

## OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

DAVID Y. IGE  
GOVERNOR

MARY ALICE EVANS  
DIRECTOR  
OFFICE OF PLANNING

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <http://planning.hawaii.gov/>

Statement of  
**MARY ALICE EVANS**  
Director, Office of Planning  
before the  
**SENATE COMMITTEE ON HOUSING**  
Tuesday, February 11, 2020  
1:45PM  
State Capitol, Conference Room 225  
in consideration of

### **SB 2205 RELATING TO IMPORTANT HOUSING LANDS.**

Chair Chang, Vice Chair Kanuha, and Members of the Senate Committee on Housing.

The Office of Planning (OP) offers **comments** on SB 2205 that establishes “important housing lands” as a planning and land use mechanism to promote the expansion of available housing.

SB 2205 would add a new part to Chapter 205, Hawaii Revised Statutes, that defines “important housing lands” (IHL) as public lands of the State located within 0.5 mile of any rail mass transit station and needed to promote the expansion of available housing for the future. The bill establishes objectives, policies, criteria for the identification of IHL, a process for the identification and mapping of IHL, criteria for the reclassification and rezoning of IHL, periodic review and amendment of IHL maps, and requires the State and counties to provide incentives for IHL.

OP supports measures that increases the availability of affordable housing and SB 2205 offers a novel approach to identify and preserve lands best suited for housing. However, the concept as proposed would have limited applicability. The definition of IHL is limited to State-owned lands within 0.5 mile of any rail mass transit stations and needed to promote housing for the future. Each county is required to identify and map potential IHL within its jurisdiction “except lands that have been designated, through the State land use, zoning, or county planning process for urban use”. Yet, nearly all State-owned land within 0.5 mile of rail mass transit stations are in the Urban District, and the remaining non-Urban areas (e.g. wetlands, drainageways) are not appropriate for housing. Consequently, the counties’ ability to identify IHL would be severely constrained.

The Hawaii Interagency Council for Transit-Oriented Development is focused on the areas around public transit stations, including rail stations, and is actively promoting numerous projects on State-owned lands that involve affordable housing. Support for these efforts might be a better use of the resources proposed to establish and protect IHL.

Thank you for this opportunity to testify.

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committee on  
HOUSING**

**Tuesday, February 11, 2020  
1:45PM  
State Capitol, Conference Room 225**

**In consideration of  
SENATE BILL 2205  
RELATING TO IMPORTANT HOUSING LANDS**

Senate Bill 2205 proposes to establish that important housing lands are public lands owned by the State that are located within 0.5 miles of any rail mass transit station and needed to promote the expansion of available housing for the future. The measure also proposes to require the State and counties to identify and designate important housing lands; and appropriates funds. **The Department of Land and Natural Resources (Department) expresses its concerns and offers the following comments.**

The measure appears to establish a complex process involving both State and County agencies to identify and classify State owned "important housing lands". However, the Department believes that the measure is ambiguous as to the extent this designation would impact the development potential of lands so classified. The Department has four parcels adjacent or in close proximity to the University of Hawaii West Oahu (UHWO) rail station in East Kapolei which could be impacted by this measure. The Department's objective is to lease the parcels to generate critically needed income to support the Department's natural resource management and protection programs. Planned uses for the parcels include commercial, retail, office, light industrial, mixed use and residential purposes. Additionally, the City and County of Honolulu's most recent draft East Kapolei Neighborhood Transit-Oriented Development (TOD) Plan has accepted the Department's proposed uses for the parcels.

The Department has already agreed to the placement of a park and ride facility on the parcel immediately adjacent to the UHWO rail station, impacting its development potential. Given the proximity of this parcel to the rail station, it would almost certainly be eligible for designation as important housing lands under this measure. The measure is unclear as to the specific development requirements and limitations that apply to lands designated as important housing lands. If the parcel were to be designated as important housing lands and required to be used accordingly, the parcel's income potential would be significantly mitigated further.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

The Department certainly appreciates the need for housing and is already working with the Hawaii Housing Finance and Development Corporation (HHFDC) regarding a potential affordable housing project as a part of our master plan for the parcels that would be located within a one-mile radius of the transit station. The Department would be amenable to designating that site as important housing lands, especially if it would facilitate the development of a housing project there. However, given the other priority uses intended for the remaining lands, the Department would oppose any additional land being designated as important housing lands.

