

The background features a photograph of a two-story building with a sign that reads "LANDING RESTAURANT". In front of the building, several cars are parked on a street. A large, abstract geometric overlay in shades of teal, brown, and green is positioned on the right side of the image, partially obscuring the building and cars.

County of Hawai'i

ZONING & SUBDIVISION  
CODES UPDATE

# OPEN HOUSE

E Komo Mai!

Share your ideas with us!



# PROJECT TIMELINE

*2040 General Plan Draft Vision: Hawai'i Island is an exemplary leader with healthy and resilient communities that are built by sustainable development, a thriving and diversified local economy, and collaborative environmental stewardship.*

## PROJECT OVERVIEW

The Rundell Ernstberger Associates Team was hired by the County of Hawai'i to update the County's Zoning and Subdivision codes. The Hawaii County Zoning and Subdivision Codes date back to the early 1960's, and they have undergone scores of changes to accommodate new conditions and broader responsibilities. The Zoning Code was last amended in 1999 and the Subdivision Code in 1983. Many of the problems encountered in administering the code can be attributed to the piecemeal fashion in which it has been amended over the years. The result is a cumbersome and somewhat confusing organization of the codes; provisions and terms that are often ambiguous, inconsistent, outdated, obsolete, or redundant; complex permit review and code enforcement procedures; and standards that do not promote the livable built environment that is identified in the County's long-range plans.

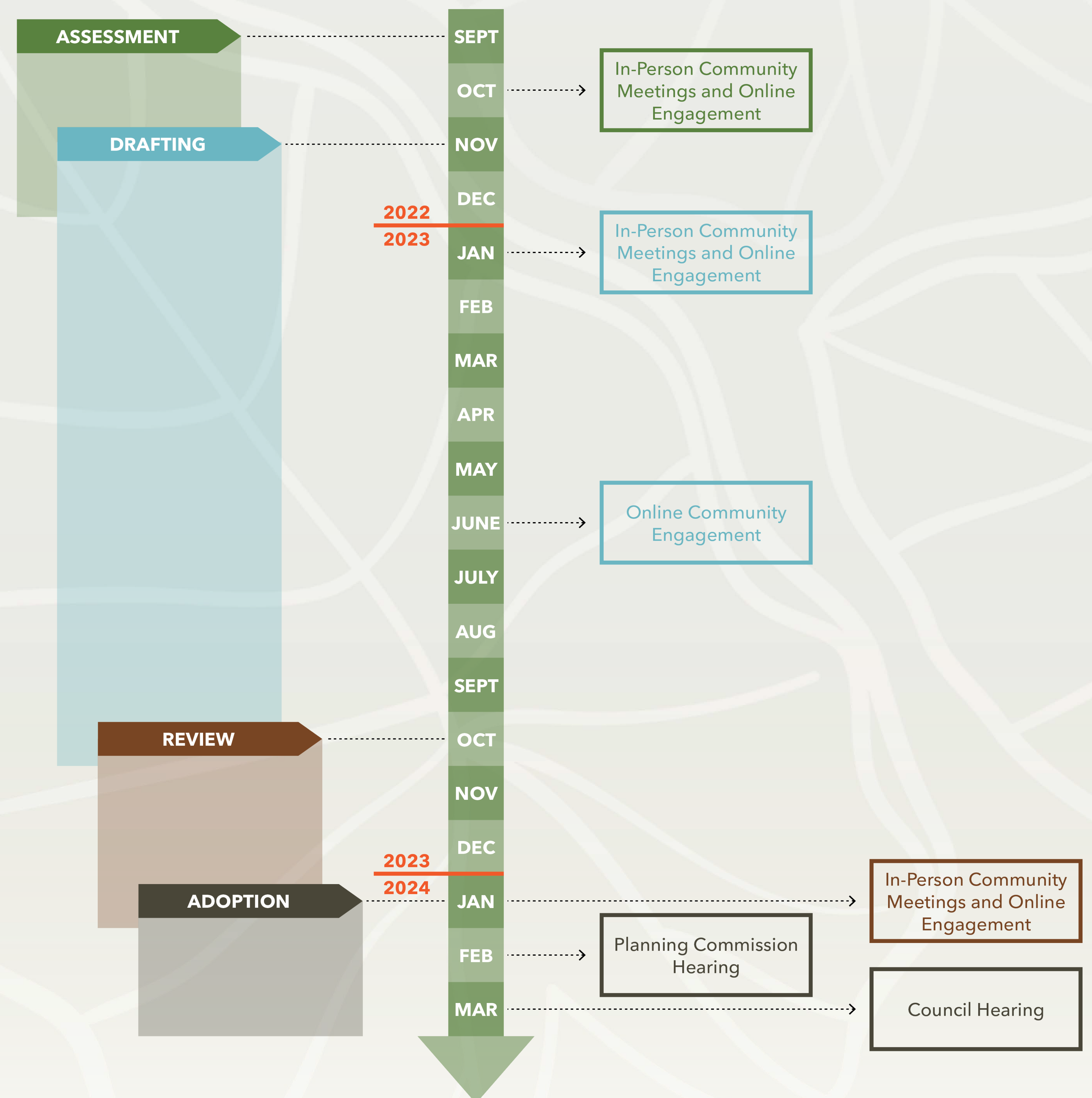
## PROJECT PURPOSE & OBJECTIVES

The overall purpose of this project is to analyze, update, and amend the Hawai'i County Zoning and Subdivision Codes to provide for best practice in land use regulations and to ensure they are consistent and dynamic.

The process to update the zoning code is community-driven. The process is guided by six primary objectives:

1. **Make the zoning code easier to understand and administer.**
2. **Improve the efficiency of the regulatory and permitting process.**
3. **Protect important agricultural, environmental, cultural, and historic resources.**
4. **Implement the goals and objectives of the County General Plan.**
5. **Provide more contemporary and modern approaches to hazard mitigation, climate adaptation, and smart growth.**
6. **Amend zoning districts to better address local needs.**

## PROJECT SCHEDULE







# DEFINITION OF ZONING & SUBDIVISION

## WHAT IS ZONING AND HOW DOES IT WORK?

Zoning is the law that determines how land or property can be utilized in a County, City, or Town. The use of zoning allows local government the ability to regulate growth and development by governing types of land uses, design requirements, and other various aspects of development. Zoning is a planning tool utilized to regulate the built environment by dividing land that comprises the statutory area of a local authority into zoning districts, permitting specific land uses in these districts, which shape the layout of towns and cities and enable various types of development.

## WHY IS THE CODE IMPORTANT TO THE COUNTY OF HAWAI'I?

1. It balances property uses for residential, industrial, commercial, and agricultural users.
2. It incentivizes the types of services and structures needed in the community, including affordable housing.
3. It ensures optimal transportation, which drives commerce and promote livable communities.
4. It preserves unique ecosystems - such as coastal shorelines and wetlands - as well as protects air and water quality.
5. It implements local plans that improves energy efficiency and other General Plan objectives.
6. It ensures adequate public infrastructure (police, medical, parks and recreation, etc.).
7. It prevents natural resource depletion and mitigates soil erosion.

## WHAT IS A SUBDIVISION ORDINANCE?

The purpose of the subdivision ordinance is to regulate the division of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (now or in the future) and shall include all divisions of land involving the dedication of a new road or a change in existing road. While the zoning ordinance regulates what can be done with the land regarding minimum lot sizes, setbacks, imperious areas, etc., the requirements in a subdivision ordinance determine the shape of the lots resulting from the subdivision and the required improvements needed to support the division of land based on the number of lots. These improvements might include design, dedication, improvement, infrastructure, public uses and access, etc.

## WHAT ENABLES ZONING LAWS FOR THE COUNTY OF HAWAI'I?

### Hawai'i State Laws Governing Land Use

A number of Hawai'i statutes and administrative rules govern land use in the state:

#### State Land Use Commission

Hawai'i Revised Statutes (HRS) Chapter 205 establishes the Land Use Commission and its responsibilities for the State Land Use classification of properties.

#### Coastal Zone Management

HRS Chapter 205A governs Coastal Zone Management.

