

Honolulu, Hawaii

MAR 06 , 2026

RE: H.B. No. 1739
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1739, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSIT-ORIENTED DEVELOPMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the counties to allow the development of transit-supportive densities in any county-designated transit-oriented development area;
- (2) Prohibit the counties from enacting an ordinance, rule, regulation, development standard, zoning provision, or other land use control that restricts the development of transit-supportive densities in these areas; and
- (3) Preempt and void any county ordinance, rule, regulation, development standard, zoning provision, or other land use control that is inconsistent with these provisions.

Your Committee received testimony in support of this measure from the Grassroot Institute of Hawaii; Housing Hawai'i's Future; Hawai'i YIMBY; Hawaii Appleseed Center for Law & Economic Justice; Avalon Development Company; AARP Hawai'i; and three individuals. Your Committee received testimony in opposition to this measure



from two individuals. Your Committee received comments on this measure from the Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; and CARES.

Your Committee finds that when an area is zoned for transit-oriented development but is later subjected to restrictive standards or ad hoc conditions, it can reduce feasible density or delay approvals in these areas. This in turn can result in fewer homes, higher per-cost units, and missed opportunities to house local workers near jobs and transit. Your Committee further finds that allowing higher densities in transit-oriented development areas aligns with best practices observed in other regions where housing supply has been expanded near public transit, resulting in greater affordability and reduced reliance on personal vehicles.

Your Committee notes the concern raised by the Office of Planning and Sustainable Development that there should be a timeframe for the amendment or adoption of ordinances and standards that would meet the proposed standards for each county. Your Committee believes that making this measure effective in 2030 would provide sufficient time for the counties to adopt or amend ordinances and standards.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1739, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1739, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,

A handwritten signature in black ink, reading "David Tarnas". The signature is written in a cursive, flowing style.

DAVID A. TARNAS, Chair