In addition to the Department's parcels, other State agencies such as the University of Hawaii, the Department of Hawaiian Homelands, the Stadium Authority, and the Department of Public Safety are pursuing development of lands located along the rail line to include commercial, retail and hotel uses. Also, the Department of Education will be developing schools in the same area. If the measure contemplates use of these lands solely for housing, it would conflict with many other public priorities.

Thank you for the opportunity to comment on this measure.

**DAVID Y. IGE**  
GOVERNOR

**CURT T. OTAGURO**  
COMPTROLLER



*An Agency of the State of Hawaii*

**ROSS I. YAMASAKI**  
CHAIRMAN, STADIUM AUTHORITY

**SCOTT L. CHAN**  
MANAGER

**RYAN G. ANDREWS**  
DEPUTY MANAGER

TESTIMONY  
OF  
SCOTT L. CHAN, MANAGER  
ALOHA STADIUM  
STADIUM AUTHORITY  
TO THE  
SENATE COMMITTEES  
ON  
HOUSING

February 11, 2020  
1:45 p.m., Room 225

S.B. 2205

RELATING TO IMPORTANT HOUSING LANDS

Chair Chang, Vice Chair Kanuha, and members of the committee, thank you for the opportunity to provide comments on SB 2205, specifically as it relates to ongoing progress of the stadium development district.

The Stadium Authority (Authority) understands and acknowledges the intent of the measure to ensure that state lands within a one-half mile radius of any rail mass transit station are comprehensively and strategically planned, developed, and mindful of addressing housing demand for current and future generations.

To address legislative concerns, the Authority has proactively and aggressively proceeded with initiating the development of a master plan and programmatic environmental impact study (MP/PEIS) that will guide the Authority on development of lands within the stadium's planned development that is inclusive of land within a one-half mile radius of the Aloha Stadium rail transit station. In the 2017 Legislative session, the Legislature concurred with the Authority's goals and objectives by providing \$10,000,000 in financial support necessary for the Authority to address the MP/PEIS requirement(s) and concurrently proceed with development.

Since the 2017 Legislative session, the Authority has carefully and expeditiously followed the steps required in the process and has laid the groundwork and fulfilled the requirements to bring

the project to the point where, in a matter of weeks, the Authority will be issuing a request for qualifications (RFQ) that would subsequently set the groundwork for the issuance of a request for proposals (RFP) process. The entire process from developing a comprehensive development and financial plan to developing specifications for acceptance of proposals, to accurately underwriting the entire project is a very complex and extremely comprehensive process that must “pencil-out” to ensure the project is successful to all parties involved, including the State of Hawaii, the developer, and the general public.

Given the Authority’s progress to date, it is extremely important that the stadium development plan continue unimpeded and its entire property and title remain clear of encumbrances to ensure and provide the greatest and best opportunity for its project to succeed. In order to ensure that the project remains on track and within budget, the Authority is **respectfully requesting exemption from SB 2205.**

Thank you for the opportunity to provide comments on SB 2205.



**SENATE COMMITTEE ON HOUSING  
State Capitol, Conference Room 225  
415 South Beretania Street  
1:45 PM**

**February 11, 2020**

RE: SENATE BILL NO. 2205, RELATED TO IMPORTANT HOUSING LANDS

Chair Chang, Vice Chair Kanuha, and members of the committee:

My name is Dwight Mitsunaga, 2020 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

**BIA Hawaii provides the following comments on S.B. 2205,** which proposes to establish an "important housing lands" category in Chapter 205 HRS. "Important housing lands" are defined as public lands owned by the state, that are located within 0.5 miles of any rail mass transit station and needed to promote the expansion of available housing for the future. The bill also requires the state and counties to identify and designate important housing lands.