#### County Zoning Authority

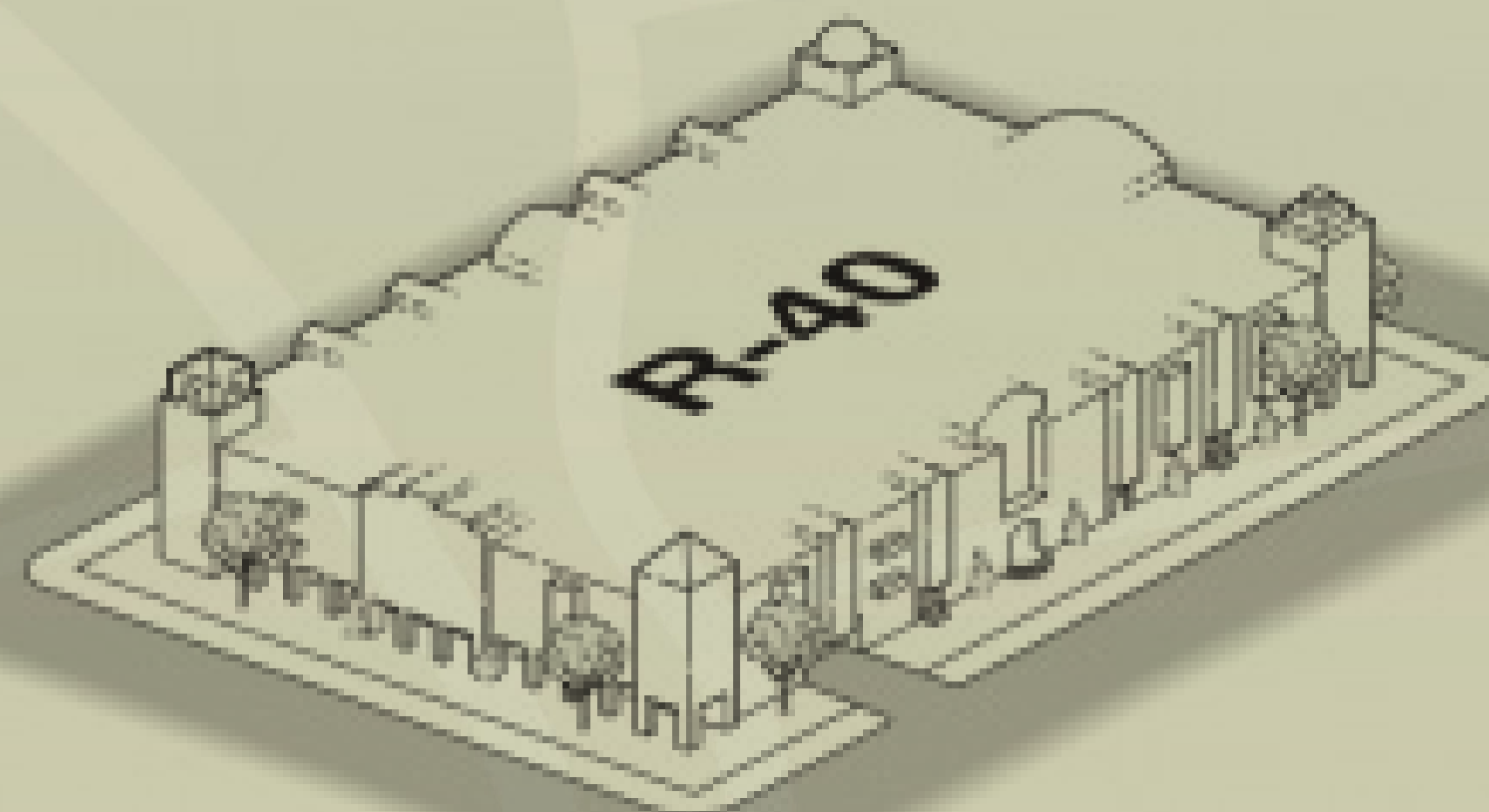
HRS Chapter 46, Section 4 grants counties the authority to designate and define Zoning Districts.

