
A BILL FOR AN ACT

RELATING TO KAKAAKO.

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

1 SECTION 1. The legislature finds that Honolulu has become
2 the primary urban core for the State, with the increasing
3 concentration of density at its downtown and Kakaako center. In
4 Act 153, Session Laws of Hawaii 1976, the legislature created
5 the Hawaii community development authority as the authority in
6 charge of the planning and development of Kakaako, one of the
7 main centers of urban living in Honolulu. This was due to its
8 central location and largely unplanned and underutilized
9 condition at the time.

10 The State realizes the importance of Kakaako due to its
11 location and has invested millions of dollars in clean-up and
12 the building of infrastructure so that this area can become a
13 high density community. The legislature finds that the State
14 further needs to partner with the landowners in the area to
15 fully develop this community.

16 The opportunities presented by the planning framework in
17 place and the fact that there are but a few large landowners in



1 Kakaako make it imperative that planning incentives continue to
2 be made available for Kakaako in accordance with the Kakaako
3 development plan.

4 As originally envisioned in the Kakaako community
5 development district plan, dated February 1982, Kakaako was
6 projected to have nineteen thousand multi-family units, seventy-
7 five per cent of which were to be made available to Hawaii
8 residents at affordable prices and rents, of which at least
9 twenty per cent would be subject to government restrictions and
10 subsidies for lower income residents and approximately fifty-
11 five per cent for the middle income residents. However, as of
12 2009, only approximately two thousand newly built housing units
13 in Kakaako are deemed to be affordable while five thousand of
14 those newly built housing units are in the luxury range. The
15 legislature has concerns with the reduction of the supply
16 available to low and middle income household groups to what has
17 amounted to twenty per cent of residential unit requirement.
18 Further, with approximately thirty per cent of the designated
19 redevelopment area already developed in the district, it is
20 imperative that an acceptable quantity of affordable housing
21 units be provided in Kakaako for Hawaii residents because
22 Hawaii's taxpayers have made a substantial investment in



1 infrastructural improvements in the Kakaako community
2 development district dedicating it as the urban core of the city
3 of Honolulu as an alternative to further urban sprawl in
4 suburban and rural areas of the island of Oahu.

5 Accordingly, the purpose of this Act is to encourage the
6 development of affordable residential housing units by
7 statutorily imposing a reserved housing requirement for the
8 Kakaako mauka area of the Kakaako community development district
9 for planned developments on land areas in excess of twenty
10 thousand square feet or more.

11 SECTION 2. Chapter 206E, Hawaii Revised Statutes, is
12 amended by adding a new section to part II to be appropriately
13 designated and to read as follows:

14 "§206E- Reserved housing requirement for the Kakaako
15 mauka area. (a) The reserved housing requirement imposed by
16 this section shall apply only to applications for a planned
17 development permit project, that is a development that is forty-
18 five feet or higher in height or contains a floor area ratio of
19 one and one-half or greater. The countable floor area of a
20 development on a lot within the Kakaako mauka area shall be
21 developed and made available for reserved housing units for the
22 following land areas:



1 (1) Less than twenty thousand square feet, there shall be
2 no reserved housing requirements;

3 (2) Between twenty thousand square feet but less than
4 eighty thousand square feet, the reserved housing
5 requirements for any:

6 (A) Residential building square footage shall be
7 twenty per cent; and

8 (B) Commercial building square footage shall be ten
9 per cent; and

10 (3) Eighty thousand square feet or more, the reserved
11 housing requirement for any:

12 (A) Residential building square footage shall be
13 thirty per cent; and

14 (B) Commercial building square footage shall be
15 twenty per cent.

16 If a developer is issued a temporary or permanent
17 certificate of occupancy pursuant to a planned development
18 permit project containing a reserved housing requirement within
19 five years from the effective date of this Act, the authority
20 shall grant a five per cent density bonus for the planned
21 development permit project for every additional twenty thousand
22 square feet of floor area designated by the authority as



1 reserved housing beyond the minimum reserved housing square
2 footage required by a this part; provided that the extra density
3 is used solely for reserved housing units.

4 After five years from the effective date of this Act, each
5 residential and commercial development percentage requirement
6 stated above shall be increased by an additional five per cent
7 of the countable floor area of a development unless the
8 legislature determines there is adequate reserved housing in
9 Kakaako at that time.

10 In order to achieve a proper balance of commercial and
11 residential uses in the urban core, when a five thousand
12 reserved housing inventory in the Kakaako mauka area has been
13 achieved, all reserved housing requirements for commercial floor
14 area developments shall terminate.

