

---

---

## A BILL FOR AN ACT

RELATING TO LAND USE.

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

1           SECTION 1. The legislature acknowledges that the land use  
2 commission, established under section 205-1, Hawaii Revised  
3 Statutes, is the state agency responsible for determining the  
4 boundaries of state land use districts and for reviewing  
5 petitions to amend land use district boundaries that involve  
6 certain lands. Section 205-17, Hawaii Revised Statutes,  
7 provides specific criteria for the land use commission to  
8 consider when reviewing petitions for the reclassification of  
9 land use district boundaries. The criteria listed in section  
10 205-17, Hawaii Revised Statutes, include conformity to state and  
11 county plans and district standards and impacts of the proposed  
12 reclassification upon important natural systems or habitats;  
13 valued cultural, historical, or natural resources; natural and  
14 agricultural resources important to Hawaii's economy; commitment  
15 of state funds and resources; and opportunities for employment,  
16 economic development, and housing. The legislature finds that  
17 according to the United States Census Bureau, Hawaii's  
18 population was 1,360,301 in 2010, which is 12.3 per cent higher



1 than the census population in 2000. Furthermore, the United  
2 States Census Bureau also indicates that Hawaii had the  
3 fifteenth highest population density in the nation in 2010 at  
4 211.8 people per square mile. The legislature acknowledges that  
5 Hawaii's increasing population and population density continue  
6 to present challenges and produce cumulative effects in areas  
7 such as affordable housing, transportation and infrastructure,  
8 environmental impacts, availability of natural resources, and  
9 other issues.

10 The legislature finds that a review of the existing  
11 criteria that the land use commission uses during its decision  
12 making process would help ensure that the commission considers  
13 not only the immediate impacts of reclassifications, but also  
14 the cumulative and long-term impacts of its reclassification  
15 decisions.

16 SECTION 2. The office of planning shall convene a task  
17 force to review all requirements under chapter 205, Hawaii  
18 Revised Statutes, and make recommendations to ensure that the  
19 land use commission considers the cumulative and long-term  
20 impacts of all pending and proposed development requests during  
21 its review of reclassification petitions. The task force shall  
22 consist of thirteen members as follows:



- 1 (1) One representative of the office of planning;
- 2 (2) One representative of each of the county planning  
3 departments who has experience in implementing Smart  
4 Growth strategies;
- 5 (3) One representative from each county council to be  
6 appointed by the chairperson of each respective county  
7 council;
- 8 (4) One member of the senate to be appointed by the  
9 president of the senate;
- 10 (5) One member of the house of representatives to be  
11 appointed by the speaker of the house of  
12 representatives;
- 13 (6) One representative of a non-profit organization that  
14 works directly with land use planning issues to be  
15 appointed by the president of the senate; and
- 16 (7) One representative of a for-profit organization that  
17 works directly with land use planning issues to be  
18 appointed by the speaker of the house of  
19 representatives.

20 The task force shall be situated in the office of planning  
21 for administrative purposes and the task force shall submit a  
22 report of its findings and recommendations, including any



1 implementing legislation, to the legislature no later than  
2 twenty days prior to the convening of the regular session of  
3 2012. The legislative reference bureau shall assist the task  
4 force in drafting its recommendations and any proposed  
5 legislation.

6 SECTION 3. Members of the task force shall not be  
7 compensated, but shall be reimbursed for expenses, including  
8 travel expenses, necessary for the performance of their duties.

9 SECTION 4. The task force shall cease to exist after  
10 June 30, 2012.

11 SECTION 5. This Act shall take effect upon its approval.

12

INTRODUCED BY:

  
JAN 21 2011



**Report Title:**

Land Use Commission; Decision Making Criteria; Task Force

**Description:**

Requires the office of planning to convene a task force to review all requirements under chapter 205, Hawaii Revised Statutes, and make recommendations to ensure that the land use commission considers the cumulative and long-term impacts of all pending and proposed development requests during its review of reclassification petitions. Requires the task force, with the assistance of the legislative reference bureau, to report its findings to the legislature.

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

