

**Chapter 2.80B - GENERAL PLAN AND COMMUNITY PLANS**

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- 2.80B.010 - Purpose and intent.

The purpose and intent of this chapter is to establish an improved process to update the general plan and community plans. This chapter is designed to provide plans that clearly identify provisions that are meant to be policy guidelines and provisions that are intended to have the force and effect of law; to implement and enforce plans through prioritization and accountability; to empower advisory committees; to place more emphasis on island-wide and inter-regional issues; to encourage more frequent updates of plans and to establish deadlines for completion; and to increase public and community participation in the planning process.

(Ord. 3166 § 2 (part), 2004)

2.80B.020 - Definitions.

Unless the context clearly indicates a different meaning for the purposes of this chapter, the following words and terms shall be defined as follows:

"Agritourism" means the practice of attracting travelers or visitors to an area or areas used primarily for agricultural purposes.

"Ahupua'a" means a land division extending from the uplands to the sea and representing the traditional form of Hawaiian land management. A typical ahupua'a follows a stream from the mountain headwaters to the coastal delta and is wedge-shaped.

"Aquaculture" means the breeding, rearing, and harvesting of plants and animals in all types of water environments, including ponds, rivers, lakes, and the ocean. Aquaculture can take place in the natural environment or in a constructed environment.

"Biodiversity" means the variety of life and its processes, including the variety of living organisms, the genetic differences among them, and the communities and ecosystems in which they occur.

"Carbon-emission standards" means requirements that set limits on the amount of carbon monoxide, greenhouse-gas emissions, or volatile hydrocarbons that can be discharged into the ambient air.

"Civic engagement" means individual and collective actions designed to identify and address issues of public concern.

"Critical habitat" means: (1) specific areas within the geographic area occupied by a species at the time it is listed as threatened or endangered pursuant to the Endangered Species Act, on which are found those physical or biological features that: (a) are essential to the conservation of the species; and (b) may require special management considerations; and (2) specific areas outside the geographical area occupied by a species at the time it is listed as threatened or endangered pursuant to the Endangered Species Act, upon a determination that such areas are essential for the conservation of the species.

"Community plan advisory committee" means the same as "citizen advisory committee" in section 8-8.5(4) of the charter.

"Ecotourism" means nature-based travel to natural attractions to experience and study the unique flora, fauna, and culture in a manner that is ecologically responsible and sustains the well-being of the local community.

"Endemic species" means those species that are found only within a specified region or locality.

"Green building" means the design, construction, use, and maintenance of structures, facilities, and landscapes in a manner that minimizes pollution and the depletion of precious natural resources, maximizes energy efficiency, and promotes walking and other healthy behavior. Green building practices in specific places support the implementation of green footprint practices in the broader community.

"Green footprint practices" means techniques developed from the field of applied ecology that urban and regional planners use to minimize the negative environmental impact of the growth and development of cities and towns. Qualitative trend indicators are used to assess the impacts of growth, including those relating to air and water quality, public health, critical habitat, and agriculture.

"Greenhouse-gas emissions" means the discharge of hazardous air pollutants or carbon dioxide into the ambient air.

"Habitat corridors" means narrow or lineal components of the landscape that facilitate the movement of organisms and the conservation of which will enhance or maintain the viability of specific wildlife populations.

"Hanai relative" means the same as defined in section 587-2, Hawaii Revised Statutes.

"Hazardous air pollutant" means the same as defined in section 342B-1, Hawaii Revised Statutes.

"Indigenous species" means those species that occur naturally in a particular area (i.e., not introduced by humans or human activity).

"Invasive species" means an animal pest or weed that does not arrive into an ecosystem through natural means, but rather through human-assisted activities, and negatively impacts indigenous species and ecosystems.

"Living wage" means a wage and benefits package sufficient to provide the necessities and comforts essential to an acceptable standard of living, to meet basic needs, and to provide some discretionary income, taking into account the area-specific cost of living and the basic expenses involved in supporting a family.

"Mariculture" means the same as defined in section 190D-3, Hawaii Revised Statutes.

"Ministerial permit" means a permit that does not involve judgment or discretion and is issued based on established criteria or a set of adopted standards as established by law.

