



February 18, 2009

Representative Joseph Souki, Chair
COMMITTEE ON TRANSPORTATION
State Capitol, Conference Room 309
415 South Beretania Street

Representative Souki:

Subject: **House Bill No. HB 1462 Relating to Residential Development**

My name is Dean Uchida, Vice President of the Hawaii Developers' Council (HDC). We represent over 200 members and associates in development-related industries. The mission of Hawaii Developers' Council (HDC) is to educate developers and the public regarding land, construction and development issues through public forums, seminars and publications.

It is also the goal of HDC to promote high ethics and community responsibility in real estate development and related trades and professions.

The HDC is in strong opposition to H.B. No. 1462 which proposes to amend Chapter 46 HRS, and include a provision that will require the Counties to certify that all county and state highways contiguous to the residential development are under construction prior to the issuance of any grubbing, grading, or building permit for any residential development.

Again, the proposed legislation does not clearly state what problem is being addressed which requires a change in the statutes. Rather than penalize the private development for governments inability to plan, fund and construct public infrastructure required for "areas of planned growth," the legislature should consider requiring public infrastructure identified in County General/Development/Sustainable Communities Plans be funded within a given period of time once the plans have been adopted.

It is naïve to think that the existing duplicative land use entitle process in Hawaii does not identify where future growth is planned. A residential development is going to be located where government (State and County) have planned for future growth. Why does the responsibility for infrastructure fall on the residential development (i.e. new homeowners) when the developer is responding to market conditions and construction of government infrastructure is based on government land use planning?

We strongly recommend that H.B. No. 1462 be held.

Thank you for the opportunity to provide comments.