

STAND. COM. REP. NO. **544** -22

Honolulu, Hawaii
FEB 17 , 2022

RE: H.B. No. 1840
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1840, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DISTRICT BOUNDARY AMENDMENTS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres but equal to or less than fifty acres according to a process to be determined by each county and subject to certain conditions, including the condition that the district boundary amendment is necessary to produce housing, sixty percent of which shall be reserved for occupants whose incomes do not exceed eighty percent of the area median income; and
- (2) Prohibit the subdivision of such lands into two or more parcels to be reclassified within a ten-year period from the date of the subdivision.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, County of Maui Office of the Mayor, one member of the Maui County Council,

Department of Planning and Permitting of the City and County of Honolulu, Department of Planning of the County of Maui, County of Hawaii Planning Department, Hawaii Association of REALTORS, and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from the Land Use Commission, Sierra Club of Hawaii, and Hawaii Farm Bureau. Your Committee received comments on this measure from the Department of Agriculture and Grassroot Institute of Hawaii.

Your Committee finds that the counties are responsible for determining district boundary amendments involving land areas of fifteen acres or less and not within the conservation district. Your Committee further finds that district boundary amendments involving lands in the conservation district, land areas greater than fifteen acres, and lands delineated as important agricultural lands are processed by the Land Use Commission through a quasi-judicial process. Your Committee believes that a change to this system of district boundary amendment approvals for certain larger parcels of land will provide the counties with greater flexibility to meet the needs of their communities while also requiring the counties to consider broader, secondary impacts, including impacts on state and county infrastructure, and opportunities to provide housing.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1840, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LING JOHANSON, Chair



