
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The legislature finds that there exists in the
2 State a critical need for the development and construction of
3 affordable housing units for residents of the State. Act 127,
4 Session Laws of Hawaii 2016, as amended by Act 96, Session Laws
5 of Hawaii 2017, established a goal of developing at least 22,500
6 affordable rental housing units ready for occupancy between 2017
7 and 2026. The legislature further finds that the transit-
8 oriented development associated with the construction of a rail
9 transit system in Honolulu has the potential to fulfill this
10 housing goal. Because the State is the largest landowner of
11 properties along the rail transit line, the State has the
12 opportunity to utilize its resources to significantly increase
13 the inventory of affordable housing units.

14 The legislature additionally finds that Act 130, Session
15 Laws of Hawaii 2016, established the office of planning as the
16 lead agency to coordinate and advance smart growth and transit-
17 oriented development planning within the State, including



1 targeting transit-oriented development areas for significant
2 increases in affordable housing and rental units and approving
3 all state agencies' development plans for parcels along the rail
4 transit corridor. The legislature also finds that requiring an
5 affordable housing component as part of development and
6 redevelopment of state properties along the rail transit line
7 will not only increase the affordable housing stock, but also
8 support rail ridership goals by locating denser, mixed use
9 developments along the rail transit line.

10 The purpose of this Act is to require affordable housing to
11 be included as part of the development or redevelopment plan for
12 state transit-oriented development along the rail transit
13 corridor as part of the office of planning's function as lead
14 agency to coordinate and advance smart growth and transit-
15 oriented development planning within the State.

16 SECTION 2. Section 225M-2, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) The office of planning shall gather, analyze, and
19 provide information to the governor to assist in the overall
20 analysis and formulation of state policies and strategies to
21 provide central direction and cohesion in the allocation of



1 resources and effectuation of state activities and programs and
2 effectively address current or emerging issues and
3 opportunities. More specifically, the office shall engage in
4 the following activities:

5 (1) State comprehensive planning and program coordination.
6 Formulating and articulating comprehensive statewide
7 goals, objectives, policies, and priorities, and
8 coordinating their implementation through the
9 statewide planning system established in part II of
10 chapter 226;

11 (2) Strategic planning. Identifying and analyzing
12 significant issues, problems, and opportunities
13 confronting the State, and formulating strategies and
14 alternative courses of action in response to
15 identified problems and opportunities by:

16 (A) Providing in-depth policy research, analysis, and
17 recommendations on existing or potential areas of
18 critical state concern;

19 (B) Examining and evaluating the effectiveness of
20 state programs in implementing state policies and
21 priorities;



- 1 (C) Monitoring current social, economic, and physical
2 conditions and trends through surveys,
3 environmental scanning, and other techniques [~~—~~
4 ~~current social, economic, and physical conditions~~
5 ~~and trends~~]; and
- 6 (D) Developing, in collaboration with affected public
7 or private agencies and organizations,
8 implementation plans and schedules and, where
9 appropriate, assisting in the mobilization of
10 resources to meet identified needs;
- 11 (3) Planning coordination and cooperation. Facilitating
12 coordinated and cooperative planning and policy
13 development and implementation activities among state
14 agencies and between the state, county, and federal
15 governments, by:
 - 16 (A) Reviewing, assessing, and coordinating, as
17 necessary, major plans, programs, projects, and
18 regulatory activities existing or proposed by
19 state and county agencies;



1 (B) Formulating mechanisms to simplify, streamline,
2 or coordinate interagency development and
3 regulatory processes; and

4 (C) Recognizing the presence of federal defense and
5 security forces and agencies in the State as
6 important state concerns;

7 (4) Statewide planning and geographic information system.
8 Collecting, integrating, analyzing, maintaining, and
9 disseminating various forms of data and information,
10 including geospatial data and information, to further
11 effective state planning, policy analysis and
12 development, and delivery of government services by:

13 (A) Collecting, assembling, organizing, evaluating,
14 and classifying existing geospatial and non-
15 geospatial data and performing necessary basic
16 research, conversions, and integration to provide
17 a common database for governmental planning and
18 geospatial analyses by state agencies;

19 (B) Planning, coordinating, and maintaining a
20 comprehensive, shared statewide planning and
21 geographic information system and associated



1 geospatial database. The office shall be the
2 lead agency responsible for coordinating the
3 maintenance of the multi-agency, statewide
4 planning and geographic information system and
5 coordinating, collecting, integrating, and
6 disseminating geospatial data sets that are used
7 to support a variety of state agency applications
8 and other spatial data analyses to enhance
9 decision-making. The office shall promote and
10 encourage free and open data sharing among and
11 between all government agencies. To ensure the
12 maintenance of a comprehensive, accurate, up-to-
13 date geospatial data resource that can be drawn
14 upon for decision-making related to essential
15 public policy issues such as land use planning,
16 resource management, homeland security, and the
17 overall health, safety, and well-being of
18 Hawaii's citizens, and to avoid redundant data
19 development efforts, state agencies shall provide
20 to the shared system either their respective
21 geospatial databases or, at a minimum, especially



