
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. Of
4 the approximately 64,700 housing units that are forecasted to be
5 needed between 2015 and 2025, nearly eighty-nine per cent, or
6 about 57,500 units, will be needed by those earning one hundred
7 forty per cent and below the area median income. Approximately
8 43,800 units are estimated to be needed for renter households.
9 The special action team on affordable rental housing has
10 determined that additional incentives are needed to spur rental
11 housing development to meet the considerable demand.

12 Chapter 201H, Hawaii Revised Statutes, provides for a
13 forty-five day approval process for affordable housing projects
14 seeking district boundary amendments from the state land use
15 commission, as well as for projects seeking county approvals and
16 exemptions relating to planning, zoning, construction standards
17 for subdivisions, development and improvement of land, and the



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

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
3 205-4. If, on the forty-sixth day, the petition is
4 not 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."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on July 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. Takes effect 7/1/2050. (SD1)

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

