
A BILL FOR AN ACT

RELATING TO SMART GROWTH.

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

1 SECTION 1. The legislature finds that state governments
2 across the nation are implementing new growth and development
3 practices to reduce the public costs of growth and preserve the
4 character and economic productivity of established communities
5 and rural areas. Known as "smart growth" strategies, these
6 strategies support condensed development, patterns, the full use
7 of existing systems, and mixed-use and human-scale communities.
8 Additionally, they work to preserve productive farmlands, open
9 space, and important natural areas, and yield better solutions
10 for roadways and housing.

11 Smart growth strategies are primarily successful when state
12 government makes systematic changes that are consistent with the
13 way communities plan for and service development. The State of
14 Maryland effectively uses smart growth strategies by ensuring
15 state investments support the state's own smart growth
16 objectives. Maryland advances this strategy by giving priority
17 to state spending in existing communities or those designated or
18 planned for growth.



- 1 Among the growth-related issues facing Hawaii are:
- 2 (1) Aging;
- 3 (2) Failing infrastructure in older communities;
- 4 (3) Lack of regional infrastructure and support services
- 5 in areas experiencing growth;
- 6 (4) Lack of coordination between state and county capital
- 7 improvement programs;
- 8 (5) Increasing pressure on agricultural lands for
- 9 conversion to other uses;
- 10 (6) Growth in recreational use of the State's conservation
- 11 and coastal resources;
- 12 (7) Insufficient funds and personnel to maintain and
- 13 enhance these resource areas;
- 14 (8) Competing demands for water resources; and
- 15 (9) Limited public funds.

16 The legislature believes a sound initiative is needed to

17 examine and effect changes to ensure that state government is

18 promoting smart growth objectives in Hawaii.

19 The purpose of this Act is to establish a special advisor

20 for smart growth and a smart growth council to assist the

21 governor, legislature, and state agencies to ensure state

22 investments and state actions support smart growth objectives,



1 thereby establishing a smart growth program for the State of
2 Hawaii.

3 SECTION 2. The Hawaii Revised Statutes is amended by
4 adding a new chapter to be appropriately designated and to read
5 as follows:

6 "CHAPTER

7 SMART GROWTH

8 "§ -1 Purpose. The legislature finds that state
9 programs, actions, and investments have a significant influence
10 on the pattern and quality of growth and development in Hawaii.
11 The purpose of this chapter is to coordinate state agency
12 investments and actions with those of the counties, private
13 sector, and communities, to ensure that Hawaii's communities
14 remain strong and our agricultural and natural resource areas
15 are protected.

16 § -2 Special advisor for smart growth. (a) There is
17 established within the office of planning for administrative
18 purposes only, a special advisor for smart growth who shall
19 establish and implement smart growth objectives and strategies
20 for the State. The director of planning shall serve as the
21 special advisor for smart growth. The special advisor's duties



1 shall be in addition to the duties of the director of planning
2 under chapter 225M.

3 (b) The special advisor shall:

4 (1) Develop, coordinate, and implement smart growth
5 objectives and strategies for the State;

6 (2) Assist the state administration in integrating state
7 investment strategies to support smart growth
8 objectives;

9 (3) Assist the state administration in coordinating state
10 plans and infrastructure and service investments with
11 those of the counties, private sector, and
12 communities;

13 (4) Foster partnerships with businesses and community
14 groups to create and implement smart growth projects
15 and programs;

16 (5) Develop and coordinate the implementation of
17 legislative proposals and administrative policies,
18 objectives, programs, and actions necessary to further
19 smart growth objectives, such as:

20 (A) Improving development processes to increase
21 predictability and certainty for communities and
22 developers;



