

JAN 19 2018

A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. Hawaii's housing market suffers from a
2 persistent shortage of housing, particularly housing that is
3 affordable to Hawaii's workforce and lower income groups, which
4 are those who earn one hundred forty per cent and below the area
5 median income. Of the approximately sixty-four thousand seven
6 hundred housing units that are forecast to be needed between the
7 years 2015 and 2025, nearly eighty-nine per cent, or about
8 fifty-seven thousand five hundred units, will be needed by these
9 working and lower income groups. Approximately forty-three
10 thousand eight hundred units are estimated to be needed for
11 renter households. The special action team on affordable rental
12 housing has determined that additional incentives are needed to
13 spur rental housing development to meet the considerable demand.

14 Chapter 201H, Hawaii Revised Statutes, provides for a
15 forty-five-day approval process for affordable housing projects
16 seeking district boundary amendments from the state land use
17 commission, as well as for projects seeking county approvals and



1 exemptions relating to planning, zoning, construction standards
2 for subdivisions, development and improvement of land, and the
3 construction of dwelling units thereon. Establishing a forty-
4 five-day approval process for affordable housing projects
5 seeking district boundary amendments for land areas of fifteen
6 acres or less within the jurisdiction of the counties as well as
7 for lands under the control of the Hawaii community development
8 authority could expedite governmental approvals and save time
9 and money, and thereby create a new incentive to spur housing
10 development.

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

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



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- 1 (1) The corporation finds the housing project is
2 consistent with the purpose and intent of this
3 chapter, and meets minimum requirements of health and
4 safety;
- 5 (2) The development of the proposed housing project does
6 not contravene any safety standards, tariffs, or rates
7 and fees approved by the public utilities commission
8 for public utilities or of the various boards of water
9 supply authorized under chapter 54;
- 10 (3) The legislative body of the county in which the
11 housing project is to be situated shall have approved
12 the project with or without modifications:
 - 13 (A) The legislative body shall approve, approve with
14 modification, or disapprove the project by
15 resolution within forty-five days after the
16 corporation has submitted the preliminary plans
17 and specifications for the project to the
18 legislative body. If on the forty-sixth day a
19 project is not disapproved, it shall be deemed
20 approved by the legislative body;



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1 (B) No action shall be prosecuted or maintained
2 against any county, its officials, or employees
3 on account of actions taken by them in reviewing,
4 approving, modifying, or disapproving the plans
5 and specifications; and

6 (C) The final plans and specifications for the
7 project shall be deemed approved by the
8 legislative body if the final plans and
9 specifications do not substantially deviate from
10 the preliminary plans and specifications. The
11 final plans and specifications for the project
12 shall constitute the zoning, building,
13 construction, and subdivision standards for that
14 project. For purposes of sections 501-85 and
15 502-17, the executive director of the corporation
16 or the responsible county official may certify
17 maps and plans of lands connected with the
18 project as having complied with applicable laws
19 and ordinances relating to consolidation and
20 subdivision of lands, and the maps and plans



1 shall be accepted for registration or recordation
2 by the land court and registrar; [~~and~~]

3 (4) The land use commission shall approve, approve with
4 modification, or disapprove a boundary change within
5 forty-five days after the corporation has submitted a
6 petition to the commission as provided in section 205-
7 4. If, on the forty-sixth day, the petition is not
8 disapproved, it shall be deemed approved by the
9 commission[~~-~~];

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



1 (6) The Hawaii community development authority shall, at a
2 meeting, approve, approve with modifications, or
3 disapprove, the corporation's request for project
4 exemptions, within forty-five days after the
5 corporation has submitted the request. If on the
6 forty-sixth day the request is not disapproved, it
7 shall be deemed approved by the Hawaii community
8 development authority."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect on July 1, 2018.

12

INTRODUCED BY: Will Eyo



S.B. NO. 2630

Report Title:

Housing; Expedited Approvals; 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 for project exemptions by the Hawaii community development authority.

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

