S.B. NO. 937

JAN 2 0 2023

A BILL FOR AN ACT

RELATING TO THE LAND USE COMMISSION.

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

SECTION 1. The legislature finds that delays in permitting and approvals substantially increase the time and cost required to build new housing. A study on the burden of housing regulation from the University of Hawaii Economic Research Organization indicates that the average length of approval delay in Hawaii is three times the national mean, leading to uncertainty and expense that disincentivizes development.

According to research from the Grassroot Institute of Hawaii, the time required to navigate the approval process for new housing developments can take as long as ten years. This can considerably increase the cost associated with building new homes. In September 2012, the median home price on Oahu was \$637,000. Ten years later, in September 2022, the median home price skyrocketed to \$1,100,000.

15 Under existing law, six out of the nine members of the land 16 use commission must affirmatively vote to approve any boundary 17 amendment. In addition, the land use commission is required to



Page 2

hold a hearing within not less than sixty and not more than one
 hundred eighty days.

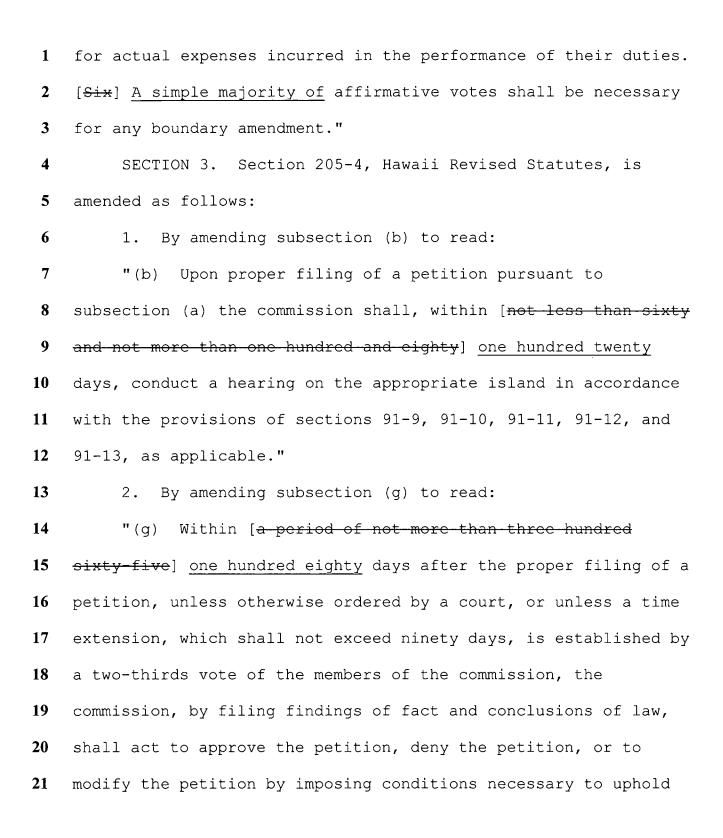
3 The legislature further finds that adjusting the laws
4 governing the land use commission approval process will expedite
5 the development process and help address the State's excessive
6 permit and approval times.

7 Therefore, the purpose of this Act is to reform the8 decision-making process of the land use commission.

9 SECTION 2. Section 205-1, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

There shall be a state land use commission, 11 "(a) hereinafter called the commission. The commission shall consist 12 13 of nine members who shall hold no other public office and shall be appointed in the manner and serve for the term set forth in 14 15 section 26-34. One member shall be appointed from each of the 16 counties and the remainder shall be appointed at large; provided 17 that one member shall have substantial experience or expertise in traditional Hawaiian land usage and knowledge of cultural 18 19 land practices. The commission shall elect its chairperson from one of its members. The members shall receive no compensation 20 for their services on the commission, but shall be reimbursed 21







Page 3

Page 4

1 the intent and spirit of this chapter or the policies and criteria established pursuant to section 205-17 or to assure 2 3 substantial compliance with representations made by the petitioner in seeking a boundary change. The commission may 4 5 provide by condition that absent substantial commencement of use 6 of the land in accordance with such representations, the 7 commission shall issue and serve upon the party bound by the 8 condition an order to show cause why the property should not 9 revert to its former land use classification or be changed to a 10 more appropriate classification. Such conditions, if any, shall 11 run with the land and be recorded in the bureau of conveyances." 12 SECTION 4. This Act does not affect rights and duties that 13 matured, penalties that were incurred, and proceedings that were 14 begun before its effective date.

15 SECTION 5. Statutory material to be repealed is bracketed 16 and stricken. New statutory material is underscored.

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

INTRODUCED BY: **BENCH**



Report Title:

Land Use Commission; Decision-making Process

Description:

Specifies that a simple majority of affirmative votes by members of the land use commission is required for any boundary amendment. Reduces the number of days by when the land use commission must act for certain actions related to amendments to district boundaries.

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

