
A BILL FOR AN ACT

RELATING TO COMMUNITY DEVELOPMENT.

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

1 SECTION 1. Chapter 206E, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 "PART . HALAWA COMMUNITY DEVELOPMENT DISTRICT

5 206E- District established; boundaries. (a) The
6 Halawa community development district is established.

7 (b) The district shall include the one hundred four acres
8 of land upon which the aloha stadium is situated and appurtenant
9 thereto; provided that the control of the stadium facility and
10 any events conducted therein shall remain under the jurisdiction
11 of the stadium authority established pursuant to section 109-1.

12 §206E- Prohibitions. Anything contained in this
13 chapter to the contrary notwithstanding, the authority is
14 prohibited from selling or otherwise assigning the fee simple
15 interest in any lands in the Halawa community development
16 district to which the authority in its corporate capacity holds
17 title, except with respect to:

18 (1) Utility easements;



- 1 (2) Remnants as defined in section 171-52;
- 2 (3) Grants to any state or county department or agency; or
- 3 (4) Private entities for purposes of any easement,
- 4 roadway, or infrastructure improvements.

5 **§206E- Halawa community development district;**
 6 **development guidance policies.** The following shall be the
 7 development guidance policies generally governing the
 8 authority's action in the Halawa community development district:

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



1 coordinative activities shall be limited to facility
2 systems, resident and industrial relocation, and other
3 activities with the counties and appropriate state
4 agencies. The authority may engage in construction
5 activities outside of the district; provided that the
6 construction relates to infrastructure development or
7 residential or business relocation activities;
8 provided further, notwithstanding section 206E-7, that
9 any construction shall comply with the general plan,
10 development plan, ordinances, and rules of the county
11 in which the district is located;

12 (2) Existing and future industrial uses shall be permitted
13 and encouraged in appropriate locations within the
14 district. No plan or implementation strategy shall
15 prevent continued activity or redevelopment of
16 industrial and commercial uses that meet reasonable
17 performance standards;

18 (3) Activities shall be located to provide primary
19 reliance on public transportation and pedestrian
20 facilities for internal circulation within the
21 district or designated subareas;



- 1 (4) Major view planes, view corridors, and other
2 environmental elements such as natural light and
3 prevailing winds, shall be preserved through necessary
4 regulation and design review;
- 5 (5) Historic sites and culturally significant facilities,
6 settings, or locations shall be preserved;
- 7 (6) Land use activities within the district, where
8 compatible, to the greatest possible extent, shall be
9 mixed horizontally, that is, within blocks or other
10 land areas, and vertically, as integral units of
11 multi-purpose structures;
- 12 (7) Residential development may require a mixture of
13 densities, building types, and configurations in
14 accordance with appropriate urban design guidelines;
15 integration both vertically and horizontally of
16 residents of varying incomes, ages, and family groups;
17 and an increased supply of housing for residents of
18 low- or moderate-income may be required as a condition
19 of redevelopment in residential use. Residential
20 development shall provide necessary community
21 facilities, such as open space, parks, community
22 meeting places, child care centers, and other



1 services, within and adjacent to residential
2 development; and

3 (8) Public facilities within the district shall be
4 planned, located, and developed so as to support the
5 redevelopment policies for the district established by
6 this chapter and plans and rules adopted pursuant to
7 it.

8 (c) The authority shall serve as the local redevelopment
9 authority of the district. In addition to any other of its
10 duties under this chapter, the authority shall:

11 (1) Consult with the following persons and entities:

12 (A) Recorded landowners in the district;

13 (B) The stadium authority; and

14 (C) Aliamanu, Salt Lake, and Foster Village
15 neighborhood boards

16 to implement activities related to and supportive of
17 cultural practices, education, and natural-resource
18 restoration and management;

19 (2) Assist land users to manage their properties and
20 implement activities related to and supportive of
21 cultural practices, education, and natural-resource
22 restoration and management;



1 (3) Work with federal, state, county, and other agencies
2 to ensure that infrastructural support is provided for
3 the district; and

4 (4) Develop the infrastructure necessary to support the
5 implementation of the Halawa community development
6 district master plan.

7 (c) Three additional voting members, except as otherwise
8 provided in this subsection, shall be appointed to the authority
9 by the governor pursuant to section 26-34 to represent the
10 district. These three members shall be considered in
11 determining quorum and majority only on issues relating to the
12 district and may vote only on issues related to the district."

13 SECTION 2. (a) The stadium authority is directed to
14 transfer title, control, and custody of the parcel of land
15 identified as Tax Map Key to the Hawaii community
16 development authority.

17 (b) The Hawaii community development authority is directed
18 to assume management authority over the lands transferred by
19 this Act.

20 SECTION 3. All deeds, leases, contracts, loans,
21 agreements, permits, or other documents executed or entered into
22 by or on behalf of the stadium authority pursuant to the



1 provisions of the Hawaii Revised Statutes, applicable to the
2 lands that are being transferred pursuant to this Act shall
3 remain in full force and effect, unless affirmatively amended by
4 the appropriate agency, under due process. Upon the effective
5 date of this Act, every reference to the stadium authority
6 applicable to the lands, but not to the stadium facility or any
7 operations, maintenance, events, or other activities that occur
8 within the actual stadium facility insofar as it is practical to
9 achieve, that are being transferred pursuant to this Act shall
10 be construed as a reference to the Hawaii community development
11 authority.

12 SECTION 4. All rights, powers, functions, and duties of
13 the stadium authority relating to the lands, but not to the
14 stadium facility or any operations, maintenance, events, or
15 other activities that occur within the actual stadium facility
16 insofar as it is practical to achieve, that are being
17 transferred pursuant to this Act are transferred to the Hawaii
18 community development authority.

19 SECTION 5. During the time between the enactment of this
20 Act and its effective date, the stadium authority shall make no
21 decisions on deeds, leases, contracts, loans, agreements,
22 permits or other documents relating to the lands that are being



1 transferred pursuant to this Act unless the Hawaii community
2 development authority concurs.

3 SECTION 6. If any part of this Act is found to be in
4 conflict with federal requirements that are a prescribed
5 condition for the allocation of federal funds to the State, the
6 conflicting part of this Act shall be inoperative solely to the
7 extent of the conflict and with respect to the agencies directly
8 affected, and this finding does not affect the operation of the
9 remainder of this Act in its application to the agencies
10 concerned. The rules in effect as a result of this Act shall
11 meet federal requirements that are a necessary condition to the
12 receipt of federal funds by the State or the city and county of
13 Honolulu.

14 SECTION 7. This Act shall take effect upon its approval;
15 provided that the transfer of lands described in this Act shall
16 be executed on July 1, 2013, to allow for budgetary adjustments,
17 rule changes, and other transition actions.

18
Joe Greenwald
INTRODUCED BY:
Tom Odoma Stan J. Johnson
Cindy Evans Sheel Carter
Karen Cooney Barbara Yamamoto
MJH Tom Brun
ALD Calvin K. Jay
Jim Loh

Elvira
Amala
MA

[Signature]
John Damm
K. Hill
Anthony Yvelen
Carroll
John M. [Signature]

JAN 25 2012



H.B. NO. 2856

Report Title:

Community Development; HCDA; Aloha Stadium; Halawa Community Development District

Description:

Transfers the property around aloha stadium to the HCDA.
Establishes the Halawa community development district.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