- 1 (B) Ensuring that development and infrastructure
- 2 standards enhance community character and
- 3 livability;
- 4 (C) Developing incentives to facilitate development
- 5 projects that support smart growth objectives;
- 6 (D) Protecting important agricultural lands and
- 7 promoting growth in diversified agriculture;
- 8 (E) Increasing state capacity to manage and protect
- 9 natural resources and critical habitats; and
- 10 (F) Improving the statewide planning and land use
- 11 system to further smart growth objectives;
- 12 (6) Arrange for research and analysis to identify
- 13 appropriate smart growth policies, strategies, and
- 14 tools for the State;
- 15 (7) Assist the smart growth advisory council in conducting
- 16 public education and outreach activities to increase
- 17 public awareness and support for smart growth
- 18 objectives and strategies; and
- 19 (8) Perform other necessary or desirable functions to
- 20 facilitate the intent of this section.
- 21 (c) The special advisor for smart growth may request the
- 22 assistance and cooperation of other state agencies as



1 appropriate. The special advisor for smart growth shall seek
2 and use any available funding sources, including grant moneys,
3 to carry out the special advisor's duties under this section.

4 § -3 Smart growth advisory council. (a) There is
5 established within the office of planning for administrative
6 purposes only, an advisory council to be known as the smart
7 growth advisory council, that shall review and make
8 recommendations on matters relating to smart growth in Hawaii.

9 (b) The council shall be composed of at least fifteen, but
10 no more than twenty-one members appointed by the governor in
11 accordance with section 26-34. Members appointed shall be
12 persons with knowledge of growth and development issues in
13 Hawaii. All members shall also share the concerns of, or have
14 experience working with county government, landowners, the
15 business and development community, or the farming community, or
16 environmental, community-based, or Hawaiian organizations. The
17 council shall include at least one representative from each
18 island. Four of the members shall be appointed from a list of
19 nominees submitted by the speaker of the house of
20 representatives and four shall be appointed from a list of
21 nominees submitted by the president of the senate. The governor
22 shall appoint the chair of the advisory council.



1 (c) Members shall serve for four years; provided that the
2 governor may require the members first appointed to serve two
3 consecutive terms consisting of two years followed by a term of
4 four years.

5 (d) The members of the council shall serve without
6 compensation, but shall be reimbursed for expenses necessary for
7 the performance of their duties.

8 (e) The council shall assist the special advisor for smart
9 growth in establishing the State's smart growth objectives and
10 strategies. The council shall also serve as a forum for cross-
11 sector cooperation and collaboration on matters relating to
12 smart growth in Hawaii. The council shall have the following
13 duties:

14 (1) Advising the governor, the legislature, the special
15 advisor on smart growth, and state agencies on matters
16 relating to smart growth;

17 (2) Advising and assisting in the development,
18 coordination, and implementation of state strategies
19 for smart growth;

20 (3) Serving as a conduit between the governor, the
21 legislature, and the general public for public input,
22 for ideas, recommendations, and concerns regarding



- 1 smart growth;
- 2 (4) Facilitating the establishment of cross-sector
- 3 partnerships to promote and engage businesses and the
- 4 people of Hawaii in the implementation of smart growth
- 5 objectives and strategies;
- 6 (5) Promoting public participation, including public
- 7 education programs, to further awareness and
- 8 implementation of smart growth objectives and
- 9 strategies; and
- 10 (6) Assisting the governor, the legislature, and special
- 11 advisor in monitoring progress in the achievement of
- 12 the State's smart growth objectives.
- 13 (f) In carrying out the duties of this section, the
- 14 council shall seek and use any available funding sources."

15 SECTION 3. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$100,000 or so much
17 thereof as may be necessary for fiscal year 2007-2008 and the
18 sum of \$100,000 or so much thereof as may be necessary for
19 fiscal year 2008-2009 for the expenses of the special advisor
20 for smart growth and the smart growth advisory council.

21 The sums appropriated shall be expended by the office of
22 planning for the purposes of this Act.



1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval;
3 provided that section 3 shall take effect on July 1, 2007, and
4 section 2 shall be repealed on December 31, 2017.

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Report Title:

Smart Growth; Planning

Description:

Establishes a special advisor and smart growth advisory council to implement growth and development strategies to reduce the public costs of growth and preserve the character, livability, and economic productivity of established communities and rural areas.

