

STATE OF HAWAII
LAND USE COMMISSION

AMENDMENTS TO PART II, STATE LAND USE DISTRICT BOUNDARIES,
ESTABLISHING SHORELINE SETBACKS THROUGHOUT THE STATE

The State Land Use Commission's regulations are hereby amended, after public hearings duly held on each of the counties of the State of Hawaii, by adding to Part II., STATE LAND USE DISTRICT REGULATIONS, Sub-Part A., General Provisions, Section 2.3, and to Sub-Part F., Amendments to District Boundaries and Regulations, the following:

2.3. Definitions

- (y) The term "agency" means the planning department of each County.
- (z) The term "shoreline" means the upper reaches of the wash of waves, other than storm and tidal waves, usually evidenced by the edge of vegetation growth, the upper line of debris left by the wash of waves, or as defined by "zone of wave action".
- (aa) The term "shoreline setback" means all of the land area between the shoreline and the shoreline setback line.
- (bb) The term "shoreline setback line" means the line established by the State Land Use Commission or the County running inland from and parallel to the shoreline at a horizontal plane.

Sub-Part F. Amendments to District Boundaries and Regulations

2.361 Shoreline Setback Lines

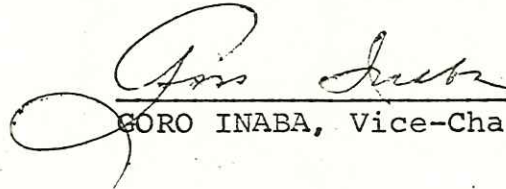
- (a) Shoreline setback lines are established throughout the State by the Commission at 40 feet inland from the upper reaches of the wash of waves other than storm and tidal waves except that such shoreline setback lines shall be 20 feet on any land parcel of record when any one or more of the following exist:
 1. where the average depth of a parcel, as measured from the shoreline or the seaward boundary of the parcel whichever is the less, is less than 100 feet;
 2. where the parcel is less than one-half ($\frac{1}{2}$) acre and where that parcel area is less than the minimum lot area required by the respective County zoning or subdivision ordinance applicable to said parcel; or


3. where the buildable area of the parcel is reduced to less than 50 percent of the parcel area after applying the 40 foot shoreline setback line and all State and County requirements wherein the parcel is located including but not limited to front and side yard setbacks, cross-slope requirements, and terrain requirements.


(b) Counties through ordinances may require that shoreline setback lines be established at a distance greater than that established by the Commission.

Adopted by the State of Hawaii Land Use Commission on the 18th day of December, 1970.

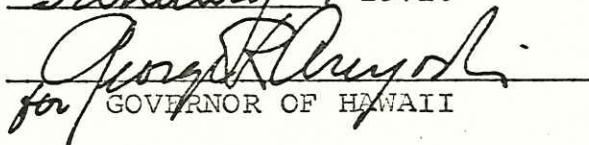
LAND USE COMMISSION


GORO INABA, Vice-Chairman

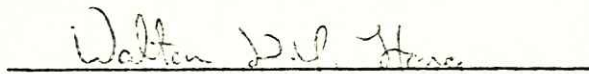

SHELLEY M. MARK, Member and
Director of the Department of
Planning and Economic Development


RAMON DURAN, Executive Officer

Approved this 14th day of
January, 1971.


for GOVERNOR OF HAWAII

Approved as to form:


Deputy Attorney General

It is hereby certified that the foregoing Amendments to Part II of the State Land Use Rules and Regulations were adopted on December 18, 1970, by the State of Hawaii Land Use Commission pursuant to the provisions of Section 205-9, Hawaii Revised Statutes and Act 136, Session Laws of Hawaii 1970; signed by the Governor of Hawaii on January 14, 1971; and filed with the Office of Lieutenant Governor on January 15, 1971.

Dated in Honolulu, Hawaii, this 26th day of January, 1971.

LAND USE COMMISSION

By: Ramon Duran
RAMON DURAN, Executive Officer

LT. GOVERNOR'S OFFICE

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REC'D. BY ps