

Hawai`i State Association of Counties (HSAC)

Counties of Kaua`i, Maui, Hawai`i and City & County of Honolulu

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February 24, 2016

TO: The Honorable Rosalyn H. Baker, Chair
Senate Committee on Commerce, Consumer Protection, and Health

FROM: Michael P. Victorino
HSAC President

SUBJECT: HEARING OF FEBRUARY 26, 2016; TESTIMONY IN **SUPPORT** OF
SB 2123 SD 1, RELATING TO ZONING

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this measure is to authorize the counties to permit by ordinance the amortization, or phasing out, of nonconforming single-family transient vacation rentals over a reasonable period of time.

This measure is included in the 2016 Hawaii State Association of Counties Legislative Package. Therefore, I submit this testimony on HSAC's behalf.

I **support** this measure for the following reasons:

1. The proliferation of vacation rentals in areas zoned for single-family residential use has created planning-related challenges for the counties because of a lack of clarity in State law. Under current law (Section 46-4, Hawaii Revised Statutes), amortization is authorized in the commercial, industrial, resort, and apartment districts. This proposed measure would allow the counties to use this tool in the phasing out of nonconforming TVRs in the residential district as well.
2. Express statutory authority to allow counties, by ordinance, to phase out the use of nonconforming vacation rentals in certain neighborhoods will help county officials appropriately preserve those areas' residential character. Counties would still need to pass zoning ordinances to phase out nonconforming TVRs.

For the foregoing reasons, I support this measure.

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