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# A BILL FOR AN ACT

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RELATING TO HOUSING.

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

1       SECTION 1. The legislature finds that Hawaii's housing  
2 market suffers from a persistent shortage of housing,  
3 particularly housing that is affordable to Hawaii's workforce  
4 and lower income groups. Of the approximately 64,700 housing  
5 units that are forecasted to be needed between 2015 and 2025,  
6 nearly 89 per cent or about 57,500 units will be needed by those  
7 earning 140 per cent and below the area median income.  
8 Approximately 43,800 units are estimated to be needed for  
9 renters. The special action team on affordable rental housing  
10 has determined that additional incentives are needed to spur on  
11 rental housing development to meet the considerable demand.

12       The Hawaii housing finance and development corporation  
13 provides for a forty-five-day approval process for affordable  
14 housing projects seeking district boundary amendments from the  
15 land use commission, as well as for projects seeking county  
16 approvals and exemptions relating to planning, zoning,  
17 construction standards for subdivisions, development and



1 improvement of land, and the construction of dwelling units  
2 thereon.

3 The purpose of this Act is to provide incentives to spur  
4 housing development by establishing a forty-five-day approval  
5 process for affordable housing projects seeking district  
6 boundary amendments for land areas of fifteen acres or less  
7 within the jurisdiction of the counties, as well as for lands  
8 under the control of the Hawaii community development authority.

9 SECTION 2. Section 201H-38, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

11 "(a) The corporation may develop on behalf of the State or  
12 with an eligible developer, or may assist under a government  
13 assistance program in the development of, housing projects that  
14 shall be exempt from all statutes, ordinances, charter  
15 provisions, and rules of any government agency relating to  
16 planning, zoning, construction standards for subdivisions,  
17 development and improvement of land, and the construction of  
18 dwelling units thereon; provided that:

19 (1) The corporation finds the housing project is  
20 consistent with the purpose and intent of this



chapter, and meets minimum requirements of health and safety;

(2) The development of the proposed housing project does not contravene any safety standards, tariffs, or rates and fees approved by the public utilities commission for public utilities or of the various boards of water supply authorized under chapter 54;

(3) The legislative body of the county in which the housing project is to be situated shall have approved the project with or without modifications:

(A) The legislative body shall approve, approve with modification, or disapprove the project by resolution within forty-five days after the corporation has submitted the preliminary plans and specifications for the project to the legislative body. If on the forty-sixth day a project is not disapproved, it shall be deemed approved by the legislative body;

(B) No action shall be prosecuted or maintained against any county, its officials, or employees on account of actions taken by them in reviewing,



1 approving, modifying, or disapproving the plans  
2 and specifications; and  
3 (C) The final plans and specifications for the  
4 project shall be deemed approved by the  
5 legislative body if the final plans and  
6 specifications do not substantially deviate from  
7 the preliminary plans and specifications. The  
8 final plans and specifications for the project  
9 shall constitute the zoning, building,  
10 construction, and subdivision standards for that  
11 project. For purposes of sections 501-85 and  
12 502-17, the executive director of the corporation  
13 or the responsible county official may certify  
14 maps and plans of lands connected with the  
15 project as having complied with applicable laws  
16 and ordinances relating to consolidation and  
17 subdivision of lands, and the maps and plans  
18 shall be accepted for registration or recordation  
19 by the land court and registrar; [and]  
20 (4) The land use commission shall approve, approve with  
21 modification, or disapprove a boundary change within



1           forty-five days after the corporation has submitted a  
2           petition to the commission as provided in section 205-  
3           4. If, on the forty-sixth day, the petition is not  
4           disapproved, it shall be deemed approved by the  
5           commission~~[-]~~; and

6           (5) The appropriate county land use decision-making  
7           authority in which the project is located, pursuant to  
8           section 205-3.1(b) and (c), shall approve, approve  
9           with modification, or disapprove a district boundary  
10           change involving land areas of fifteen acres or less  
11           within forty-five days after the corporation has  
12           submitted a petition to the county land use decision-  
13           making authority. If, on the forty-sixth day the  
14           petition is not disapproved, it shall be deemed  
15           approved by the county land use decision-making  
16           authority; and

17           (6) The Hawaii community development authority shall, at a  
18           meeting, approve, approve with modifications, or  
19           disapprove, the corporation's request for project  
20           exemptions, within forty-five days after the  
21           corporation has submitted the request. If, on the



1           forty-sixth day the request is not disapproved, it  
2           shall be deemed approved by the Hawaii community  
3           development authority."

4           SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 4. This Act shall take effect on January 1, 2050.



**Report Title:**

Housing; Expedited Approvals for Eligible Affordable Housing Projects

**Description:**

Establishes expedited approvals for affordable housing projects seeking district boundary amendments for land areas of fifteen acres or less under the jurisdiction of the counties, as well as expedited approvals by the Hawaii Community Development Authority. (HB2331 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

