



STATE OF HAWAII
OFFICE OF PLANNING

STATE LAND USE SYSTEM REVIEW

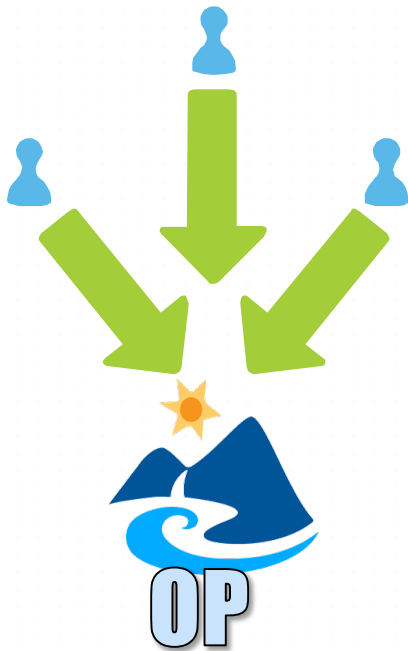
Stakeholder Meetings

November – December 2014

PRESENTATION AGENDA

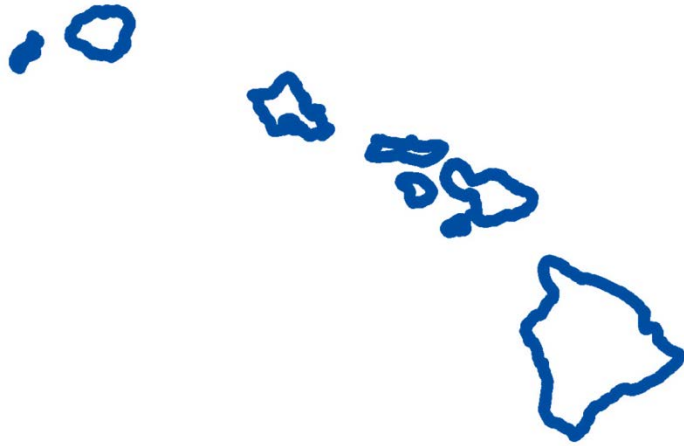
- ▶ Purpose of Meeting
- ▶ OP State Land Use Review Project
- ▶ Overview of State Land Use System
- ▶ Today's Meeting
- ▶ What's Next

PURPOSE OF MEETING



Seek input statewide from stakeholders and public on how the State land use system is working

ROLE OF OFFICE OF PLANNING



OP is the **State's**
planning agency,
responsible for
statewide
comprehensive and
regional planning.

project background

ROLE OF OFFICE OF PLANNING



It has an **interest** in **advancing** the **intent** of the State land use law:



“To 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” (HRS Chapter 205).



project background

ROLE OF OFFICE OF PLANNING

It **represents** the **State's interests** in **land use matters** before the **State Land Use Commission**:

district boundary amendments

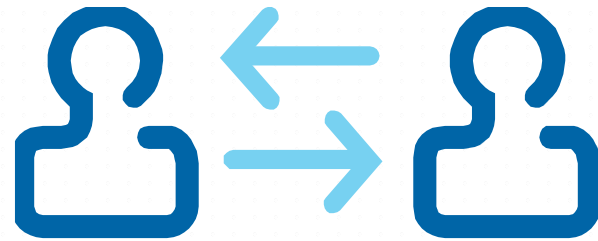
declaratory rulings

special permits

important agricultural lands

project background

ROLE OF OFFICE OF PLANNING

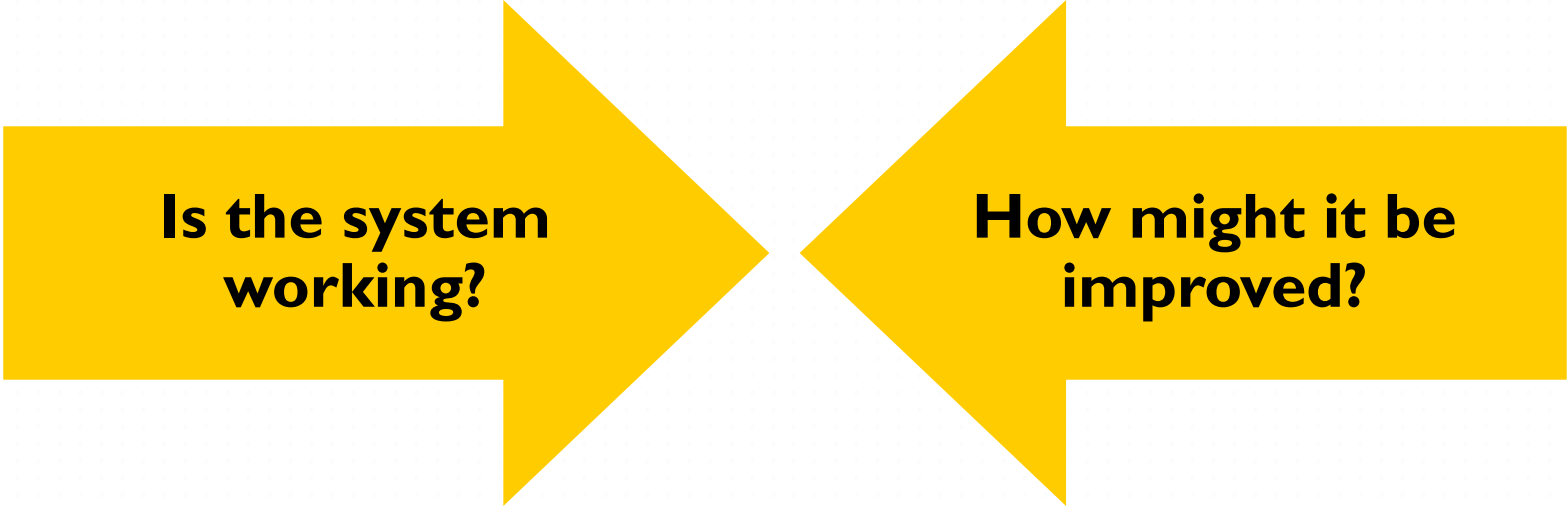


It works with **other state agencies** and **counties** to **evaluate** whether **proposed projects** heard by the Land Use Commission **further the intent** of the State land use law.

project background

PURPOSE OF REVIEW

In OP's work over the years, questions raised about the system. Now we want to know...



**Is the system
working?**

**How might it be
improved?**

project background

STATEWIDE LAND USE SYSTEM

Cornerstone: State Land Use Law

1961

Enacted in 1961 as Act 187

Codified as **Chapter 205, HRS**

statewide land use system

STATE LAND USE LAW

1961

Enacted in response to:

Scattered subdivisions w/o adequate services

Unprecedented population and economic growth

Calls for **State** role in land use management

Development on limited prime agricultural lands

Real estate speculation

statewide land use system

STATE LAND USE LAW

FRAMEWORK for statewide land use management:

I Four State land use districts—all lands classified



URBAN

- City-like uses
- Regulated by counties



RURAL

- Small farms, low-density residential
- Uses in Chapter 205
- Permitting: counties
- Districting: State



AGRICULTURAL

- Cultivation, other agriculture-related uses
- Uses in Chapter 205
- Permitting: counties
- Districting: State



CONSERVATION

- Forest reserves, watersheds, other nature resources
- Permitting: State
- Districting: State

statewide land use system

STATE LAND USE LAW

2

Administered by
State Land Use Commission

Nine appointed members – serve as volunteers

Supported by LUC staff

STATE LAND USE LAW

3 LUC **decides** on:

amendments of State
land use districts

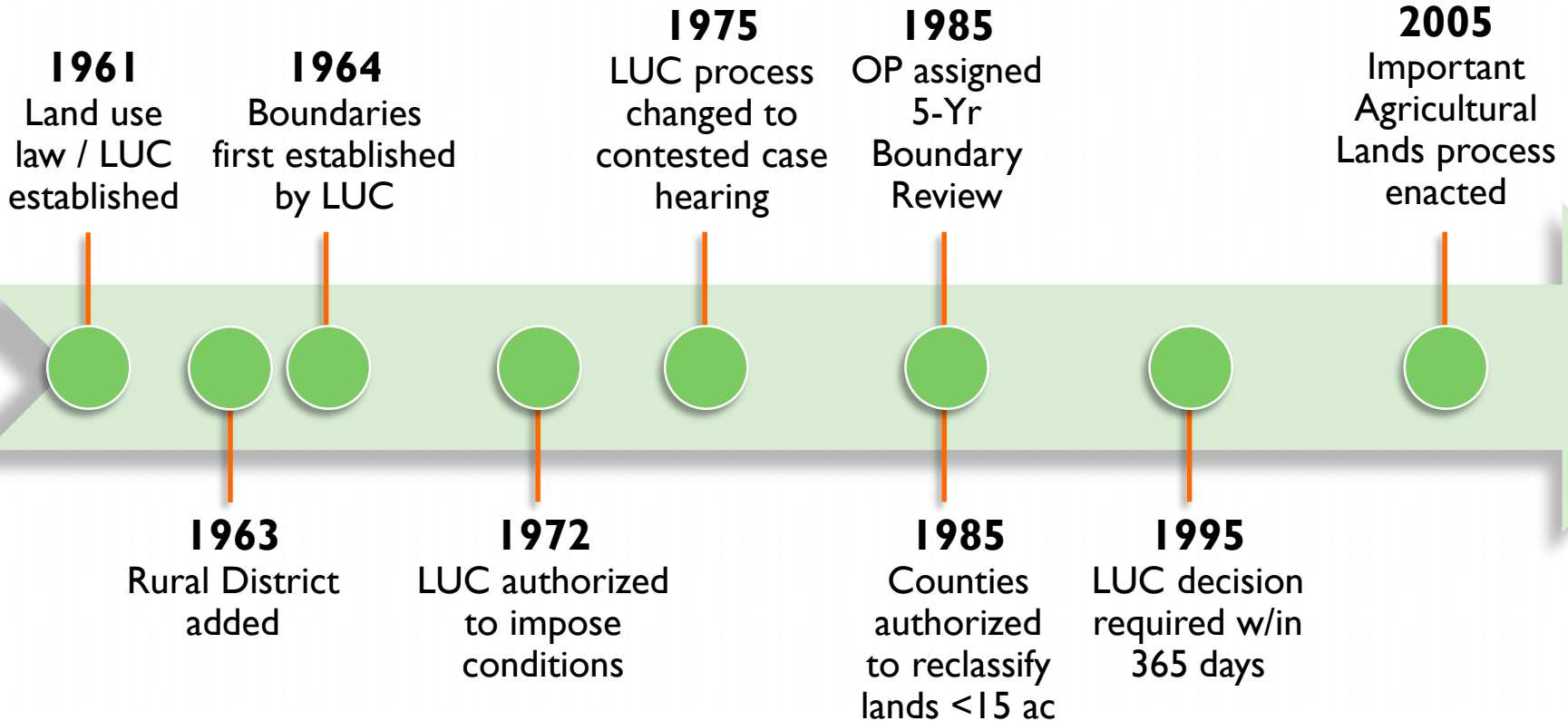
special permits
>15 acres in
Agricultural or
Rural Districts

designation of
Important
Agricultural Lands
(IAL)

declaratory rulings

4 Counties **enforce** district classifications and uses in urban, rural, and agricultural districts

CHANGES IN LAND USE LAW



land use system overview

STATEWIDE LAND USE SYSTEM

Four major components

State
Planning and
Land Use
Process

County
Planning and
Land Use
Process

Environmental
Review
Process

Appeals
Process

Not all projects trigger all four components

land use system overview

STATEWIDE LAND USE SYSTEM:

STATE COMPONENT

State planning

- Hawaii State Plan and State Functional Plans
- Statewide planning framework

State land use management

- State Land Use Law [LUC]
- State Conservation District [DLNR]

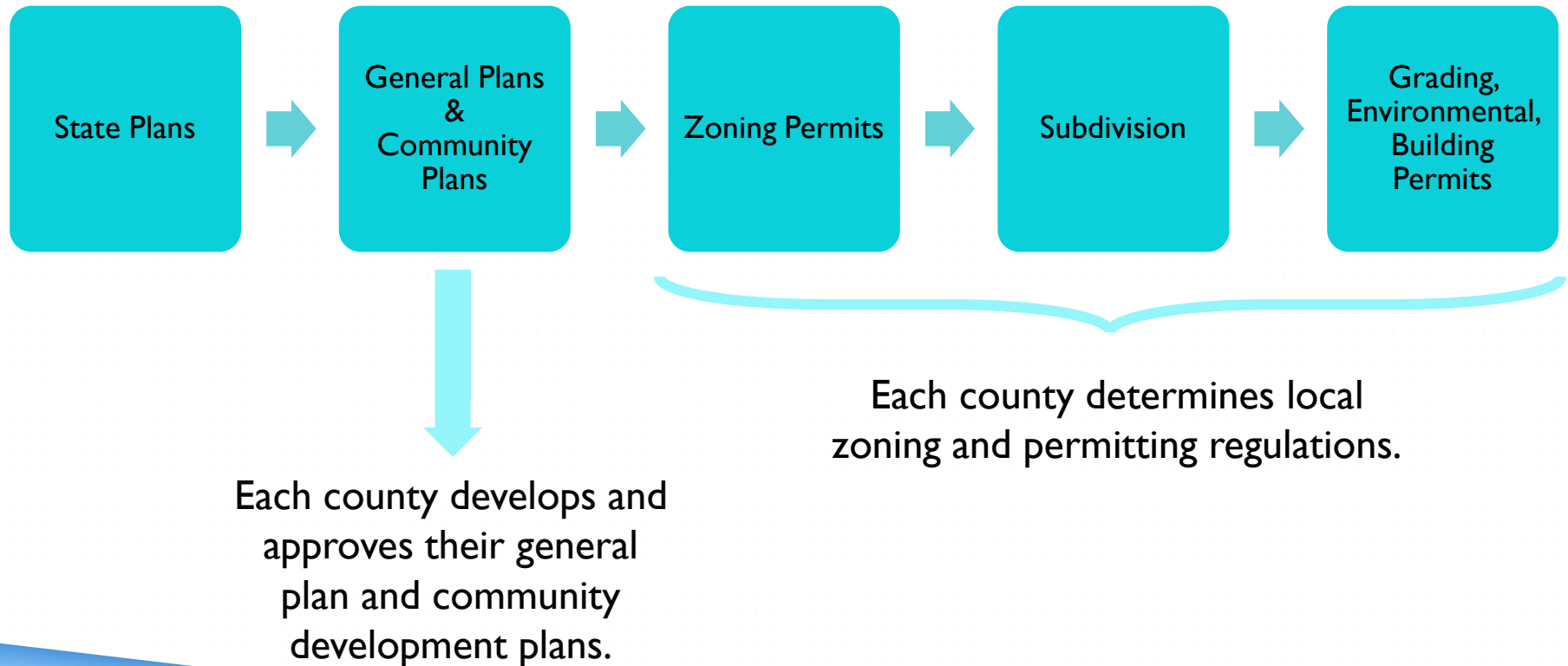
State agency plans

- Long-range and program plans
- Capital improvement plans

State agency permits

- Environmental permits
- Facility permits

STATEWIDE LAND USE SYSTEM: **COUNTY COMPONENT**



ENVIRONMENTAL REVIEWS



- ▶ **Hawaii Environmental Policy Act (HEPA), HRS Chapter 343**
 - ▶ **Analysis of environmental, social and economic impacts of proposed projects** before first discretionary permit
 - ▶ **Recommended mitigation measures** identified



- ▶ **Public disclosure and public review process** for impacts prior to agency decision making
- ▶ Administered by State **Office of Environmental Quality Control (OEQC)**

STATEWIDE LAND USE SYSTEM:

APPEALS COMPONENT

- ▶ **State & county laws provide for review and appeal**

examples

Environmental documents

- Appeal of EAs/EISs to court

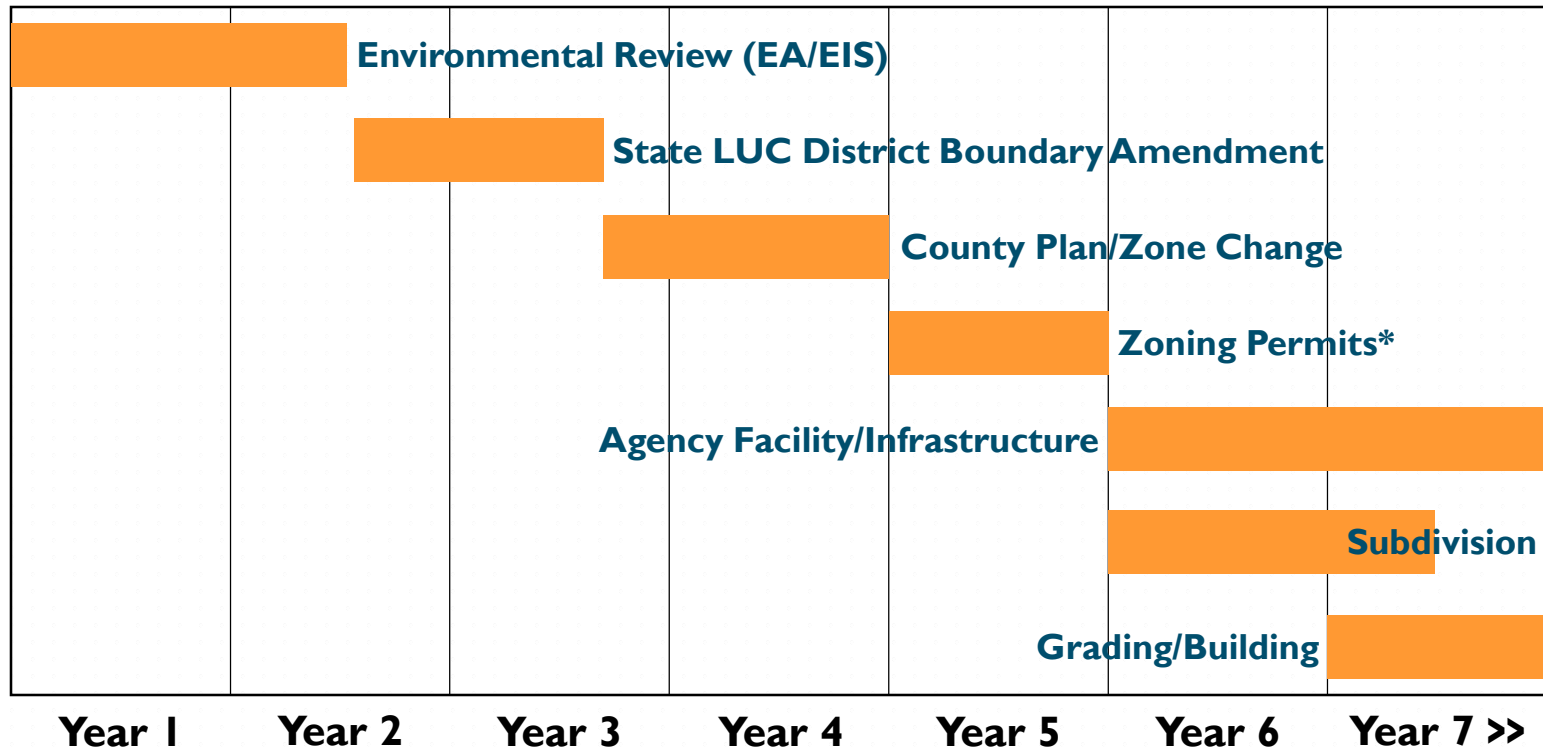
State land use decisions

- Appeal to LUC
- Appeal to court

County land use decisions

- Appeal of zone change to court

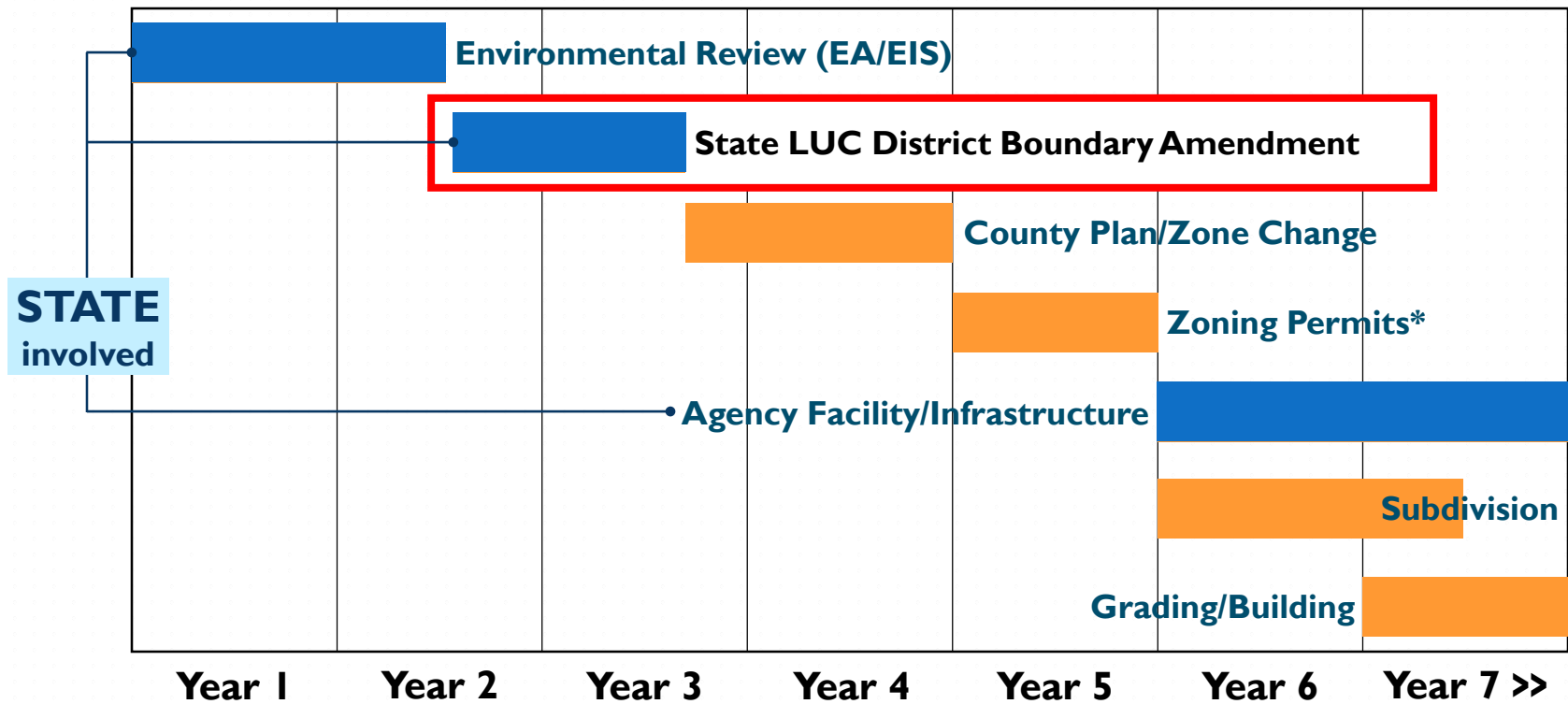
PROJECT APPROVAL PROCESS



