A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING.

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

1   SECTION 1. The legislature finds that the need for

2 affordable housing must be carefully weighed against the impacts

3 it may have on Hawaii's environment. Near conservation,

4 agriculture, and other non-urban areas, care must be taken to

5 ensure any impact from development will not cause significant

6 harm to natural resources and the environment. However, in the

7 urban core, where impacts to the environment may be

8 inconsequential due to the existing development and population,

9 additional impact statements and studies do not provide

10 additional safeguards to the environment.

11   The legislature further finds that one of the triggers for

12 environmental assessments and environmental impact statements is

13 the use of state or county funds for the project, while

14 privately financed projects do not similarly trigger

15 environmental assessments or environmental impact statements.

16 To streamline the process within the urban core to build

17 affordable housing projects, affordable housing projects

1 developed by the Hawaii housing finance and development

2 corporation within the urban core that receive money from the

3 state should be exempted from further environmental review.

4   SECTION 2.   Section 343-5.5, Hawaii Revised Statutes, is

5 amended to read as follows:

6   "[↑]§343-5.5[↓]   **Exception to applicability of chapter.**

7 (a) Notwithstanding any other law to the contrary, for any

8 primary action that requires a permit or approval that is not

9 subject to a discretionary consent and that involves a secondary

10 action that is ancillary and limited to the installation,

11 improvement, renovation, construction, or development of

12 infrastructure within an existing public right-of-way or

13 highway, that secondary action shall be exempt from this

14 chapter; provided that the applicant for the primary action

15 shall submit documentation from the appropriate agency

16 confirming that no further discretionary approvals are required.

17   (b) The development of any affordable housing project

18 within an urban core and pursuant to chapter 201H shall be

19 exempt from this chapter.

20   [(b)] (c) As used in this section:

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1   "Affordable housing" means the same as defined in section

2   201H-57.

3   "Discretionary consent" means:

4   (1) An action as defined in section 343-2; or

5   (2) An approval from a decision-making authority in an

6   agency, which approval is subject to a public hearing.

7   "Infrastructure" includes waterlines and water facilities,

8   wastewater lines and wastewater facilities, gas lines and gas

9   facilities, drainage facilities, electrical, communications,

10   telephone, and cable television utilities, and highway, roadway,

11   and driveway improvements.

12   "Primary action" means an action outside of the highway or

13   public right-of-way that is on private property.

14   "Secondary action" means an action involving infrastructure

15   within the highway or public right-of-way.

16   "Urban core" means the areas of Oahu encompassing Kakaako,

17   downtown Honolulu and the financial district, Kalihi, and Ala

18   Moana."

19   SECTION 3. Statutory material to be repealed is bracketed

20   and stricken. New statutory material is underscored.

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1   SECTION 4.   This Act shall take effect upon its approval.

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INTRODUCED BY: _____

JAN 2 3 2017

H.B. NO. 928

Report Title:
Affordable Housing; Hawaii Housing Finance and Development
Corporation; Urban Core; Environmental Assessments;
Environmental Impact Statements; Exemption

Description:
Exempts the development of affordable housing projects developed
in the urban core by the Hawaii housing finance and development
corporation from environmental assessment and environmental
impact statement requirements.

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