15 A project that has a building permit and obtains its
16 certificate of occupancy prior to seven years after the
17 effective date of this Act shall use the percentage as of the
18 effective date of this Act.

19 The developer of the development shall divide the floor
20 area required for reserved housing into, and construct the
21 number, types, and sizes of reserved housing units set by the
22 authority. The authority shall establish sale prices or rents



1 to be charged that are affordable to families intended to be
2 served by the reserved housing units. The authority shall also
3 set the number of parking stalls to be assigned to the reserved
4 housing units.

5 (b) For properties of eighty thousand square feet or more,
6 the following flexibility options shall be applicable to allow a
7 developer to offset the reserved housing requirements under
8 subsection (a):

9 (1) An additional reserved housing requirement credit
10 offset of one-half of one reserved housing requirement
11 credit shall apply if a unit remains an affordable
12 rental for twenty years; and

13 (2) If a developer transfers land to the authority, the
14 developer shall receive one-half of one reserved
15 housing requirement credit for each reserved housing
16 unit developed by the authority.

17 (c) Notwithstanding any law to the contrary, the for-sale
18 reserved housing units shall remain reserved housing units for
19 not less than ten years; provided that if a purchaser of a
20 reserved housing unit wishes to transfer the title of the
21 housing unit before the ten year period expires, the authority



1 shall have the right of first refusal to purchase the housing
2 unit at a price that shall not exceed the sum of:

3 (1) The original purchase price of the housing unit, as
4 defined in rules adopted pursuant to chapter 91 by the
5 authority;

6 (2) The cost of any improvement made by a the purchaser to
7 the housing unit, as defined by a rules adopted
8 pursuant to chapter 91 by the authority; and

9 (3) Simple interest on the original purchase price of the
10 housing unit and any capital improvement costs paid by
11 the purchaser at the rate of one per cent per year;

12 provided that this subsection shall not apply to any reserved
13 housing unit that is developed on private land that has not
14 received any governmental monetary subsidy.

15 (d) All reserved housing units developed shall be exempt
16 from all infrastructure assessments and public facilities fees
17 imposed by the authority.

18 (e) The authority shall set the types and sizes of
19 amenities, in accordance with any limited amenities requirements
20 as stated in the definition of "reserved housing units", to be
21 included in the reserved housing units and establish sale prices
22 or rents to be charged that are affordable to families intended



1 to be served by the reserved housing units in order to promote
2 the provision of the reserved housing units. The authority also
3 shall set the number of parking stalls to be assigned to the
4 reserved housing units. The authority may adopt rules providing
5 for a contribution, in lieu of the provision of reserved housing
6 units, of a fee simple assignment of real property within the
7 Kakaako mauka area.

8 (f) Subject to the rules of the authority, reserved
9 housing units shall be built and made available for occupancy
10 prior to or concurrently with the development of the lot that
11 required the provision of the reserved housing units. The
12 authority shall prohibit the issuance of any certificate of
13 occupancy for any of the other uses before the issuance of the
14 certificate of occupancy for all the required reserved housing
15 floor area or units.

16 (g) Any project that provides more reserved housing units
17 or floor area than is required under this section may transfer
18 excess housing credits to another project in the Kakaako
19 community development district toward satisfaction of the
20 reserved housing units requirement of that project as follows:

21 (1) \$70,000 for a studio with one bathroom not exceeding
22 five hundred square feet;



- 1 (2) \$90,000 for a one-bedroom with one bathroom not
2 exceeding six hundred square feet;
- 3 (3) \$110,000 for a two-bedroom with one bathroom not
4 exceeding eight hundred fifty square feet;
- 5 (4) \$120,000 for a two-bedroom with one and one-half
6 bathrooms not exceeding nine hundred square feet;
- 7 (5) \$130,000 for a two-bedroom with two bathrooms not
8 exceeding one thousand square feet;
- 9 (6) \$135,000 for a three-bedroom with one and one-half
10 bathrooms not exceeding one thousand one hundred
11 square feet;
- 12 (7) \$140,000 for a three-bedroom with two bathrooms not
13 exceeding one thousand two hundred square feet; and
- 14 (8) \$145,000 for a four-bedroom with two bathrooms not
15 exceeding one thousand three hundred square feet.

