

---

## A BILL FOR AN ACT

RELATING TO DISTRICT BOUNDARY AMENDMENTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that delays in permitting  
2 and approvals substantially increase the time required to build  
3 new housing in the State. According to research from the  
4 Grassroot Initiative of Hawaii, the time required to navigate  
5 the approval process for new developments can be as long as ten  
6 years. Meanwhile, a study on the burden of housing regulation  
7 from the University of Hawaii economic research organization  
8 indicates that the average length of delay to receive an  
9 approval in Hawaii is three times the national mean, leading to  
10 uncertainty and expense that disincentivizes development.

11           Under existing law, the counties are limited in their  
12 ability to facilitate new development, as they are only able to  
13 approve district boundary amendments up to fifteen acres that  
14 are not within conservation districts or designated as important  
15 agricultural lands. All district boundary amendments that fall  
16 into those two categories, as well as parcels larger than



1 fifteen acres, are subject to a lengthier and more complex  
2 approval process via the land use commission.

3 The legislature finds that expanding the scope of  
4 government projects that qualify for approval at the county  
5 level will expedite the development process and help address the  
6 State's long permit and approval times.

7 Therefore, the purpose of this Act is to permit the  
8 counties to make district boundary amendments without  
9 consideration from the land use commission for certain  
10 classifications of land parcels with an area of fifty acres or  
11 less.

12 SECTION 2. Section 205-3.1, Hawaii Revised Statutes, is  
13 amended by amending subsections (a), (b), and (c) to read as  
14 follows:

15 (a) District boundary amendments involving lands in the  
16 conservation district, land areas greater than [~~fifteen~~] fifty  
17 acres, or lands delineated as important agricultural lands shall  
18 be processed by the land use commission pursuant to section 205-  
19 4.

20 (b) Any department or agency of the State, and department  
21 or agency of the county in which the land is situated, or any



1 person with a property interest in the land sought to be  
2 reclassified may petition the appropriate county land use  
3 decision-making authority of the county in which the land is  
4 situated for a change in the boundary of a district involving  
5 lands less than [~~fifteen~~] fifty acres presently in the rural and  
6 urban districts and lands less than [~~fifteen~~] fifty acres in the  
7 agricultural district that are not designated as important  
8 agricultural lands.

9 (c) District boundary amendments involving land areas of  
10 [~~fifteen~~] fifty acres or less, except as provided in subsection  
11 (b), shall be determined by the appropriate county land use  
12 decision-making authority for the district and shall not require  
13 consideration by the land use commission pursuant to section  
14 205-4; provided that such boundary amendments and approved uses  
15 are consistent with this chapter. The appropriate county land  
16 use decision-making authority may consolidate proceedings to  
17 amend state land use district boundaries pursuant to this  
18 subsection, with county proceedings to amend the general plan,  
19 development plan, zoning of the affected land, or such other  
20 proceedings. Appropriate ordinances and rules to allow



1 consolidation of such proceedings may be developed by the county  
2 land use decision-making authority."

3 SECTION 3. Section 205-4, Hawaii Revised Statutes, is  
4 amended by amending its title and subsection (a) to read as  
5 follows:

6 "**§205-4 Amendments to district boundaries involving land**  
7 **areas greater than [~~fifteen~~ fifty acres.** (a) Any department  
8 or agency of the State, any department or agency of the county  
9 in which the land is situated, or any person with a property  
10 interest in the land sought to be reclassified, may petition the  
11 land use commission for a change in the boundary of a district.  
12 This section applies to all petitions for changes in district  
13 boundaries of lands within conservation districts, lands  
14 designated or sought to be designated as important agricultural  
15 lands, and lands greater than [~~fifteen~~ fifty acres in the  
16 agricultural, rural, and urban districts, except as provided in  
17 section 201H-38. The land use commission shall adopt rules  
18 pursuant to chapter 91 to implement section 201H-38. "

19 SECTION 4. This Act does not affect rights and duties that  
20 matured, penalties that were incurred, and proceedings that were  
21 begun before its effective date.



# H.B. NO. 1215

1 SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect upon its approval.

4

INTRODUCED BY:



JAN 24 2023



# H.B. NO. 1215

**Report Title:**

District Boundary Amendments; Counties; Land Use Commission

**Description:**

Permits the counties to make district boundary amendments without consideration from the land use commission for certain classifications of land parcels with an area of fifty acres or less.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

