



IN REPLY REFER TO:
CMS-AP00-00619

HONOLULU AUTHORITY for RAPID TRANSPORTATION

Daniel A. Grabauskas
EXECUTIVE DIRECTOR AND CEO

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March 14, 2014

The Honorable Cindy Evans, Chair
The Honorable Nicole E. Lowen, Vice Chair
and Members of the Committee on Water and Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Evans, Vice Chair Lowen, and Representatives:

Subject: SB2436, SD2, HD1, Relating to Community Planning
Committee on Water and Land
Monday, March 17, 2014, at 9:30 AM

The Honolulu Authority for Rapid Transportation (HART) supports the intent of Senate Bill 2436, SD2, HD1, which encourages collaboration and coordination between State agencies that own property within transit-oriented development (TOD) zones around stations.

Attached is a copy of HART Board Resolution 2013-12, which reflects the Board of Directors' position regarding TOD-related legislation. HART is committed to working with State agencies, as well as the City Department of Planning and Permitting (DPP), Department of Transportation Services and other City departments, to develop TOD and joint development projects.

HART respectfully recommends that the City should maintain advisory capacity over areas under its control, unless they are State-owned properties. HART also recommends that the mission of the advisory committee should be to identify TOD projects for development on State property.

We respectfully suggest limiting advisory capacity to areas with adjacent State property owners, and limiting the advisory group to nine (9) members with staggered terms, and membership as described below:

- (3) Community representatives: developer, resident living in a TOD area, and cultural representative

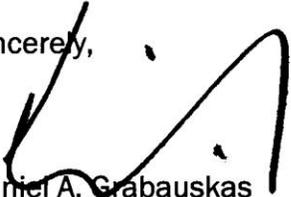
The Honorable Cindy Evans, Chair
The Honorable Nicole E. Lowen, Vice Chair
and Members of the Committee on Water and Land
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- (2) City representatives: DPP-TOD (Chair), DTS
- (3) State agency representatives: Hawaii Department of Transportation, State Office of Planning, Governor appointee
- (1) HART representative

It should be noted that DPP is the lead City agency for TOD as HART is a supporting agency for DPP in its efforts to perform TOD studies and capital projects in these areas. As such, DPP may be a more appropriate agency for this legislation.

We thank you for this opportunity to provide written testimony.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Grabauskas', written over the word 'Sincerely,'.

Daniel A. Grabauskas
Executive Director and CEO

Attachment

cc: HART Board of Directors

Honolulu Authority for Rapid Transportation

RESOLUTION NO. 2013 - 12

**REGARDING THE POSITION OF THE BOARD OF DIRECTORS OF
THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION ON
TRANSIT-ORIENTED DEVELOPMENT**

WHEREAS, the Honolulu Authority for Rapid Transportation (HART) has been established pursuant to Article XVII of the Revised Charter of the City and County of Honolulu 1973, as amended (RCH); and

WHEREAS, RCH Section 17-103.1 authorizes HART to "develop, operate, maintain and expand the city fixed guideway system;" and

WHEREAS, RCH Section 17-103.2(n) empowers HART to "promote, create and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning"; and

WHEREAS, the HART Board of Directors recognizes that transit oriented development (TOD) will benefit the Honolulu Rail Transit Project (HRTTP) and its ridership through:

- Encouraging convenient, safe multi-modal access to transit;
- Encouraging the creation of mixed-use, pedestrian and bicycle-friendly communities that provide employment, housing, and services;
- Creating housing options including market-rate and affordable units;
- Supporting economic development efforts; and
- Promoting sustainability by reducing pollution, noise and reliance on automobiles; and

WHEREAS, TOD provides a unique opportunity to foster more livable communities that take advantage of the benefits of transit, specifically, reducing transportation costs for residents, businesses and workers while improving mobility and circulation in the station area for all modes of travel; and

WHEREAS, In order to capitalize on this tremendous opportunity, development around future rail station stations needs to be focused, balanced and well-planned.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of HART as follows:

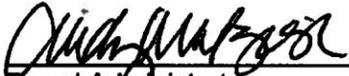
1. The HART Board of Directors favors and supports legislative measures which maximize the potential for TOD, promote effective community planning and provide a vision for neighborhood improvements and future urban redevelopment.
2. The HART Executive Director and CEO is authorized to submit testimony on pertinent legislation consistent with the overall policies set forth herein.

3. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on
DEC 19 2013.


Board Chair

ATTEST:


Board Administrator



Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the House Committee on Water and Land
Monday, March 17, 2014 at 9:30 A.M.
Conference Room 325, State Capitol**

RE: SENATE BILL 2436 SD2 RELATING TO COMMUNITY PLANNING

Chair Evans, Vice Chair Lowen, and Members of the Committee:

The Chamber of Commerce of Hawaii ("The Chamber") **supports** SB 2436 SD2, which establishes the transit-oriented development advisory committee to make recommendations about sustainable development projects close to transit.

The Chamber is the largest business organization in Hawaii, representing over 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Through the transit-oriented development advisory committee, this bill supports sustainable efforts to advance in transportation development. This step is a foundation for the future success of transit-oriented technology. However, we would like offer the consideration of including businesses and employers on the advisory committee. Representatives from the business community on the committee would provide helpful advice on planning and development of these transit-oriented projects.

Thank you for the opportunity to testify.



HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



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KALAELOA

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STATEMENT OF

ANTHONY J. H. CHING, EXECUTIVE DIRECTOR
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE

HOUSE COMMITTEE ON WATER & LAND

ON

March 17, 2014

9:30 A.M.

State Capitol, Conference Room 325

in consideration of

S.B. 2436, SD2, HD1 – RELATING TO COMMUNITY PLANNING.

