

Honolulu, Hawaii

FEB 18 2016

RE: S.B. No. 2123

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 2123 entitled:

"A BILL FOR AN ACT RELATING TO ZONING,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify county
zoning authority by:

- (1) Distinguishing single-family residential use from
single-family vacation rental use; and
- (2) Allowing a zoning ordinance to amortize nonconforming
single-family transient vacation rentals over a
reasonable period.

Your Committee received testimony in support of this measure
from the Hawaii Association of Counties, Kauai County Council,
Maui County Council, Hawaii County Council, and Office of Hawaiian
Affairs. Your Committee received testimony in opposition to this
measure from the Rentals by Owner Awareness Association, Hawaii
Association of REALTORS, and one individual.

Your Committee finds that the proliferation of vacation
rentals in areas zoned for single-family residential use has
created planning-related challenges for counties and highlights
the need for clarity in state law governing this issue. Increased
demand for single-family vacation rentals contributes to a
diminishing supply of housing in Hawaii, which ultimately has an



adverse effect on lower-income residents of the State. This measure would empower the counties to gradually phase out nonconforming single-family transient vacation rentals; however, your Committee also finds that this measure could have significant unintended consequences for home and property owners in Hawaii, and that further discussion and consideration are required.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2123, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2123, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,



CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* SB2123	Committee Referral: PSM, CPH	Date: 2/9/16		
<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
NISHIHARA, Clarence K. (C)	/			
ESPERO, Will (VC)		/		
BAKER, Rosalyn H.				/
INOUYE, Lorraine R.	WR	/		
SLOM, Sam				/
TOTAL	1	2		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Will Espo</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes