

---

---

## A BILL FOR AN ACT

RELATING TO PLANNING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

- 1           SECTION 1. The legislature finds that given Hawaii's  
2 limited natural resources, the implementation of smart growth  
3 principles, including the preservation of open space, is crucial  
4 to the sustainability of the islands. There are ten principles  
5 of smart growth:
- 6           (1) Creating a range of housing opportunities and choices;
  - 7           (2) Creating walkable neighborhoods;
  - 8           (3) Encouraging community and stakeholder collaboration;
  - 9           (4) Fostering distinctive, attractive communities with a  
10           strong sense of place;
  - 11           (5) Making development decisions predictable, fair, and  
12           cost-effective;
  - 13           (6) Mixing land uses;
  - 14           (7) Preserving open space, farmland, natural beauty, and  
15           critical environmental areas;
  - 16           (8) Providing a variety of transportation choices;
  - 17           (9) Strengthening and directing development toward  
18           existing communities; and



1 (10) Taking advantage of compact building design.

2 Smart growth principles are most successful when the State  
3 makes systemic changes that are consistent with these principles  
4 in community planning and development, as well as land  
5 preservation. Several other states have implemented similar  
6 programs successfully. For example, Maryland has implemented a  
7 series of legislation promoting smart growth, and Florida has  
8 implemented a greenways and trails program to provide more  
9 recreational opportunities and venues.

10 The purpose of this Act is to promote smart growth and  
11 sustainability in the State by requiring the office of planning  
12 to develop and promote the use of smart growth principles in new  
13 and existing communities.

14 SECTION 2. Chapter 225M, Hawaii Revised Statutes, is  
15 amended by adding a new section to be appropriately designated  
16 and to read as follows:

17 "§225M- Smart growth coordination. (a) The office of  
18 planning shall coordinate efforts to incorporate the principles  
19 of smart growth in new and existing communities in the State,  
20 including:

21 (1) Gathering and disseminating information to the  
22 counties and the public, including nonprofit



- 1           organizations and developers, on how to develop  
2           projects in a manner that is consistent with the  
3           principles of smart growth;
- 4           (2) Providing a single point of access for individuals or  
5           organizations that need assistance or guidance in  
6           navigating the processes and regulations of state  
7           agencies on projects that are consistent with the  
8           principles of smart growth; and
- 9           (3) Coordinating the efforts of the governor and executive  
10           branch to provide input to the legislature on  
11           legislation relating to smart growth and neighborhood  
12           conservation.
- 13           (b) The principles of smart growth are:
- 14           (1) Creating a range of housing opportunities and choices;  
15           (2) Creating walkable neighborhoods;  
16           (3) Encouraging community and stakeholder collaboration;  
17           (4) Fostering distinctive, attractive communities with a  
18           strong sense of place;
- 19           (5) Making development decisions predictable, fair, and  
20           cost-effective;
- 21           (6) Mixing land uses;



1        (7) Preserving open space, farmland, natural beauty, and  
2        critical environmental areas;

3        (8) Providing a variety of transportation choices;

4        (9) Strengthening and directing development toward  
5        existing communities; and

6        (10) Taking advantage of compact building design.

7        (c) The office of planning shall submit an annual report,  
8        including the activities of the office relating to smart growth  
9        and the implementation of smart growth projects, to the  
10       legislature no later than twenty days prior to the convening of  
11       each regular session."

12       SECTION 3. Section 225M-1, Hawaii Revised Statutes, is  
13       amended to read as follows:

14       "**§225M-1 Purpose.** The purpose of this chapter is to  
15       establish an office of planning to assist the governor and the  
16       director of business, economic development, and tourism in  
17       maintaining an overall framework to guide the development of the  
18       State through a continuous process of comprehensive, long-range,  
19       and strategic planning to meet the physical, economic, and  
20       social needs of Hawaii's people, and provide for the wise use of  
21       Hawaii's resources in a coordinated, efficient, and economical  
22       manner, including the conservation of those natural,



1 environmental, recreational, scenic, historic, and other limited  
2 and irreplaceable resources [~~which are required for future~~  
3 generations].

4 The establishment of an office of planning in the  
5 department of business, economic development, and tourism, for  
6 administrative purposes, is intended to:

- 7 (1) Fix responsibility and accountability to successfully  
8 carry out statewide planning programs, policies, and  
9 priorities;
- 10 (2) Improve the efficiency and effectiveness of the  
11 operations of the executive branch;
- 12 (3) Ensure comprehensive planning and coordination to  
13 enhance the quality of life of the people of  
14 Hawaii[-]; and
- 15 (4) Develop and promote the use of smart growth principles  
16 in new and existing communities."

