

JAN 25 2023

A BILL FOR AN ACT

RELATING TO SUSTAINABLE LAND USE.

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

1 PART I

2 SECTION 1. The legislature finds that multiple climate and
3 sustainability statutory targets have been enacted in the State,
4 including developing at least 22,500 affordable rental housing
5 units, doubling food production, increasing food exports,
6 requiring the department of education and university of Hawaii
7 to become net-zero in energy use, requiring that all of the
8 electricity generated in Hawaii come from renewable sources,
9 sequestering more atmospheric carbon and greenhouse gases,
10 requiring all state and county facilities to use reclaimed
11 water, and requiring the mandatory upgrade of all cesspools.

12 The legislature recognizes that with the recent expansion
13 of the office of planning and sustainable development through
14 Act 45, Session Laws of Hawaii 2020, and Acts 152 and 153,
15 Session Laws of Hawaii 2021, the office of planning and
16 sustainable development functionally serves as the State's



1 centralized coordinating agency to lead efforts in thoughtful
2 and environmentally sustainable land use policies.

3 The legislature further finds that the State lacks a plan
4 integrating the various goals and studies, especially on the use
5 of agricultural lands. An integrated plan would help to address
6 recent events and public opposition to affordable housing
7 projects and renewable energy projects on agricultural land.

8 The purpose of this Act is to require the office of
9 planning and sustainable development to develop an integrated
10 land use plan that incorporates the various environmental
11 studies and will serve as a guide for planning and decision
12 making on the use of agricultural lands.

13 SECTION 2. Chapter 226, Hawaii Revised Statutes, is
14 amended by adding a new part to be appropriately designated and
15 to read as follows:

16 "PART . INTEGRATED LAND USE PLAN

17 §226- Integrated land use plan; generally. (a) The
18 office shall publish an integrated land use plan for
19 agricultural districts.

20 (b) The purpose of the integrated land use plan shall be
21 to develop land use data that can lead to planning and



1 decision-making for the competing uses of land within an
2 agricultural district, and to determine the feasibility and land
3 use needs to meet the State's climate, sustainability, and
4 housing statutory targets, while accounting for the additional
5 climate adaptation and land use needs for the potential movement
6 away and managed retreat from at-risk land parcels.

7 (c) The integrated land use plan shall incorporate the
8 recommendations of the Hawaii 2050 sustainability plan, the
9 Hawaii sea level rise vulnerability and adaptation report, the
10 feasibility and implications of managed retreat strategies for
11 vulnerable coastal areas report, and the other climate,
12 sustainability, and housing statutory targets, as needed.

13 (d) The integrated land use plan shall also include
14 recommendations for each county.

15 (e) The development of the integrated land use plan shall
16 follow the procedures specified in this part.

17 **§226- Integrated land use plan; develop definitive data**
18 **and update state functional plans.** (a) The office shall
19 develop definitive data on the amount of land required to meet
20 the goals of identifying competing uses by compiling and
21 analyzing existing data from the various government entities,



1 including the department of agriculture; department of
2 transportation; department of land and natural resources;
3 department of business, economic development, and tourism;
4 Hawaii state energy office; Hawaii housing finance and
5 development corporation; public utilities commission; and the
6 counties. Secondary input shall be sought from the university
7 of Hawaii, utility companies, nonprofit agricultural
8 organizations, the agricultural community, and other
9 organizations or entities deemed appropriate by the office.

10 (b) The state functional plan on:

11 (1) Energy shall be updated by the Hawaii state energy
12 office;

13 (2) Agriculture shall be updated by the department of
14 agriculture to align with Act 151, Session Laws of
15 Hawaii 2019;

16 (3) Conservation shall be updated by the department of
17 land and natural resources;

18 (4) Transportation shall be updated by the department of
19 transportation to align with the Hawaii highways
20 climate adaptation action plan; and



1 (5) Tourism shall be updated by the Hawaii tourism
2 authority.

3 (c) The updates required by subsection (b) shall include:

4 (1) The removal of outdated agricultural economic
5 language;

6 (2) Amendments to align the respective plan with
7 twenty-first century climate and sustainability
8 statutory targets; and

9 (3) Amendments to align the respective plan with the
10 Hawaii 2050 sustainability plan.

11 (d) The departments and agencies shall comply with
12 section 226-55 and work in partnership with the office and
13 stakeholders in updating their respective state functional
14 plans.

15 **§226- Integrated land use plan; outreach and plan**

16 **submission.** (a) The office shall conduct outreach to ensure
17 county and community input and acceptance.

18 (b) Once the initial compilation of data is completed, the
19 office shall analyze the available acreage in each county along
20 with the potential impacts for the proposed changes.



1 (c) The office shall submit the integrated land use plan
2 to the legislature and the land use commission no later than
3 twenty days prior to the regular session of 2026 and shall
4 submit updates to the integrated land use plan every ten years
5 thereafter.

6 **§226- Integrated land use plan; county updates.** Each
7 county shall update its respective general plan, community
8 plans, and other land use project proposals to conform to the
9 integrated land use plan and updated state functional plans."

10 SECTION 3. The office of planning and sustainable
11 development shall submit a report no later than twenty days
12 prior to the regular session of 2025 on the progress of
13 developing the definitive data and the various functional plan
14 updates.

15 SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$530,000 or so much
17 thereof as may be necessary for fiscal year 2023-2024 for four
18 planner V (4.0 FTE) positions, one administrative support staff
19 personnel (1.0 FTE) position, computers, office supplies,
20 travel, and other expenses for the office of planning and



1 sustainable development to develop definitive data and submit a
2 report.

3 The sum appropriated shall be expended by the office of
4 planning and sustainable development for the purposes of this
5 Act.

6 SECTION 5. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$750,000 or so much
8 thereof as may be necessary for fiscal year 2023-2024 and the
9 same sum or so much thereof as may be necessary for fiscal year
10 2024-2025 to update the various state functional plans to be
11 allocated as follows:

- 12 (1) \$150,000 to the Hawaii state energy office;
- 13 (2) \$150,000 to the department of agriculture;
- 14 (3) \$150,000 to the department of land and natural
15 resources;
- 16 (4) \$150,000 to the department of transportation; and
- 17 (5) \$150,000 to the Hawaii tourism authority;

18 The sums appropriated shall be expended by each department
19 or agency for the purposes of this Act.

20 SECTION 6. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$1,215,000 or so much



1 thereof as may be necessary for fiscal year 2024-2025 for four
 2 planner V (4.0 FTE) positions, one administrative support staff
 3 personnel (1.0 FTE) position, one geographic information systems
 4 specialist (1.0 FTE) position, one public communications and
 5 outreach specialist (1.0 FTE) position, computers, office
 6 supplies, publication costs, website and multimedia public
 7 outreach, management and service fees, and travel costs.

8 The sum appropriated shall be expended by the office of
 9 planning and sustainable development for the purposes of this
 10 Act.

11 SECTION 7. There is appropriated out of the general
 12 revenues of the State of Hawaii the sum of \$ or so
 13 much thereof as may be necessary for fiscal year 2024-2025 to be
 14 allocated as follows:

- 15 (1) \$ to the county of Hawaii;
 - 16 (2) \$ to the county of Kauai;
 - 17 (3) \$ to the county of Maui; and
 - 18 (4) \$ to the city and county of Honolulu,
- 19 to update their general plans, community plans, and other land
 20 use project proposals.

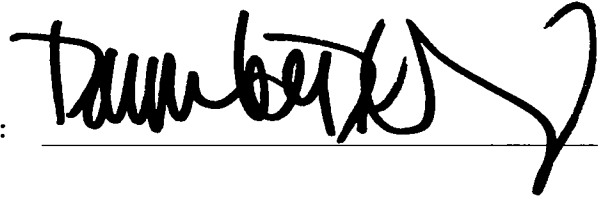


1 The sum appropriated shall be expended by each county for
2 the purposes of this Act.

3 SECTION 8. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: _____

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S.B. NO. 1521

Report Title:

Integrated Land Use Plan; OPSD; HSEO; DOA; DLNR; DOT; HTA; Counties; Appropriation

Description:

Requires the Office of Planning and Sustainable Development to create an integrated land use plan for the use the agricultural district. Requires the Hawaii State Energy Office, Department of Agriculture, Department of Land and Natural Resources, Department of Transportation, Hawaii Tourism Authority to update various state functional plans. Requires the counties to update their general plans. Appropriates moneys.

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