16 The authority shall annually review the amount and price
17 for the transfer of the excess credits and is authorized to
18 increase the amount as deemed necessary; provided that the
19 authority shall consider adjustments in construction costs and
20 changes based on government subsidies received. The terms of
21 the reserved housing credits transfer shall be approved by the
22 authority.



1 (h) For the purposes of this section:

2 "Community service use" means any of the following uses:

3 (1) Nursing or convalescent home, nursing facility,
4 assisted living administration, or ancillary assisted
5 living amenities for the elderly or persons with
6 disabilities;

7 (2) Child care, day care, or senior citizen center;

8 (3) Nursery school or kindergarten;

9 (4) Church;

10 (5) Charitable institution or nonprofit organization;

11 (6) Public use;

12 (7) Public utility; or

13 (8) Consulate.

14 "Countable floor area" of a development means the total
15 floor area of every building on the lot of a development, except

16 the floor area developed for the following:

17 (1) Industrial use;

18 (2) Community service use; or

19 (3) Special facility use;

20 provided that the term "industrial use" shall be defined by

21 rules adopted by the Hawaii community development authority



1 applicable to the Kakaako community development district as of
2 the effective date of this Act.

3 "Development" means the construction of a new building or
4 other structure on a lot, the relocation of an existing building
5 on another lot, the use of a tract of land for a new use, or the
6 enlargement of an existing building or use.

7 "Floor area":

8 (1) Means the total area of the several floors of a
9 building, including basement but not unroofed areas,
10 measured from the exterior faces of the exterior walls
11 or from the center line of party walls separating
12 portions of a building. The floor area of a building
13 or portion thereof not provided with surrounding
14 exterior walls shall be the usable area under the
15 horizontal projection of the roof or floor above,
16 excluding elevator shafts, corridors, and stairways;
17 and

18 (2) Shall not include the area for parking facilities and
19 loading spaces, driveways, access ways, lanai or
20 balconies of dwelling or lodging units that do not
21 exceed fifteen per cent of the total floor area of the
22 units to which they are appurtenant, attic areas with



1 head room less than seven feet, covered rooftop areas,
2 and rooftop machinery, equipment, and elevator
3 housings on the top of buildings.

4 "Kakaako mauka area" means that portion of the Kakaako
5 community development district established by section 206E-32,
6 that is bound by King Street, Piikoi Street from its
7 intersection with King Street to Ala Moana Boulevard, Ala Moana
8 Boulevard, exclusive, from Piikoi Street to its intersection
9 with Punchbowl Street, and Punchbowl Street to its intersection
10 with King Street.

11 "Lot" means a duly recorded parcel of land that can be
12 used, developed, or built upon as a unit.

13 "Median income" means the median annual income, adjusted
14 for family size, for households in the city and county of
15 Honolulu as most recently established by the United States
16 Department of Housing and Urban Development for the Section 8
17 housing assistance payment program.

18 "Planned development permit" means the permit issued by the
19 authority for new construction developments that are over forty-
20 five feet in height or have a floor area ratio greater than one
21 and one-half.

22 "Reserved housing unit":



- 1 (1) Means a multi-family dwelling unit that is developed
- 2 for:
- 3 (A) Purchase by a family that:
- 4 (i) Has an income of not more than one hundred
- 5 forty per cent of the median income; and
- 6 (ii) Complies with other eligibility requirements
- 7 established by statute or rule; or
- 8 (B) Rent to a family that:
- 9 (i) Has an income of not more than one hundred
- 10 per cent of the median income; and
- 11 (ii) Complies with other eligibility requirements
- 12 established by statute or rule;
- 13 (2) Shall be one of the following types of dwelling units:
- 14 (A) Studio with one bathroom, not exceeding five
- 15 hundred square feet in size;
- 16 (B) One bedroom with one bathroom, not exceeding six
- 17 hundred square feet in size;
- 18 (C) Two bedrooms with one bathroom, not exceeding
- 19 eight hundred square feet in size;
- 20 (D) Two bedrooms with one and one-half bathrooms, not
- 21 exceeding nine hundred square feet in size;



1 (E) Two bedrooms with two bathrooms not exceeding one
2 thousand square feet in size;

3 (F) Three bedrooms with one and one-half bathrooms,
4 not exceeding one thousand one hundred square
5 feet in size;

6 (G) Three bedrooms with two bathrooms, not exceeding
7 one thousand two hundred square feet in size; and

8 (H) Four bedrooms with two bathrooms, not exceeding
9 one thousand three hundred square feet in size;
10 and

11 (3) Shall be a multi-family unit that contains limited
12 amenities and is not included in a central air
13 conditioned building.

