



LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

LATE

Statement of
MARY ALICE EVANS, Director

before the
HOUSE COMMITTEE ON WATER AND LAND

Thursday, February 19, 2026

9:00 AM

State Capitol, Conference Room 411

in consideration of
HB 1739, HD 1
RELATING TO TRANSIT-ORIENTED DEVELOPMENT.

Chair Hashem, Vice Chair Morikawa, and Members of the House Committee on Water and Land.

The Office of Planning and Sustainable Development (OPSD) **supports** HB 1739, HD 1, which would amend Hawai'i Revised Statutes (HRS) Chapter 46 to allow counties to adopt transit-supportive densities for county-designated transit-oriented development zones and prohibit the adoption of any land use control that would restrict the adoption of transit-oriented densities.

OPSD supports the promotion of transit-supportive densities in county-designated transit-oriented development areas that are targeted for State funding and State infrastructure development. OPSD, in its capacity as co-chair of the Hawai'i Interagency Council for Transit-Oriented Development, advocates for and works with county and State agencies to facilitate increased project density to achieve TOD potential statewide.

OPSD notes and appreciates the amendments made by the previous committee.

Thank you for the opportunity to testify on this measure.

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041 • WEBSITE: honolulu.gov/dpp

RICK BLANGIARDI
MAYOR
MEIA



DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

BRYAN GALLAGHER, P.E.
DEPUTY DIRECTOR
HOPE PO'O

REGINA MALEPEAI
2ND DEPUTY DIRECTOR
HOPE PO'O KUALUA

TESTIMONY OF THE DEPARTMENT OF PLANNING AND PERMITTING

BEFORE THE HOUSE COMMITTEE ON WATER AND LAND

February 19, 2026
Conference Room 411

TO: The Honorable Mark J. Hashem, Chair; The Honorable Dee Morikawa, Vice Chair;
and Members of the Committee on Water and Land

RE: COMMENTS ON HOUSE BILL NO. 1739, HD 1, RELATING TO TRANSIT-
ORIENTED DEVELOPMENT (TOD)

The Department of Planning and Permitting (DPP) **offers comments with concerns** on House Bill No. 1739, HD 1, which requires transit-supportive densities be allowed, and prohibits land use controls that are inconsistent with the definition in any county-designated TOD area.

Act 159 (Session Laws 2025) incentivized counties to designate “transit-supportive densities.” Conversely, House Bill No. 1739, HD 1, appears to mandate “transit-supportive densities” by prohibiting any “county ordinance, rule, regulation, development standard, zoning provision, or other land use control” that would restrict the development of such “transit-supportive densities.”

The City and County of Honolulu’s TOD regulatory framework was developed with exhaustive community outreach, consultant input and staff analyses followed by City Council public deliberations. DPP continues to update the regulations based on our permitting experience, as well as the adopted City and County of Honolulu TOD plan recommendations, which consider the different land use contexts, from suburban to urban, along the rail transit corridor.

While the City is very much interested in streamlining and deregulating within the housing and affordable housing sectors, especially in TOD areas, the current language of this Bill would require significant restructuring of the existing regulatory framework, likely causing critical delays and confusion implementing our TOD plans, which translates into increased time-induced costs that burden project affordability.

The Honorable Mark J. Hashem, Chair
and Members of the Committee on Water and Land
Hawai'i House of Representatives
House Bill No. 1739, HD 1
February 19, 2026
Page 2

Conversely, Act 159 currently provides critical flexibility to ensure that updates to achieve "transit-supportive densities" do not inadvertently undermine the overall TOD framework and, consequently, the success of TOD.

Thank you for the opportunity to testify. We look forward to our continued work together.

Very truly yours,



Dawn Takeuchi Apuna
Director



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai'i Appleseed Center for Law and Economic Justice
Support for HB1739 HD1 – Relating to Transit Oriented Development
House Committee on Water & Land
Thursday, February 19, 2026 at 9:00AM Conf. Rm. 411 and via Videoconference

Aloha Chair Hashem, Vice Chair Morikawa, and members of the committee;

Mahalo for the opportunity to testify in **strong support of HB 1739 HD1**, prohibiting counties from enacting an ordinance, rule, regulation, development standard, zoning provision, or other land use control that would restrict the development of transit-supportive density in county-designated transit-oriented development (TOD) areas.

HB 1739 would ensure that state-designate TOD zones actually deliver the walkable, mixed-use, and mixed-income neighborhoods envisioned in state and county plans, rather than being undermined by project-by-project discretionary upzoning requests or other discretionary barriers. By prohibiting counties from adopting ordinances, development standards, or other land use controls that conflict with or effectively negate TOD zoning in these areas, the bill aligns local regulation with the substantial public investment already made in rail and bus rapid transit infrastructure. When state agencies and counties upzone for TOD and commit public funds to infrastructure, but later layer on restrictive standard or ad hoc conditions that reduce feasible density or delay approvals, the result is fewer homes, higher per-unit costs, and missed opportunities to house local workers near jobs and transit.

