

CHAPTER 225M
STATE PLANNING

Section

225M-1 Purpose

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225M-5 to 7 Repealed

Note

State goal for affordable rental housing units; special action team (terminated December 31, 2019); annual reports to 2017-2019 legislature. L 2016, c 127.

" **§225M-1 Purpose.** The purpose of this chapter is to establish an office of planning to assist the governor and the director of business, economic development, and tourism in maintaining an overall framework to guide the development of the State through a continuous process of comprehensive, long-range, and strategic planning to meet the physical, economic, and social needs of Hawaii's people, and provide for the wise use of Hawaii's resources in a coordinated, efficient, and economical manner, including the conservation of those natural, environmental, recreational, scenic, historic, and other limited and irreplaceable resources which are required for future generations.

The establishment of an office of planning in the department of business, economic development, and tourism, for administrative purposes, is intended to:

- (1) Fix responsibility and accountability to successfully carry out statewide planning programs, policies, and priorities;
- (2) Improve the efficiency and effectiveness of the operations of the executive branch;
- (3) Ensure comprehensive planning and coordination to enhance the quality of life of the people of Hawaii.
[L 1987, c 336, pt of §1; am L 1996, c 299, §1]

" **§225M-2 Office of planning, establishment; responsibilities.** (a) There is established within the department of business, economic development, and tourism an office of planning. The head of the office shall be known as the director of the office of planning, referred to in this chapter as director. The director shall have: training in the field of urban or regional planning, public administration, or other related fields; experience in programs or services related to governmental planning; and experience in a supervisory, consultative, or administrative capacity. The director shall be nominated by the governor and, by and with the advice and consent of the senate, appointed by the governor without regard to chapter 76, and shall be compensated at a salary level set by the governor. The director shall be included in any benefit program generally applicable to the officers and employees of the State. The director shall retain such staff as may be necessary for the purposes of this chapter, in conformity with

chapter 76. The director shall report to the director of business, economic development, and tourism and shall not be required to report directly to any other principal executive department.

(b) The office of planning shall gather, analyze, and provide information to the governor to assist in the overall analysis and formulation of state policies and strategies to provide central direction and cohesion in the allocation of resources and effectuation of state activities and programs and effectively address current or emerging issues and opportunities. More specifically, the office shall engage in the following activities:

- (1) State comprehensive planning and program coordination. Formulating and articulating comprehensive statewide goals, objectives, policies, and priorities, and coordinating their implementation through the statewide planning system established in part II of chapter 226;
- (2) Strategic planning. Identifying and analyzing significant issues, problems, and opportunities confronting the State, and formulating strategies and alternative courses of action in response to identified problems and opportunities by:
 - (A) Providing in-depth policy research, analysis, and recommendations on existing or potential areas of critical state concern;
 - (B) Examining and evaluating the effectiveness of state programs in implementing state policies and priorities;
 - (C) Monitoring through surveys, environmental scanning, and other techniques--current social, economic, and physical conditions and trends; and
 - (D) Developing, in collaboration with affected public or private agencies and organizations, implementation plans and schedules and, where appropriate, assisting in the mobilization of resources to meet identified needs;
- (3) Planning coordination and cooperation. Facilitating coordinated and cooperative planning and policy development and implementation activities among state agencies and between the state, county, and federal governments, by:
 - (A) Reviewing, assessing, and coordinating, as necessary, major plans, programs, projects, and regulatory activities existing or proposed by state and county agencies;