14 "Special facility use" means a use in a "special facility"
15 as defined under section 206E-181."

16 SECTION 3. Section 206E-4, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§206E-4 Powers; generally.** Except as otherwise limited
19 by this chapter, the authority may:

20 (1) Sue and be sued;

21 (2) Have a seal and alter the same at pleasure;



- 1 (3) Make and execute contracts and all other instruments
2 necessary or convenient for the exercise of its powers
3 and functions under this chapter;
- 4 (4) Make and alter bylaws for its organization and
5 internal management;
- 6 (5) Make rules with respect to its projects, operations,
7 properties, and facilities, which rules shall be in
8 conformance with chapter 91;
- 9 (6) Through its executive director appoint officers,
10 agents, and employees, prescribe their duties and
11 qualifications, and fix their salaries, without regard
12 to chapter 76;
- 13 (7) Prepare or cause to be prepared a community
14 development plan for all designated community
15 development districts;
- 16 (8) Acquire, reacquire, or contract to acquire or
17 reacquire by grant or purchase real, personal, or
18 mixed property or any interest therein; to own, hold,
19 clear, improve, and rehabilitate, and to sell, assign,
20 exchange, transfer, convey, lease, or otherwise
21 dispose of or encumber the same;



- 1 (9) Acquire or reacquire by condemnation real, personal,
2 or mixed property or any interest therein for public
3 facilities, including [~~but not limited to~~] streets,
4 sidewalks, parks, schools, and other public
5 improvements;
- 6 (10) By itself, or in partnership with qualified persons,
7 acquire, reacquire, construct, reconstruct,
8 rehabilitate, improve, alter, or repair, or provide
9 for the construction, reconstruction, improvement,
10 alteration, or repair of any project; own, hold, sell,
11 assign, transfer, convey, exchange, lease, or
12 otherwise dispose of or encumber any project, and in
13 the case of the sale of any project, accept a purchase
14 money mortgage in connection therewith; and repurchase
15 or otherwise acquire any project [~~which~~] that the
16 authority has [~~theretofore~~] sold or otherwise
17 conveyed, transferred, or disposed of;
- 18 (11) Arrange or contract for the planning, replanning,
19 opening, grading, or closing of streets, roads,
20 roadways, alleys, or other places, or for the
21 furnishing of facilities or for the acquisition of



- 1 property or property rights or for the furnishing of
2 property or services in connection with a project;
- 3 (12) Grant options to purchase any project or to renew any
4 lease entered into by it in connection with any of its
5 projects, on [such] terms and conditions as it deems
6 advisable;
- 7 (13) Prepare or cause to be prepared plans, specifications,
8 designs, and estimates of costs for the construction,
9 reconstruction, rehabilitation, improvement,
10 alteration, or repair of any project, and from time to
11 time to modify [such] the plans, specifications,
12 designs, or estimates;
- 13 (14) Provide advisory, consultative, training, and
14 educational services, technical assistance, and advice
15 to any person, partnership, or corporation, either
16 public or private, to carry out the purposes of this
17 chapter, and engage the services of consultants on a
18 contractual basis for rendering professional and
19 technical assistance and advice;
- 20 (15) Procure insurance against any loss in connection with
21 its property and other assets and operations in [such]



- 1 amounts and from [such] insurers as it deems
2 desirable;
- 3 (16) Contract for and accept gifts or grants in any form
4 from any public agency or from any other source;
- 5 (17) Do any and all things necessary to carry out its
6 purposes and exercise the powers given and granted in
7 this chapter; and
- 8 (18) Allow satisfaction of any affordable housing
9 requirements imposed by law or the authority upon any
10 proposed development project through the construction
11 of reserved housing[7] units, as defined in section
12 [~~206E-1017~~] 206E-_____, by a person on land located
13 outside the [~~geographic boundaries of the authority's~~
14 ~~jurisdiction; provided that the authority shall not~~
15 ~~permit any person to make cash payments in lieu of~~
16 ~~providing reserved housing, except to account for any~~
17 ~~fractional unit that results after calculating the~~
18 ~~percentage requirement against residential floor space~~
19 ~~or total number of units developed. The substituted~~
20 ~~housing shall be located on the same island as the~~
21 ~~development project and shall be substantially equal~~
22 ~~in value to the required reserved housing units that~~



1 ~~were to be developed on site. The authority shall~~
2 ~~establish the following priority in the development of~~
3 ~~reserved housing:~~