"Nonpoint source pollution" means the same as defined in section 342E-1, Hawaii Revised Statutes.

"Person" means individual natural persons; firms, partnerships, joint ventures, societies, associations, clubs, trusts, corporations, government agencies, and any other entities; and any officers, agents, successors, assigns, employees, factors, and any kind of personal representatives of any such entities, but not including the director of planning or the council.

"Point source pollution" means the same as defined in section 342E-1, Hawaii Revised Statutes.

"Pono" means goodness, uprightness, correct or proper procedure, excellence, or well-being.

"Prime, productive, and potentially productive agriculture lands" means lands having the best combination of soil qualities and growing conditions for the production of agricultural products such as food, fiber, and energy-producing crops.

"Traffic-calming techniques" means planning tools intended to reduce motorist speed, decrease motor-vehicle volumes, and increase safety for pedestrians and users of non-motorized vehicles.

"Urban forest" means, in an urbanized area, trees and associated organisms, tree-lined roadways, and tree-shaded open space or park space.

(Ord. No. 3732, § 2, 2010; Ord. 3166 § 2 (part), 2004)

**2.80B.030 - General plan.**

A. Exhibit A-1 of this chapter, entitled "The Countywide Policy Plan," which is on file with the office of the county clerk, is adopted as the countywide policy plan and by reference made a part of this chapter.

B. All agencies shall comply with the general plan. Notwithstanding any other provision, all community plans, zoning ordinances, subdivision ordinances, and administrative actions by agencies shall conform to the general plan. Preparation of County budgets and capital improvement programs shall implement the general plan to the extent practicable. The countywide policy plan, Maui island plan, and community plans authorized in this chapter are and shall be the general plan of the County, as provided by section 8-8.5 of the charter.

C. The documents that comprise the general plan shall constitute minimum compliance with the requirements set forth in this chapter, and shall be internally consistent, with compatible vision, principles, goals, policies, implementing actions, and land use maps. The planning period of the general plan shall be twenty years.

D. The general plan shall be developed with public notification and participation, facilitated by the use of tools such as public opinion surveys, community design charettes, public hearings and informational meetings, radio, newspaper, television, and other types of communication and direct consultation with different age, economic, and other groups.

E. The general plan shall be developed after input from state and County agencies and the general public, and shall be based on sound policy and information. The general plan shall: indicate desired population and physical development patterns for each island and region within the County; address the unique problems and needs of each island and region; explain the opportunities and the social, economic, and environmental consequences related to potential developments; and set forth the desired

sequence, patterns, and characteristics of future developments.

The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development. The general plan shall also identify the vision, principles, goals, and policies for the County and for each island.

F. Countywide Policy Plan. The countywide policy plan shall provide broad policies and objectives which portray the desired direction of the County's future. The countywide policy plan shall include:

1. A vision for the County;
2. A statement of core themes or principles for the County; and
3. A list of countywide objectives and policies for population, land use, the environment, the economy, and housing.

G. Maui Island Plan. The Maui island plan shall include:

1. An island-wide land use strategy for the island of Maui that shall include the following:
  - a. Vision Statement. The vision statement shall reference the island's economy, land use patterns, environmental and cultural resources, and social environment.
  - b. Managed and Directed Growth Plan. The managed and directed growth plan shall describe existing and future land use patterns and planned growth for the twenty-year planning period and include a discussion on how these patterns are consistent with and support the vision, principles, goals, and policies of the County and the island of Maui. The managed and directed growth plan shall include a map that delineates urban and rural growth areas, consistent with, and illustrative of, the Maui island plan's vision, principles, goals, and policies.

c. Action Plan. The action plan shall identify specific programs, projects, and regulations that will need to be developed over the twenty-year planning period to implement the island's vision, principles, goals, and policies. This element shall include a general schedule and identify implementing agencies and persons.

2. Water Element. The water element shall assess and discuss water supply, demand, and quality.

3. Nearshore Ecosystem Element. The nearshore ecosystem element shall assess the ecosystem in the nearshore waters of the County, and will discuss preservation and restoration of these waters.

