

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN of public hearings to be held by the Hawai‘i Community Development Authority (“HCDA” or “Authority”), a body corporate and a public instrumentality of the State of Hawai‘i, pursuant to the provisions of Chapter 15-217 (“Mauka Area Rules”) and 15-219 (“Rules of Practice and Procedure”), Hawai‘i Administrative Rules (“HAR”), and Sections 1-28.5, 91-3, 92-41, and 206E-5.6, Hawai‘i Revised Statutes (“HRS”).

SUBJECT: Amendment and Compilation of Draft HAR Chapter 15-217,
Relating to the Kaka‘ako Mauka Area Rules

DATES: **January 3, 2024 (Presentation Hearing)**
9:00 a.m.

February 7, 2024 (Decision-Making Hearing)
9:00 a.m.

PLACE: **Public Hearings will be convened remotely via Zoom and
in-person at the following location:**

HCDA Board Meeting Room
547 Queen Street, 2nd Floor
Honolulu, Hawai‘i 96813

Participate Remotely Via Zoom

Please use the following link:

<https://us06web.zoom.us/j/82630052715?pwd=gFw5kQ7j8N4nW2zvTtLrylbwMjFezS.1>

Participate Via Phone

Dial: (669) 900 - 6833
Webinar ID: 826 3005 2715
Passcode: 553394

Public Hearings will convene at the above-stated times, or soon thereafter, to reasonably allow those interested in providing oral testimony to be heard.

In the event that audiovisual communication cannot be maintained by all participating Board Members and quorum is lost, the public hearing will be automatically recessed for up to thirty (30) minutes, during which time, an attempt to restore audiovisual communication will be made. If the HCDA is able to re-establish audio communication only, the public hearing will be reconvened and continue. To participate via audio communication, please refer to the “Participate Via Phone” information above. If the HCDA is unable to reconvene the public hearing because neither audiovisual communication nor audio communication can be re-established within thirty (30) minutes, the public hearing will be automatically terminated, unless stated otherwise during the public hearing. If the connection cannot be restored within 30 minutes, the hearing will be reconvened on Thursday, January 4, 2024 for the Presentation Hearing and Thursday, February 8, 2024 for the Decision-Making Hearing at the same physical location and virtual Zoom webinar link as provided in this notice.

SUMMARY OF PROPOSED AMENDMENTS

The proposed Kaka‘ako Mauka Area Rule Amendments are available online at: <https://dbedt.hawaii.gov/hcda/kakaako-mauka-area-rule-amendments/>

Title 15, Chapter 217, Hawai‘i Administrative Rules (“HAR”), Mauka Area Rules, relating to the Kaka‘ako Mauka Community Development District (“CDD”) were last amended in 2011.

The proposed amendments to the Mauka Area Rules are intended to promote public benefits, enhance the urban realm, and streamline permit reviews. These amendments include clarifications to existing rules, simplification of permit reviews, and implementation of planning best practices.

The amended rules will expand the applicability of rules clearances and will add a new renovation permit, temporary use permit, and zoning clearance in order to streamline redevelopment and facilitate investment in existing properties in Kaka‘ako Mauka.

Minimum parking requirements are being eliminated to align with the City and County of Honolulu policies. Parking will also be included in floor area ratio calculations in order to provide additional design flexibility around transit- and pedestrian-oriented development.

The proposed incentive zoning rules will allow increased building density on selected parcels, in exchange for the voluntary provision of enhanced community benefits such as affordable housing or community facilities.

Finally, language is also being added to reflect Act 221 (2023), which amends HRS Section 206E-33 to require the Authority to consider climate change, sea level rise, and climate-resilient development in the design and siting of buildings.

AVAILABILITY OF PROPOSED RULES

The proposed rules for this public hearing are available via the HCDA website at: <https://dbedt.hawaii.gov/hcda/kakaako-mauka-area-rule-amendments/> or at the lieutenant governor's website: <https://ltgov.hawaii.gov/the-office/administrative-rules/proposed-changes/>.

