
A BILL FOR AN ACT

RELATING TO HOUSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 201H, Hawaii Revised Statutes, is
2 amended by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§201H- Eligible rental housing project, exemptions;

5 public lands rent. (a) Any eligible project, as defined in
6 section 201H-122, shall be exempt from the requirements of
7 chapters 205 and 343 and all other statutes, charter provisions,
8 ordinances, and rules of any state or county government agency
9 relating to planning, land use, zoning, and other permits
10 required for the development of residential housing; provided
11 that the eligible project shall not be exempt from construction
12 standards for subdivisions, the applicable county building code,
13 and other construction standards for dwelling units.

14 (b) If the eligible project is to be developed on public
15 lands, then sections 10-13.6 and 171-18 notwithstanding, the
16 land shall be set aside to the corporation, without the approval
17 of the board of land and natural resources as required by
18 section 171-11, and the corporation shall make the land



1 available to the eligible project at a lease rent of \$1 per year
2 for the useful life of the project; provided that if the land is
3 of the public land trust, then twenty per cent of all rental
4 units in the eligible project shall be made available to native
5 Hawaiians, as defined in section 10-2.

6 (c) This section shall only apply to an eligible project
7 that:

8 (1) Maintains one hundred per cent of its units for
9 families or individuals whose incomes do not exceed
10 one hundred forty per cent of the area median income
11 as determined by the United States Department of
12 Housing and Urban Development;

13 (2) Provides rental units with rents that do not exceed
14 thirty per cent of the monthly income of the family or
15 individual tenant after all mandatory withholdings;
16 and

17 (3) Is dedicated to meet the requirements in paragraphs
18 (1) and (2) for the useful life of the project.

19 (d) If the eligible project meets the subdivision
20 standards and building code requirements of the county where the
21 eligible project is situated, the county shall allow the project
22 to connect to the county's infrastructure, including but not



1 limited to its water, sewer, and drainage systems, upon the
2 payment of the applicable meter and connection fees and utility
3 costs.

4 (e) The corporation shall monitor and enforce the tenancy
5 and rent requirement of this section and allow the office of
6 Hawaiian affairs the same right of monitoring the units reserved
7 for native Hawaiians.

8 (f) For purposes of this section, the "useful life of the
9 project" means the duration that the project may be reasonably
10 and economically repaired, refurbished, redeveloped, and
11 maintained in a safe and habitable condition, but in no event
12 may that duration be less than thirty years."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval;
15 provided that:

16 (1) Section 1 of this Act shall be repealed on June 30,
17 2010; and

18 (2) Section 1 shall continue to apply to any project for
19 which a completed building permit application is
20 submitted by June 30, 2010.

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INTRODUCED BY:

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Report Title:

Housing; Rentals; Land Use

Description:

Exempts any eligible rental project that is dedicated to 100% affordable in perpetuity from the requirements of land use and environmental impact statement laws, and all county land use, charter, ordinance, and rule provisions. Provides that if the eligible project is on public lands, the housing finance and development corporation shall lease the land at \$1 per year. Requires that if the land is ceded land then 20% of the units be made available to native Hawaiians. Repealed 6/30/2010.

