

JAN 23 2014

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. The legislature finds that for many years, the
2 city of Honolulu maintained its position as the centerpiece of
3 Oahu. However, with a growing population and growing
4 businesses, traffic congestion has dramatically risen as nearly
5 eighty per cent of Oahu's jobs are concentrated in downtown
6 Honolulu or nearby Waikiki. In the early 1970s, the city and
7 county of Honolulu's planning department began a general plan
8 revision program that focused on directing growth to Ewa. The
9 general plan revision program culminated with the adoption of a
10 new Oahu general plan in 1977 and designated the city of Kapolei
11 as a "secondary urban center" in order to "relieve developmental
12 pressures in the urban fringe and rural areas".

13 The secondary urban center was intended to ideally provide
14 relief from horrific traffic congestion and more evenly
15 distribute the rapidly increasing population, the State of
16 Hawaii, county agencies, private developers, and former governor
17 John Waihee began advocating for urban development in other
18 regions of Oahu. Former governor Waihee and other state



1 officials stated that in developing a "second city" they hoped
2 to avoid the kind of mistakes that have left the Waikiki area
3 and much of downtown Honolulu a concrete desert, hoping to
4 instead recreate the look of "old Honolulu" that featured low-
5 rise buildings made of wood, stone, and coral.

6 The legislature further finds that the State had committed
7 to relocating and developing some of the public offices on
8 eighty acres of reserved land in Ewa. Developing Kapolei as a
9 "second city" will be a prime example of state and county
10 coordination in meeting the housing and population problems on
11 Oahu. With the State of Hawaii taking an official position to
12 support Kapolei as a "second city", future legislation can be
13 directed to steer economic development, including jobs, housing,
14 emerging industries, and education, to the leeward side of Oahu.

15 The purpose of this Act is to:

- 16 (1) Establish the east Kapolei community development
17 district and the University of Hawaii West Oahu
18 community development district; and
- 19 (2) Repeal the Kakaako community development district.

20 SECTION 2. Chapter 206E, Hawaii Revised Statutes, is
21 amended by adding two new parts to be appropriately designated
22 and to read as follows:



1 **"PART . EAST KAPOLEI COMMUNITY DEVELOPMENT DISTRICT**

2 **§206E- East Kapolei community development district;**

3 **established.** There is established the east Kapolei community

4 development district. The district shall include properties

5 identified by the following tax map key numbers: 91016120,

6 91016179, 91016180, 91016181, 91017094, 91017095, 91017096,

7 91017106, 91017107, 91017110, 91017111, and 91151001.

8 **§206E- Development guidance and policies. (a)**

9 Development of the east Kapolei community development district

10 shall be guided by the following general policies:

11 (1) Development shall seek to promote economic development

12 and employment opportunities by fostering diverse land

13 uses and encouraging private sector investments that

14 utilize the emerging industry opportunities, resulting

15 in a community that permits an appropriate land

16 mixture of residential, commercial, industrial, and

17 other uses;

18 (2) Urban design policies shall be established to provide

19 guidelines for the public and private sectors in the

20 proper development of the district;

21 (3) Existing and future industrial uses shall be

22 encouraged and permitted in appropriate locations



1 within the district; provided that no plan or
2 implementation strategy shall prevent continued
3 activity or redevelopment of industrial or commercial
4 uses that meet reasonable performance standards in the
5 determination of the authority;

6 (4) Activities shall be located to provide primary
7 reliance on public transportation and pedestrian
8 facilities for transportation within the district or
9 designated subareas;

10 (5) Hawaiian archaeological, historic, and cultural sites
11 shall be preserved and protected;

12 (6) Endangered species of flora and fauna and significant
13 facilities, settings, and locations shall be
14 preserved;

15 (7) Land use and redevelopment activities within the
16 district shall be coordinated with existing county and
17 state policies, plans, and programs affecting the
18 district to the extent possible; and

19 (8) Public facilities within the district shall be
20 planned, located, and developed to support the
21 redevelopment policies for the district as established



1 by this part, as well as plans and administrative
2 rules.

3 (b) The authority may engage in any studies or coordinated
4 activities consistent with this chapter that may affect areas
5 located outside of the east Kapolei community development
6 district; provided that:

7 (1) The authority determines that those studies or
8 coordinated activities in those areas are related to
9 and necessary to implement the intent of this part;
10 and

11 (2) The studies or coordinated activities shall be limited
12 to facility systems, resident and industrial
13 relocation, and other applicable activities that may
14 involve the counties and appropriate state agencies.

15 (c) The authority may engage in construction activities
16 outside of the east Kapolei community development district;
17 provided that any construction shall:

18 (1) Relate to infrastructure development or to residential
19 or business relocation activities; and

20 (2) Notwithstanding section 206E-7 to the contrary, comply
21 with the general plan, development plan, ordinances,
22 and rules of the city and county of Honolulu.



1 **PART . UNIVERSITY OF HAWAII WEST OAHU COMMUNITY DEVELOPMENT**

2 **DISTRICT**

3 **§206E- University of Hawaii West Oahu community**

4 **development district; established.** There is established the
5 University of Hawaii West Oahu community development district.

6 The district shall include properties identified by the
7 following tax map key numbers: 91016179, 91016180, 91016181,
8 91016183, 91017095, 91017096, 91017097, 91017098, 91017099,
9 91017110, 91018005, and 91018008.

