



HONOLULU AUTHORITY for RAPID TRANSPORTATION

Daniel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

April 19, 2012

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The Honorable Tulsi Gabbard  
Honolulu City Council  
530 South King Street, Room 202  
Honolulu, Hawaii 96813

Dear Councilmember Gabbard:

In response to your request to provide clarification regarding who is responsible for transit-oriented development (TOD), we provide the following:

As stated in the Findings and Purpose of the Transit-Oriented Development Ordinance (Ordinance 09-4), "a vital part of the mass transit project is the opportunity to develop and redevelop key areas of Honolulu to provide additional housing and work opportunities in our growing island. These efforts will allow the city to continue its goal of directing new growth to designated areas while 'keeping the country, country.' Appropriate transit-oriented development ('TOD') land use regulations along the alignment and around the rapid transit stations will be crucial for these efforts and goals...The council, therefore, finds that to protect the public interest and welfare, the Land Use Ordinance is to be amended to provide guidance on how to determine zoning regulations for areas around each transit station."

Pursuant to Sections 6-1503 and 6-1514 of the City Charter, the Department of Planning and Permitting (DPP) is responsible for preparing zoning ordinances, maps and rules and regulations and any amendments thereto, for its adoption by the Council, and is charged with the administration and enforcement of the zoning ordinances and rules and regulations. Therefore, DPP and the City Council are responsible for the development and implementation of TOD plans, zoning, and other land use permits and regulations.

Pursuant to Section 17-103 of the City Charter, the Honolulu Authority for Rapid Transportation (HART) is "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."

Land use regulation around two of the rapid transit stations (Civic Center and Kakaako Stations) located within the State's Kakaako Community Development District, is under the jurisdiction of Hawaii Community Development Authority (HCDA). Therefore, HCDA would be responsible for the development, implementation, administration, and enforcement of any TOD regulations within the district, impacted by the two stations.

At the Downtown Station, the land use regulations of the area makai of Nimitz Highway is under the jurisdiction of either the HCDA (the block where the HECO power plant is located) and the Aloha Tower Development Corporation.

The Honorable Tulsi Gabbard  
Page 2  
April 19, 2012

Ultimately, the party that is responsible for transit-oriented development is the property owner of the lots, whether public or private, being developed, along with market forces. The landowner designs and builds TOD. The City's or other regulating agencies' role is to encourage and enable good TOD. Its success depends on many factors, including government regulations, community support, developer interest, and market conditions.

Please do not hesitate to contact me should you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Grabauskas', with a long horizontal flourish extending to the right.

Daniel A. Grabauskas  
Executive Director and CEO

cc: All Councilmembers  
HART Board of Directors