- (B) Formulating mechanisms to simplify, streamline, or coordinate interagency development and regulatory processes; and
 - (C) Recognizing the presence of federal defense and security forces and agencies in the State as important state concerns;
- (4) Statewide planning and geographic information system. Collecting, integrating, analyzing, maintaining, and disseminating various forms of data and information, including geospatial data and information, to further effective state planning, policy analysis and development, and delivery of government services by:
- (A) Collecting, assembling, organizing, evaluating, and classifying existing geospatial and non-geospatial data and performing necessary basic research, conversions, and integration to provide a common database for governmental planning and geospatial analyses by state agencies;
 - (B) Planning, coordinating, and maintaining a comprehensive, shared statewide planning and geographic information system and associated geospatial database. The office shall be the lead agency responsible for coordinating the maintenance of the multi-agency, statewide planning and geographic information system and coordinating, collecting, integrating, and disseminating geospatial data sets that are used to support a variety of state agency applications and other spatial data analyses to enhance decision-making. The office shall promote and encourage free and open data sharing among and between all government agencies. To ensure the maintenance of a comprehensive, accurate, up-to-date geospatial data resource that can be drawn upon for decision-making related to essential public policy issues such as land use planning, resource management, homeland security, and the overall health, safety, and well-being of Hawaii's citizens, and to avoid redundant data development efforts, state agencies shall provide to the shared system either their respective geospatial databases or, at a minimum, especially in cases of secure or confidential data sets that cannot be shared or must be restricted, metadata describing existing geospatial data. In cases where agencies provide restricted data, the

office of planning shall ensure the security of that data; and

- (C) Maintaining a centralized depository of state and national planning references;
- (5) Land use planning. Developing and presenting the position of the State in all boundary change petitions and proceedings before the land use commission, assisting state agencies in the development and submittal of petitions for land use district boundary amendments, and conducting periodic reviews of the classification and districting of all lands in the State, as specified in chapter 205;
- (6) Coastal and ocean policy management. Carrying out the lead agency responsibilities for the Hawaii coastal zone management program, as specified in chapter 205A. Also, developing and maintaining an ocean and coastal resources information, planning, and management system further developing and coordinating implementation of the ocean resources management plan, and formulating ocean policies with respect to the exclusive economic zone, coral reefs, and national marine sanctuaries;
- (7) Regional planning and studies. Conducting plans and studies to determine:
 - (A) The capability of various regions within the State to support projected increases in both resident populations and visitors;
 - (B) The potential physical, social, economic, and environmental impact on these regions resulting from increases in both resident populations and visitors;
 - (C) The maximum annual visitor carrying capacity for the State by region, county, and island; and
 - (D) The appropriate guidance and management of selected regions and areas of statewide critical concern.The studies in subparagraphs (A) to (C) shall be conducted at appropriate intervals, but not less than once every five years;
- (8) Regional, national, and international planning. Participating in and ensuring that state plans, policies, and objectives are consistent, to the extent practicable, with regional, national, and international planning efforts;
- (9) Climate adaptation planning. Conducting plans and studies and preparing reports as follows:
 - (A) Develop, monitor, and evaluate strategic climate adaptation plans and actionable policy

- recommendations for the State and counties addressing expected statewide climate change impacts identified under Act 286, Session Laws of Hawaii 2012, through the year 2050;
- (B) Provide planning and policy guidance and assistance to state and county agencies regarding climate change; and
 - (C) Publish its findings, recommendations, and progress reports on actions taken no later than December 31, 2017, and its annual report to the governor and the legislature thereafter; and
- (10) Smart growth and transit-oriented development. Acting as the lead agency to coordinate and advance smart growth and transit-oriented development planning within the State as follows:
- (A) Identify transit-oriented development opportunities shared between state and county agencies, including relevant initiatives such as the department of health's healthy Hawaii initiative and the Hawaii clean energy initiative;
 - (B) Refine the definition of "transit-oriented development" in the context of Hawaii, while recognizing the potential for smart growth development patterns in all locations;
 - (C) Clarify state goals for transit-oriented development and smart growth that support the principles of the Hawaii State Planning Act by preserving non-urbanized land, improving worker access to jobs, and reducing fuel consumption;
 - (D) Target transit-oriented development areas for significant increase in affordable housing and rental units;
 - (E) Conduct outreach to state agencies to help educate state employees about the ways they can support and benefit from transit-oriented development and the State's smart growth goals;
 - (F) Publicize coordinated state efforts that support smart growth, walkable neighborhoods, and transit-oriented development;
 - (G) Review state land use decision-making processes to identify ways to make transit-oriented development a higher priority and facilitate better and more proactive leadership in creating walkable communities and employment districts, even if transit will only be provided at a later date; and

