

LATE TESTIMONY

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**COUNTY OF KAUAI TESTIMONY IN STRONG SUPPORT
RELATING TO SENATE BILL 2927 SENATE DRAFT 2
RELATING TO TRANSIT ORIENTED DEVELOPMENT PLANNING DISTRICTS**

Before the House Water Land and Ocean Resources Committee
Friday, March 12, 2012
9:00 am Conference Room 325

By Michael A. Dahilig
Director of Planning, County of Kaua'i

Honorable Chair Chang, Vice Chair Har and Honorable Members:

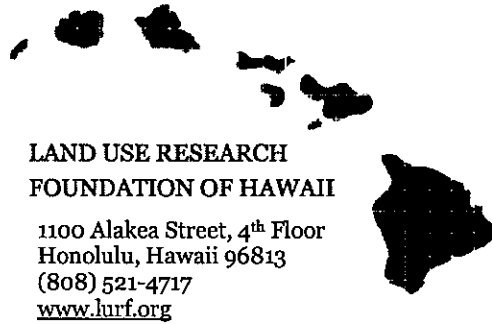
The County of Kauai strongly supports Senate Bill 2927 Senate Draft 2 relating to Transit Oriented Development (TOD) Planning Districts.

We concur with the legislation's purpose to shift planning focus toward multi-modal transportation alternatives. Although Kauai is the smallest county, we do have a robust public bus transportation system that development could be retooled around to further more focused mixed use opportunities. We also concur that the planning process does need to be streamlined in order to rapidly facilitate TOD projects.

We believe the second version of the senate bill provides an avenue toward stoking those involved towards focusing on tighter, integrated planning in a multi-modal context. If adopted, such a law would provide broader tools for county planning agencies to encourage this new genre of placemaking.

Thank you for the opportunity to present this testimony.

LATE TESTIMONY



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March 12, 2012

Representative Jerry L. Chang, Chair
Representative Sharon E. Har, Vice Chair
House Committee on Water, Land, and Ocean Resources

Representative Rida T.R. Cabanilla, Chair
Representative Ken Ito, Vice Chair
House Committee on Housing

Strong Support for SB 2927, SD2 Relating to Community Planning (Establishes planning districts and creates a process for developers to apply for residential and commercial exceptional planning projects; establishes the transit-oriented or main-street redevelopment program; authorizes state and county incentives for exceptional planning projects; and establishes a discretionary review process for the transfer of floor area within the planning district.)

Monday, March 12, 2012, 9:00 a.m., in CR 325

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

LURF appreciates the opportunity to provide our strong support for this measure.

SB 2927, SD2. This bill establishes planning districts and creates a process for developers to apply for residential and commercial Exceptional Planning Projects; establishes the Transit-Oriented Development Program and the Main-Street Redevelopment Program; authorizes State and county incentives for Exceptional Planning projects; and establishes a discretionary review process for the transfer of floor area within the planning district.

LURF's Position. LURF strongly supports this measure, as it includes a number of ideas which could result in reasonable, rational and equitable land use planning, that would encourage well-planned economic growth and development. This bill is a result of a collaborative process and soliciting comments and ideas from various state and county agencies, and private stakeholders to work together to reach a consensus regarding many of the issues contained in this bill.

Thank you for the opportunity to present testimony regarding this matter.



Sierra Club Hawai'i Chapter

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LATE TESTIMONY

HOUSE COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

March 12, 2012, 9:00 A.M.
(*Testimony is 1 pages long*)

TESTIMONY IN OPPOSITION TO SB 2927 (SD2)

Aloha Chairs Chang, Cabanilla, and Committee Members -

The Sierra Club, Hawai'i Chapter, with 10,000 dues-paying members and supporters, **opposes** SB 2927 (SD2). While we support the intent of sparking urban growth, this bill prioritizes the elimination of the public voice as a means to expedite growth. Fundamentally, the best growth for Hawaii will occur because of collaboration and a shared vision of the future, not because some development projects were rushed or "automatically approved" over objections.

This bill requires action by the planning agency and legislative body to disapprove a developer's application within forty-five days. Big developments sometimes require additional discussion. This short of a time frame -- even assuming legislative bodies meet frequently enough to meet this schedule -- only harms the public and creates bad projects that fail to adequately analyze traffic impacts, infrastructure needs, or community input.

This measure violates the constitution by attempting to restrict any lawsuit against the county for improperly approving a proposed project in contravention of the law. Hawai'i Supreme Court decisions have already determined that residents have a constitutional protected right to a clean environment, which includes land use regulatory laws.

Finally, the "Floor Area Ratio Transfer" concept is antithetical to good planning if widely adopted (and concentrating growth in an unintended fashion), but presumably a county good keep the application of the program to very limited areas.

In short, this bill is motivated by a good intent -- to direct growth to the urban core -- but it pursues a philosophy that the Sierra Club believes is contrary to smart growth and the aloha spirit. We believe the public must be involved in shaping its future.

Mahalo for the opportunity to submit testimony.

LATE TESTIMONY

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 11, 2012 9:29 PM
To: WLOtestimony
Cc: bkahana@hula.net
Subject: Testimony for SB2927 on 3/12/2012 9:00:00 AM

Testimony for WLO/HSG 3/12/2012 9:00:00 AM SB2927

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: barbara kahana
Organization: Individual
E-mail: bkahana@hula.net
Submitted on: 3/11/2012

Comments:
STRONGLY OPPOSE.