HB 2237-84 would revise significantly the basis for reclassifying agricultural, rural, and conservation lands expressed in HRS Section 205-4. This statement on the bill does not reflect an institutional position of the University of Hawaii.

HRS Subsection 205-4 (h) now requires that before a land use boundary is amended, the Land Use Commission "must find" upon the clear preponderance of the evidence that the proposed boundary is reasonable, not violative of Section 205-2, and consistent with the interim policies and criteria..." in HRS 205-16.1. HB 2237 would add to this subsection a provision that "Proposals to reclassify agricultural, rural, or conservation districts to urban districts for the purpose of developing affordable residential units...shall be presumed reasonable". "Affordable units" are not defined in the bill, but "affordable housing" is defined as meaning "dwelling units for which the purchase price is affordable to families with incomes of less than one hundred per cent of the state median family income..." The phrase "one hundred per cent of" adds nothing to the definition, but there is a more serious problem with the bill.

No matter how great the need may be for housing affordable by low-income families, it cannot reasonably be presumed that every proposal to develop such housing will be appropriate if the development will require reclassification of land now in the conservation, agricultural, or rural district. Such a presumption would apply to proposals of housing developments in, for example, the watersheds that have been set aside for water conservation purposes and lands reserved for the protection of native fauna and flora. We believe that the Land Use Commission must be permitted to continue to exercise its judgement in land-use boundary changes.