State Land Use Law
Act 187, SLH 1961

- **Original Intent:**
  
  “preserve, protect, and encourage the development of the lands in the State for those uses to which they are best suited for the public welfare.”

- **Land Use Districts:**
  
  - Urban, Agricultural, Conservation, Rural (1963)
  - Agricultural District was the catch-all district
State Land Use Commission

Ensure orderly growth of the State by protecting and encouraging the use of lands for long term public benefit.

Office of Planning’s Role

Coordinate and present the State’s position in LUC proceedings --

*Boundary petitions, Declaratory Rulings, Special Permits, IAL*
State Land Use Law
Act 187, SLH 1961

• Initial Role of Land Use Commission
  1. Determine boundaries
  2. Decide on proposed amendments
  3. Conduct periodic, comprehensive reviews of classification and districting of all lands
Five-Year Boundary Reviews

- **1969:** LUC w/EDAW planners
- **1974:** LUC w/MKGKY planners
- **1990:** OP w/Wilson Okamoto, John Ford, Munekiyo, others
  - 2 years of studies
  - 4 years of boundary amendments
### Five-Year Boundary Reviews
#### Resulting Changes in Land Use Districts
(in acres)

<table>
<thead>
<tr>
<th>Year</th>
<th>Conservation</th>
<th>Agricultural</th>
<th>Urban</th>
<th>Rural</th>
</tr>
</thead>
<tbody>
<tr>
<td>1969</td>
<td>+148,000</td>
<td>-159,000</td>
<td>+12,000</td>
<td>-1,000</td>
</tr>
<tr>
<td>1974</td>
<td>-9,000</td>
<td>+8,000</td>
<td>+1,000</td>
<td>0</td>
</tr>
<tr>
<td>1990</td>
<td>+15,000</td>
<td>-23,000</td>
<td>+8,000</td>
<td>0</td>
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</tbody>
</table>

6/28/2013
State Land Use Classifications

1969

- A: 48%
- C: 49%
- R: 0%
- U: 3%

2013

- A: 46%
- C: 49%
- R: 0%
- U: 5%

11/12/13
“The office of planning shall undertake a review of the classification and districting of all lands in the State, within five years from December 31, 1985, and every fifth year thereafter. The office shall focus its efforts on reviewing the Hawaii state plan, county general plans, and county development and community plans. Upon completion of the five-year boundary review, the office shall submit a report of the findings to the commission. The office may initiate state land use boundary amendments which it deems appropriate to conform to these lands. The office may seek assistance of appropriate state and county agencies and may employ consultants and undertake studies in making this review.” (emphases added)
OP Five-Year Boundary Review 2014
Phase 1

• Conduct the periodic review per HRS Section 205-18, but **without** pursuing any boundary amendments.

• Use OP’s GIS maps and data files for analysis and presentation. Focus on:
  – Urban growth boundaries identified by counties compared to State Urban District
  – Agricultural lands productivity
    ALISH, LSB, NRCS soil ratings
  – IAL designations approved
    (100,000+ acres)

6/28/2013
Phase 2
State Land Use Review
PURPOSE
Review the State Land Use District Boundary Amendment process in HRS Chapter 205 and provide recommendations to the State Land Use Commission, Governor and the Legislature to improve its efficiency and effectiveness without compromising the original intent of the law.
OP Five-Year Boundary Review 2014

Phase 2

State Land Use Review

Concerns raised over the years:

1. Project-by-project review is not good planning
2. Time-consuming, costly process
3. Over-emphasis on narrowly-focused, often heated public hearings
4. Reliance on litigation to resolve planning and zoning
OP Five-Year Boundary Review 2014
Phase 2
State Land Use Review

Concerns raised over the years (cont.):
5. Uncertainty on what is permissible
6. Confusion on allowable uses of Agricultural District
7. Duplicative State and county reviews
8. Process does not provide long range comprehensive planning and coordination between State and county land use and capital program planning

6/28/2013
Lands in State Land Use Districts 2013

<table>
<thead>
<tr>
<th>Land Use District</th>
<th>Acres</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation</td>
<td>2,022,299</td>
<td>49.0</td>
</tr>
<tr>
<td>Agricultural</td>
<td>1,885,004</td>
<td>45.8</td>
</tr>
<tr>
<td>Urban</td>
<td>205,036</td>
<td>4.9</td>
</tr>
<tr>
<td>Rural</td>
<td>11,054</td>
<td>0.3</td>
</tr>
</tbody>
</table>

11/12/13
City & County of Honolulu

6/28/2013
Phase 2
State Land Use Review

1. **Desired Outcome:** A more efficient and effective process without compromising the original intent of the law.

2. **Means:** Convene a task force of diverse stakeholders, including county planning, public and private interests to discuss and develop recommendations.

OP Five-Year Boundary Review 2014

Schedule

• Phase 1 GIS analysis by mid-2014

• Phase 2 Task Force Review by early 2015

• Consider potential legislation
Mahalo!

This presentation was prepared by the Office of Planning. Federal funds under Award NA12NOS4190097 from the National Oceanic and Atmospheric Administration, U.S. Department of Commerce, were used for meeting and outreach support services for this project. The statements, findings, conclusions, and recommendations are those of the Office of Planning and do not necessarily reflect the views of the National Oceanic and Atmospheric Administration or the U.S. Department of Commerce.

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