
A BILL FOR AN ACT

RELATING TO LAND USE DECISION-MAKING.

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

1 SECTION 1. Section 205-3.1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§205-3.1 Amendments to district boundaries.** (a)
4 District boundary amendments involving lands in the conservation
5 district, land areas greater than fifteen acres, or lands
6 delineated as important agricultural lands shall be processed by
7 the land use commission pursuant to section 205-4.

8 (b) Any department or agency of the State, and department
9 or agency of the county in which the land is situated, or any
10 person with a property interest in the land sought to be
11 reclassified may petition the appropriate county land use
12 decision-making authority of the county in which the land is
13 situated for a change in the boundary of a district involving
14 lands less than fifteen acres presently in the rural and urban
15 districts and lands less than fifteen acres in the agricultural
16 district that are not designated as important agricultural
17 lands.



1 (c) District boundary amendments involving land areas of
2 fifteen acres or less, except as provided in subsection (b),
3 shall be determined by the appropriate county land use
4 decision-making authority for the district and shall not require
5 consideration by the land use commission pursuant to section
6 205-4; provided that ~~[such]~~ the boundary amendments and approved
7 uses are consistent with this chapter. The appropriate county
8 land use decision-making authority may consolidate proceedings
9 to amend state land use district boundaries pursuant to this
10 subsection, with county proceedings to amend the general plan,
11 development plan, zoning of the affected land, or ~~[such]~~ other
12 proceedings. Appropriate ordinances and rules to allow
13 consolidation of ~~[such]~~ the proceedings may be developed by the
14 county land use decision-making authority.

15 (d) District boundary amendments involving land areas of
16 twenty-five acres or less exclusively for purposes of
17 residential housing, agricultural workforce housing, long-term
18 rental, or workforce fee simple ownership shall be determined by
19 the appropriate county land use decision-making authority for
20 the district and shall not require consideration by the land use
21 commission pursuant to section 205-4; provided that the boundary



1 amendments and approved uses are consistent with this chapter
2 and the project area is:

3 (1) Immediately adjacent to the urban district and not
4 including the conservation district;

5 (2) Not important agricultural lands;

6 (3) On lands with soils classified by the land study
7 bureau's detailed land classification as overall
8 (master) productivity rating class C, D, E, or U if
9 within the agricultural district; and

10 (4) Identified on planning maps for only residential use
11 in a county comprehensive general plan adopted no
12 earlier than twenty years prior to application by the
13 respective county council pursuant to section 46-4.

14 The appropriate county land use decision-making authority may
15 consolidate proceedings to amend state land use district
16 boundaries pursuant to this subsection, with county proceedings
17 to amend the general plan, development plan, zoning of the
18 affected land, or other proceedings.

19 [-(d)] (e) The county land use decision-making authority
20 shall serve a copy of the application for a district boundary
21 amendment to the land use commission and the department of



1 business, economic development, and tourism and shall notify the
2 commission and the department of the time and place of the
3 hearing and the proposed amendments scheduled to be heard at the
4 hearing. A change in the state land use district boundaries
5 pursuant to this subsection shall become effective on the day
6 designated by the county land use decision-making authority in
7 its decision. Within sixty days of the effective date of any
8 decision to amend state land use district boundaries by the
9 county land use decision-making authority, the decision and the
10 description and map of the affected property shall be
11 transmitted to the land use commission and the department of
12 business, economic development, and tourism by the county
13 planning director."

14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.



H.B. NO. 1738

1 SECTION 4. This Act shall take effect on July 1, 2026.

2

INTRODUCED BY:

ZMC

JAN 20 2026



H.B. NO. 1738

Report Title:

Land Use Decision-Making; Housing

Description:

Provides the authority for counties to amend district boundaries up to 25 acres for purposes of residential housing, agricultural workforce housing, long-term rental, or workforce fee simple ownership.

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