- (H) Approve all state agencies' development plans for parcels along the rail transit corridor. For the purposes of this subparagraph, "development plans" means conceptual land use plans that identify the location and planned uses within a defined area. [L 1987, c 336, pt of §1; am L 1988, c 352, §5; am L 1990, c 160, §3; am L 1996, c 299, §1; am L 2000, c 253, §150; am L Sp 2005, c 12, §3; am L 2006, c 65, §2; am L Sp 2007, c 4, §3; am L 2014, c 83, §3; am L 2016, c 130, §3]

Note

State goal for affordable rental housing units; special action team (terminated December 31, 2019); annual reports to 2017-2019 legislature. L 2016, c 127.

Cross References

Departmental data sharing (improving educational and workforce outcomes), see §27-7.

Interagency climate adaptation committee, see §225P-3.

" **§225M-3 Cooperation.** The office of planning shall seek the widest possible cooperation from public and private agencies and individuals and the federal government to achieve the purposes of this chapter. It shall work closely with and assist the counties in the promotion of coordinated state and county planning.

Every state department, county agency, or other public or private agencies or individuals providing planning programs and services shall be encouraged to participate actively in the activities of the office of planning. The executive heads of all state departments and agencies shall cooperate with the office of planning by providing information as the governor and the director of business, economic development, and tourism [deem] necessary for the effective discharge of its duties.

Nothing in this chapter shall be deemed to delegate or detract in any way from the functions, powers, and duties conferred by law on any department or agency of the State or county. [L 1987, c 336, pt of §1; am L 1996, c 299, §1]

" **§225M-4 Allocation of funds.** Any of the agencies of the State to which general or special appropriations are made, or a part of whose budget contains an allocation, or which makes an allocation of funds for planning and research, shall consult with the office of planning to ensure that all expenditures are

in accordance with, or in furtherance of the goals and objectives of the Hawaii State Plan. After first consulting with the director of business, economic development, and tourism, the governor may withhold the expenditure of these funds by any agency until the governor is satisfied that the expenditures will implement those goals and objectives. [L 1987, c 336, pt of §1; am L 1996, c 299, §1]

" **§225M-5 REPEALED.** L 2003, c 178, §6.

" **§225M-6 and §225M-7 REPEALED.** L 2015, c 237, §§33, 34.

" **[\$225M-7] Statewide geospatial information and data integration special fund.** (a) There is established in the state treasury the statewide geospatial information and data integration special fund, into which shall be deposited:

- (1) Moneys directed, allocated, or disbursed to the statewide geospatial information and data integration program from other government agencies or private sources to help support the acquisition of hardware, software, applications, and databases;
- (2) Moneys directed, allocated, or disbursed to the statewide geospatial technologies program from non-state sources, including but not limited to grants, awards, and donations;
- (3) Moneys collected as fees for statewide planning and geographic information system services rendered; and
- (4) Investment earnings credited to the assets of the fund and all interest on special fund balances.

(b) The statewide geospatial information and data integration special fund shall be used to help defray the cost of, including but not limited to the following:

- (1) Programs and activities to implement this chapter, including the provision of state funds to match federal funds from the United States Geological Survey or other federal departments; and
- (2) Operating costs of the statewide planning and geographic information system, including acquisition and maintenance of hardware or software necessary to implement this chapter, acquisition and maintenance of geospatial and other data, application development, training, and other products or services of general benefit to the statewide geospatial information and data integration program and its stakeholders. [L Sp 2007, c 4, §2]