While the bill defines Important Housing Lands as "... public lands owned by the State that are located within 0.5 miles of any rail mass transit station. . ." Part 205-E of the bill requires that the counties identify and map important housing lands in each county but does not limit these lands to government lands 0.5 miles from transit stations. It would appear that a separate definition for important housing lands identified by the counties, especially on the neighbor islands, would be necessary.

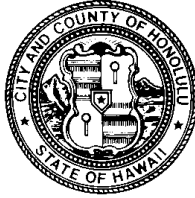
While we support the intent of elevating the need for more housing by requiring more pro-active actions by both the state and counties, we are also concerned about the increased level of government-required actions in an already cumbersome land use entitlement process in the state. Perhaps a more efficient way to address the problem would be to require the Counties to identify areas for urban expansion, and have the State invest in regional infrastructure improvements to service these areas of new growth. Freeing up lands for future development with regional infrastructure in place would stimulate the market for large, medium and small builders to acquire these lands for future development.

We appreciate the opportunity to provide our comments on this matter.

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honoluludpp.org](http://www.honoluludpp.org) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

TIMOTHY F. T. HIU  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

February 11, 2020

The Honorable Stanley Chang, Chair  
and Members of the Committee on Housing  
Hawaii State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Chang and Committee Members:

**Subject: Senate Bill 2205  
Relating to Important Housing Lands**

The Department of Planning and Permitting (DPP) **opposes** Senate Bill No. 2205, which would require a county to identify and map "important housing lands" (IHL) which are defined as State-owned properties that are within one-half mile of a transit station and needed to promote the expansion of available housing for the future.

We agree that there is a shortage of housing on Oahu, especially for low-income households, and we support efforts to create vibrant, multi-modal, mixed-use neighborhoods around transit stations. However, we cannot agree that creating another layer of regulations, as creating IHL would do, is the solution nor necessary as the objectives are already fulfilled by the City's existing plans, permitting processes, and enabling legislation.

Creation of IHL oversteps county home rule responsibilities, and appears to override county plans and regulations. The City's General Plan, regional Development Plans and Sustainable Communities Plans, and Neighborhood Transit-Oriented Development (TOD) Plans already set forth the long-range planning and land use policies that address housing and the desired form of development around transit stations. The Land Use Ordinance, the City's zoning code, establishes zoning districts which defined where housing, include mixed-developments, are permitted. Furthermore, DPP's discretionary permit processes require public notification and line agency review to ensure that proposed projects are built not only with public health and safety at the forefront, but that considers community benefits that may be required of certain projects. Determining permit application criteria and processes should remain under the sole authority of the counties.

This Bill also proposes establishing both State and county incentives for housing development on IHL. Through enabling legislation, the City already has in place exemptions and fee waivers for affordable housing projects. Developers of projects within a TOD Special

The Honorable Stanley Chang, Chair  
and Members of the Committee on Housing  
Hawaii State Senate  
February 11, 2020  
Senate Bill No. 2205  
Page 2

District are also able to take advantage of additional height and density in exchange for commensurate community benefits.

Lastly, we oppose that counties should adopt ordinances that reduce infrastructure standards for IHL, and that in absence of such an ordinance, IHL may be subdivided without county processing or standards. While we acknowledge that infrastructure costs add to the delivery cost of housing, it would be irresponsible for the City to lower its infrastructure and subdivision standards, especially in urban neighborhoods surrounding transit stations. The City has made progress in addressing the cost of housing without sacrificing health and safety – we have adopted exemptions and fee waivers for affordable housing, and are considering changes to off-site parking requirements since a parking space adds significant cost to the price of a housing unit.

For the reasons stated above, we ask that Senate Bill No. 2205 be held in Committee.

Thank you for the opportunity to testify.

Very truly yours,

Kathy K. Sokugawa  
Acting Director





**Testimony to the Senate Committee on Housing  
Tuesday, February 11, 2020 at 1:45 P.M.  
Conference Room 225, State Capitol**

**RE: SB 2205, RELATING TO IMPORTANT HOUSING LANDS**

Chair Chang, Vice Chair Kanuha, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **provides comments on** SB 2205, which proposes to establish an "important housing lands" category in Chapter 205 HRS. Important Housing Lands are defined as public lands owned by the State that are located within 0.5 miles of any rail mass transit station and needed to promote the expansion of available housing for the future. The bill also requires the state and counties to identify and designate important housing lands.