This aligns with the goals of Honolulu's Department of Housing and Land Management's (DHLM) most recent strategic plan which identified barriers like zoning and land use regulation as a regulatory barrier to building densely along the rail corridor.¹ It would also support the goals for Ka'ahumanu Ave, the identified TOD corridor in Maui County,² and would support similar goals in TOD identified areas in Lihue, Kauai and the Keohokalole Highway in Hawaii County. This bill affirms that counties cannot undermine adopted TOD zoning through conflicting ordinances or standards, while still allowing them to apply generally applicable health, safety, and infrastructure provisions so long as those provisions do not nullify TOD entitlements. This is essential to delivering more housing near transit for residents, reducing vehicle miles traveled, and making efficient use of the billions of dollars in public investments for infrastructure around TOD corridors.³

We respectfully urge you to pass HB1739 HD1.

¹ <https://www4.honolulu.gov/docushare/dsweb/Get/Document-347776/2025-2028%20Strategic%20Housing%20Plan.pdf>

² <https://mauimpo.org/kaahumanu-action-plan>

³ https://files.hawaii.gov/dbedt/op/lud/02PROJ/OPSDTODInfra_2022/3.Deliverable3_20230908_HawaiiTODInfraFin-FullFinal.pdf



Hawai'i YIMBY
Honolulu, HI 96814
hawaiiyimby.org
info@hawaiiyimby.org

February 19, 2026

House Committee on Water & Land
Hawai'i State Capitol
Honolulu, HI 96813

RE: SUPPORT for HB 1739 HD1 - RELATING TO TRANSIT-ORIENTED DEVELOPMENT

Aloha Chair Hashem, Vice Chair Morikawa, and Members of the Committee,

On behalf of Hawai'i YIMBY, we are writing in **support of HB 1739 HD1**, which supports smart, transit-oriented growth by reinforcing the connection between housing, community services, and high quality public transportation. When homes are located near frequent and reliable transit, residents have better access to jobs, grocery stores, schools, health care, and recreation without relying on long and costly car trips.

This bill helps ensure that areas planned around major transit investments can **fully function as complete, connected communities**. Allowing appropriate housing density near transit supports ridership, makes public investments more efficient, and gives residents more choices in how they live and move. It also helps local workers live closer to where they work and meet their daily needs, reducing traffic congestion and transportation costs.

As Hawai'i works to address its housing shortage and improve mobility, aligning housing opportunities and community services with our transit system is essential. HB 1739 advances this goal by promoting development patterns that strengthen neighborhoods, support sustainability, and make the most of our public transit investments.

Hawai'i YIMBY (*Yes In My Backyard*) is a volunteer-led grassroots advocacy organization dedicated to supporting bold and effective solutions for Hawai'i's devastating housing



Hawai'i YIMBY
Honolulu, HI 96814
hawaiiyimby.org
info@hawaiiyimby.org

crisis. Our members are deeply concerned about Hawai'i's chronic and worsening housing shortage, which has caused home prices to rise much faster than incomes and pushes thousands of kama'āina out to the mainland or into homelessness every single year.

We ask your support for this bill. Thank you for the opportunity to testify.

Sincerely,

Damien Waikoloa

Chapter Lead, Hawai'i YIMBY

Edgardo Díaz Vega

Chapter Lead, Hawai'i YIMBY

Huey Kwik

Chapter Lead, Hawai'i YIMBY





Cade Watanabe, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Eric W. Gill, Senior Vice-President

1516 South King Street, Honolulu, Hawaii 96826-1912 • Phone (808) 941-2141 • Fax (808) 941-2166 • www.UniteHere5.org

Feb 18, 2026

House Committee on Water and Land (Thursday, Feb 19, 2026, 9:00am)

Rep. Mark J. Hashem, Chair

Rep. Dee Morikawa, Vice Chair

Testimony in opposition to HB1739_HD1 Relating to Transit-Oriented Development

Chair Hashem and Vice Chair Morikawa, and Members of the Committee:

UNITE HERE Local 5 represents working people throughout Hawaii's hotel, food service and health care industries.

We oppose HB1739_HD1 because it fundamentally conflicts with long-established public policy principles and creates unnecessary uncertainty within well-established regulatory frameworks.

- HB1739_HD1 would effectively strip residents of their long-standing right to shape development at the county level through their elected council members.
- County councils and residents fully understand the housing crisis facing our islands, and the important role transit-oriented development (TOD) plays. Taking away the limited tools counties have to fine-tune TOD projects is an affront to residents and elected officials. It wrongly assumes that counties and residents are incapable of self-determination.
- Counties are granted the authority to regulate zoning and building. HB1739_HD1 contradicts that authority.
- State and county policymakers use incentives and disincentives to guide responsible development. This bill eliminates the county's ability to impose any meaningful guardrails in TOD areas, rendering voter-elected representatives powerless in the face of development interests.
- HB1739_HD1 defines "transit-supportive density" under HRS §206E-246, yet Chapter 206E governs the powers of the Hawaii Community Development Authority to work in concert with county development rules. These legal frameworks serve different purposes and are not necessarily compatible.