Purpose: To establish a transit-oriented development advisory committee to advise the Legislature and state agencies about sustainable development projects close to transit.

Position: As this measure amends the Hawaii Community Development Authority (HCDA) chapter §206E, I provide the following comments on the general provisions of this proposal.

Duplicative Efforts. This measure would create a new transit-oriented development advisory committee within the state Department of Business, Economic Development, and Tourism. While the HCDA supports the careful coordination of transit oriented development within community development districts established by the State Legislature It is my belief that the City & County of Honolulu currently solicits advice and participation by stakeholders similar to those named in the proposal. The creation of another advisory committee may therefore be redundant and enhance ongoing efforts.

Definition of Transit-Oriented Development Zone. The proposal defines the Transit Oriented Development Zone to mean “the parcels of land around a rapid transit station.” As it a bus rapid transit station might also be defined in this manner, it is my belief that the term might be further clarified to specify “the parcels of land around a *rail* rapid transit station. This lack of specificity may allow for a bus station to be deemed a “transit-oriented development zone.”

Scope. Section §206E HRS serves as the enabling legislation for the HCDA. While this proposal proposes to establish the advisory committee within the Department of Business Economic Development and Tourism for administrative purposes, the proposal specifically to add a new section to §206E HRS. Whether intentional or not, I note that as this proposal does not specifically limit its scope to the three Community Development Districts that fall under HCDA jurisdiction, it’s scope may be too broad to be included in Section §206E HRS.

Thank you for the opportunity to provide comments on this proposal.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2014**

ON THE FOLLOWING MEASURE:

S.B. NO. 2436, S.D. 2, H.D. 1, RELATING TO COMMUNITY PLANNING.

BEFORE THE:

HOUSE COMMITTEE ON WATER AND LAND

DATE: Monday, March 17, 2014

TIME: 9:30 a.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Lori N. Tanigawa, Deputy Attorney General

Chair Evans and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of the bill is to establish a transit-oriented development advisory committee to advise the Legislature and state agencies about sustainable development projects close to transit.

In section 2, page 6, lines 20-22, and page 7, lines 1-5, the bill provides:

For the purposes of this section, “transit-oriented development zone” means the parcels of land around a rapid transit station. Generally, the transit oriented development zone shall include the parcels of land where any portion is within one mile of the transit station; provided that the advisory committee may include or exclude any parcel from the transit-oriented development zone either upon its own initiation or upon request.

By allowing the advisory committee to include or exclude any parcel from the “transit-oriented development zone,” the parameters of the zone may fluctuate and be subject to constant change. This is problematic because in section 2, page 2, lines 11-13, the bill provides that, “[t]hree members shall be individuals living within a three-mile radius of a transit-oriented development zone[.]” Thus, the three-mile radius which determines a member’s residency qualification is dependent upon the established boundaries of the “transit-oriented development zone.” If, however, the boundaries of the zone fluctuate or are subject to change, the three-mile radius of where individuals must reside in order to be considered residents of the “transit-oriented development zone” for committee membership purposes, might also fluctuate. This

might result in an unintended disqualification of a committee member. We therefore recommend that the definition of “transit-oriented development zone” be amended as follows:

For the purposes of this section, “transit-oriented development zone” means the parcels of land [~~around a rapid transit station. Generally, the transit oriented development zone shall include~~] where any portion is within one mile of the transit station[~~; provided that the advisory committee may include or exclude any parcel from the transit-oriented development zone either upon its own initiation or upon request~~].

In addition, we believe that subsection (d) in section 2, beginning on page 3, line 13, and continuing to page 5, line 21, could benefit from technical, nonsubstantive amendments for the purposes of clarity and consistency. We therefore recommend that subsection (d) be amended as follows:

- (d) The advisory committee's advice and assistance shall address issues pertaining to sustainable development projects, [~~include~~] including but not [~~be~~] limited to:
- (1) Development and construction of a project that:
 - (A) Locates a transit stop at the center of a neighborhood;
 - (B) Creates an activity center;
 - (C) Reflects the character of the surrounding community;
 - (D) Includes engaging public spaces;
 - (E) Promotes pedestrian connections; and
 - (F) Facilitates a round-the-clock activity;
 - (2) [~~Consideration of~~] Economic industry, commercial, and retail components within the project;
 - (3) [~~Consideration of~~] An economic analysis for the project;
 - (4) [~~Consideration of~~] The land use and zoning requirements, as they relate to infrastructure and capacity, and whether they are consistent with the county's transit-oriented development program;
 - (5) [~~Identification of~~] Similar development plans, such as the city and county of Honolulu department of planning and permitting's neighborhood transit-oriented development plans;
 - (6) Social and economic effects of the project, including:
 - (A) Expected population growth;
 - (B) Available jobs;
 - (C) Potential industries within the transit-oriented development zone; and
 - (D) Potential compatibility of mix of uses for the project;
 - (7) A [Transit] transit analysis that considers:
 - (A) The proximity of transit to the project;
 - (B) The quality of pedestrian connectivity to transit; and
 - (C) Whether the planned densities are sufficient to support transit;

- (8) Preservation and expansion of workforce housing around transit to accommodate housing for:
 - (A) Individuals;
 - (B) Single families; and
 - (C) Senior citizens and persons who are aging in place; and
- (9) Identification and application of partnerships to provide opportunities for mutual expectations and shared risk and costs in which:
 - (A) The public sector may provide:
 - (i) Resolution to land use and zoning issues;
 - (ii) Site development;
 - (iii) Entitlement processes; and
 - (iv) Financial resources for land and infrastructure costs; and
 - (B) The private sector may provide experience and financial resources.

We respectfully ask that if the Committee is inclined to pass this bill, it do so with these suggested amendments.