

DECISION-MAKING PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE KAKA‘AKO COMMUNITY DEVELOPMENT DISTRICT RULES

I. BACKGROUND

Title 15, Chapter 217, Hawaii Administrative Rules (“HAR”), Mauka Area Rules, regarding the mauka area of the Kaka‘ako Community Development District (“CDD”) took effect on September 14, 2011.¹ In 2016, the Hawaii Community Development Authority (“HCDA”) completed a Transit Oriented Development (“TOD”) Overlay Plan² which proposed incentive zoning for the provision of public benefits, parking policy changes, and other urban streetscape changes in the Kaka‘ako Mauka CDD.

The incentive zones and the amount of the incentives were studied extensively. The consulting firm Hi.Arch.Y LLC,³ the University of Hawai‘i Community Design Center⁴, and HCDA staff conducted extensive outreach on the implementation of incentive zoning and other proposed amendments in 2021 and 2022. The outreach included community surveys and broad input from working groups comprised of representatives from the landowners, businesses, and Native Hawaiian organizations. The input from these surveys was used to shape the development of the incentive zones, the amount of the incentives, and the rules amendment.⁵

II. DISCUSSION

The proposed amendments are generally designed to promote public benefits, enhance the urban realm, and streamline permit reviews. These amendments generally include:

- Incentive zoning to encourage the providing of public benefits on certain parcels identified in the TOD Overlay Plan.
- Parking de-regulation, including deleting minimum parking requirements.
- Consideration of climate change, sea level rise, and climate-resilient development.
- New permit types to simplify agency reviews and other process refinements.

Since the presentation public hearing on January 3, 2024, staff have been incorporating community input as well as additional rule clarifications, updated definitions, revised figures, and other edits. The attached Summary Matrix of Proposed Amendments to the Mauka Area Rules enumerates the revisions that have been made to the Title 15, Chapter 217, HAR Mauka Area Rules.

Citations: ¹ Hawai‘i Community Development Authority. (September 14, 2011). *Mauka Area Rules. Title 15, Subtitle 4, Chapter 217, Hawaii Administrative Rules.*
<https://dbedt.hawaii.gov/hcda/files/2012/11/Chapter-217-Mauka-Area-Rules-EFF-2011.11.11.pdf>

² Hawai‘i Community Development Authority. (March 18, 2016). *Kaka‘ako Community Development District TOD Overlay Plan. Final Draft.*
<https://dbedt.hawaii.gov/hcda/files/2016/05/Final-TOD-Overlay-Plan-Draft-31816.pdf>

³ hi·arch·y (June 10, 2022). *Mauka Area Rules Amendments Analysis.*
https://dbedt.hawaii.gov/hcda/files/2024/01/2022-09-12-2022-HCDA-MAR-Amendments-Analysis_FINAL.pdf

⁴ University of Hawai‘i Community Design Center (August 1, 2022). *Kaka‘ako Policy Design Tank Summary.* https://dbedt.hawaii.gov/hcda/files/2024/01/22-1007_Kakaako-DT-Report_spreads.pdf

⁵ Hawai‘i Community Development Authority (September 2022). *HCDA Community Outreach Survey Final Results.*
https://dbedt.hawaii.gov/hcda/files/2024/01/HCDA-Community-Outreach-Survey_-results_final.pdf

Attachments:

1. Summary Matrix of Proposed Amendments to the Mauka Area Rules, Final Draft
2. Mauka Area Rules, Proposed Amendments – Final Draft (Ramseyer Version), January 2024

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