

JAN 22 2016

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. Section 206E-33, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§206E-33 Kakaako community development district;
4 development guidance policies. The following shall be the
5 development guidance policies generally governing the
6 authority's action in the Kakaako community development
7 district:

8 (1) Development shall result in a community [~~which~~] that
9 permits an appropriate land mixture of residential,
10 commercial, industrial, and other uses. In view of
11 the innovative nature of the mixed use approach, urban
12 design policies should be established to provide
13 guidelines for the public and private sectors in the
14 proper development of this district; while the
15 authority's development responsibilities apply only to
16 the area within the district, the authority may engage
17 in any studies or coordinative activities permitted in



1 this chapter [~~which~~] that affect areas lying outside
2 the district, where the authority in its discretion
3 decides that those activities are necessary to
4 implement the intent of this chapter. The studies or
5 coordinative activities shall be limited to facility
6 systems, resident and industrial relocation, and other
7 activities with the counties and appropriate state
8 agencies. The authority may engage in construction
9 activities outside of the district; provided that
10 [~~such~~] the construction relates to infrastructure
11 development or residential or business relocation
12 activities; provided further, notwithstanding section
13 206E-7, that [~~such~~] the construction shall comply with
14 the general plan, development plan, ordinances, and
15 rules of the county in which the district is located;
16 (2) Existing and future industrial uses shall be permitted
17 and encouraged in appropriate locations within the
18 district. No plan or implementation strategy shall
19 prevent continued activity or redevelopment of
20 industrial and commercial uses [~~which~~] that meet
21 reasonable performance standards;



- 1 (3) Activities shall be located so as to provide primary
2 reliance on public transportation and pedestrian
3 facilities for internal circulation within the
4 district or designated subareas;
- 5 (4) Major view planes, view corridors, and other
6 environmental elements such as natural light and
7 prevailing winds, shall be preserved through necessary
8 regulation and design review; provided that no portion
9 of any building or structure in the Kakaako Mauka area
10 shall exceed four hundred eighteen feet in height;
- 11 (5) Redevelopment of the district shall be compatible with
12 plans and special districts established for the Hawaii
13 Capital District, and other areas surrounding the
14 Kakaako district;
- 15 (6) Historic sites and culturally significant facilities,
16 settings, or locations shall be preserved;
- 17 (7) Land use activities within the district, where
18 compatible, shall to the greatest possible extent be
19 mixed horizontally, that is, within blocks or other
20 land areas, and vertically, as integral units of
21 multi-purpose structures;



- 1 (8) Residential development may require a mixture of
2 densities, building types, and configurations in
3 accordance with appropriate urban design guidelines;
4 integration both vertically and horizontally of
5 residents of varying incomes, ages, and family groups;
6 and an increased supply of housing for residents of
7 low- or moderate-income may be required as a condition
8 of redevelopment in residential use. Residential
9 development shall provide necessary community
10 facilities, such as open space, parks, community
11 meeting places, child care centers, and other
12 services, within and adjacent to residential
13 development; [~~and~~]
- 14 (9) Public facilities within the district shall be
15 planned, located, and developed so as to support the
16 redevelopment policies for the district established by
17 this chapter and plans and rules adopted pursuant to
18 it[-]; and
- 19 (10) The authority shall not approve a land owner's or
20 developer's:
- 21 (A) Community development plan;



S.B. NO. 2281

1 (B) Updated, amended, modified, or revised community
2 development plan; or
3 (C) Permit application,
4 unless the authority executes a memorandum of
5 understanding with the owner and developer of the land
6 that is the subject of the community development plan
7 or permit, in which all parties to the memorandum
8 acknowledge the ownership of each public street or
9 highway that is adjacent to the land that is the
10 subject of the community development plan or permit;
11 provided that the authority shall accept ownership of
12 any public street or highway for which ownership is
13 disputed."

14 SECTION 2. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval.
17

INTRODUCED BY: *Trizanne Chun Oakland*
Maureen J. George



S.B. NO. 2281

Report Title:

Kakaako Community Development District; Public Highways

Description:

Prohibits the HCDA from approving a developer's community development plan, updated, amended, modified, or revised community development plan, or permit application unless the HCDA and the owner and developer of the affected land enters into a memorandum of understanding in which parties to the memorandum acknowledge the ownership of each public street or highway that is adjacent to the land that is the subject of the community development plan or permit. Provides that the authority accepts ownership of any public street or highway for which ownership is disputed.

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