

**ACT 74**

**S.B. NO. 1226**

**A Bill for an Act Relating to Intergovernmental Procedures Affecting Land Use.**

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1. Findings and purpose.** The legislature finds that a major impediment to the orderly processing of needed construction projects is the existing network of state and county land use and planning controls, which are in

most instances repetitive and uncoordinated. These controls consume unnecessary amounts of time and result at best in increases in cost of new projects and at worst in abandonment of needed projects.

The purpose of this Act is to improve the coordination and efficiency of the land use and planning control systems.

SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"Sec. 46- Central coordinating agency.** (a) Each county shall, by ordinance, designate an existing agency within each county which shall be designated as the central coordinating agency and in addition to its existing functions shall:

- (1) Maintain and continuously update a repository of all laws, rules, and regulations, procedures, permit requirements and review criteria of all federal, State and county agencies having any control or regulatory powers over land development projects within such county and shall make said repository and knowledgeable personnel available to inform any person requesting information as to the applicability of the same to a particular proposed project within the county.
- (2) Study the feasibility and advisability of utilizing a master application form to concurrently file applications for an amendment to a county general plan and development plan, change in zoning, special management area permit and other permits and procedures required for land development projects in the county to the extent practicable with one master application.
- (3) Maintain and continuously update a master file for the respective county of all applications for building permits, subdivision maps, and land use designations of the State and County.
- (4) When requested by the applicant, the central coordinating agency shall endeavor to schedule and coordinate, to the extent practicable, any referrals, public informational meetings or any public hearings with those held by other federal, state and/or county commissions or agencies pursuant to existing laws pertaining to the respective County.

(b) All State and county departments, divisions, agencies and commissions, with control or regulatory powers over land development projects in any county of the State shall cooperate with the designated central coordinating agency of each county in making available and updating information regarding laws, rules and regulations, procedures, permit requirements and review criteria they enforce upon land developments projects.

(c) Each county shall adopt ordinances required by this section by September 1, 1977 and each designated central coordinating agency shall compile the repository required by subsection (a) and adopt necessary rules pursuant to chapter 91 to implement this section by December 31, 1977."

SECTION 3. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"Sec. 46- Nonsignificant zoning changes.** Each county may provide by ordinance that nonsignificant changes to zoning boundaries may be made administratively by the designated county agency with responsibility over zoning

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matters, provided that “nonsignificant changes” shall mean a zoning change which does not result in an increase or decrease in any zoning designation effecting more than 5% or one acre of any parcel of property, whichever is less, and which is in compliance with the general plan and development plan designation for the property.”

SECTION 4. New statutory material is underscored. In printing this Act, the revisor of statutes need not include the underscoring.\*

SECTION 5. If any provision of this Act, or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 6. This Act shall take effect upon its approval, but shall not apply to any applications filed prior to the effective date.

(Approved May 11, 1977.)

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\*Edited accordingly.