The Chamber is Hawaii's leading statewide business advocacy organization, representing 2,000+ 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.

While the bill defines Important Housing Lands as ". . . public lands owned by the State that are located within 0.5 miles of any rail mass transit station. . ." Part 205-E of the bill requires that the Counties identify and map important housing lands in each county but does not limit these lands to government lands 0.5 miles from transit stations. It would appear that you would need a separate definition for important housing lands identified by the counties, especially on the neighbor islands.

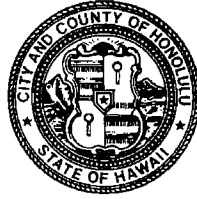
While we support the intent of elevating the need for more housing by requiring more proactive actions, we are also concerned about the increased level of government required actions in an already cumbersome land use entitlement process in the state.

Thank you for the opportunity to provide testimony on SB 2205.

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.dpp.org](http://www.honolulu.dpp.org) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

TIMOTHY F. T. HIU  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

February 11, 2020

The Honorable Stanley Chang, Chair  
and Members of the Committee on Housing  
Hawaii State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Chang and Committee Members:

**Subject: Senate Bill 2205  
Relating to Important Housing Lands**

The Department of Planning and Permitting (DPP) **opposes** Senate Bill No. 2205, which would require a county to identify and map "important housing lands" (IHL) which are defined as State-owned properties that are within one-half mile of a transit station and needed to promote the expansion of available housing for the future.

We agree that there is a shortage of housing on Oahu, especially for low-income households, and we support efforts to create vibrant, multi-modal, mixed-use neighborhoods around transit stations. However, we cannot agree that creating another layer of regulations, as creating IHL would do, is the solution nor necessary as the objectives are already fulfilled by the City's existing plans, permitting processes, and enabling legislation.

Creation of IHL oversteps county homerule responsibilities, and appears to override county plans and regulations. The City's General Plan, regional Development Plans and Sustainable Communities Plans, and Neighborhood Transit-Oriented Development (TOD) Plans already set forth the long-range planning and land use policies that address housing and the desired form of development around transit stations. The Land Use Ordinance, the City's zoning code, establishes zoning districts which defined where housing, include mixed-developments, are permitted. Furthermore, DPP's discretionary permit processes require public notification and line agency review to ensure that proposed projects are built not only with public health and safety at the forefront, but that considers community benefits that may be required of certain projects. Determining permit application criteria and processes should remain under the sole authority of the counties.

This Bill also proposes establishing both State and county incentives for housing development on IHL. Through enabling legislation, the City already has in place exemptions and fee waivers for affordable housing projects. Developers of projects within a TOD Special

The Honorable Stanley Chang, Chair  
and Members of the Committee on Housing  
Hawaii State Senate  
February 11, 2020  
Senate Bill No. 2205  
Page 2

District are also able to take advantage of additional height and density in exchange for commensurate community benefits.

Lastly, we oppose that counties should adopt ordinances that reduce infrastructure standards for IHL, and that in absence of such an ordinance, IHL may be subdivided without county processing or standards. While we acknowledge that infrastructure costs add to the delivery cost of housing, it would be irresponsible for the City to lower its infrastructure and subdivision standards, especially in urban neighborhoods surrounding transit stations. The City has made progress in addressing the cost of housing without sacrificing health and safety – we have adopted exemptions and fee waivers for affordable housing, and are considering changes to off-site parking requirements since a parking space adds significant cost to the price of a housing unit.

For the reasons stated above, we ask that Senate Bill No. 2205 be held in Committee.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy K. Sokugawa", written in a cursive style.

Kathy K. Sokugawa  
Acting Director

**SB-2205**

Submitted on: 2/10/2020 9:29:03 PM

Testimony for HOU on 2/11/2020 1:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashleigh Loa	Individual	Support	No

Comments: