
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.

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

12 Accordingly, the purpose of this Act is to require the
13 Hawaii community development authority to:

- 14 (1) Establish community development rules regarding
15 "complete streets"; and
16 (2) Establish a procedure by which an affected county may
17 present its position on proposed improvements to
18 county highways or land owned by the county adjacent



1 to county highways prior to the authority's decision-
2 making, which shall be final, conclusive, and binding
3 on the affected county.

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

6 " **[+]§206E-5.6[+]** **Public hearing for decision making;**
7 **separate hearing required.** (a) When rendering a decision
8 regarding:

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

12 (2) The acceptance of a developer's proposal to develop
13 lands under the authority's control,
14 the authority shall render its decision at a public hearing
15 separate from the hearing that the proposal under paragraph (1)
16 or (2) was presented.

17 (b) The authority shall issue a public notice in
18 accordance with section 1-28.5 and post the notice on its
19 website; provided that the decision-making hearing shall not
20 occur earlier than five business days after the notice is
21 posted. Prior to rendering a decision, the authority shall



1 provide the general public with the opportunity to testify at
2 its decision-making hearing.

3 (c) The authority shall notify the president of the senate
4 and the speaker of the house:

5 (1) Of any public hearing upon posting of the hearing
6 notice; and

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

9 (d) Whenever a developer's proposal to develop lands under
10 the authority's control includes improvements to a county
11 highway, as defined in section 264-1, or any land owned by the
12 county adjacent to a county highway in accordance with the
13 complete streets rules adopted by the authority, the authority
14 shall notify the mayor of the affected county and provide the
15 affected county with an opportunity to present its position on
16 the proposed improvements at the public hearing at which the
17 proposal is presented; provided that the public hearing shall
18 not occur earlier than twenty days after the notice is given.
19 If the authority approves the proposed improvements to a county
20 highway or any land owned by the county adjacent to a county
21 highway, the authority's decision shall be final and binding on
22 the county. The county shall permit the approved improvements



1 to be constructed and once the improvements are constructed in
2 accordance with the complete streets rules adopted by the
3 authority, the county shall, without qualification, accept
4 dedication thereof."

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

7 "[~~+~~]**\$206E-7**[~~+~~] **Community development rules.** The authority
8 shall establish community development rules under chapter 91 on
9 health, safety, building, planning, zoning, [~~and~~] land use, and
10 complete streets which, upon final adoption [~~of a community~~
11 ~~development plan~~], shall supersede all other inconsistent
12 ordinances, [~~and~~] rules, and regulations relating to the use,
13 zoning, planning, and development of land and construction
14 thereon. Rules adopted under this section shall follow existing
15 law, rules, ordinances, and regulations as closely as is
16 consistent with standards meeting minimum requirements of good
17 design, pleasant amenities, health, safety, and coordinated
18 development. The authority may, in the community development
19 plan or by a community development rule, provide that lands
20 within a community development district shall not be developed
21 beyond existing uses or that improvements thereon shall not be



1 demolished or substantially reconstructed, or provide other
2 restrictions on the use of the lands."

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

5 SECTION 5. This Act shall take effect on July 1, 2020.



Report Title:

Hawaii Community Development Authority; Complete Streets

Description:

Requires the Hawaii Community Development Authority to establish "complete streets" rules for the community development districts and provide for input from a county whose highway lands are affected by a developer's proposal that includes complete streets prior to decision making. Effective July 1, 2020.
(HB859 HD1)

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