

STAND. COM. REP. NO. 116

Honolulu, Hawaii

February 7, 2019

RE: H.B. No. 1559
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which was referred H.B. No. 1559 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 authorize the Hawaii Community Development Authority to permit construction of one building that exceeds District height limitations per master plan area in the Kakaako Mauka region of the Kakaako Community Development District; provided that the building is located in close proximity to a transit station and the Authority negotiates with the developer to provide appropriate and proportional public benefits.

The Howard Hughes Corporation submitted testimony in support of this measure. Several individuals submitted testimony in opposition. The Hawaii Community Development Authority submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that the current four hundred eighteen-foot height restriction in the District shall remain

HB1559 HD1 HSCR WLH HMS 2019-1645



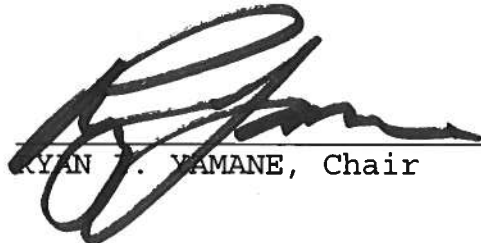
effective except for the single building that may be permitted in each master plan area;

- (2) Specifying that the appropriate and proportional public benefits negotiated by the Authority shall include additional residential housing units;
- (3) Changing its effective date to July 1, 2050 to encourage further discussion; and
- (4) Making nonsubstantive technical amendments for the purpose of clarity and consistency.

Your Committee notes that this measure does not vitiate or otherwise affect the Hawaii Community Development Authority or any developer's obligation to follow the standard permitting process for construction within the Kakaako Community Development District. Specifically, the Authority and any developer that applies for a permit to construct a building pursuant to this measure must still comply with requirements for community and public notice, conduct public contested case hearings on the permit application and any variance requested, and comply with the Community Development District Plan as well as all applicable state and county statutes, rules, ordinances, and regulations.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1559, H.D. 1, and be referred to your Committee on Judiciary.

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



RYAN J. YAMANE, Chair



