

Task Force Members' Ideas for System Improvements

A. Participation in LUC/LU process

- A.1 Early, meaningful consultation
 - A.2 More meaningful avenue for public participation & expertise to be utilized (less time-consuming than intervention)
- Use of technology**
- A.3 Live web streaming of LUC hearings
 - A.4 Allow witnesses to testify electronically if elderly or in rural areas
- Public notice**
- A.5 Signs with contact info posted at sites of proposed LUC projects
- Intervention / representation in hearings**
- A.6 Easier ways for interested parties to enter contested case
 - A.7 Intervention fee of \$1,000
 - A.8 Public advocate / lawyers to represent citizens groups in DBA hearings
 - A.9 Ombudsman / citizen advocate position in LUC (to demystify process & reduce burden on public to participate)

B. Enforcement

- Conditions**
- B.1 Better enforcement of conditions
 - B.2 Write enforceable conditions with clear path for county or state agency enforcement/compliance
 - B.3 From intervenors perspective: conditions in subsequent decisions to be consistent with decision or final order
- Responsibility for conditions**
- B.4 Define clearly in legislation who monitors compliance with & enforces LUC conditions
 - B.5 Greater flexibility for LUC to enforce conditions (other than reversion, e.g., allow amendment of conditions)
- Tools for compliance / enforcement**
- B.6 Better use of annual reports for monitoring & enforcement
 - B.7 Define clearly what happens if LUC conditions not met
 - B.8 Conditions or hammer at the county level
 - B.9 Reversion if DBA conditions not met should be common
 - B.10 Monitoring county plan implementation
 - B.11 Appeal via declaratory ruling for county plan-based regional boundary amendments

Task Force Members' Ideas for System Improvements

C. Information for decision-making

- C.1 More local/regional review & input in process & approvals
- C.2 Greater emphasis on review of cumulative effects
- C.3 Early, meaningful consultation
- C.4 Use of thresholds for operations & safety of roadways
- C.5 Require state agencies to do Ka Pa'akai analysis on all projects

LUC process

- C.6 Improve quality of LUC site visits
- C.7 Strengthen protection of cultural properties. On-the-ground / site visits of cultural properties
- C.8 Use of thresholds for operations & safety of roadways
- C.9 Move environmental review to post-LUC decision making

Data & tools for meaningful, cumulative analysis

- C.10 State does statewide population & economic projections
- C.11 Comprehensive set of environmental, social, economic indications to inform decision-making
- C.12 Centralized location for data, GIS-compatible or GIS-based
- C.13 Need carrying capacity analysis for state and islands to determine land use needs & guide land use decision-making

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D. Implementation

Plan / land use implementation

- D.1 State review of county plans & activities with respect to impact on areas of state concern
- D.2 Direct input in LU matters which involves state functions or facilities

Infrastructure

- D.3 Coordinate infrastructure planning & development with county
- D.4 State plans & phasing of implementation to match county LU planning
- D.5 State CIP to implement LU plans & policies (based on state infrastructure component)
- D.6 State funding sources & frameworks that support county CIP investments consistent with statewide framework/priorities
- D.7 County strategic investments in built & natural infrastructure (based on community plan)
- D.8 Address problems in zone change process in meeting transportation mitigation required for projects
- D.9 Paying for infrastructure improvements required by agencies (e.g., DOT) as conditions of project approvals

Managing growth

- D.10 Incentives for desirable development
- D.11 Disincentives for undesirable development (e.g. in areas of hazards or significant resources)
- D.12 Do we need police powers to enforce or direct growth if we're built out?
- D.13 Thresholds for dealing with unplanned or premature projects (not in plan or phasing)
- D.14 Public expenditures commensurate with public benefit (public costs manageable, sustainable)
- D.15 Public (rather than developer) should pay for infrastructure

E. Streamlining/managing permitting

- E.1 Speed up processing & ministerial permitting by state/county agencies
- E.2 More efficient permitting process for key areas, e.g., affordable housing, fishponds)
- E.3 Consolidate points of legal intervention in land use process to reduce delays & uncertainty

Task Force Members' Ideas for System Improvements

F. Protection of valuable ag lands

F.1 Funding for counties to conduct/complete the IAL process

Retention/conversion of ag land

F.2 Greater scrutiny for ag; increased consideration of ag resource concerns in boundary amendment process; higher threshold

F.3 Standards for / determine ag land to be protected

F.4 Create new benchmarks for judging ag lands that updates LSB

F.5 Standards for / determine ag land that can be urbanized; release lands for urbanization

Standards for Ag District

F.6 Better standards for Ag District

F.7 Define agriculture as "growing food crops for sale"

F.8 Create new benchmarks for judging ag lands that updates LSB

F.9 Increase minimum lot size in Ag District to 10 acres

F.10 County authority to determine permissible uses in Ag District

F.11 Joint state/county regulation of lands in Ag District

Ag land strategy

F.12 Determine ag land to be protected; ag land needed

Ag protection tools

F.13 Adopt zoning overlays to protect ag land

F.14 State funding for land acquisition & conservation easements for lands for protection