4 ~~(A) Within the] lot of the proposed development~~
5 ~~project, but within the same community~~
6 ~~development district;~~

7 ~~[(B) Within areas immediately surrounding the~~
8 ~~community development district;~~

9 ~~(C) Areas within the central urban core;~~

10 ~~(D) In outlying areas within the same island as the~~
11 ~~development project.] provided that the~~
12 ~~prohibitions of section 206E-31.5(2) shall apply.~~

13 The Hawaii community development authority shall
14 adopt rules relating to the approval of reserved
15 housing [~~that are~~] units to be developed outside [of a
16 ~~community development district. The rules shall~~
17 ~~include, but are not limited to, the establishment of~~
18 ~~guidelines to ensure compliance with the above~~
19 ~~priorities.] the lot of a proposed development~~
20 ~~project, but within the same community development~~
21 ~~district, in accordance with this paragraph."~~



1 SECTION 4. Section 206E-15, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§206E-15 Residential projects; cooperative agreements.

4 ~~[(a)]~~ If the authority deems it desirable to develop a
5 residential project, it may enter into an agreement with
6 qualified persons to construct, maintain, operate, or otherwise
7 dispose of the residential project. Sale, lease, or rental of
8 dwelling units in the project shall be as provided by ~~[the]~~
9 rules established by the authority. The authority may enter
10 into cooperative agreements with the Hawaii housing finance and
11 development corporation for the financing, development,
12 construction, sale, lease, or rental of dwelling units and
13 projects.

14 ~~[(b)]~~ ~~The authority may transfer the housing fees collected~~
15 ~~from private residential developments for the provision of~~
16 ~~housing for residents of low or moderate income to the Hawaii~~
17 ~~housing finance and development corporation for the financing,~~
18 ~~development, construction, sale, lease, or rental of such~~
19 ~~housing within or without the community development districts.~~
20 ~~The fees shall be used only for projects owned by the State or~~
21 ~~owned or developed by a qualified nonprofit organization. For~~
22 ~~the purposes of this section, "nonprofit organization" means a~~



1 ~~corporation, association, or other duly chartered organization~~
2 ~~registered with the State, which organization has received~~
3 ~~charitable status under the Internal Revenue Code of 1986, as~~
4 ~~amended.] "~~

5 SECTION 5. Section 206E-33, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§206E-33 Kakaako community development district;
8 development guidance policies. The following shall be the
9 development guidance policies generally governing the
10 authority's action in the Kakaako community development
11 district:

12 (1) Development shall result in a community [~~which~~] that
13 permits an appropriate land mixture of residential,
14 commercial, industrial, and other uses. In view of
15 the innovative nature of the mixed use approach, urban
16 design policies should be established to provide
17 guidelines for the public and private sectors in the
18 proper development of this district; while the
19 authority's development responsibilities apply only to
20 the area within the district, the authority may engage
21 in any studies or coordinative activities permitted in
22 this chapter [~~which~~] that affect areas lying outside



1 the district, where the authority in its discretion
2 decides that those activities are necessary to
3 implement the intent of this chapter. The studies or
4 coordinative activities shall be limited to facility
5 systems, resident and industrial relocation, and other
6 activities with the counties and appropriate state
7 agencies. The authority may engage in construction
8 activities outside of the district; provided that
9 [~~such~~] the construction relates to infrastructure
10 development or residential or business relocation
11 activities; provided further, notwithstanding section
12 206E-7, that [~~such~~] the construction shall comply with
13 the general plan, development plan, ordinances, and
14 rules of the county in which the district is located;

15 (2) Existing and future industrial uses shall be permitted
16 and encouraged in appropriate locations within the
17 district. No plan or implementation strategy shall
18 prevent continued activity or redevelopment of
19 industrial and commercial uses [~~which~~] that meet
20 reasonable performance standards;

21 (3) Activities shall be located [~~so-as~~] to provide primary
22 reliance on public transportation and pedestrian



- 1 facilities for internal circulation within the
2 district or designated subareas;
- 3 (4) Major view planes, view corridors, and other
4 environmental elements, such as natural light and
5 prevailing winds, shall be preserved through necessary
6 regulation and design review;
- 7 (5) Redevelopment of the district shall be compatible with
8 plans and special districts established for the Hawaii
9 Capital District, and other areas surrounding the
10 Kakaako district;
- 11 (6) Historic sites and culturally significant facilities,
12 settings, or locations shall be preserved;
- 13 (7) Land use activities within the district, where
14 compatible, shall to the greatest possible extent be
15 mixed horizontally, that is, within blocks or other
16 land areas, and vertically, as integral units of
17 multi-purpose structures;
- 18 (8) Residential development may require a mixture of
19 densities, building types, and configurations in
20 accordance with appropriate urban design guidelines [7]
21 and the integration, both vertically and horizontally,
22 of residents of varying incomes, ages, and family



