

JAN 26 2011

A BILL FOR AN ACT

RELATING TO COUNTY ZONING.

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

1 SECTION 1. Section 46-1.5(5)(D), Hawaii Revised Statutes,
2 delegates to counties the authority to enact zoning ordinances.
3 The legislature finds that form-based code zoning provides an
4 alternative to current zoning practices. Form-based code zoning
5 uses physical form, rather than the separation of uses, as the
6 organizing principle for the codes. Form-based codes address
7 the relationship between building facades and the public realm,
8 the form and mass of buildings in relation to one another, and
9 the scale and types of streets and blocks. The regulations and
10 standards in form-based codes are presented in both words and
11 clearly drawn diagrams and other visuals. They are keyed to a
12 regulating plan that designates the appropriate form and scale,
13 and therefore the character of development, rather than only
14 distinctions in land use types.

15 Form-based code zoning typically implements a community
16 plan to achieve a community vision based on time-tested forms of
17 urbanism. Ultimately, the quality of development outcomes



1 depends on the quality and objectives of the community plan as
2 implemented by form-based code zoning.

3 The purpose of this Act is to create a temporary working
4 group to study whether the counties should implement form-based
5 code zoning in place of or as an alternative to existing zoning
6 practices.

7 SECTION 2. (a) There is created a working group on form-
8 based code zoning to examine and make recommendations as to
9 whether the counties should implement form-based code zoning in
10 place of or as an alternative to existing zoning practices. The
11 temporary working group shall be established under the
12 department of business, economic development, and tourism for
13 administrative purposes. Members of the task force shall serve
14 without compensation and without reimbursement for expenses.

15 (b) Members of the temporary working group on form-based
16 code zoning shall include:

17 (1) The director of the department of business, economic
18 development, and tourism, as chair;

19 (2) One representative from the planning department of
20 each county to be designated by the mayor of each
21 respective county;

22 (3) The chairperson of the land use commission; and



1 (4) The director of the office of planning, or the
2 director's designee.

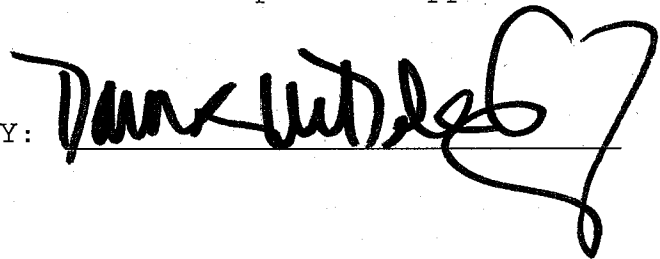
3 (c) The temporary working group on form-based code zoning
4 shall report its findings and recommendations to the
5 legislature, the mayor of each county, and the council chair of
6 each county no later than twenty days prior to the convening of
7 the regular session of 2012.

8 (d) The working group on form-based code zoning shall
9 dissolve after filing its report pursuant to this Act.

10 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Dan Claitor", is written over a horizontal line. The signature is stylized and cursive.

Report Title:

County Zoning

Description:

Creates a temporary working group to study whether form-based code zoning should be implemented by the counties in place of or as an alternative to zoning practices. Report to legislature, county mayors, and chairs of county councils.

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