4. Implementation Program. The implementation program shall include a capital improvement element, a financial element, and an implementation schedule.

a. Capital Improvement Element. The capital improvement element shall describe regional infrastructure systems and regional public facilities and services that will be needed over the twenty-year planning period.

b. Financial Element. The financial element shall describe a fiscally sound financial program for identified actions and capital improvements. Preparation of the County's annual operating budget and capital program, respectively developed pursuant to sections 3.04.030 and 3.04.040 of this code, shall implement the general plan to the extent practicable.

c. Implementation Schedule. The implementation schedule shall identify and numerically prioritize specific actions, the implementation actions' commencement and completion dates, the lead implementation agency or person, the estimated implementation cost, and the anticipated funding source or sources.

5. Milestones. The Maui island plan shall contain specific milestones designed to measure progress in the implementation of the Maui island plan's vision, principles, goals, and policies. In assessing each milestone, due

consideration shall be given to federal, state, and County economic, demographic, and other significant quality-of-life indicators.

H. Technical Plans and Studies. As part of the planning director's proposed decennial revisions to the general plan, the planning director shall prepare the following technical plans and studies:

1. Socio-Economic Forecast. The socio-economic forecast shall include twenty-year forecasts of resident and de facto population; age distribution; job growth by industry; migration; income; housing demand, labor demand, and unemployment; and average visitor census, visitor arrivals, visitor expenditures, and other relevant data about visitors. The data shall be analyzed assuming at least two different rates of population and economic growth. The data shall be provided for the County as a whole, by island, and by community plan area. At least every two years, the planning director shall propose a new socio-economic forecast pursuant to this chapter, unless the forecast is included as part of the planning director's proposed decennial revisions to the general plan.

2. Infrastructure Study. The infrastructure study shall assess the adequacy, limitations, and opportunities relating to physical infrastructure, including public facilities, water systems, health care systems, and telecommunications systems. In particular, for each assessed component of physical infrastructure, the study shall assess future system requirements and costs based on the following: population projections over the twenty-year planning period; national or local planning standards; a baseline inventory of current capacity; and existing capacity deficits or excesses relating to national or other appropriate standards.

3. Additional Resource Study. The additional resource study shall assess additional resources, including environmental, historic, cultural, educational, scenic, and significant view plane resources.

I. Status Reports. Each agency shall prepare a status report on its implementation and enforcement of the general plan, which shall be transmitted to the planning director at the same time the agency submits

the third-quarter budget implementation report pursuant to section 3.04.050 of this code. The planning director shall also contact persons outside County government for status reports on appropriately assigned implementation actions. The planning director shall issue a report annually providing a detailed explanation of the implementation and enforcement of the general plan and the community plans to the mayor and the council.

(Ord. No. 3732, § 3, 2010; Ord. 3405 § 1, 2006; Ord. 3353 § 1, 2006; Ord. 3166 § 2 (part), 2004)

2.80B.040 - General plan advisory committees.

A. At least every ten years (decennial), the planning director shall prepare and recommend proposed revisions to the general plan.

B. There shall be separate general plan advisory committees for the islands of Lanai, Maui, and Molokai to comment, advise, and provide recommendations to the planning director regarding the proposed revisions prepared and recommended by the planning director, as follows:

1. The Lanai general plan advisory committee shall be composed of thirteen members, nine appointed by the council and four appointed by the mayor.

2. The Maui general plan advisory committee shall be composed of twenty-five members, one appointed by the mayor from each Maui community plan area, four appointed by the council from the Wailuku-Kahului community plan area, and three appointed by the council from each of the other Maui community plan areas.

3. The Molokai general plan advisory committee shall be composed of thirteen members, nine appointed by the council and four appointed by the mayor.

C. The planning director shall be responsible for providing staff to support the work of the general plan advisory committees, which shall include department staff and, at the discretion of the planning director, outside consultant services. Each

general plan advisory committee shall select a chair and vice-chair and shall adopt rules relating to committee meetings.

D. Time limits for general plan advisory committee review of the countywide policy plan and the Maui island plan:

1. No later than one hundred twenty days after the Maui, Molokai and Lanai general plan advisory committees hold their respective first public meeting after their receipt of the countywide policy plan, the general plan advisory committees shall forward their recommendations and proposed revisions to the planning director unless the council, by resolution, extends the time within which to forward the recommendations.