1 in cases of secure or confidential data sets that
2 cannot be shared or must be restricted, metadata
3 describing existing geospatial data. In cases
4 where agencies provide restricted data, the
5 office of planning shall ensure the security of
6 that data; and

7 (C) Maintaining a centralized depository of state and
8 national planning references;

9 (5) Land use planning. Developing and presenting the
10 position of the State in all boundary change petitions
11 and proceedings before the land use commission,
12 assisting state agencies in the development and
13 submittal of petitions for land use district boundary
14 amendments, and conducting periodic reviews of the
15 classification and districting of all lands in the
16 State, as specified in chapter 205;

17 (6) Coastal and ocean policy management. Carrying out the
18 lead agency responsibilities for the Hawaii coastal
19 zone management program, as specified in chapter 205A.

20 Also:



1 (A) Developing and maintaining an ocean and coastal
2 resources information, planning, and management
3 system;

4 (B) Further developing and coordinating
5 implementation of the ocean resources management
6 plan; and

7 (C) Formulating ocean policies with respect to the
8 exclusive economic zone, coral reefs, and
9 national marine sanctuaries;

10 (7) Regional planning and studies. Conducting plans and
11 studies to determine:

12 (A) The capability of various regions within the
13 State to support projected increases in both
14 resident populations and visitors;

15 (B) The potential physical, social, economic, and
16 environmental impact on these regions resulting
17 from increases in both resident populations and
18 visitors;

19 (C) The maximum annual visitor carrying capacity for
20 the State by region, county, and island; and



1 (D) The appropriate guidance and management of
2 selected regions and areas of statewide critical
3 concern.

4 The studies in subparagraphs (A) to (C) shall be
5 conducted at appropriate intervals, but not less than
6 once every five years;

7 (8) Regional, national, and international planning.
8 Participating in and ensuring that state plans,
9 policies, and objectives are consistent, to the extent
10 practicable, with regional, national, and
11 international planning efforts;

12 (9) Climate adaptation planning. Conducting plans and
13 studies and preparing reports as follows:

14 (A) Develop, monitor, and evaluate strategic climate
15 adaptation plans and actionable policy
16 recommendations for the State and counties
17 addressing expected statewide climate change
18 impacts identified under Act 286, Session Laws of
19 Hawaii 2012, through the year 2050;



1 (B) Provide planning and policy guidance and
2 assistance to state and county agencies regarding
3 climate change; and

4 (C) Publish its findings, recommendations, and
5 progress reports on actions taken no later than
6 December 31, 2017, and its annual report to the
7 governor and the legislature thereafter; and

8 (10) Smart growth and transit-oriented development. Acting
9 as the lead agency to coordinate and advance smart
10 growth and transit-oriented development planning
11 within the State as follows:

12 (A) Identify transit-oriented development
13 opportunities shared between state and county
14 agencies, including relevant initiatives such as
15 the department of health's healthy Hawaii
16 initiative and the Hawaii clean energy
17 initiative;

18 (B) Refine the definition of "transit-oriented
19 development" in the context of Hawaii, while
20 recognizing the potential for smart growth
21 development patterns in all locations;



- 1 (C) Clarify state goals for transit-oriented
2 development and smart growth that support the
3 principles of the Hawaii State Planning Act by
4 preserving non-urbanized land, improving worker
5 access to jobs, and reducing fuel consumption;
- 6 (D) Target transit-oriented development areas for
7 significant increase in affordable housing and
8 rental units;
- 9 (E) Conduct outreach to state agencies to help
10 educate state employees about the ways they can
11 support and benefit from transit-oriented
12 development and the State's smart growth goals;
- 13 (F) Publicize coordinated state efforts that support
14 smart growth, walkable neighborhoods, and
15 transit-oriented development;
- 16 (G) Review state land use decision-making processes
17 to identify ways to make transit-oriented
18 development a higher priority and facilitate
19 better and more proactive leadership in creating
20 walkable communities and employment districts,



1 even if transit will only be provided at a later
2 date; and

3 (H) Approve all state agencies' development plans for
4 parcels along the rail transit corridor~~[-]~~i

5 provided that every development or redevelopment
6 plan shall include housing units with at least
7 per cent reserved for residents who:

8 (i) Are residents of the State;

9 (ii) Is the owner-occupant of the unit; and

10 (iii) Own no other real property,

11 unless the office of planning determines that

12 housing is not feasible or desirable on a

13 particular property; provided further that this

14 subparagraph shall not apply to the rail transit

15 corridor located in Halawa. For the purposes of

16 this subparagraph, "development plans" means

17 conceptual land use plans that identify the

18 location and planned uses within a defined area."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 4. This Act shall take effect on July 1, 2020.



Report Title:

Office of Planning; Development or Redevelopment Plans;
Affordable Housing

Description:

Requires inclusion of an unspecified minimum percentage of affordable housing units in state agencies' development and redevelopment plans along the rail transit corridor. Allows the Office of Planning to make exceptions to the affordable housing requirement. (SD1)

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