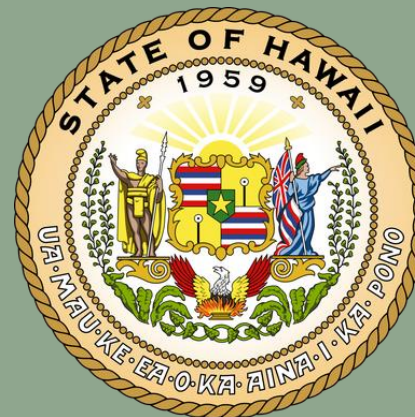




DISTRICT BOUNDARY AMENDMENT (DBA) INTERACTION GROUP REPORT

**SIMPLIFYING PERMITTING FOR
ENHANCED ECONOMIC
DEVELOPMENT (SPEED) TASK FORCE**

September 2026

Introduction/Background

DBA Timeline?



365 days to render a decision



90-day extension possible



No decision results in automatic approval with generic conditions



Contents of Petition Are As Set Forth in Subchapter 6 of our Rules

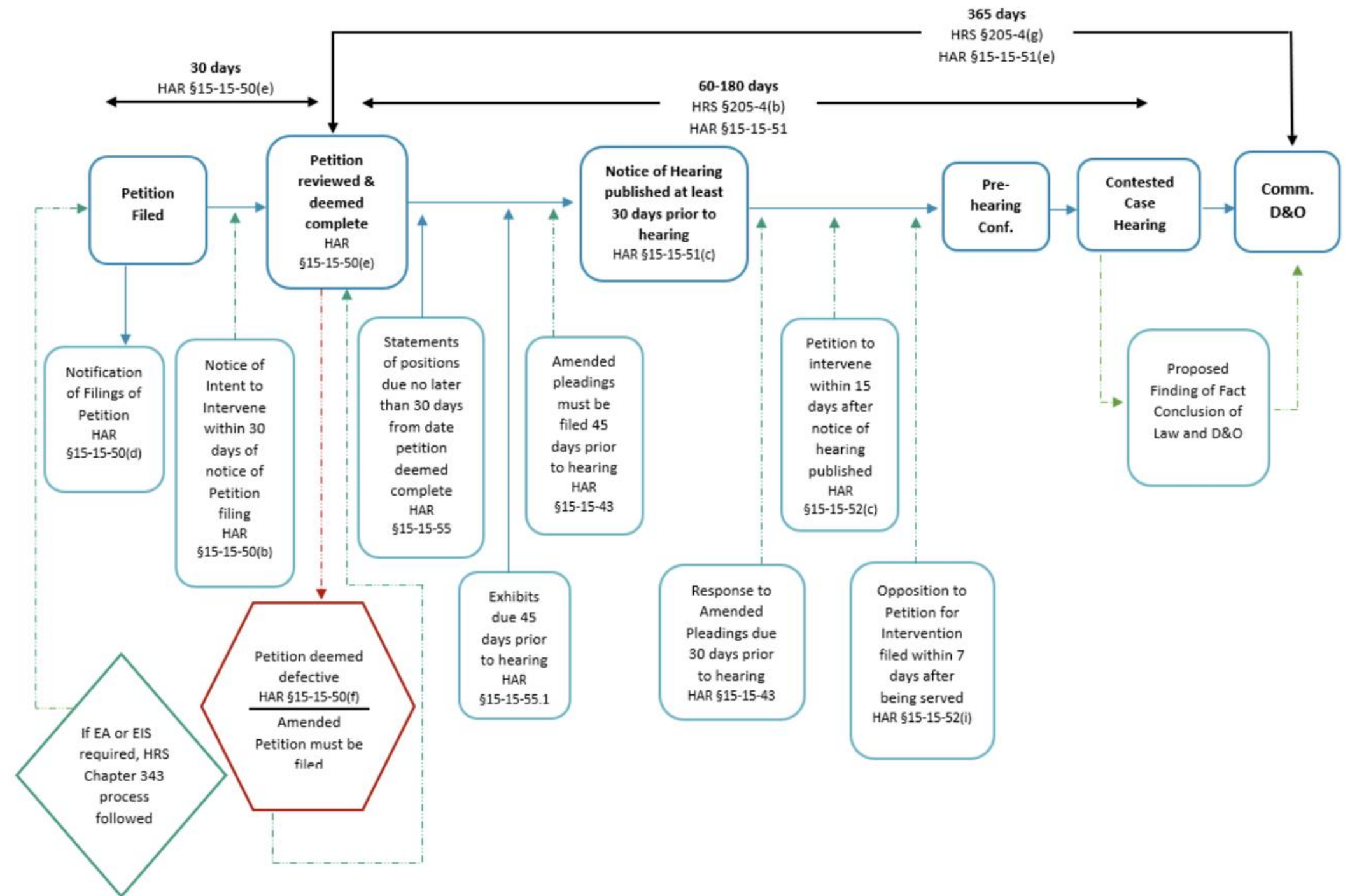


Staff Review and Report

Introduction/Background

DBA Process

- Initial Filing
- Pre-Hearing Contested-case Hearing(s)
- Post-Hearing Decision
- Approve Form of the Order



Findings

Reform to Expedite and Improve DBA Process

- The LUC's DBA process is only one component of the overall development timeline
- State and county reviews are often fragmented or conducted sequentially
 - Concurrent interdepartmental review could identify conflicts earlier and reduce delays caused by applications moving separately between planning, water, transportation, engineering, and public works agencies
- A formal multi-agency “roundtable” or coordinated pre-application process could allow applicants and reviewing agencies to identify major requirements, infrastructure limitations, and potential conflicts before significant resources are invested
- The Kaua'i permitting model should be evaluated as a possible best-practice example, particularly its use of concurrent review and streamlined review criteria
- Programmatic or area-based environmental review could reduce duplicative analysis for qualifying projects in established growth areas, infill locations, transit-oriented development areas, and State-owned lands

Recommendation for Adoption 1:

Establish an Expedited DBA Process for High-Readiness Projects

- **Consider an expedited district boundary amendment process for projects using a project labor agreement or community workforce agreement**
- **Discussions that took place shifted from queue priority to whether a defined high-readiness standard could shorten a statutory notice period or otherwise reduce processing time**