2. No later than one hundred eighty days after the Maui general plan advisory committee holds its first public meeting after its receipt of the Maui island plan, the Maui general plan advisory committee shall forward its recommendations and proposed revisions to the planning director unless the council, by resolution, extends the time within which to forward the recommendations.

(Ord. 3405 § 2, 2006; Ord. 3166 § 2 (part), 2004)

2.80B.050 - Decennial revisions to the general plan.

A. In processing proposed decennial revisions to the general plan, the planning director shall:

1. Simultaneously transmit the planning director's proposed revisions to the countywide policy plan to the three general plan advisory committees;

2. Transmit the planning director's proposed Maui island plan to the Maui general plan advisory committee;

3. Make the revisions to the countywide policy plan and the Maui island plan prepared and recommended by the planning director available for public inspection and copying pursuant to the Uniform Information Practices Act; and

4. Assist the general plan advisory committees to conduct public meetings, public workshops, and public hearings.

B. Time limits for the planning director to transmit general plan advisory committee recommendations regarding the countywide policy plan and Maui island plan to the planning commissions:

1. Within thirty days after the Maui, Molokai, and Lanai general plan advisory committees forward their respective recommendations and proposed revisions to the countywide policy plan to the planning director, the planning director shall place, on a meeting agenda for the planning commission of the same island as the general plan advisory committee, the proposed revisions prepared and recommended by the planning director and the general plan advisory committee's recommendations and proposed revisions.

2. Within thirty days after the Maui general plan advisory committee forwards its recommendations and proposed revisions to the Maui island plan to the planning director, the planning director shall place on a meeting agenda for the Maui planning commission the proposed revisions to the Maui island plan prepared and recommended by the planning director and the recommendations and proposed revisions to the Maui island plan recommended by the Maui general plan advisory committee.

C. Time limits for planning commission review of the countywide policy plan and the Maui island plan:

1. No later than one hundred twenty days after the Maui, Molokai, and Lanai planning commissions hold their respective first public hearing to discuss the countywide policy plan, the planning commissions shall transmit the following to the council: the proposed revisions prepared and recommended by the planning director; the general plan advisory committee's recommendations and proposed revisions; and the planning commission's recommendations, findings, and proposed revisions. The council may, by resolution, extend the time within which the transmittal may be made.

2. No later than one hundred eighty days after the Maui planning commission holds its first public hearing to discuss the Maui island plan, the Maui planning commission shall transmit

the following to the council: the proposed revisions prepared and recommended by the planning director; the general plan advisory committee's recommendations and proposed revisions; and the planning commission's recommendations, findings, and proposed revisions. The council may, by resolution, extend the time within which the transmittal may be made.

D. Time limits for council review of the countywide policy plan and the Maui island plan:

1. No later than one year after receipt of the countywide policy plan pursuant to subsection C.1 of this section, the council shall adopt the countywide policy plan by ordinance following a public hearing. The council may, by resolution, extend the time within which the ordinance must be enacted. Upon the adoption of the countywide policy plan, the Molokai and Lanai general plan advisory committees shall be disbanded.

2. No later than one year after receipt of the Maui island plan pursuant to subsection C.2 of this section, the council shall adopt the Maui island plan by ordinance following a public hearing. The council may, by resolution, extend the time within which the ordinance must be enacted. Upon the adoption of the Maui island plan, the Maui general plan advisory committee shall be disbanded.

E. The documents that comprise the general plan and any revisions thereto shall be in printed form and shall be attached to and be incorporated by reference into the ordinances adopting the general plan.

F. The Maui general plan advisory committee may begin its review of the Maui island plan prior to its final review and recommendations on the countywide policy plan, provided that the Maui general plan advisory committee shall make its final recommendations on the countywide policy plan concurrent with or prior to its recommendations on the Maui island plan.

(Ord. No. 3615, § 1, 2009; Ord. 3405 § 3, 2006; Ord. 3166 § 2 (part), 2004)

2.80B.060 - Nondecennial amendments to the general plan.

A. Nondecennial amendments to the general plan may be proposed by the planning director or by the council by resolution. All proposed amendments shall be referred to the appropriate planning commission for findings and recommendations. Proposals for nondecennial amendments to the general plan made pursuant to this subsection shall be processed in accordance with sections 8-8.4 and 8-8.6 of the charter.

