
A BILL FOR AN ACT

RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. Chapter 206E, Hawaii Revised Statutes, is
2 amended by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§206E- Residential development of office of Hawaiian
5 affairs lands in Kakaako; public hearing requirement. (a) Any
6 law to the contrary notwithstanding, the authority may approve
7 any plan or proposal for any residential development in the
8 Kakaako community development district on lands owned by the
9 office of Hawaiian affairs; provided that approval may be
10 granted only after the office of Hawaiian affairs conducts a
11 public hearing held in accordance with subsection (b),
12 notwithstanding hearing procedures under chapter 91.

13 (b) Prior to submission to the authority of any plan or
14 proposal for any residential development, the office of Hawaiian
15 affairs shall hold a public hearing after notice is published,
16 in accordance with section 1-28.5, at least thirty days prior to
17 the hearing. The notice shall include:



- 1 (1) The date, time, and place of the hearing;
- 2 (2) A statement of the topic of the hearing; and
- 3 (3) A description of where, when, and how the residential
- 4 development proposal may be viewed by the public.
- 5 All interested persons may submit data or opinions, orally or in
- 6 writing, in conjunction with the hearing.

7 (c) Prior to submitting any plan or proposal for
 8 residential development for approval by the authority pursuant
 9 to this section, the applicant for approval shall fully consider
 10 all written and oral submissions received pursuant to subsection
 11 (b) regarding the proposed residential development."

12 SECTION 2. Section 206E-31.5, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "**§206E-31.5 Prohibitions.** Anything contained in this
 15 chapter to the contrary notwithstanding, except as provided in
 16 section 206E-___, the authority is prohibited from:

- 17 (1) Selling or otherwise assigning the fee simple interest
- 18 in any lands in the Kakaako community development
- 19 district to which the authority in its corporate
- 20 capacity holds title, except with respect to:
- 21 (A) Utility easements;



- 1 (B) Remnants as defined in section 171-52;
- 2 (C) Grants to any state or county department or
- 3 agency;
- 4 (D) Private entities for purposes of any easement,
- 5 roadway, or infrastructure improvements; or
- 6 (E) Reserved housing as defined in section 206E-101;
- 7 or
- 8 (2) Approving any plan or proposal for any residential
- 9 development in that portion of the Kakaako community
- 10 development district makai of Ala Moana boulevard and
- 11 between Kewalo Basin and the foreign trade zone."

12 SECTION 3. Section 206E-12, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 **"§206E-12 Dedication for public facilities as condition to**
 15 **development.** The authority shall establish rules requiring
 16 dedication for public facilities of land or facilities, or cash
 17 payments in lieu thereof, by developers as a condition of
 18 developing real property pursuant to the community development
 19 plan. Where state and county public facilities dedication laws,
 20 ordinances, or rules differ, the provision for greater
 21 dedication shall prevail. This section shall not apply to lands



1 owned by the office of Hawaiian affairs and developed for
2 residential purposes pursuant to section 206E- ."

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

D. Hel

JAN 23 2020



H.B. NO. 2586

Report Title:

OHA; HCDA; Kakaako; Residential Land Use Development; Public Hearing

Description:

Authorizes the Office of Hawaiian Affairs to seek residential development of lands in Kakaako Community Development District owned by the Office of Hawaiian Affairs. Requires a public hearing prior to submission by the Office of Hawaiian Affairs to the Hawaii Community Development Authority of any plan or proposal for any residential development.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

