



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2014**

ON THE FOLLOWING MEASURE:

S.B. NO. 2436, S.D. 2, RELATING TO COMMUNITY PLANNING.

BEFORE THE:

HOUSE COMMITTEE ON TRANSPORTATION

DATE: Monday, March 10, 2014

TIME: 9:30 a.m.

LOCATION: State Capitol, Room 309

TESTIFIER(S): David M. Louie, Attorney General, or
Lori N. Tanigawa, Deputy Attorney General

Chair Yamane and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of the bill is to establish a transit-oriented development advisory committee to advise the Legislature and state agencies about sustainable development projects close to transit.

In section 2, page 2, lines 11-12, the bill provides that, "three members shall be individuals living in the transit-oriented development zone[.]" The phrase "transit-oriented development zone" is broad and lacks definition. Absent definition or clarification, it will be difficult to ascertain where individuals must reside in order to be considered residents of the "transit-oriented development zone." This may also lead to inconsistent interpretations as to who may be qualified to be appointed as a member. We therefore recommend that the bill be amended to specify what exactly constitutes the "transit-oriented development zone."

In addition, we believe that subsection (d) in section 2, beginning on page 3, line 13, and continuing to page 5, line 21, could benefit from technical, nonsubstantive amendments for the purposes of clarity and consistency. We therefore recommend that subsection (d) be amended as follows:

(d) The advisory committee's advice and assistance shall address issues pertaining to sustainable development projects, [include] including but not [be] limited to:

- (1) Development and construction of a project that:
 - (A) Locates a transit stop at the center of a neighborhood;
 - (B) Creates an activity center;
 - (C) Reflects the character of the surrounding community;

- (D) Includes engaging public spaces;
- (E) Promotes pedestrian connections; and
- (F) Facilitates a round-the-clock activity;
- (2) [~~Consideration of~~] Economic industry, commercial, and retail components within the project;
- (3) [~~Consideration of~~] An economic analysis for the project;
- (4) [~~Consideration of~~] The land use and zoning requirements, as they relate to infrastructure and capacity, and whether they are consistent with the county's transit-oriented development program;
- (5) [~~Identification of~~] Similar development plans, such as the city and county of Honolulu department of planning and permitting's neighborhood transit-oriented development plans;
- (6) Social and economic effects of the project, including:
 - (A) Expected population growth;
 - (B) Available jobs;
 - (C) Potential industries within the transit-oriented development zone; and
 - (D) Potential compatibility of mix of uses for the project;
- (7) A [~~Transit~~] transit analysis that considers:
 - (A) The proximity of transit to the project;
 - (B) The quality of pedestrian connectivity to transit; and
 - (C) Whether the planned densities are sufficient to support transit;
- (8) Preservation and expansion of workforce housing around transit to accommodate housing for:
 - (A) Individuals;
 - (B) Single families; and
 - (C) Senior citizens and persons who are aging in place; and
- (9) Identification and application of partnerships to provide opportunities for mutual expectations and shared risk and costs in which:
 - (A) The public sector may provide:
 - (i) Resolution to land use and zoning issues;
 - (ii) Site development;
 - (iii) Entitlement processes; and
 - (iv) Financial resources for land and infrastructure costs; and
 - (B) The private sector may provide experience and financial resources.

We respectfully ask that if the Committee is inclined to pass this bill, it do so with these suggested amendments.

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GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

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LATE

February 19, 2014

TO: HONORABLE BRIAN YAMANE, HONORABLE GREGG TAKAYAMA AND MEMBERS OF HOUSE COMMITTEE ON TRANSPORTATION

SUBJECT: **S.B. 2436, SD2. RELATING TO COMMUNITY PLANNING.** Establishes the transit-oriented development advisory committee to make recommendations about sustainable development projects close to transit. Effective 07/01/2050. (SD2)

Hearing

DATE: Monday, March 10, 2014
TIME: 9:30 a.m.
PLACE: Conference Room 309

Dear Chair Yamane, Vice Chair Takayama and Members of the Committee,

The General Contractors Association of Hawaii (GCA) is an organization comprised of approximately six hundred general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

The GCA is in support of the intent of S.B. 2436, SD2 which is to ensure that the state, city and the Honolulu Authority for Rapid Transportation are working together to maximize our investment in rail transit and achieve the promise of transit-oriented development (TOD).

The GCA continues to support the Honolulu Rail Transit Project together with the concerted efforts of all parties involved to plan and construct the rail transit project. All parties must continue to work together to get this project delivered to the residents of the City and County of Honolulu. Rail will provide the most reliable, cost-efficient and convenient transportation pipeline between urban Honolulu and West Oahu.

GCA appreciates the opportunity to share its testimony.

LATE



SB2436 SD2
RELATING TO COMMUNITY PLANNING
House Committee on Transportation

March 10, 2014

9:30 a.m.

Room 309

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB2436 SD2, which establishes the transit-oriented development advisory committee to make recommendations about sustainable development projects close to transit.

OHA's strategic plan includes a commitment to building ho'okahua wai wai (economic self-sufficiency) for Native Hawaiians. This includes a commitment to addressing systemic barriers, including access to affordable housing. Unfortunately, data indicate Native Hawaiian families are more likely to earn under the state median income, suffer from poor health outcomes and face challenges related to the high cost of housing and transportation.

Transit-oriented development presents a unique opportunity for integrated planning to address housing, economic and health needs. Research shows that mixed-use housing developments combining residential and commercial space create walkable communities that limit sprawl, reduce transportation costs, encourage sustainable building design, and promote a healthy environment. Key to this planning is the inclusion of community voices to ensure planned development responds to the individual community needs.

OHA applauds the inclusion of three cultural advisor members to the advisory committee. Recognition of Native Hawaiian cultural values intrinsically tied to the 'āina will increase the likelihood that transit-oriented development is culturally appropriate and celebrates the uniqueness of each community.

Therefore, OHA urges the Committee to **PASS** SB2436 SD2. Mahalo for the opportunity to provide this testimony.