B. Nondecennial amendments to the general plan enacted pursuant to section 2.80B.050 of this chapter may be proposed by a person during July of each year, provided that such amendments shall not be accepted within one year after the enactment of a decennial revision to the general plan pursuant to section 2.80B.050 of this chapter. Applications shall follow the procedures set out in sections 19.510.010 and 19.510.020 of this code, shall include the application fee as set forth in the County budget, and shall be processed as if prepared by the planning director pursuant to section 8-8.4 of the charter. An environmental assessment or environmental impact statement prepared in accordance with chapter 343, Hawaii Revised Statutes, shall be submitted along with the application.

C. Prior to approving any amendment to the general plan pursuant to this section, the council shall hold public hearings on Lanai, Maui, and Molokai on the bill incorporating the amendment.

D. Nothing in this section shall prevent concurrent processing of other actions related to a proposed amendment. Where an amendment to the general plan directly triggers an amendment to a community plan, such matters shall be processed concurrently, subject to Maui County Code subsection 2.80B.110.A.

(Ord. 3405 § 4, 2006; Ord. 3166 § 2 (part), 2004)

### **2.80B.070 - Community plans.**

A. Community plans shall be developed after input from state and County agencies and the general public, and shall be based on sound policy and information. **Each community plan shall include implementing actions that clearly identify priorities, timelines, estimated costs, and the County department accountable for the completion of the implementing actions.** Community plans shall implement the general plan's vision, principles, goals, and policies. Each community plan shall contain the requirements set forth in subsection E. Each community plan shall include a land use map showing the community plan area to which it is applicable. The planning period of each community plan shall be twenty years.

B. Each community plan shall be developed with public notification and participation, facilitated by the use of tools such as public opinion surveys, community design charrettes, public hearings and informational meetings, radio, newspaper, television, and other types of communication and direct consultation with different age, economic, and other groups.

C. The following community plans are incorporated by reference and adopted pursuant to this chapter:

1. Hana Community Plan - Ordinance No. 2347 (1994), as amended;
2. Paia-Haiku Community Plan - Ordinance No. 2415 (1995), as amended;
3. Kahoolawe Community Plan - Ordinance No. 2413 (1995), as amended;
4. West Maui Community Plan - Ordinance No. 2476 (1996), as amended;
5. Makawao-Pukalani-Kula Community Plan - Ordinance No. 2510 (1996), as amended;
6. Kihei-Makena Community Plan - Ordinance No. 2641 (1998), as amended;
7. Lanai Community Plan - Ordinance No. 2738 (1998), as amended;

8. Molokai Community Plan - Ordinance No. 3022 (2001), as amended; and

9. Wailuku-Kahului Community Plan - Ordinance No. 3061 (2002), as amended.

D. Exhibit B of this chapter is a map showing, in general, the community plan areas referred to in subsection B and an indication of the boundaries of the community plan areas.

E. Each community plan shall contain:

1. A statement of the major problems and opportunities concerning the needs and development of the community plan area;
2. A statement of the social, economic, and environmental effects of such development;
3. The desired sequence, patterns, and characteristics of future development;
4. description of the community plan area;
5. A statement of planning standards and principles relating to land uses within the community plan area;
6. A statement of urban and/or rural design principles and objectives for the community plan area;
7. For community plan areas on the island of Maui, urban and rural growth boundaries and a map delineating urban and rural growth areas, consistent with the general plan;
8. For community plan areas on the island of Maui, a designation of specific land uses within the urban and rural growth areas;
9. A list of areas, sites, and structures recognized as having historical or archaeological significance, and a list of scenic sites and resources;
10. A description of a projected multi-modal transportation system showing existing and proposed roadways, transit corridors, bikeways, and major thoroughfares;

11. Statements of intention relating to the location or improvement of all public service and transportation facilities;

12. Statements setting forth:

- a. Problems relating to land uses; and
- b. Projections relating to social, economic, and environmental effects of proposed development;