A paper copy of the proposed plan and rules may be obtained at a nominal fee by contacting the HCDA’s office at (808) 594-0300 or dbedt.hcda.contact@hawaii.gov. The paper copies will cost ten cents per page, plus any mailing costs, if applicable.

INSTRUCTIONS FOR PUBLIC TESTIMONY

Oral Live Testimony

Persons who intend to present oral testimony are requested to sign up or notify the HCDA staff prior to the beginning of each public hearing by submitting a request via email to: dbedt.hcda.contact@hawaii.gov or you may call the HCDA’s office at (808) 594-0300.

Pursuant to Article IV, Section 10, of the HCDA's Bylaws, oral, live testimony may be limited to three (3) minutes at the discretion of the presiding officer and will be accepted only on matters directly related to the subject of the hearing. Pursuant to HAR § 15-219-71, speakers may be subject to questioning by the members of the HCDA Board or by any other representative of the HCDA.

When testifying, you will be asked to identify yourself and the organization, if any, that you represent. Oral, live testimony may be provided via either of the following options:

- **In Person:** Upon arriving in person, please complete the speaker registration form at the sign-in table on the 2nd floor of the American Brewery Building, 547 Queen Street, Honolulu, Hawai'i 96813. When the Chairperson asks for public testimony, and your name is called, please approach the public testimony table, and proceed with your testimony.
- **Via Zoom:** Oral, live testimony may be provided remotely via the Zoom link provided above at the top of this Notice. You will be asked to provide your name and an email address in the standard email format, e.g., ****@****.com.

Please use your full name and organization when joining via Zoom. Your microphone will automatically be muted. When the Chairperson asks for public testimony, you may click the Raise Hand button found on your Zoom screen to indicate that you wish to testify. The Chairperson will individually enable each testifier to unmute their microphone. When recognized by the Chairperson, please unmute your microphone before speaking and mute your microphone after you finish speaking. The Authority may remove any person who willfully disrupts the hearing.

- **Via Phone:** If you do not have a computer/internet access, you may provide oral, live testimony via the Participate by Phone option and attend this public hearing with audio-only access by calling the phone number listed in the "Participate Via Phone" option located at the top of this Notice.

Upon dialing the number, you will be prompted to enter the Meeting ID, which is also listed at the top of this Notice. After entering the Meeting ID, you will be asked to either enter your panelist number or wait to be admitted into the meeting. Please wait until you are admitted into the meeting, as no panelist numbers will be issued.

When the Chairperson asks for public testimony, you may indicate that you want to testify by entering * followed by 9 on your phone's keypad. A voice prompt will then let you know that the meeting host has been notified. When recognized by the Chairperson, please unmute yourself by entering * and then 6 on your phone's keypad. A voice prompt will let you know that you are unmuted, and you may begin speaking. After you have finished speaking, please enter * and then 6 again to mute yourself.

Written Testimony

To ensure that the public as well as the HCDA Board Members receive testimony in a timely manner, it is requested that written testimony be submitted no later than 24 hours prior to the scheduled Public Hearing date and time. Any written testimony submitted after such time cannot be

guaranteed to be distributed in time for the Public Hearing but will be provided to the Board Members as soon as practicable. Written testimony may be submitted by any one of the following methods:

- **Via Email to:** dbedt.hcda.contact@hawaii.gov
- **Via Web form at:** <http://dbedt.hawaii.gov/hcda/submit-testimony>
- **Via U.S. Postal Mail sent to:**
Hawai'i Community Development Authority
547 Queen Street
Honolulu, HI 96813
- **Via Facsimile (fax) to:** (808) 587-0299

Please note that written public testimony submitted to the HCDA will be treated as a public record, and any contact information contained therein will be available for public inspection and copying.

For any questions or concerns regarding the above, please call the HCDA office at (808) 594-0300.

If you need an auxiliary aid/service or other accommodation due to a disability, please contact Francine Murray, HCDA Community Outreach Officer, via phone at (808) 594-0300 or by email at: dbedt.hcda.contact@hawaii.gov or by facsimile at (808) 587-0299 as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternative/accessible formats.

HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY
CHASON ISHII, CHAIRPERSON