
A BILL FOR AN ACT

RELATING TO THE LAND USE COMMISSION.

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

1 SECTION 1. Section 205-17, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§205-17 Land use commission decision-making criteria.**

4 (a) In its review of any petition for reclassification of
5 district boundaries pursuant to this chapter, the commission
6 shall specifically consider the following:

7 (1) The extent to which the proposed reclassification
8 conforms to the applicable goals, objectives, and
9 policies of the Hawaii state plan and relates to the
10 applicable priority guidelines of the Hawaii state
11 plan and the adopted functional plans;

12 (2) The extent to which the proposed reclassification
13 conforms to the applicable district standards;

14 (3) The impact of the proposed reclassification on the
15 following areas of state concern:

16 (A) Preservation or maintenance of important natural
17 systems or habitats;



- 1 (B) Maintenance of valued cultural, historical, or
- 2 natural resources;
- 3 (C) Maintenance of other natural resources relevant
- 4 to Hawaii's economy, including agricultural
- 5 resources;
- 6 (D) Commitment of state funds and resources;
- 7 (E) Provision for employment opportunities and
- 8 economic development; ~~and~~
- 9 (F) Provision for housing opportunities for all
- 10 income groups, particularly the low,
- 11 low-moderate, and gap groups; and
- 12 (G) Impact on existing infrastructure;
- 13 (4) The standards and criteria for the reclassification or
- 14 rezoning of important agricultural lands in section
- 15 205-50; and
- 16 (5) The representations and commitments made by the
- 17 petitioner in securing a boundary change.
- 18 (b) In addition to the criteria listed in subsection (a),
- 19 the land use commission shall not approve any applications for
- 20 district boundary reclassifications for residential or
- 21 commercial developments in excess of _____ acres
- 22 or _____ residential units in the Lahaina and Ewa districts as



1 described under sections 4-1(2)(D) and 4-1(4)(B), including
2 Kapolei, unless the proposed reclassification is planned in
3 accordance with the following smart growth principles:

- 4 (1) Creating a range of housing opportunities and choices;
- 5 (2) Creating walkable neighborhoods;
- 6 (3) Encouraging community and stakeholder collaboration;
- 7 (4) Fostering distinctive, attractive communities with a
8 strong sense of place;
- 9 (5) Making development decisions predictable, fair, and
10 cost-effective;
- 11 (6) Mixing land uses;
- 12 (7) Preserving open space, farmland, natural beauty, and
13 critical environmental areas;
- 14 (8) Providing a variety of transportation choices;
- 15 (9) Strengthening and directing development towards
16 existing communities; and
- 17 (10) Taking advantage of compact building design."

18 SECTION 2. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun, before its effective date.



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 24 2007



Report Title:

Land Use Commission; Smart Growth Principles

Description:

Prohibits land use commission from approving district boundary amendments for residential or commercial developments in the Lahaina and Ewa districts unless the proposed reclassification is planned in accordance with smart growth principles. Requires the commission to consider impacts on existing infrastructure in reclassification applications.