13. A statement of desired population density including visitors and residents;

14. Specific land use designations based on property lines, to the extent practicable.

Notwithstanding the foregoing, a community plan may contain one or more project districts wherein permitted land uses are identified by percentage of total acreage and density in conformance with the general plan and community plan; provided, however, that the council shall subsequently zone each project district consistent with the identified land uses after holding a public hearing in the applicable community plan area;

15. A list of streetscape and landscaping principles and desired streetscape and landscaping improvements; and

16. An Action Element. The action element shall identify specific programs, projects, and regulations that need to be developed over the twenty-year planning period to implement the community plan. Further, identification of specific programs, projects, and regulations that need to be accomplished during the first ten years of that planning period shall be separately identified. This element shall include a prioritized general schedule and identify each implementing agency or person.

F. Implementation Program. The implementation program shall include a capital improvement element, a financial element, and an implementation schedule.

1. Capital Improvement Element. The capital improvement element shall describe infrastructure systems and public facilities and services that will be needed over the twenty-year planning period, in two-year increments, to

implement the community plan's vision, principles, goals, and policies. Consideration shall be given to roads, sidewalks, bikepaths, and pedestrian ways; local water and utility systems; local drainage improvements; community and neighborhood parks; and local public facilities.

2. Financial Element. The financial element shall describe a fiscally sound financial program for identified actions and capital improvements. Preparation of the County's annual operating budget and capital improvement program, respectively developed pursuant to sections 3.04.030 and 3.04.040 of this code, shall implement the community plans to the extent practicable.

3. Implementation Schedule. The implementation schedule shall identify and numerically prioritize specific actions, the implementation actions' commencement and completion dates, the lead implementation agency, the estimated implementation cost, and the anticipated funding source or sources.

G. Milestones. Each community plan shall contain specific milestones designed to measure progress in the implementation of the community plan's vision, principles, goals, and policies. In assessing each milestone, due consideration shall be given to federal, state, and County economic, demographic, and other significant quality-of-life indicators.

H. Status Reports. Each agency shall prepare a status report on its implementation and enforcement of the community plans, which shall be transmitted to the director of planning at the same time the agency submits the third-quarter budget implementation report pursuant to section 3.04.050 of this code. The planning director shall issue annually a report providing a detailed explanation of the implementation and enforcement of the general plan and the community plans to the mayor and the council.

(Ord. 3405 §§ 5, 6, 2006; Ord. 3166 § 2 (part), 2004)

2.80B.080 - Community plan advisory committees.

A. Each of the County's nine community plans shall, to the extent practicable, be updated within ten

years (decennially) of the respective plan's adoption. The decision as to the order of updating the nine community plans shall be decided by the council.

B. There shall be a community plan advisory committee for each community plan area set forth in section 2.80B.070.B. Except for the community plan advisory committee for the Kahoolawe community plan, each community plan advisory committee shall consist of residents of the corresponding community plan area and shall hold all meetings in the corresponding community plan area.

C. Each community plan advisory committee shall be composed of thirteen members, nine appointed by the council and four by the mayor. Prior or current service as a member of a general plan advisory committee shall not disqualify an individual from serving on a community plan advisory committee. Each community plan advisory committee is charged with reviewing and recommending revisions to the community plan for its community plan area. The mayor and council shall appoint the members of each community plan advisory committee in accordance with the timing established in subsection A.

D. Each community plan advisory committee shall select a chair and vice-chair. The planning director shall be responsible for providing staff to support the work of the community plan advisory committees, which shall include department staff and, at the planning director's discretion, outside consultant services. Each community plan advisory committee shall hold at least seven public workshops at times and locations convenient to the general public to allow public participation in the process. The public workshops shall be facilitated by a qualified professional and shall include one or more table-top exercises where the public will be invited to provide input using maps and other devices.

E. Within one hundred eighty days after its first meeting, a community plan advisory committee shall forward its recommended revisions to the planning director.

F. Each community plan advisory committee shall remain in existence until enactment of an ordinance adopting the decennial revision to the relevant community plan.

(Ord. 3405 §§ 7, 8, 2006; Ord. 3166 § 2 (part), 2004)

2.80B.090 - Decennial revisions to the community plans.

