

STAND. COM. REP. NO.

1078

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 948
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Education and Housing and Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 948, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO KAKAAKO,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Increase the reserved housing requirement for a development in the Kakaako Community Development District, Mauka Area, for lots three acres or more in area to twenty-five per cent of the countable floor area of the development; and
- (2) Direct the Hawaii Community Development Authority to submit a report prior to the convening of the 2017 Regular Session on its reserved housing program in the Kakaako Community Development District.

Testimony in support of this measure was submitted by three private organizations and one individual. Testimony in opposition was submitted by six private organizations. Comments were submitted by one state agency, two private organizations, and one individual. Written testimony presented to the Committees may be reviewed on the Legislature's website.



Your Committees have replaced the contents of this measure with S.B. No. 1350, S.D. 2, previously heard and approved by your Committees.

As amended, this measure:

- (1) Establishes reserved housing requirements of at least fifty per cent of the countable floor area for planned developments of at least 80,000 square feet, increasing to sixty per cent five years from the effective date of the measure;
- (2) Excludes community service use, including a public utility; special facility use; and industrial use from the countable floor area;
- (3) Excludes properties of one acre or less from the reserved housing requirement;
- (4) Allows in lieu cash payments to the Authority as an alternative to fulfilling the reserved housing requirements;
- (5) Requires that reserved housing units be built prior to or concurrent with a planned development;
- (6) Requires the Authority to adopt rules;
- (7) Provides for the adoption of applicable rules by means of an expedited process and indicates for what planned developments applications may or may not be accepted or processed by the Authority, pending adoption of such rules;
- (8) Exempts any major development for which a building permit is pending from being subject to the rules adopted pursuant to this measure, and clarifying that such developments are subject to the statutes and rules in effect on the date of the building permit application for a period of five years from the effective date of the Act, after which time the provisions of this Act are applicable to any unbuilt portions of the development; and



- (9) Makes the measure effective July 1, 2050, for the purposes of continuing discussion.

Your Committees have also considered a tiered "countable floor area" as follows:

<u>Reserved Housing</u>	<u>Land Area</u>
0 per cent	under 19,999 square feet
20 per cent	20,000 - 39,999 square feet
25 per cent	40,000 - 79,999 square feet
30 per cent	80,000 - 99,999 square feet
35 per cent	100,000 - 119,999 square feet
40 per cent	120,000 square feet and over

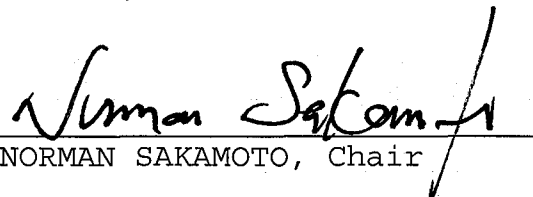
Your Committees find that the tiered approach is an alternative that merits consideration and urges further legislative discussion of this proposal, and its impacts on the development of reserved housing.

As affirmed by the records of votes of the members of your Committees on Education and Housing and Water, Land, Agriculture, and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 948, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 948, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on behalf of the members of the Committees on Education and Housing and Water, Land, Agriculture, and Hawaiian Affairs,



CLAYTON HEE, Chair



NORMAN SAKAMOTO, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Education and Housing
EDH

Bill / Resolution No. :* HB948 HDI	Committee Referral: EDH/WTL, JGO	Date: 3-23-09
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended
 2312
 Pass, with amendments
 2311
 Hold
 2310
 Recommit
 2313

Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
GALUTERIA, Brickwood	✓			
TSUTSUI, Shan S.				✓
HEMMINGS, Fred				✓
TOTAL	4			2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Michelle N. Kidani*

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*Only one measure per Record of Votes

The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

Bill / Resolution No.:*	Committee Referral:	Date:
HB 948 HD1	EDH/WTL, JGO	7/20/09


The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
TOKUDA, Jill N. (VC)	✓			
BUNDA, Robert	✓			
FUKUNAGA, Carol	✓			
KOKUBUN, Russell S.	✓			
TAKAMINE, Dwight Y.				✓
HEMMINGS, Fred				✓
TOTAL	5	0	0	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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