

Honolulu, Hawaii
February 14, 2014

RE: H.B. No. 1867
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1867 entitled:

"A BILL FOR AN ACT RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT,"

begs leave to report as follows:

The purpose of this measure is to establish restrictions and prohibitions on development projects undertaken by the Hawaii Community Development Authority in the Kakaako Community Development District. Specifically, this measure:

- (1) Creates building proximity, height, and orientation restrictions;
- (2) Establishes infrastructure review procedures for development applications; and
- (3) Prohibits the granting of variances, exemptions, and modifications for building maximum floor area ratios.

The Honolulu City Council member representing District VII; Malama Makaha; Life of the Land; Friends of Kewalos; and numerous individuals testified in support of this measure. The Chamber of Commerce Hawaii; Hawaii Building and Construction Trades Council, AFL-CIO; Hawaii Construction Alliance; and the Howard Hughes Corporation testified in opposition to this measure. The Executive Director of the Hawaii Community Development Authority;



Kamehameha Schools; Alexander & Baldwin, Inc.; the Pacific Resource Partnership; and one individual provided comments.

Your Committee notes that the public has been very vocal about community engagement, public notice, and public hearing procedures currently utilized by the Hawaii Community Development Authority. Similarly, your Committee finds that public transparency concerns have often been tied to addressing the issue of whether Hawaii Community Development Authority plans have adequately accounted for infrastructure accommodations. In furthering its aim of transparency, your Committee has added provisions to this measure requiring that all development permits within the purview of the Hawaii Community Development Authority be subject to an infrastructure review and approval process. The purpose of this measure, as amended by your Committee, is to increase transparency for the public and to ensure that communities are kept well informed about development decisions affecting their community.

Your Committee has amended this measure by:

- (1) Amending Hawaii Community Development Authority public notice requirements for public hearing and decision making to ensure that:
 - (A) Adequate and timely public notice is given to Development District residents and the lawmakers representing them;
 - (B) Interested parties are easily able to access posted notices through the Hawaii Community Development Authority's website or through a mailing request; and
 - (C) The Hawaii Community Development Authority is aware of and has responded to community concerns;
- (2) Specifying building proximity, height, orientation, maximum floor area ratio, and infrastructure review restrictions and regulations for the Kakaako Community Development District;
- (3) Changing its effective date to July 1, 2020, to encourage further discussion; and



- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1867, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1867, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,

Cindy Evans

CINDY EVANS, Chair



Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1867	Committee Referral: WAL, FIN	Date: 2-11-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	/			
2. LOWEN, Nicole E. (VC)	/			
3. CULLEN, Ty J.K.		/		
4. HANOHANO, Faye P.				/
5. KAWAKAMI, Derek S.K.		/		
6. LEE, Chris	/			
7. SAY, Calvin K.Y.			/	
8. NISHIMOTO, Scott Y.	/			
9. FALE, Richard Lee		/		
10. THIELEN, Cynthia	/			
TOTAL (10)	5	3	1	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Muir Elmer</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				