10 **§206E- Development guidance and policies. (a)**

11 Development of the University of Hawaii West Oahu community
12 development district shall be guided by the following general
13 policies:

- 14 (1) Development shall seek to promote economic development
- 15 and employment opportunities by fostering diverse land
- 16 uses and encouraging private sector investments that
- 17 utilize the emerging industry opportunities, resulting
- 18 in a community that permits an appropriate land
- 19 mixture of residential, commercial, industrial, and
- 20 other uses;



- 1 (2) Urban design policies shall be established to provide
2 guidelines for the public and private sectors in the
3 proper development of the district;
- 4 (3) Existing and future industrial uses shall be
5 encouraged and permitted in appropriate locations
6 within the district; provided that no plan or
7 implementation strategy shall prevent continued
8 activity or redevelopment of industrial or commercial
9 uses that meet reasonable performance standards in the
10 determination of the authority;
- 11 (4) Activities shall be located to provide primary
12 reliance on public transportation and pedestrian
13 facilities for transportation within the district or
14 designated subareas;
- 15 (5) Hawaiian archaeological, historic, and cultural sites
16 shall be preserved and protected;
- 17 (6) Endangered species of flora and fauna and significant
18 facilities, settings, and locations shall be
19 preserved;
- 20 (7) Land use and redevelopment activities within the
21 district shall be coordinated with existing county and



1 state policies, plans, and programs affecting the
2 district to the extent possible; and

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

8 (b) The authority may engage in any studies or coordinated
9 activities consistent with this chapter that may affect areas
10 located outside of the University of Hawaii West Oahu community
11 development district; provided that:

12 (1) The authority determines that those studies or
13 coordinated activities in those areas are related to
14 and necessary to implement the intent of this part;
15 and

16 (2) The studies or coordinated activities shall be limited
17 to facility systems, resident and industrial
18 relocation, and other applicable activities that may
19 involve the counties and appropriate state agencies;

20 (c) The authority may engage in construction activities
21 outside of the east Kapolei community development district;
22 provided that any construction shall:



- 1 (1) Relate to infrastructure development or to residential
- 2 or business relocation activities; and
- 3 (2) Notwithstanding section 206E-7 to the contrary, comply
- 4 with the general plan, development plan, ordinances,
- 5 and rules of the city and county of Honolulu."

6 SECTION 3. Section 212-5.5, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "~~{}~~**§212-5.5**~~}~~ **Foreign-trade zone; jurisdiction.**

9 Anything to the contrary notwithstanding, the department of
10 business, economic development, and tourism shall have
11 jurisdiction and administrative authority over the area in the
12 vicinity of Piers 1 and 2 currently being used as a foreign-
13 trade zone. This area is defined as all of parcels 2 and 3-A of
14 the Forrest Avenue subdivision, as shown on the map filed in the
15 bureau of conveyances of the State of Hawaii, as file plan 2335,
16 and lot A-1, as shown on map 2, filed in the office of the
17 assistant registrar of the land court of the State of Hawaii
18 with land court application 1328 [~~provided that all existing~~
19 ~~easements affecting and appurtenant to the parcels to be deleted~~
20 ~~from the Kakaako community development district boundaries shall~~
21 ~~not be affected by this change]."~~



1 SECTION 4. Section 266-1.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§266-1.5[+] Honolulu harbor Piers 1 and 2;
4 **jurisdiction.** Any law to the contrary notwithstanding, the
5 department of transportation shall have jurisdiction and
6 administrative authority over Honolulu harbor Piers 1 and 2 and
7 the contiguous backup fast lands currently used for manifested
8 cargo and passenger operations. This area is defined as all of
9 lot 3 and parcels A and B of the Forrest Avenue subdivision, as
10 shown on the map filed with the bureau of conveyances of the
11 State of Hawaii, as file plan 2335, and lot A-2, as shown on map
12 2, filed in the office of the assistant registrar of the land
13 court of the State of Hawaii with land court application 1328[+
14 ~~provided that all existing easements affecting and appurtenant~~
15 ~~to the parcels to be deleted from the Kakaako community~~
16 ~~development district boundaries shall not be affected by this~~
17 ~~change]."~~

18 SECTION 5. Chapter 206E, part II, Hawaii Revised Statutes,
19 is repealed.

20 SECTION 6. Statutory material to be repealed is bracketed
21 and stricken.

22

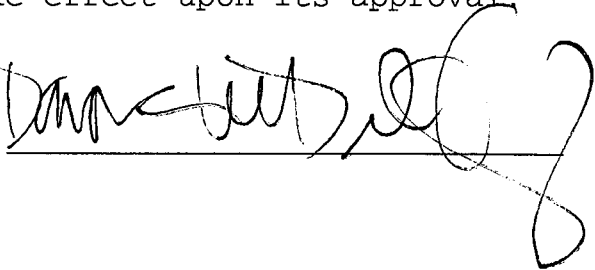


S.B. NO. 2778

1 SECTION 7. This Act shall take effect upon its approval.

2

INTRODUCED BY:

A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be "D. M. ...".

S.B. NO. 2778

Report Title:

Hawaii Community Development Authority; Kakaako; East Kapolei;
UH West Oahu

Description:

Repeals the Kakaako community development district.
Establishes east Kapolei community development district.
Establishes the UH West Oahu 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.

