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# A BILL FOR AN ACT

RELATING TO COUNTY GENERAL PLANS.

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

1       SECTION 1. The legislature finds that a county general  
2 plan is a comprehensive long-range plan from which the county  
3 development plan is derived. The county development plan is a  
4 relatively detailed plan for an area or region within a county  
5 to implement the objectives and policies of the county general  
6 plan.

7       The planning process necessitates an orderly manner for the  
8 establishment of land use regulation. The planning process  
9 requires guidelines for long-range development such as county  
10 general plans and development plans.

11       In so doing, general plans and development plans function  
12 as guidelines for policymakers to implement zoning, land use and  
13 subdivision regulations. General plans and development plans  
14 are not intended to serve as, or replace the county regulatory  
15 process.

16       SECTION 2. Section 226-58, Hawaii Revised Statutes, is  
17 amended by amending subsection (b) to read as follows:



1           "(b) County general plans shall be formulated on the basis  
2 of sound rationale, data, analyses, and input from state and  
3 county agencies and the general public, and contain objectives  
4 and policies as required by the charter of each county.

5 Further, the county general plans should:

6           (1) Contain objectives to be achieved and policies to be  
7 pursued with respect to population density, land use,  
8 transportation system location, public and community  
9 facility locations, water and sewage system locations,  
10 visitor destinations, urban design, and all other  
11 matters necessary for the coordinated development of  
12 the county and regions within the county; and

13           (2) Contain implementation priorities and actions to carry  
14 out policies to include but not be limited to land use  
15 maps, programs, projects, regulatory measures,  
16 standards and principles, and interagency coordination  
17 provisions[-];

18 provided that the state general plan shall remain the ultimate  
19 controlling authority of land use in the State of Hawaii.

20 Within all state land use districts other than conservation, the  
21 counties have the authority to plan and zone pursuant to



1 sections 46-4 and 226-58. Even if they are discouraged, land  
2 uses that are permitted under:

3       (1) The state general plan;

4       (2) A county's general plan or development plan; and

5       (3) The county's current zoning,

6 for a tract of land, shall not be denied for lack of consistency  
7 or conformity."

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

10       SECTION 4. This Act shall take effect on December 21,  
11 2058.



**Report Title:**

County General Plans; County Development Plans

**Description:**

Clarifies that the state general plan remains the controlling land use authority and that counties have authority within districts other than conservation to plan and zone. Effective December 21, 2058. (HB2904 HD1)

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

