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ECONOMIC DEVELOPMENT & TOURISM**

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STATEMENT OF

RICHARD C. LIM

Director

Department of Business Economic Development and Tourism

Before the

HOUSE COMMITTEE ON FINANCE

Monday, February 25, 2013

1:30 PM

State Capitol, Conference Room 308

in consideration of

HB 859, HD 2

RELATING TO COMPLETE STREETS.

Chair Luke, Vice Chairs Nishimoto and Johanson, and Members of the Committee.

The Department of Business, Economic Development, and Tourism (DBEDT) is in support of HB 859, HD 2, which authorizes the Hawaii Community Development Authority (HCDA) to establish community development rules regarding “Complete Streets,” and establish a procedure by which an affected county may present its position on proposed improvements to county highways or land owned by the county adjacent to county highways prior to the Authority’s decision-making.

The passage of this administrative proposal establishing “complete streets” or roadway facilities that are not “car-centric,” but rather promote safe, convenient and efficient modes of transportation for all modes of transportation as well as pedestrians. Accordingly, HCDA should develop design standards that will transform the streets within its community development districts and to coordinate that work, where appropriate, with county authorities.

As development in areas such as the urban core of Honolulu is being pursued, it is important that the community and neighborhoods that are created provide safe, convenient and

efficient accommodations for all modes of transportation within the context of the surrounding land use, without reducing the effectiveness of the roadway to move vehicles. Establishing safe, efficient and convenient streets is a part of any recipe to produce healthy and prosperous communities.

In the course of developing these design standards, it will be important that the community, stakeholders and the general public is involved. However, I am confident that HCDA will provide opportunities for stakeholders and the community to weigh-in to ensure that the streets will indeed be complete in every sense of the word.

Thank you for the opportunity to provide comments in support of passage of this Governor's initiative.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 24, 2013 1:45 PM
To: FINTestimony
Cc: tony@hcdaweb.org
Subject: *Submitted testimony for HB859 on Feb 25, 2013 13:30PM*

HB859

Submitted on: 2/24/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony J.H. Ching	Hawaii Community Development Authority	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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TESTIMONY OPPOSING HB 859, HD 2 RELATING TO COMPLETE STREETS
SUBMITTED BY DOUGLAS MELLER
TO THE HOUSE COMMITTEE ON FINANCE
HEARING SCHEDULED 1:30 PM, FEBRUARY 25, 2013
STATE CONFERENCE ROOM 308

One purpose of this bill is to authorize the HCDA to compel the City and County of Honolulu (City) to accept private dedication of highway improvements and right-of-way that do not comply with City standards. Another purpose of this bill is to authorize the HCDA to override City authority to regulate construction on public highways and abutting property under City jurisdiction. This bill does not compensate or indemnify the City for additional City costs which may arise if the HCDA overrides City standards.

Given the current wording of Section 264-1(c), Hawaii Revised Statutes, I believe this bill conflicts with Article VIII, Section 5 of the State Constitution. Apart from Constitutional issues I oppose this bill because it would encourage developers to manipulate the HCDA to approve problematic case-by-case exceptions from City standards.

If the HCDA or developers want changes in City standards, they should ask the City to modify its standards. If the HCDA or developers want occasional waiver of City standards to address unusual circumstances, they should ask the City. No legislation is needed.

ARTICLE VIII

TRANSFER OF MANDATED PROGRAMS

Section 5. If any new program or increase in the level of service under an existing program shall be mandated to any of the political subdivisions by the legislature, it shall provide that the State share in the cost.

§264-1 Public highways and trails. . . .

(c) . . . In every case where the road, alley, street, bikeway, way, lane, trail, bridge, or highway is constructed and completed as required by any ordinance of the county or any rule, regulation, or resolution thereof having the effect of law, the legislative body of the county shall accept the dedication or surrender of the same without exercise of discretion.