

JAN 17 2020

A BILL FOR AN ACT

RELATING TO LAND USE.

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

1 SECTION 1. Section 205-3.1, Hawaii Revised Statutes, is
2 amended by amending subsections (a) to (c) to read:

3 "(a) District boundary amendments involving the following
4 ~~lands [in the conservation district, land areas greater than~~
5 ~~fifteen acres, or lands delineated as important agricultural~~
6 ~~lands]~~ shall be processed by the land use commission pursuant to
7 section 205-4 [-]:

8 (1) Lands in the conservation district;

9 (2) Land areas greater than fifteen acres, except land
10 areas greater than fifteen acres but no more than
11 thirty acres if the land areas are proposed for
12 reclassification to the urban district and at least
13 sixty per cent of the land areas will be dedicated for
14 the development of affordable housing; or

15 (3) Lands delineated as important agricultural lands.

16 (b) Any department or agency of the State, and department
17 or agency of the county in which the land is situated, or any



1 person with a property interest in the land sought to be
2 reclassified may petition the appropriate county land use
3 decision-making authority of the county in which the land is
4 situated for a change in the boundary of a district involving
5 [~~lands~~]:

6 (1) Lands less than fifteen acres presently in the rural
7 and urban districts [~~and lands~~];

8 (2) Land areas greater than fifteen acres but no more than
9 thirty acres if the land areas are proposed for
10 reclassification to the urban district and at least
11 sixty per cent of the land areas will be dedicated for
12 the development of affordable housing; and

13 (3) Lands less than fifteen acres in the agricultural
14 district that are not designated as important
15 agricultural lands.

16 (c) District boundary amendments involving [~~land areas of~~
17 ~~fifteen acres or less, except as provided in~~] lands described in
18 subsection (b) [~~7~~] shall be determined by the appropriate county
19 land use decision-making authority for the district and shall
20 not require consideration by the land use commission pursuant to
21 section 205-4; provided that such boundary amendments and



1 approved uses are consistent with this chapter. The appropriate
2 county land use decision-making authority may consolidate
3 proceedings to amend state land use district boundaries pursuant
4 to this subsection, with county proceedings to amend the general
5 plan, development plan, zoning of the affected land, or such
6 other proceedings. Appropriate ordinances and rules to allow
7 consolidation of such proceedings may be developed by the county
8 land use decision-making authority."

9 SECTION 2. Section 205-4, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) Any department or agency of the State, any department
12 or agency of the county in which the land is situated, or any
13 person with a property interest in the land sought to be
14 reclassified, may petition the land use commission for a change
15 in the boundary of a district. This section applies to all
16 petitions for changes in district boundaries of lands within
17 conservation districts, lands designated or sought to be
18 designated as important agricultural lands, and lands greater
19 than fifteen acres in the agricultural, rural, and urban
20 districts, except as provided in [~~section 201H-38.~~] sections



S.B. NO. 2620

1 201H-38 and 205-3.1(a). The land use commission shall adopt
2 rules pursuant to chapter 91 to implement section 201H-38."

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

5 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

S.C. ...

Michelle N. ...

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S.B. NO. 2620

Report Title:

District Boundaries; Amendments; Counties; Affordable Housing

Description:

Authorizes county land use decision-making authorities to amend district boundaries involving land areas greater than fifteen but no more than thirty acres in the urban district without consideration of the land use commission if at least sixty per cent of the land is used to develop affordable housing.

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

