

STAND. COM. REP. NO.

2806

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2927  
S.D. 2

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2927, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING,"

begs leave to report as follows:

The purpose and intent of this measure is to facilitate high quality commercial and residential development by establishing planning districts on land adjacent to public transportation stations and centers that will promote neighborhood reinvestment, using an expedited process to reduce up-front costs.

Additionally, this measure:

- (1) Authorizes the counties to approve exceptional planning projects within planning districts;
- (2) Provides incentives for exceptional planning projects in the form of exemptions from state land development fees, school impact fees, and environmental assessment requirements and from county zone change requirements, zoning standards, and impact fees;
- (3) Provides indemnity for any county, its officials, or employees for actions taken regarding exceptional planning projects; and



- (4) Authorizes a county with a planning district to establish transit or main-street redevelopment programs using community-based planning.

Your Committee received written comments in support of this measure from the Department of Planning and Permitting, General Contractors Association of Hawaii, and Building Industry Association-Hawaii. Your Committee received testimony in opposition to this measure from Hawaii Hispanic News, Latin Chamber of Commerce, and eleven individuals. Your Committee received written comments on this measure from the Department of Business, Economic Development and Tourism - Hawaii Housing Finance and Development Corporation, and Honolulu Authority for Rapid Transportation.

Your Committee finds that successful planning for growth requires higher density urban development in existing and new communities that offers a high quality of life for a broad range of household types. Further, well-designed and well-integrated higher-density development can significantly reduce reliance on cars, decrease traffic congestion, and minimize vehicle emissions.

Your Committee also finds that this measure will facilitate commercial and residential development of exceptional quality on land adjacent to public transportation stations and centers by creating an expedited process and reducing up-front costs. To this end, your Committee believes that the State needs to designate an agency or person to be the official and dedicated contact point and coordinator for state interests as they relate to Oahu's rail project.

Your Committee has amended this measure by:

- (1) Clarifying that planning districts are contained within the urban district and redefining the area comprising a planning district;
- (2) Deleting the Hoopili rail transit station from the list of rail transit stations serving as a reference point for transit-oriented development because it is not within the urban district;
- (3) Providing that designation of a planning district does not change the classification of the parcel;



- (4) Deleting the provision for automatic approval of an application for approval of an exceptional planning project upon the failure of a legislative body to act within a specified period;
- (5) Providing that indemnity for any county, its officials, or employees applies only to actions taken in their official capacity regarding exceptional planning projects;
- (6) Deleting the exemptions from school impact fees, environmental assessments under section 343-5(a)(1), Hawaii Revised Statutes, and impact fees under section 264-123, Hawaii Revised Statutes;
- (7) Requiring a transit-oriented or main-street redevelopment program to include guidelines for complete street programs and strategies to promote public transit ridership;
- (8) Clarifying that a county or county agency may enact ordinances or adopt rules or regulations that may include criteria for granting exemptions, considerations regarding the existing use of lands, and assurances for a fair and equitable application process;
- (9) Establishing a framework for the transfer of floor area within a planning district;
- (10) Clarifying that the county legislative body is to conduct the review process for floor area transfers;
- (11) Changing the effective date to July 1, 2050; and
- (12) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2927, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2927, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,


*David Y. Ige*

DAVID Y. IGE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2927, SD1	WLH, WAM	3-2-12		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol		✓		
KIM, Donna Mercado				✓
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai		✓		
TOKUDA, Jill N.		✓		
WAKAI, Glenn	✓			
SLOM, Sam			✓	
<b>TOTAL</b>	<b>9</b>	<b>3</b>	<b>1</b>	<b>1</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes