

---

---

# 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) Upon the  
15 request of a county and subject to the requirements of this  
16 section, the commission shall process the request in accordance  
17 with the requirements of chapter 91 and shall reclassify lands



1 not in the urban district but designated for urban growth under  
2 a county general plan or county development plan pursuant to  
3 section 226-58, if the commission determines that the  
4 requirements of this part have been satisfied. Any data  
5 gathered or studies completed by any department or agency of a  
6 county as part of the plan may be submitted as supplemental  
7 materials to the commission and shall be considered by the  
8 commission in determining whether to approve, deny, or modify  
9 the request.

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

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

16 (1) Update the boundary lines between land use districts  
17 on the United States Geological Survey quadrangle maps  
18 filed at the commission pursuant to the notice from  
19 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 or to lands designated as  
10      important agricultural lands pursuant to section 205-44.

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

13      SECTION 3. New statutory material is underscored.

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



**Report Title:**

LUC; Counties; County Plans; 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. (HD2)

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

