
A BILL FOR AN ACT

RELATING TO THE LAND USE COMMISSION.

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

1 SECTION 1. The legislature finds that the State and
2 counties have separate systems of land use regulations. This
3 dual framework creates delays and adds to the cost of affordable
4 housing development.

5 Accordingly, the purpose of this Act is to support the
6 development of affordable housing by requiring the land use
7 commission, at the request of a county, to reclassify lands
8 designated for urban growth under a county general or
9 development plan as being in the urban state land use district.

10 SECTION 2. Chapter 205, Hawaii Revised Statutes, is
11 amended by adding a new section to part I to be appropriately
12 designated and to read as follows:

13 "§205- Amendments to urban district boundaries based on
14 county general plan or county development plan. (a)

15 Notwithstanding sections 205-3.1 and 205-4, upon the request of
16 a county, the commission shall reclassify lands not in the urban
17 district, but that are designated for urban growth under a



1 county general plan or county development plan pursuant to
2 section 226-58, as being in the urban district; provided that
3 the requisite analyses are completed and all applicable
4 requirements under this part are met before a request is
5 submitted to the commission. Any data gathered or studies
6 completed as part of a boundary amendment request by any
7 department or agency of a county may be submitted as
8 supplemental materials to the request to the commission, and any
9 such supplemental materials submitted shall be considered by the
10 commission in determining whether to approve, deny, or modify
11 the request.

12 (b) To implement the reclassification of lands described
13 in this section, the county shall submit to the commission a
14 request to amend the urban district boundary that includes a
15 description and a metes and bounds map of the affected property.

16 (c) After receiving the request submitted by the county
17 pursuant to subsections (a) and (b), the commission shall:

18 (1) Update the boundary lines between land use districts
19 on the United States Geological Survey quadrangle maps
20 filed at the commission pursuant to the notice from
21 the county; and



1 (2) Notify the county that the quadrangle maps filed at
2 the commission have been updated in response to the
3 request.

4 (d) An amendment made to state land use district
5 boundaries pursuant to this section shall become effective on
6 the day that the commission notifies the county that the
7 quadrangle maps filed at the commission have been updated.

8 (e) This section shall not apply to any actions taken by
9 the commission pursuant to part III of this chapter.

10 (f) The commission shall adopt rules in accordance with
11 chapter 91 to implement this section."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

LUC; Counties; County General Plan; State Land Use Urban
District Boundaries; Reclassification

Description:

Except for Important Agricultural Lands, requires the Land Use
Commission to reclassify lands that are designated for urban
growth under a county general plan or county development plan as
being in the urban district at the request of the county,
subject to certain conditions. Effective 7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