17 SECTION 4. Section 225M-2, Hawaii Revised Statutes, is  
18 amended by amending subsection (b) to read as follows:

19 "(b) The office of planning shall gather, analyze, and  
20 provide information to the governor to assist in the overall  
21 analysis and formulation of state policies and strategies to  
22 provide central direction and cohesion in the allocation of



1 resources, ~~[and effectuation of]~~ implement state activities and  
2 programs, and effectively address current or emerging issues and  
3 opportunities. More specifically, the office shall engage in  
4 the following activities:

- 5 (1) State comprehensive planning and program  
6 coordination. Formulating and articulating  
7 comprehensive statewide goals, objectives, policies,  
8 and priorities, and coordinating their implementation  
9 through the statewide planning system established in  
10 part II of chapter 226;
- 11 (2) Strategic planning. Identifying and analyzing  
12 significant issues, problems, and opportunities  
13 confronting the State, and formulating strategies and  
14 alternative courses of action in response to  
15 identified problems and opportunities by:
- 16 (A) Providing in-depth policy research, analysis, and  
17 recommendations on existing or potential areas of  
18 critical state concern;
- 19 (B) Examining and evaluating the effectiveness of  
20 state programs in implementing state policies and  
21 priorities;



- 1 (C) Monitoring through surveys, environmental
- 2 scanning, and other techniques[—] the current
- 3 social, economic, and physical conditions and
- 4 trends; and
- 5 (D) Developing, in collaboration with affected public
- 6 or private agencies and organizations,
- 7 implementation plans and schedules and, where
- 8 appropriate, assisting in the mobilization of
- 9 resources to meet identified needs;
- 10 (3) Planning coordination and cooperation. Facilitating
- 11 coordinated and cooperative planning and policy
- 12 development and implementation activities among state
- 13 agencies and between the state, county, and federal
- 14 governments, by:
  - 15 (A) Reviewing, assessing, and coordinating, as
  - 16 necessary, major plans, programs, projects, and
  - 17 regulatory activities existing or proposed by
  - 18 state and county agencies;
  - 19 (B) Formulating mechanisms to simplify, streamline,
  - 20 or coordinate interagency development and
  - 21 regulatory processes; and



- 1 (C) Recognizing the presence of federal defense and  
2 security forces and agencies in the State as  
3 important state concerns;
- 4 (4) Statewide planning and geographic information system.  
5 Collecting, integrating, analyzing, maintaining, and  
6 disseminating various forms of data and information,  
7 including geospatial data and information, to further  
8 effective state planning, policy analysis and  
9 development, and delivery of government services by:
- 10 (A) Collecting, assembling, organizing, evaluating,  
11 and classifying existing geospatial and non-  
12 geospatial data and performing necessary basic  
13 research, conversions, and integration to provide  
14 a common database for governmental planning and  
15 geospatial analyses by state agencies;
- 16 (B) Planning, coordinating, and maintaining a  
17 comprehensive, shared statewide planning and  
18 geographic information system and associated  
19 geospatial database. The office shall be the  
20 lead agency responsible for coordinating the  
21 maintenance of the multi-agency, statewide  
22 planning and geographic information system and





1 coordinating, collecting, integrating, and  
2 disseminating geospatial data sets that are used  
3 to support a variety of state agency applications  
4 and other spatial data analyses to enhance  
5 decision-making. The office shall promote and  
6 encourage free and open data sharing among and  
7 between all government agencies. To ensure the  
8 maintenance of a comprehensive, accurate, up-to-  
9 date geospatial data resource that can be drawn  
10 upon for decision making related to essential  
11 public policy issues such as land use planning,  
12 resource management, homeland security, and the  
13 overall health, safety, and well-being of  
14 Hawaii's citizens, and to avoid redundant data  
15 development efforts, state agencies shall provide  
16 to the shared system either their respective  
17 geospatial databases or, at a minimum, especially  
18 in cases of secure or confidential data sets that  
19 cannot be shared or must be restricted, metadata  
20 describing existing geospatial data. In cases  
21 where agencies provide restricted data, the



1 office of planning shall ensure the security of  
2 that data; and

3 (C) Maintaining a centralized depository of state and  
4 national planning references;

5 (5) Land use planning. Developing and presenting the  
6 position of the State in all boundary change petitions  
7 and proceedings before the land use commission,  
8 assisting state agencies in the development and  
9 submittal of petitions for land use district boundary  
10 amendments, and conducting periodic reviews of the  
11 classification and districting of all lands in the  
12 State, as specified in chapter 205;

13 (6) Coastal and ocean policy management. Carrying out the  
14 lead agency responsibilities for the Hawaii coastal  
15 zone management program, as specified in chapter  
16 205A. Also, developing and maintaining an ocean and  
17 coastal resources information, planning, and  
18 management system further developing and coordinating  
19 implementation of the ocean resources management plan,  
20 and formulating ocean policies with respect to the  
21 exclusive economic zone, coral reefs, and national  
22 marine sanctuaries;



1 (7) Regional planning and studies. Conducting plans and  
2 studies to determine:

3 (A) The capability of various regions within the  
4 State to support projected increases in both  
5 resident populations and visitors;

6 (B) The potential physical, social, economic, and  
7 environmental impact on these regions resulting  
8 from increases in both resident populations and  
9 visitors;

10 (C) The maximum annual visitor carrying capacity for  
11 the State by region, county, and island; and

12 (D) The appropriate guidance and management of  
13 selected regions and areas of statewide critical  
14 concern.

15 The studies in subparagraphs (A) to (C) shall be  
16 conducted at appropriate intervals, but not less than  
17 once every five years; ~~and~~

18 (8) Smart growth. Developing, planning, and coordinating  
19 the implementation of smart growth principles,  
20 including infill development; and

21 ~~(8)~~ (9) Regional, national, and international planning.  
22 Participating in and ensuring that state plans,



1 policies, and objectives are consistent, to the extent  
2 practicable, with regional, national, and  
3 international planning efforts."

4 SECTION 5. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect on July 1, 2011.

7

INTRODUCED BY: \_\_\_\_\_



JAN 26 2011



**Report Title:**

Development; Smart Growth; Sustainability

**Description:**

Requires the Office of Planning to coordinate smart growth planning.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

