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# A BILL FOR AN ACT

RELATING TO COMPLETE STREETS.

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

1           SECTION 1. The legislature finds that complete streets  
2 that are designed not only for drivers, but also for  
3 pedestrians, bicyclists, and people with disabilities, are safer  
4 and more convenient. Therefore, the Hawaii community  
5 development authority shall establish and implement community  
6 development rules regarding complete streets.

7           Because the development of complete streets will oftentimes  
8 involve improvements to county highways and land owned by the  
9 county adjacent to county highways, it is necessary to establish  
10 a procedure by which the affected county will be notified of the  
11 proposed improvements and given an opportunity to present its  
12 position on such improvements prior to decision-making by the  
13 Hawaii community development authority.

14           Accordingly, the purpose of this Act is to require the  
15 Hawaii community development authority, when considering a  
16 developer's proposal that includes improvements to county  
17 highways or county-owned adjacent lands, to:



- 1 (1) Provide the opportunity for a county that is affected  
2 by the proposal to present its position on the  
3 proposed improvements at a public hearing; and
- 4 (2) Adopt findings that conclude the proposed improvements  
5 are consistent with the county's complete streets  
6 policy and principles and current best practices, and  
7 national complete streets best practice guidelines,  
8 prior to approving the proposed improvements.

9 SECTION 2. Section 206E-5.6, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 " **[+]§206E-5.6[+]** **Public hearing for decision making;**  
12 **separate hearing required.** (a) When rendering a decision  
13 regarding:

14 (1) An amendment to any of the authority's community  
15 development rules established pursuant to chapter 91  
16 and section 206E-7; or

17 (2) The acceptance of a developer's proposal to develop  
18 lands under the authority's control,  
19 the authority shall render its decision at a public hearing  
20 separate from the hearing that the proposal under paragraph (1)  
21 or (2) was presented.



1 (b) The authority shall issue a public notice in  
2 accordance with section 1-28.5 and post the notice on its  
3 website; provided that the decision-making hearing shall not  
4 occur earlier than five business days after the notice is  
5 posted. Prior to rendering a decision, the authority shall  
6 provide the general public with the opportunity to testify at  
7 its decision-making hearing.

8 (c) The authority shall notify the president of the senate  
9 and the speaker of the house:

10 (1) Of any public hearing upon posting of the hearing  
11 notice; and

12 (2) With a report detailing the public's reaction at the  
13 public hearing, within one week after the hearing.

14 (d) Whenever a developer's proposal to develop lands under  
15 the authority's control includes improvements to a county  
16 highway, as defined in section 264-1, or any land owned by the  
17 county adjacent to a county highway in accordance with the  
18 complete streets rules adopted by the authority, the authority  
19 shall notify the mayor of the affected county and provide the  
20 affected county with an opportunity to present its position on  
21 the proposed improvements at the public hearing at which the  
22 proposal is presented; provided that the public hearing shall



1 not occur earlier than twenty days after the notice is given.

2 If the authority approves the proposed improvements to a county

3 highway or any land owned by the county adjacent to a county

4 highway, the authority's decision shall include findings that

5 the proposed improvements are:

6 (1) Consistent with the affected county's adopted complete  
7 streets policy and principles;

8 (2) Consistent with national complete streets best  
9 practice guidelines; and

10 (3) Reflective of current best practices in the affected  
11 county.

12 (e) A decision issued by the authority in compliance with  
13 this section shall be final and binding on the county. The  
14 county shall permit the approved improvements to be constructed  
15 and once the improvements are constructed in accordance with the  
16 complete streets rules adopted by the authority, the county  
17 shall, without qualification, accept dedication thereof."

18 SECTION 3. Section 206E-7, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "[+]§206E-7[+] **Community development rules.** The authority  
21 shall establish community development rules under chapter 91 on  
22 health, safety, building, planning, zoning, [~~and~~] land use, and



1 complete streets which, upon final adoption [~~of a community~~  
2 ~~development plan~~], shall supersede all other inconsistent  
3 ordinances [~~and~~], rules, and regulations relating to the use,  
4 zoning, planning, and development of land and construction  
5 thereon. Rules adopted under this section shall follow existing  
6 law, rules, ordinances, and regulations as closely as is  
7 consistent with standards meeting minimum requirements of good  
8 design, pleasant amenities, health, safety, and coordinated  
9 development. The authority may, in the community development  
10 plan or by a community development rule, provide that lands  
11 within a community development district shall not be developed  
12 beyond existing uses or that improvements thereon shall not be  
13 demolished or substantially reconstructed, or provide other  
14 restrictions on the use of the lands."

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

17 SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Hawaii Community Development Authority; Complete Streets

**Description:**

Requires the Hawaii Community Development Authority to establish complete streets rules that provide for input from a county whose highway lands are affected by a proposal that includes complete streets for community development districts. (HB859 HD2)

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