 - **Any change to public notice requirements would require legislative action**

Recommendation for Adoption 1:

Establish an Expedited DBA Process for High-Readiness Projects

- Suggested readiness factors included:

- Committed financing/Financing status - Availability to fund and/or close
- Insurance - ability to bind coverage for any/all required coverages
- Bond(s) in place
- Paying any fees regarding this type of large project, including parks, traffic, education, etc. - If these fees are exempt (like potentially in a 201h situation), then that would need to be finalized or the fees would have to be paid, ahead of the designation of "highly ready"
- SMA pre-compliance, if applicable - likely the fees above would be involved in this
- No outstanding conditions for building permits approval and/or ready to issue
- OTHER FACTORS: site control or ownership, completed environmental review, infrastructure availability, wastewater and sewer capacity, transportation requirements, and other agency approvals

Recommendation for Adoption 2:

Revise the Acreage Threshold for LUC Review

- Consider raising the acreage threshold for LUC jurisdiction from 15 to 25 acres
- Similar measures have been considered by the Legislature
- Supporters stated that allowing more projects to proceed directly through county zoning could eliminate a duplicative state step and that larger mixed-use projects may need additional acreage to be financially feasible
- Concerns focused on agricultural land fragmentation and the need to preserve adequate agricultural, cultural, environmental, and public-trust safeguards

Recommendation for Adoption 3:

Clarify the Conditions Imposed Through DBA Process

- Members recognized that conditions may need to change when circumstances such as climate impacts, traffic, water, sewer, infrastructure, or population patterns evolve
- Discussions focused on reducing duplication without preventing either level of government from protecting the public
- One alternative was to clarify the LUC's statewide responsibilities and the counties' local responsibilities rather than prohibit LUC conditions altogether