Thank you for this opportunity to testify.

February 19, 2026

TO: Chair Hashem and Members of the Committee on Water & Land
RE: HB 1739 HD1, Relating to Transit-Oriented Development

Dear Chair Hashem and Committee Members,

Housing Hawai'i's Future is a nonprofit dedicated to creating opportunities for Hawai'i's next generation by ending the workforce housing shortage.

We support House Bill 1739 HD1. By ensuring that counties cannot impose regulations that undermine transit-supportive densities in designated transit-oriented development (TOD) zones, this bill promotes more efficient land use and supports the creation of vibrant, accessible communities.

The bill focuses on TOD zones and infrastructure improvement areas, ensuring that the prohibition applies only where transit-supportive densities are most appropriate and beneficial. Allowing higher densities in TOD 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.

Removing local barriers to density in these zones can help unlock much-needed housing opportunities, particularly for working families and young residents who are increasingly priced out of Hawai'i's artificially restricted residential housing markets.

We are grateful for your careful consideration of House Bill 1739 HD1.

Thank you,



Lee Wang
Executive Director
Housing Hawai'i's Future
lee@hawaiisfuture.org



Perry Arrasmith
Director of Policy
Housing Hawai'i's Future
perry@hawaiisfuture.org

HB-1739-HD-1

Submitted on: 2/18/2026 10:53:15 PM

Testimony for WAL on 2/19/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Angela Young	CARES	Support	Remotely Via Zoom

Comments:

Reference my live testimony.

HB-1739-HD-1

Submitted on: 2/13/2026 6:55:00 PM

Testimony for WAL on 2/19/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

We need to use every tool possible to mitigate the affordability crisis impacting working- and middle-class families. HB1739 moves the ball in the RIGHT direction! I **STRONGLY** urge the committee to **SUPPORT** this bill!

HB-1739-HD-1

Submitted on: 2/15/2026 9:13:40 AM

Testimony for WAL on 2/19/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am testifying in strong support of HB1739, a critical bill that ensures our counties actually deliver on the promise of Transit-Oriented Development (TOD). This legislation prohibits counties from enacting any ordinance, rule, or zoning provision that restricts the development of transit-supportive densities in designated TOD areas. In plain language: if we are going to invest billions in public transit, we must allow people to live near it.

The Promise and the Problem

Transit-Oriented Development is built on a simple, powerful idea: concentrate housing, jobs, and services around transit stations so that people can walk, bike, and ride instead of driving. Done right, TOD reduces traffic, cuts emissions, lowers household transportation costs, and creates vibrant, walkable communities.

But TOD only works if we actually build **density**. A transit station surrounded by single-family homes, parking lots, and low-rise commercial strips does not reduce car dependence; it simply adds a train stop to a car-dependent landscape. The housing crisis is not solved, the climate benefits are not realized, and the public investment in transit is squandered.

What HB1739 Does

HB1739 ensures that counties cannot quietly undermine TOD by maintaining low-density zoning along transit corridors. It requires that transit-supportive densities—meaning enough housing units and people to actually support transit ridership—be allowed as of right in any county-designated TOD area. It prevents the use of zoning restrictions to effectively veto the very development TOD is meant to encourage.

This is not about mandating what gets built; it is about removing artificial barriers that prevent it from being built. Counties can still plan, design, and guide development. What they cannot do is designate a TOD area on paper while maintaining zoning that makes genuine transit-oriented development impossible.

Why Density Matters

Low land-use density around transit stations does two things: it makes housing more expensive, and it defeats the purpose of TOD. When we restrict supply near high-opportunity transit corridors, we push housing into car-dependent fringe areas, increasing both costs and emissions.

When we allow density, we create more homes where people want to live, support local businesses, and build the ridership that makes transit systems viable and sustainable.

A Matter of Consistency and Good Faith

Counties have spent years planning TOD districts, often with extensive community engagement and significant state investment. HB1739 simply asks that those plans be backed up by zoning that makes them real. It holds counties accountable to their own stated goals and ensures that the promise of TOD is not hollowed out by restrictive land use controls.

HB1739 is a smart, necessary, and long-overdue step toward aligning our land use policies with our transit investments, our climate goals, and our housing needs. I urge you to pass this bill.

Mahalo for the opportunity to testify.

Aloha Chair Hashem, Vice Chair Morikawa

My name is Dale VanderBrink. I am the 2nd vice chair of the Ala Moana Kaka'ako Neighborhood Board. This is my personal testimony.

I write this in support of HB1739

This act is only 2 pages long for a simple reason. It would prohibit the counties from restricting the construction of buildings within transit oriented development zones. This is important because it would allow for the building of taller, more dense buildings, within the Skyline or places where the skyline is set to go.

I live in the Ala Moana area. We are no stranger to 10+ story buildings. We need to ensure that other transit oriented development zones, such as where I live, do not have restrictions that limit their density and can allow more people to live near transit.

Mahalo
Dale