* SMA, Zoning, Planned Development, Special District, other

land use system overview

PROJECT APPROVAL PROCESS



* SMA, Zoning, Planned Development, Special District, other

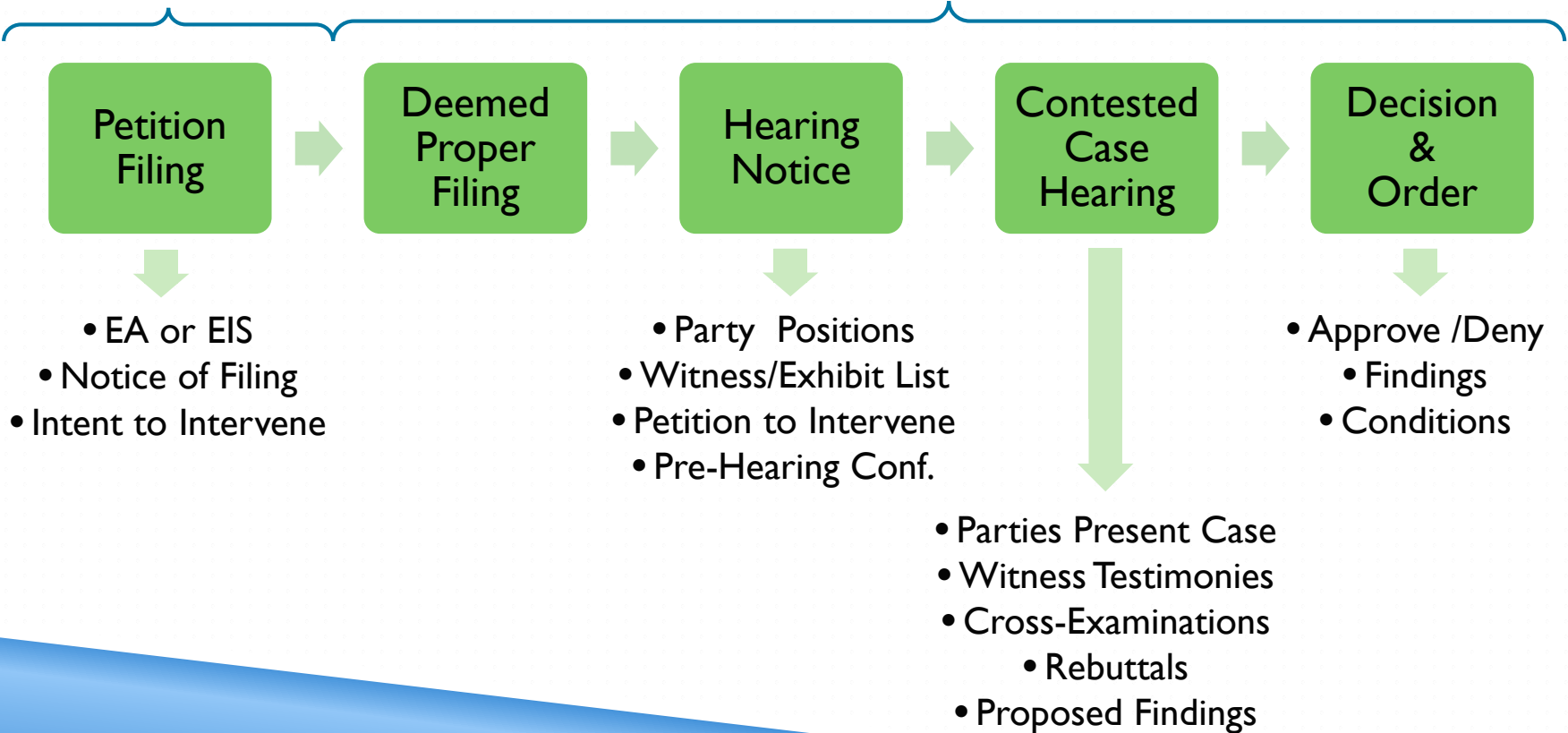
land use system overview

STATE PROCESS:

DISTRICT BOUNDARY AMENDMENTS

Timing determined
by petitioner

LUC has 365 days to
make a decision



STATEWIDE DISTRIBUTION OF LANDS IN STATE LAND USE DISTRICTS

Statewide



Urban

1969

3.4%

2013

4.9%

Change



Rural

0.2%

0.3%



Agricultural

47.6%

45.8%



Conservation

48.9%

49.0%

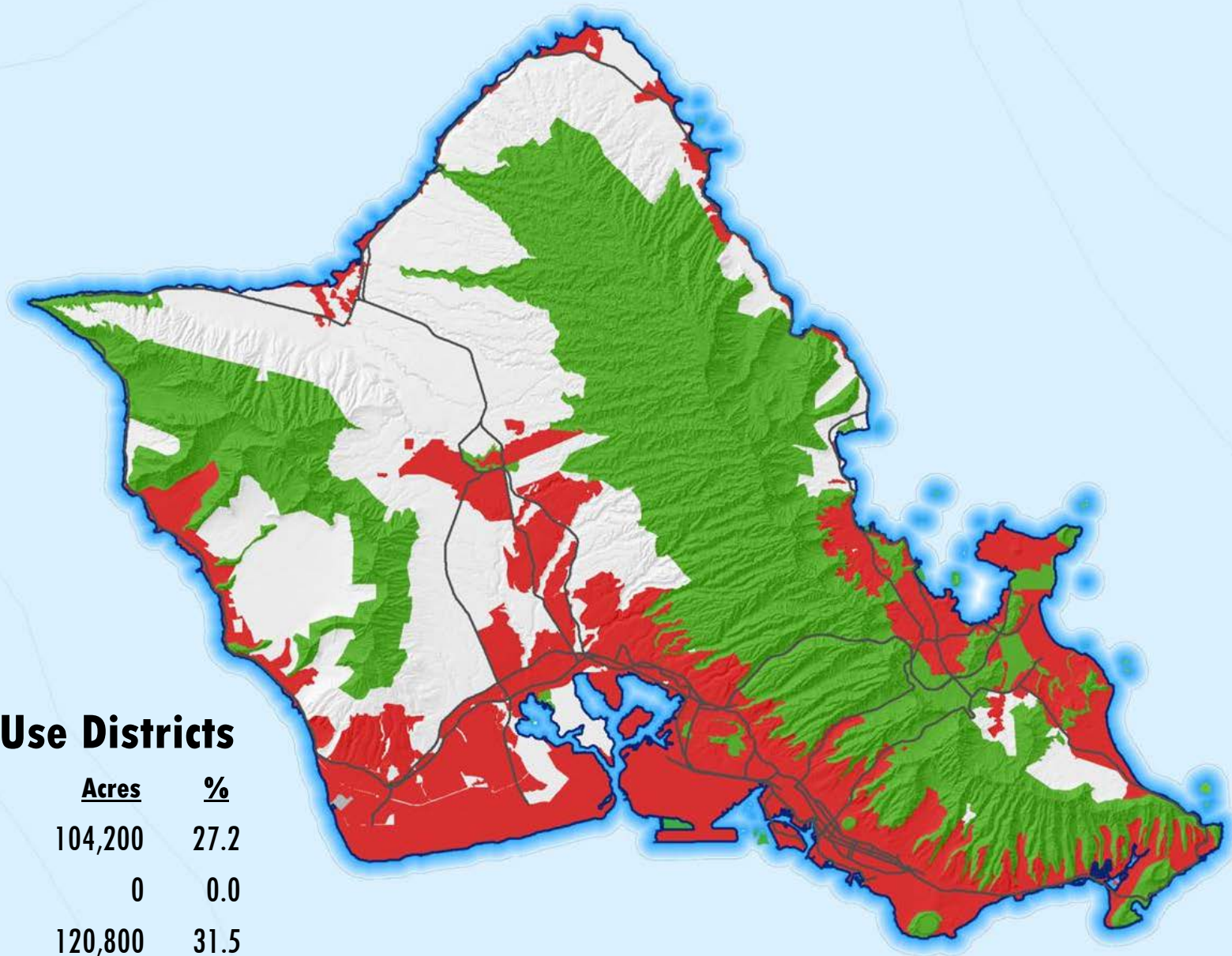


land use system overview

OAHU

State Land Use Districts

	<u>Acres</u>	<u>%</u>
Urban	104,200	27.2
Rural	0	0.0
Agricultural	120,800	31.5
Conservation	158,700	41.4

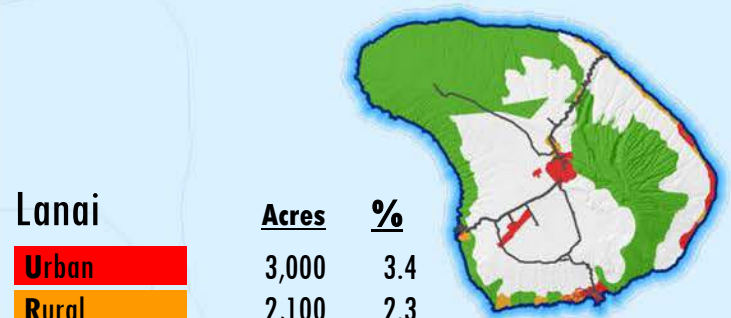


Source: State land use districts, Land Use Commission, March 2014



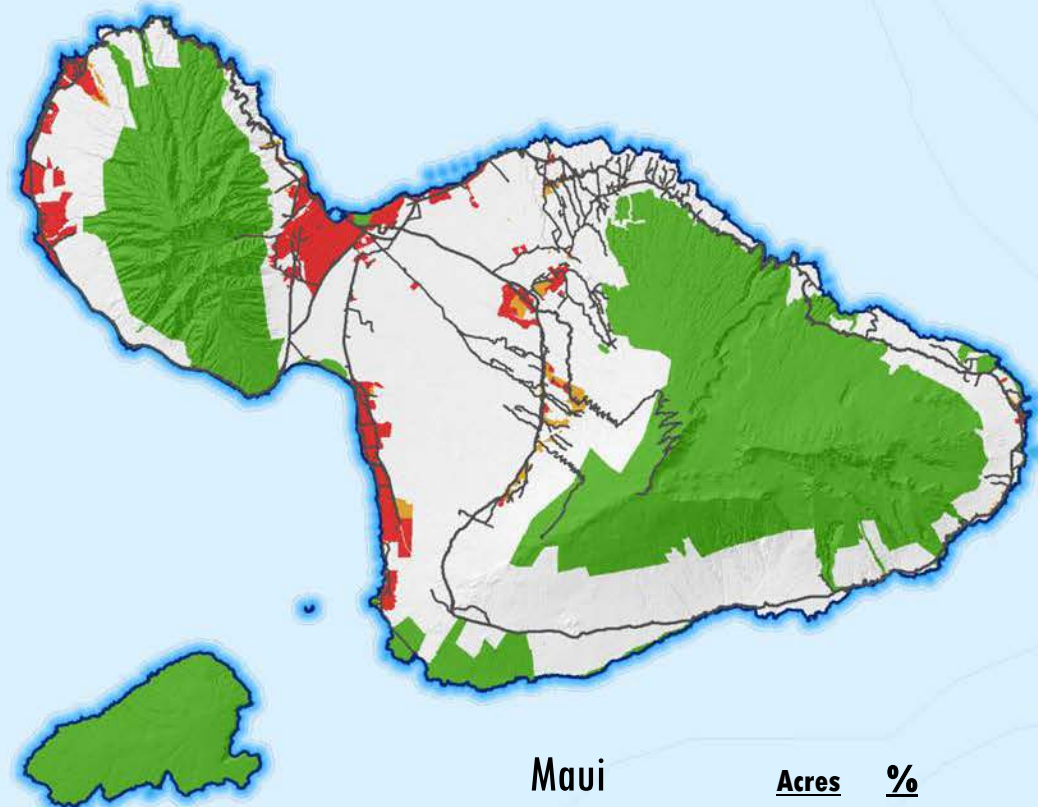
Molokai

	<u>Acres</u>	<u>%</u>
Urban	2,300	1.4
Rural	1,800	1.1
Agricultural	110,800	66.2
Conservation	52,500	31.4



Lanai

	<u>Acres</u>	<u>%</u>
Urban	3,000	3.4
Rural	2,100	2.3
Agricultural	44,600	49.4
Conservation	40,600	44.9



Maui

	<u>Acres</u>	<u>%</u>
Urban	22,900	4.9
Rural	4,200	0.9
Agricultural	235,400	50.4
Conservation	204,100	43.7



Kahoolawe

Conservation	28,600 ac.
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MAUI COUNTY

State Land Use Districts

Source: State land use districts, Land Use Commission, March 2014

HAWAII

State Land Use Districts

	<u>Acres</u>	<u>%</u>
Urban	56,300	2.2
Rural	1,600	0.1
Agricultural	1,183,300	45.8
Conservation	1,343,100	52.0

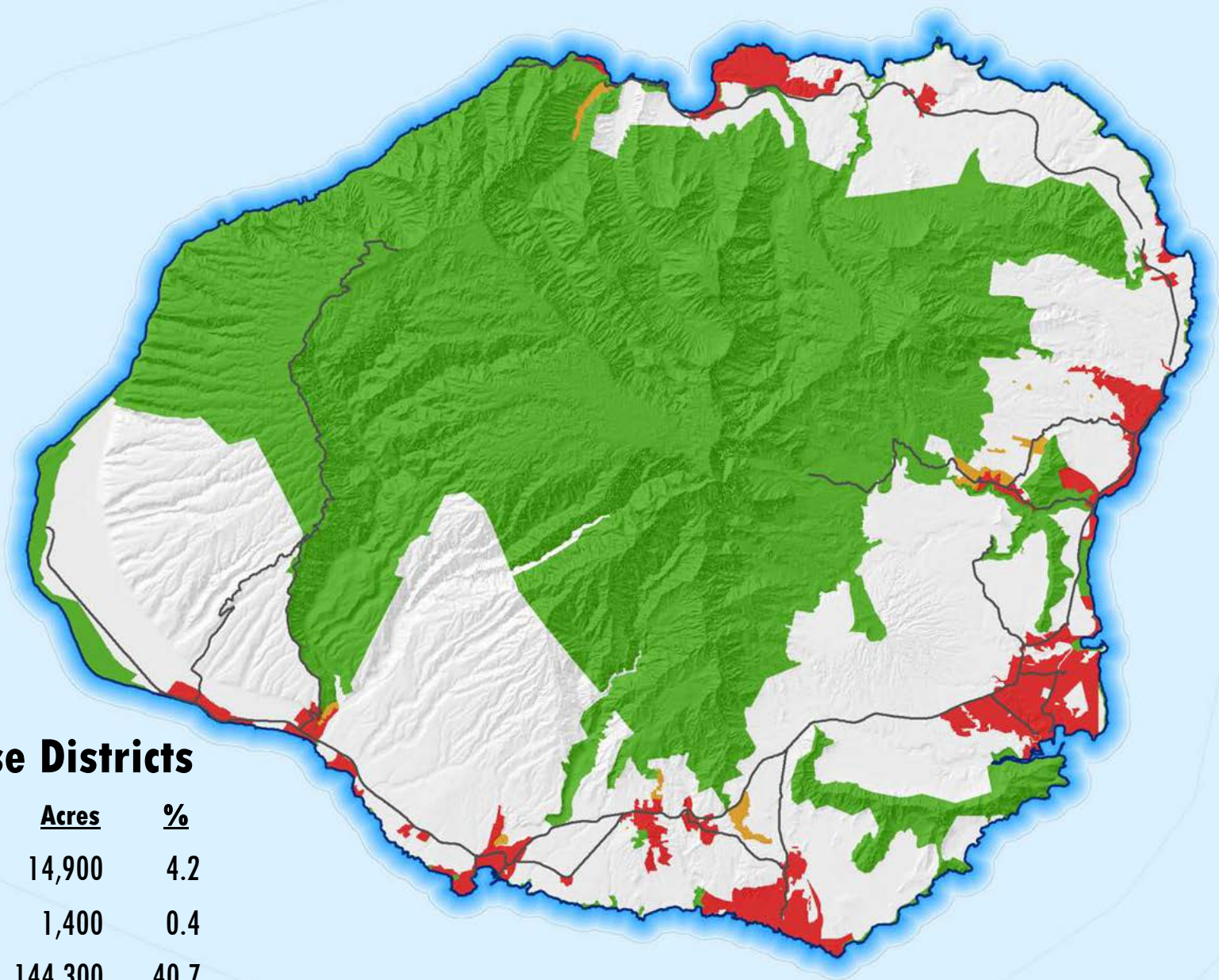
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KAUAI

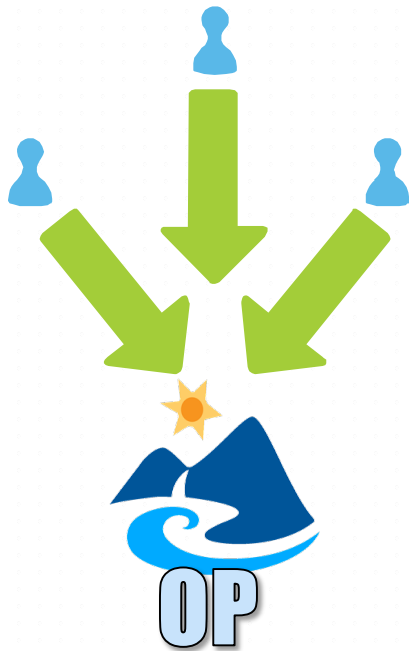
State Land Use Districts

	<u>Acres</u>	<u>%</u>
Urban	14,900	4.2
Rural	1,400	0.4
Agricultural	144,300	40.7
Conservation	194,500	54.8



Source: State land use districts, Land Use Commission, March 2014

STATEWIDE MEETINGS



- ▶ **TODAY** we'll hear from you
 - ▶ How you feel the land use system is working
 - ▶ How you think it could be improved

statewide input

STATEWIDE MEETING SCHEDULE

Date	Time	Community Meeting Location
Thu. November 20, 2014	6 - 8 pm	Washington Intermediate School, Honolulu
Tue. November 25, 2014	6 - 8 pm	Maui Planning Commission Conf. Room, Wailuku
Tue. December 2, 2014	5:30-7:30 pm	Aupuni Center Conf. Room, Hilo
Wed. December 3, 2014	6 - 8 pm	Natural Energy Lab Hawaii Conf. Room, Kona
Wed. December 10, 2014	6 - 8 pm	Kauai Planning Commission Conf. Room, Lihue

statewide input

WHAT'S NEXT?



**Comments from
statewide meetings will
be incorporated in report
prepared by OP**

**OP's final report on findings and
recommendations targeted for mid-2015**

- **Public review draft in January 2015**

statewide input

HOW YOU CAN STAY INFORMED



Project website:

<http://planning.hawaii.gov/lud/state-land-use-review/>

Questions

Comments

Concerns

Contact:

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statewide input

Mahalo!

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