F.15 Use public & private farm trusts to protect ag land

G. Rural district

G.1 Eliminate Rural District & have higher density ag in the Ag District

Standards for Rural District

G.2 Better definition of Rural; more specific language for Rural District

G.3 Revise HRS to use Rural more (broader range of uses)

Use of Rural District

G.4 Increased use of Rural classification, as catch-all/substitute for non-ag uses locating in Ag District

G.5 Many places currently designated as Ag should be Rural

G.6 Delegate to counties regulatory authority over Rural District

Task Force Members' Ideas for System Improvements

H. Scope of LUC

- H.1 Eliminate duplication of LUC and county issues & processes
- H.2 Determine state's interest and determine how to express them
- H.3 Two levels of review & scrutiny to balance decision-making at local level (political)

LUC individual amendments

- H.4 Limit LUC review & conditions to items of state interest (eliminate duplication)
- H.5 Limit LUC to determining district classification
- H.6 Change (increase) 15-acre threshold for county LUDBA (e.g., to 50 ac, 100 ac)
- H.7 Move environmental review to post-LUC decision-making

LUC quasi-legislative regional amendments

- H.8 Return to quasi-legislative & initial role of LUC (limit to determining district classification only)
- H.9 Move environmental review to post-LUC decision-making
- H.10 State- or county-initiated boundary amendments based on §205-18 5-yr boundary reviews
- H.11 Comprehensive review/reclassification for each island only once every 5 years
- H.12 Boundary amendments based on county plans with appeal via declaratory ruling
- H.13 Comprehensive boundary amendments based on long-range plans not individual petitions
- H.14 County- & state-initiated DBAs without EISs & D&Os
- H.15 LUC urban reclassification with county re-zoning to conform

County amendments / LUC boundary conformance

- H.16 Allow counties to process boundary amendments if consistent with county plans, similar to amendments less than 15 acres
- H.17 County regional LUDBAs consistent with county plans
- H.18 Automatic changes to LUDB triggered by county plan changes (envtl impacts/other reviews required at county level)
- H.19 Automatic alignment of county GPs with land use designations, e.g., lands within urban growth boundaries

No LUC amendments / other LUC role

- H.20 Delegation of LUDBA process to counties
- H.21 State LUC responsibilities strategically reduced; county responsibilities increased

No LUC and/or No LU districts

- H.22 Shift LUC from petitions/DBAs to growth management & regional planning
- H.23 Abolish state land use districts (give responsibility to counties)
- H.24 No LUC (functions to counties)

Task Force Members' Ideas for System Improvements

I. Planning

State planning framework (e.g., principles, elements, organization)

- I.1 State leadership for land use
- I.2 Determine state's interest and determine how to express them
- I.3 Long-term planning to protect public's interest / public trust resources
- I.4 Eliminate duplication with county issues & processes
- I.5 State requirements for county land use plans & require consistency with state policies
- I.6 Codify in HRS uniform county LU planning system that reflects state functions; counties w/ primary role in LU planning/decision making
- I.7 State review of county plans & activities with respect to impact on areas of state concern
- I.8 Direct input in LU matters which involves state functions or facilities
- I.9 Allow for orderly LUD changes, while providing specific & reliable milestones for short- & long-term investment backed expectations
- I.10 State plans & phasing of implementation to match county LU planning
- I.11 State CIP to implement LU plans & policies (based on state infrastructure component)
- I.12 State decision making (re: resources & infrastructure) in accord with state planning framework
- I.13 County plans guide land use changes--focus on development consistent with plans rather than individual petitions
- I.14 Monitoring county plan implementation
- I.15 Two levels of review & scrutiny to balance decision-making
- I.16 Consolidate points of legal intervention in land use process to reduce delays & uncertainty

State planning & implementation

- I.17 Identify what's appropriate/needed to preserve, protect, and develop
- I.18 Public land use planning with mechanisms that support orderly growth
- I.19 State & county infrastructure components included in county LU plan
- I.20 State decision making (re: resources & infrastructure) in accord with state planning framework
- I.21 State plans & phasing of implementation to match county LU planning
- I.22 Monitoring county plan implementation

County planning & implementation

- I.23 County plans have phasing & magnitude in land use plans (to direct location & timing of growth)
- I.24 State & county infrastructure components included in county LU plan
- I.25 Mechanisms for counties to increase competition among different size developers
- I.26 Monitoring county plan implementation
- I.27 Development follows county plans--focus on development consistent with plans rather than individual petitions

Task Force Members' Ideas for System Improvements

I. Planning [contd]

State / county coordination

- I.28 Better coordination among state and county
- I.29 State's interests should be stated as counties develop their plans
- I.30 Coordinate infrastructure planning & development with county
- I.31 Direct input in LU matters which involves state functions or facilities

J. Other sub-system issues

Affordable housing

- J.1 Truly affordable housing stock

Conservation resources / conservation lands

- J.2 Boundary review / amendments to reclassify to Conservation District:
 - 1) significant natural & cultural resources in Ag and Urban Districts
 - 2) undeveloped land within 150 feet of shoreline