A. In processing proposed decennial community plan revisions, the planning director shall:

1. Transmit revisions prepared and recommended by the planning director to the appropriate community plan advisory committee;
2. Make the revisions prepared and recommended by the planning director available for public inspection and copying pursuant to the Uniform Information Practices Act; and
3. Assist the appropriate community plan advisory committee to conduct public meetings, public workshops, and public hearings.

B. Within thirty days after a community plan advisory committee has forwarded its recommended revisions, the planning director shall place the community plan advisory committee's recommended revisions on a meeting agenda of the appropriate planning commission for a meeting in the community plan area.

C. No later than one hundred eighty days after the appropriate planning commission holds its first public hearing, the planning commission shall transmit the community plan advisory committee's recommended revisions and the planning commission's findings and recommendations to the council. The council may, by resolution, extend the time within which the transmittal may be made.

D. No later than one year after receipt of a transmittal pursuant to subsection C, the council shall adopt the community plan by ordinance following a public hearing in the community plan area. The council may, by resolution, extend the time within which the ordinance must be enacted.

E. The community plans, and any revisions thereto, shall be in printed form and shall be attached to and be incorporated by reference into the ordinances adopting the respective plans.

F. Nothing in this section shall prevent concurrent processing of other actions related to the decennial revisions to the community plans. Where a decennial

revision to a community plan directly triggers an amendment to the general plan, such matters shall be processed concurrently.

(Ord. No. 3615, § 2, 2009; Ord. 3405 § 9, 2006; Ord. 3166 § 2 (part), 2004)

2.80B.100 - Nondecennial amendments to community plans proposed by the planning director or the council.

A. Nondecennial amendments to community plans may be proposed by the planning director or by the council by resolution. All proposed amendments shall be referred to the appropriate planning commission for findings and recommendations. Proposals for nondecennial amendments to a community plan made pursuant to this section shall be processed in accordance with sections 8-8.4 and 8-8.6 of the charter.

B. Prior to approving any amendment to a community plan enacted pursuant to section 2.80B.090 of this chapter, the council shall hold a public hearing regarding the amendment in the relevant community plan area.

C. Nothing in this section shall prevent concurrent processing of other actions related to a proposed amendment. Where an amendment to a community plan directly triggers an amendment to the general plan, such matters shall be processed concurrently.

(Ord. 3317 § 2, 2005; Ord. 3166 § 2 (part), 2004)

2.80B.110 - Nondecennial amendments to community plans proposed by a person.

A. Nondecennial amendments to community plans other than those enacted pursuant to section 2.80B.090 of this chapter may be proposed by a person at any time. Nondecennial amendments to any community plan enacted pursuant to section 2.80B.090 of this chapter, except the Molokai community plan, may be proposed by a person during July of each year, provided that such amendments shall not be accepted within one year after the enactment of the community plan pursuant to section 2.80B.090 of this chapter. Nondecennial amendments to the Molokai community plan enacted pursuant to section 2.80B.090 of this chapter may be proposed by a person during July of each year, provided that such

amendments shall not be accepted within five years after the enactment of a decennial revision to the community plan pursuant to section 2.80B.090 of this chapter.

B. Applications shall follow the procedures set out in sections 19.510.010 and 19.510.020 of this code, shall include the application fee as set forth in the County budget, and shall be processed as if prepared by the planning director pursuant to section 8-8.4 of the charter. An environmental assessment or environmental impact statement prepared in accordance with chapter 343, Hawaii Revised Statutes, shall be submitted along with the application.

C. No later than one year after receipt of the planning commission's transmittal pursuant to section 8-8.4 of the charter, the council shall review and act upon any proposed amendment to a community plan enacted pursuant to section 2.80B.090 of this chapter.

D. Prior to approving any amendment to a community plan enacted pursuant to section 2.80B.090 of this chapter, the

council shall hold a public hearing regarding the amendment in the relevant community plan area.

E. Nothing in this section shall prevent concurrent processing of other actions related to a proposed amendment.

F. Effect of Adoption of the General Plan and the Community Plans. Until revised or amended pursuant to this chapter, the general plan and the current community plan for each community plan district shall remain in full force and effect.

S/All/LONGR/LanaiCommunityPlan/4.0CPAC/CPACPreparation/CPACBinder/2.80BText-V2