department of Land and Natural Resources indicating that the Hawaii Sea Level Rise Vulnerability and Adaptation Report approved by the Hawaii Climate Change Mitigation and Adaptation Commission recommended sea level rise vulnerability considerations to be integrated into coastal zone management laws. Your Committee further notes a suggestion made by a county planning department to allow each county planning authority to determine a size threshold that is less than the size threshold proposed under this measure.

Accordingly, your Committee has amended this measure by:

- (1) Amending section 1 to more thoroughly reflect its purpose;
- (2) Reducing the size threshold to two thousand 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;
- (3) Authorizing each county planning authority to determine a size threshold that is less than two thousand 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;
- (4) Amending the special management area guidelines to require the county planning authorities to consider sea level rise when reviewing and approving all developments; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2969, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2969, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


Karl Rhoads

KARL RHOADS, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:	
SB 2969, SD1	HOU, WTL	FEB. 28, 2018	
<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			
RHOADS, Karl (C)	X		
GABBARD, Mike (VC)			X
INOUE, Lorraine R.	X		
RIVIERE, Gil	X		
THIELEN, Laura H.			X
TOTAL	3	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted			
Chair's or Designee's Signature: 			
Distribution: <div style="display: flex; justify-content: space-around; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>			

*Only one measure per Record of Votes