## TYPES OF ZONING IN COMMUNITIES



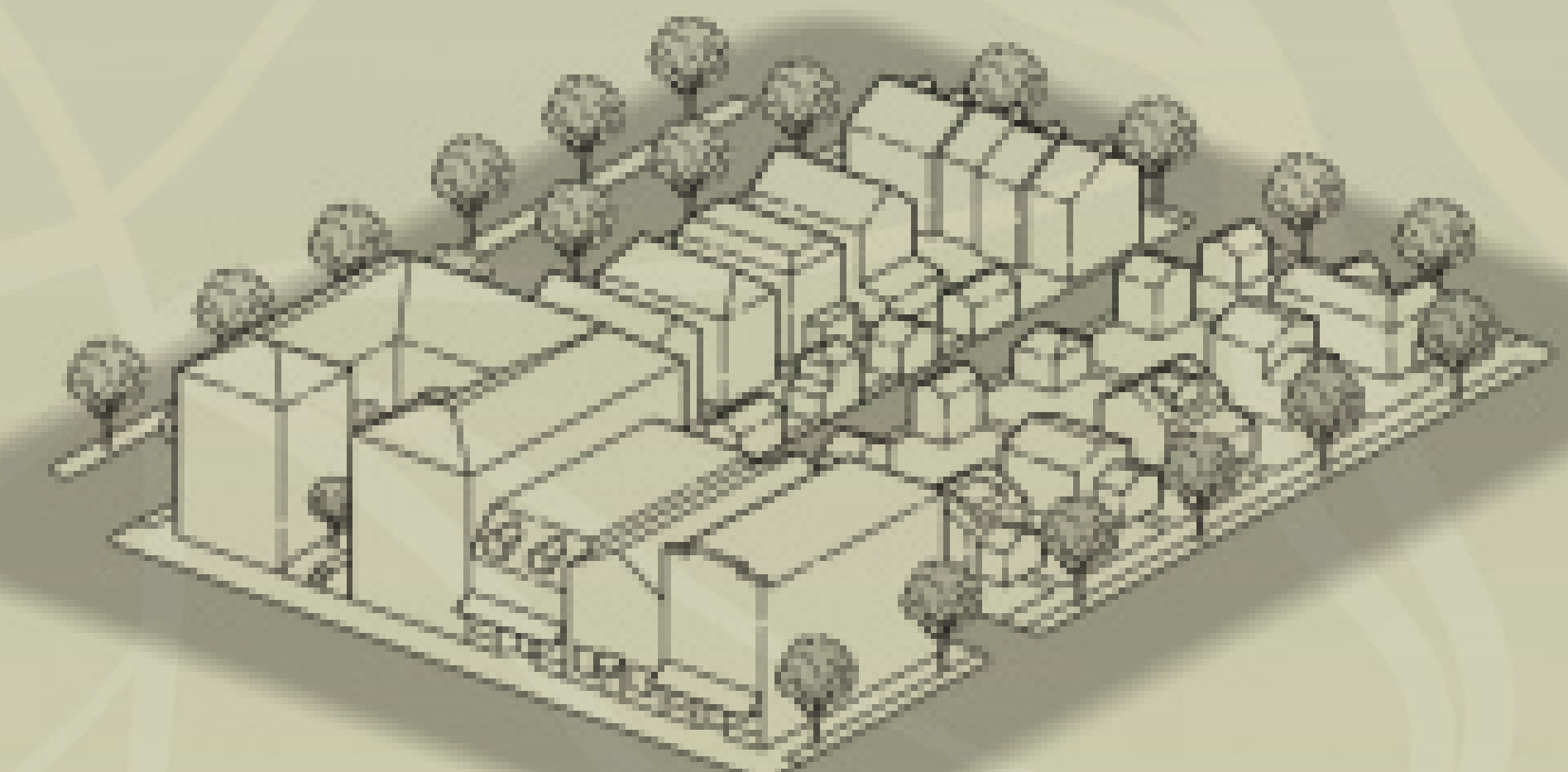
### Euclidian/Conventional Zoning

Divides communities into separate exclusive zoning districts. A major characteristic is the segregation of land uses into separate areas. This type of zoning results in neighborhoods (development or subdivisions) without a mix of commercial or other land uses. It may result in neighborhoods with all dwellings built for a single income bracket.



### Performance-Based Zoning

Performance zoning, sometimes called "impact zoning" or "flexible zoning," is a method of regulating the design and location of a development based on factors that relate directly to the development's site and the specific effects of the development on its neighborhood.



### Form-Based Zoning

A form-based code is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code.