



YEARLY ACTIVITY PLAN (YAP) - FY '09 – FY10

Division/Attached Agency:	Office of Planning
Program Name:	Land Use Division
Program ID:	BED144PL

I. PROGRAM PLANNING

Problem, issue or opportunity statement: Describe the problem, issue and/or opportunity your program is attempting to respond to.

Hawaii is an island state with limited land resources and irreplaceable natural resources. At the same time, there are demands for land to accommodate population and economic growth and to meet the social needs of Hawaii's residents.

There is a need for planning, policy analysis and program coordination to guide the long term growth and development of the State. The Office of Planning provides these needed functions.

The following categorizes the major Land Use Division (LUD) functions toward the above broader mission and identifies the "theory" or purpose behind each.

1. Review of Development Proposals/Effective Representation Before LUC. It is critical to the long-term well-being of our residents that development proposals be reviewed and evaluated carefully to ensure that the best choices and decisions are made regarding the use of land and so that we are fully aware of the impacts of these decisions on our natural and cultural resources, our economy and on infrastructure and government services.

Under Chapter 205, HRS, all lands in the State are classified into the urban, rural, agricultural or conservation district. Applications/requests to change these classifications are approved, disapproved or approved with conditions by the State Land Use Commission through quasi-judicial proceedings. The Office of Planning provides the State's position on land use district boundary amendments and other matters before the State Land Use Commission. The Land Use Division, Office of Planning, reviews the development proposal and accompanying reports such as environmental impact statements; obtains comments from other state agencies and evaluates the development proposals/land use district boundary amendments using criteria which are specified in statute. These criteria include the extent to which the proposed reclassification conforms to the Hawaii State Plan and functional plans and to applicable district standards (set in statute); the impact of the proposed reclassification on areas of state concern (important agricultural lands, important natural systems or habitats, maintenance of valued cultural, historical or natural resources, maintenance of other natural resources, commitment of state funds and resources, provision of employment opportunities and economic development, and housing opportunities); and representations and commitments made by the petitioner in securing a boundary change.

For example, it is in the State's interest that the proposed development not adversely affect the State coffers in terms of additional expenditures for infrastructure. Thus, the Land Use Division reviews the impact of the proposed development on infrastructure such as state highways. Will the proposed development create increased traffic and a need for improvements to the state highway e.g. additional

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lanes, turning lanes, traffic lights, etc? How can this be mitigated?

The Land Use Division identifies/proposes mitigation measures in the form of conditions to address potential impacts of the proposed development/land use reclassification.

Because of Hawaii's dependence on oil and the current energy crisis, the State through the Land Use Division, Office of Planning, is advocating for conditions which will require energy efficient buildings (buildings which meet certain energy efficiency standards, i.e. LEED which is the U.S. Green Building Council's Leadership in Energy and Environmental Design Green Building Rating System). This is a new initiative which is underway.

The Land Use Division prepares a position paper (report) recommending approval, disapproval or approval with conditions and presents that to the Land Use Commission at a public hearing. In this way, the LUD advocates for the State's interest and contributes to full disclosure and the provision of information to assist the decision-maker (LUC) in making the best/most optimal decision on the reclassification.

Guidance for Decision-Makers on Land Use Patterns. The Land Use Division will be preparing a State Land Use Strategy and State IAL maps to provide guidance for decision-makers on land use patterns. These documents will provide a long-range and island-wide and state-wide perspective on land use patterns and will be used to guide and provide a context for decisions on individual petitions. The Land Use Division also reviews legislation, proposes legislation and presents testimony on land use related bills and resolutions.

The participants engaged in this problem/issue/opportunity include LUD/OP, LUC, state agencies including but not limited to DOA, DOT, DLNR, DOH; DOE, DHHL, OHA; county planning departments; landowners and developers, environmental and community groups; native Hawaiian organizations; farmers and agricultural businesses; and the general public.

3. Special Assignment-Leeward Coast Initiative. The LUD has provided staff resources to assist and coordinate the Leeward Coast Initiative which is an effort to improve the economic and standard of living of residents of the Leeward Coast of Oahu.

Need and partners: Provide quantitative evidence to show the scope and nature of the problem or opportunity you are working on. Identify partners you will be working with to address the problem, issue and/or opportunity. Describe why government should be part of the solution.

1. There is a need for government oversight in land use regulation/management which is explained by the economic concept of externalities. The actions of private landowners/developers create externalities or impacts on the greater community. Government oversight is necessary to avoid or mitigate adverse impacts.
2. State government involvement is necessary because of the following:
 - a. Impact of development on state infrastructure and public facilities. State expenditures for highways, schools, hospitals and other public facilities dwarf those of the county governments.
 - b. Constitutional requirements:
 - i. State Constitution states that the State shall conserve and protect important

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- agricultural land-Art. XI Sec. 3.
- ii. State Constitution states that for the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources-Art. XI Sec. 1.
- c. Court decisions
 - i. Hawaii Supreme Court, Public Access Shoreline Hawaii (PASH) decision states that government agencies have an affirmative duty to protect native Hawaiian traditional and customary access rights.
 - ii. Public trust duties e.g. coastal water quality.
- 3. Involvement in the Leeward Coast initiative is necessary because market forces will not address the high unemployment, high poverty levels and other conditions of economic distress experienced by residents of the Leeward Coast.

Hawaii's population is projected to increase over the next 27 years. The State's population will increase from 1,267,600 in 2000 to 1,482,400 in 2020 and 1,685,200 in 2035 which is an annual average growth rate which ranges between .8 to 1.1%. Neighbor island counties will experience higher growth rates. The highest is Hawaii County which will increase from 164,800 persons in 2000 to 225,000 in 2020 and 279,200 in 2035 which is an annual average growth rate which ranges between 1.3% to 2.4%. Increased population brings increased demand for land for housing, commercial and industrial use, roads, schools, parks, etc. Competing demands for land between urban, agricultural and conservation uses will increase. The need for careful review of uses to assure that Hawaii's limited land resources are wisely used will be greater than ever.

Partners: state agencies, county planning departments, federal agencies, landowners/developers, community, environmental and Hawaiian groups, APA-Hawaii, ULI-Hawaii, Dept. Urban and Regional Planning, University of Hawaii. LUD will also work with the Governor and the legislature on land use issues and legislation.

Desired results (outputs, outcomes and impacts): What will success look like? Describe what you expect to achieve in the short-term (0-2 years) and long-term (2-6 years).

Short-Term

- OP will have submitted well-researched and analyzed position papers which have been coordinated with state agencies and effectively represent the State's interests in all matters before the State Land Use Commission.
- OP will have participated in a timely manner on 100% of LUC district boundary amendments and other matters before the LUC.
- Incorporation of energy efficiency (LEED) conditions as a condition of approval of land use district boundary amendments.
- Completion of State Land Use Strategy and State IAL maps and approval by Governor.
- Identification of specific projects to be undertaken to improve economic conditions on the Leeward Coast.

Long Term

- Better utilization of land resources.
- Fewer adverse impacts on State fiscal resources, infrastructure and natural, cultural and historical resources.
- Buildings built to LEED standards result in better energy conservation and reduced importation of oil.

Note: This form was created using the *W. K. Kellogg Foundation Logic Model Development Guide, January 2004.*

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- Better guidance to LUC and other decision-makers on land use patterns.
- Improved policies and programs related to growth and land use.
- Better communities since developments will be carefully evaluated and adverse impacts mitigated.
- Improvement of economic conditions on the Leeward Coast.

Influential Factors: List the factors you believe will support or hinder your ability to impact the problem or opportunity.

Factors which will influence our ability to impact the problems include the willingness of various stakeholder groups and governmental agencies to engage in cooperative discussions to develop policy solutions to growth and development issues; the degree to which common ground can be found among various interests; the ability of stakeholders to see the greater good to be achieved; support for legislative proposals and/or administrative changes; the availability of information and data and the resources to obtain information and data; and funding.

Strategies: List the “best practices” that have helped other programs achieve the kind of results your program promises.

1. Statewide growth management systems and land use regulations at state and county levels are strategies that have been used in other states to evaluate, plan for and manage competing demands for the use of land.
2. Policy analysis is a commonly used tool for researching and formulating recommendations for decision-makers.

Assumptions: State the assumptions behind *how* and *why* the change strategies you have identified will work. Use “If - then” statements, i.e. “if _____ then _____ happens.”

1. The careful evaluation of development proposals according to societal determined criteria will result in better communities and social, economic and environmental well-being. The provision of policy guidance (i.e. land use strategy maps and IAL maps) will result in better long-term decisions because these documents provide policy basis for evaluating individual petitions.

II. PROGRAM IMPLEMENTATION

Resources: Describe the resources available to support your program.

Primary

Land Use Division Staff
General Funds for BED144PL

Other Resources:

Other OP Staff
Public support.
Administration support.
Legislative support.
Other State agencies.

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County planning departments.
Environmental, community and Hawaiian groups.
Developer, landowner and business organizations.

Activities: Describe each of the activities you plan to conduct within your program.

Review of Development Proposals

- Provide effective representation before the LUC by preparing and coordinating the State position on actions before LUC
- Continue to advocate for Energy Efficiency i.e. LEED Standards, other sustainable development e.g. provisions of the Ocean Resources Management Plan.
- Effective Management of LUC Caseload
 - Revise templates, docket preparation timing and standards
 - Revise standard conditions
 - Revise EIS letters and other means of gathering information
 - Improve case management and tracking system
 - GIS training for map support

Guidance for Decision-Makers on Land Use Patterns.

- Provide guidance for decision-makers on land use strategy maps by developing statewide land use policy maps that would identify for each island agricultural lands to be protected including State lands for designation as IAL, areas identified for growth by county comprehensive plans, and other regional areas or facilities of State interest (State Land Use Strategy and State IAL maps.). The maps would serve to form positions for and otherwise inform LUC decision-making and OP comments on development applications/permits.

Special Assignment Leeward Coast Initiative

- Coordinate activities of state agencies to identify and plan for projects and programs to assist Leeward Coast residents.

Outputs: For each program activity, identify what outputs you aim to produce.

Review of Development Proposals

- Position statements on matters before the LUC
- Energy Efficiency (LEED) Conditions
- Case management and tracking system

Guidance for Decision-Makers on Land Use Patterns.

- State Land Use Strategy and State IAL maps

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Special Assignment Leeward Coast Initiative

- Identification of viable projects that can be undertaken to improve economic conditions in Leeward Coast.

Outcomes: Identify the short-term (0-2 years) and long-term (2-6 years) outcomes you expect to achieve.

Review of Development Proposals

- Full evaluation of the impacts of development
- New developments are built to LEED standards
- Efficient management of LUC caseload

Guidance for Decision-Makers on Land Use Patterns.

- Land use guidance which results in greater protection for important agricultural lands, sufficient lands for urban uses and expansion, and protection of conservation lands
- Greater awareness of rural best management practices.

Impact: Describe the lasting impact you anticipate.

Review of Development Proposals

- Well planned developments. No “pre-Statehood subdivisions”--areas where subdivisions are platted and land is sold off without water, electricity and other public services and infrastructure.
- Energy efficient (LEED buildings). Less consumption of energy. Less importation of oil.
- A balanced pattern of land use statewide that meets multiple objectives as set forth in the Land Use Law and Hawaii State Plan.
- Efficient management of LUC caseload frees up staff resources to conduct studies and projects to improve the planning and land use regulatory system and assess trends and conditions.

Guidance for Decision-Makers on Land Use Patterns.

- Protection of Important Agricultural Lands protects an economic resource and open space.
- Sufficient urban land assures that sufficient lands will be available for housing and other economic uses e.g. commercial, industrial, resort, etc.
- Better utilization of the Rural District. Preservation of rural villages and open space.
- Regulation of conservation land protects rare and endangered species, watersheds, groundwater, streams, and other important natural resources and assures that development does not take place in areas subject to natural hazards.

Special Assignment Leeward Coast Initiative

- Economically self-sufficient residents. More job opportunities in the area.

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III. PROGRAM EVALUATION

Indicators: Describe what SMART ('specific; measurable; action-oriented; realistic; and timed') indicators can be collected that would convey the status of your program.

- Percent participation in LUC hearing.
- Number of position papers produced.
- Comparison of OP and LUC positions on dockets.
- Percentage and Acreage of Important Agricultural Lands retained in the State Agricultural District and/or reclassified to the Urban or Rural District.
- Acreages of lands with conservation values (rare or endangered species habitat, archaeological, historic and cultural sites, hazard areas) that are retained in the Conservation District and/or reclassified to the Urban District.
- Acres of land reclassified to the Urban District in comparison to need for urban land as calculated by population growth and other indicators of urban land requirements and existing supply of urban classified lands.
- Number of affordable homes required by LUC conditions.
- Number of LEED certified buildings required by LUC conditions.

IV. ALIGNMENT

Is your program linked to DBEDT's six strategic objectives?

1.		Workforce Housing The provision of housing including workforce housing is one of the criteria under Chapter 205, HRS, that the LUD utilizes to evaluate proposals for land use district boundary amendments.
2.		Human Capital Development
3.		Hawai'i Clean Energy Initiative (LEED) Advocating for conditions which will require energy efficient buildings with LEED Neighborhood Design.
4.		Global Links
5.		Innovation Infrastructure
6.		Improve Hawai'i's Small Business Environment

Emerging Industries: Does your program impact Hawai'i's emerging industries? Yes No

Not directly. The LUD represents the State's interests before the State Land Use Commission. The LUD's review and analysis petitions for boundary amendments assures that the impacts on state infrastructure, important agricultural lands, natural, cultural and historic resources and other areas of state interest are carefully considered/addressed and mitigated where necessary. This results in better use of Hawaii's land and fiscal resources. It assures that the pre-Statehood type of development where lots were subdivided

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and sold off without provision of adequate roads, water and other infrastructure is avoided and reduces speculative development. Hawaii's economy benefits from the development of communities with adequate infrastructure.

V. APPROVALS

a. _____
Submitted by - Print Name Submitted by - Signature Date

b. APPROVED DISAPPROVED _____
Division/Agency Head - Signature Date

c. APPROVED DISAPPROVED _____
Director - Signature Date