1 groups; [~~and an increased supply of housing for~~
2 ~~residents of low or moderate income may be required as~~
3 ~~a condition of redevelopment in residential use.]~~

4 provided that the reserved housing requirements of
5 section 206E- shall be imposed upon a development
6 when applicable. Residential development shall
7 provide necessary community facilities, such as open
8 space, parks, community meeting places, child care
9 centers, parking stalls consistent with county
10 requirements, and other services, within and adjacent
11 to residential development; and

12 (9) Public facilities within the district shall be
13 planned, located, and developed [~~se as~~] to support the
14 redevelopment policies for the district established by
15 this chapter and plans and rules adopted pursuant to
16 it."

17 SECTION 6. Section 206E-101, Hawaii Revised Statutes, is
18 amended by amending the definition of "reserved housing" to read
19 as follows:

20 "Reserved housing" means [~~housing designated for residents~~
21 ~~in the low or moderate income ranges who meet such]~~ a reserved
22 housing unit, as defined under section 206E- , developed and



1 made available for purchase by a family that has a household
2 income of not more than one hundred forty per cent of the area
3 median income and that meets other eligibility requirements as
4 the authority may adopt by rule."

5 SECTION 7. The Hawaii community development authority
6 shall adopt new or amend existing rules to implement this Act
7 without regard to the public notice and public hearing
8 requirements of section 91-3, Hawaii Revised Statutes, or the
9 small business impact review requirements of chapter 201M,
10 Hawaii Revised Statutes. The authority shall adopt the rules no
11 later than . Any subsequent amendment of the rules
12 adopted pursuant to this section shall be subject to all
13 applicable provisions of chapters 91 and 201M, Hawaii Revised
14 Statutes.

15 SECTION 8. Any building that has been issued a foundation
16 or building permit or is under construction prior to the
17 effective date of this Act shall not be subject to this Act or
18 rules adopted pursuant to section 7 of this Act; provided that
19 any existing building or building under construction shall not
20 qualify for any excess housing credit provided for in section 2
21 of this Act. The development shall be subject to the laws and
22 rules in effect on the date of the permit application.



1 SECTION 9. (a) Twenty days prior to the convening of the
2 regular session of 2014, the Hawaii community development
3 authority shall submit a report to the legislature, including
4 any proposed legislation, on the status of its reserved housing
5 program in the Kakaako community development district.

6 (b) The report shall set forth:

7 (1) The total number of reserved housing units contained
8 in the Kakaako community development district at the
9 time of the report, broken down with regard to:

10 (A) Size and type of unit;

11 (B) Age group of occupants of the units; and

12 (C) Whether the units were sold or rented;

13 (2) The number of reserved housing units that were
14 provided or are under construction at the time of the
15 report as a result of the requirements of this Act;

16 (3) A recommendation whether the reserved housing
17 requirements contained in this Act should be reduced,
18 remain unchanged, or increased; and

19 (4) Any other information that it deems relevant to its
20 reserved housing program in the Kakaako community
21 development district.



1 SECTION 10. This Act shall apply to the unbuilt portion of
 2 a major development within the area of approval of an approved
 3 master plan; provided that the developer shall have four years
 4 from the effective date of this Act to obtain all necessary
 5 building or planned development permits to start construction of
 6 a specific building, complete any required grading and
 7 infrastructure improvements for the major development, and
 8 commence construction of the unbuilt portion of the major
 9 development before this Act shall apply; provided that any
 10 portion of the required affordable housing requirement that is
 11 completed within the four year period shall be the only portion
 12 that shall not be applicable to the new requirements imposed by
 13 this Act.

14 SECTION 11. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 12. This Act shall take effect upon its approval.
 17

INTRODUCED BY: *Calvin H. Sy*

JAN 27 2010



Report Title:

Kakaako Community Development District, Mauka Area; Reserved Housing

Description:

Imposes reserved housing requirement for residential and commercial planned development permit projects greater than 45 feet in height or containing a floor area ratio greater than 1 1/2 on a lot 20,000 square feet or greater in size in the Kakaako community development district, mauka area.

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