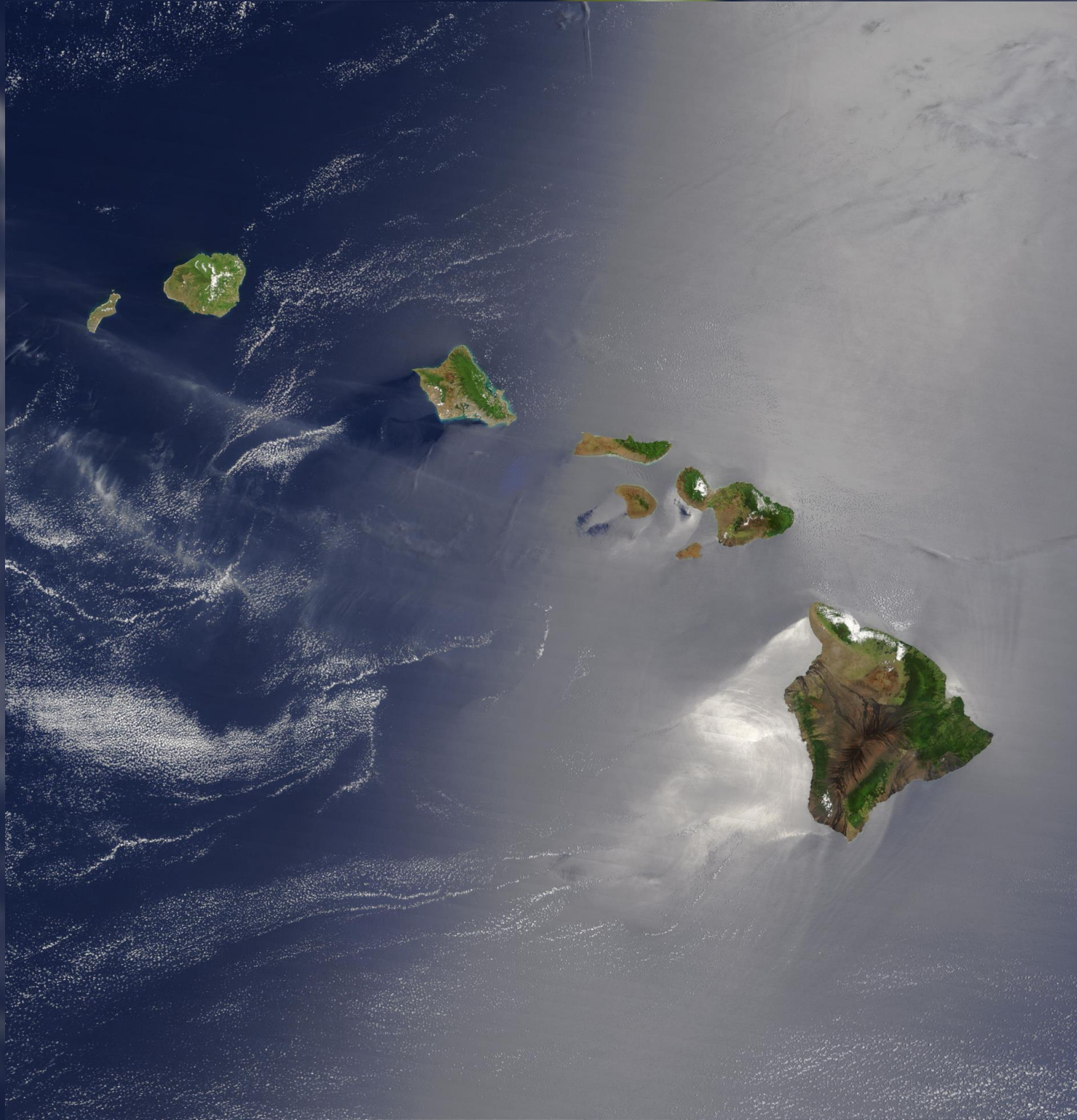
Recommendation for Adoption 4:

Reduce Repetitive County-State-County Review

- Applicants may go to the county, then the state, and then return the county during review
 - the issue overlaps substantially with the discussion of conditions
- A more coordinated process could reduce repetitive review, but the PLG emphasized that county public hearings often occur later and can generate new project-specific information and conditions

Recommendations for Further Study

- **Offshore and Marine Permitting**
- **Alternative or Transitional Land-Use Mechanisms**
- **DBA Data Collection and Performance Measures**



THANK YOU

September 2026