

STAND. COM. REP. NO. **2964**

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 2948
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2948, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize residential uses in areas zoned for commercial to be considered permitted as long as the residential use is limited by ordinance to floors above the ground floor of a building or structure and development standards are met;
- (2) Exempt areas zoned under the Hawaii Community Development Authority;
- (3) Require each county to adopt ordinances that allow for adaptive reuse of existing commercial buildings in the county's building codes; and
- (4) Require counties to facilitate compliance with the Americans with Disabilities Act when adopting an adaptive reuse building code ordinance.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, one member of



the Kaua'i County Council, NAIOP Hawaii, Housing Hawai'i's Future, Grassroot Institute of Hawaii, Oahu Metropolitan Planning Organization, Hawai'i YIMBY, Maui Chamber of Commerce, and three individuals.

Your Committee received comments on this measure from the Disability and Communication Access Board.

Your Committee finds that allowing mixed commercial and residential uses will create vibrant neighborhoods by enabling residents to live near businesses and employers and preserve the State's natural beauty and agricultural land by allowing housing in developed commercial areas rather than on undeveloped land. This measure will reduce the need for long commutes, decrease traffic congestion, lower carbon emissions, and address housing shortages in the State.

Your Committee notes that certain areas highlight the disadvantages of having no zoning at all, such as Houston, Texas. Your Committee further notes that subsequent Committees may wish to consider amending this measure to specify minimum requirements for people with communication and mobility disabilities.

Your Committee has amended this measure by:

- (1) Making it effective on January 1, 2025; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2948, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2948, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

Karl Rhoads

KARL RHOADS, Chair



