

JAN 21 2011

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.
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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.

