

JAN 27 2021

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 the State has a
2 critical need for the development and construction of affordable
3 housing units for residents of the State. Act 127, Session Laws
4 of Hawaii 2016, as amended by Act 96, Session Laws of Hawaii
5 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 in state agencies' development or redevelopment
12 plans for state transit-oriented development along the rail
13 transit corridor that are subject to approval by the office of
14 planning as part of its function as the lead agency to
15 coordinate and advance smart growth and transit-oriented
16 development planning within the State.

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

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



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

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

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

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



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



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- 1 regulatory activities existing or proposed by
2 state and county agencies;
- 3 (B) Formulating mechanisms to simplify, streamline,
4 or coordinate interagency development and
5 regulatory processes; and
- 6 (C) Recognizing the presence of federal defense and
7 security forces and agencies in the State as
8 important state concerns;
- 9 (4) Statewide planning and geographic information system.
10 Collecting, integrating, analyzing, maintaining, and
11 disseminating various forms of data and information,
12 including geospatial data and information, to further
13 effective state planning, policy analysis and
14 development, and delivery of government services by:
- 15 (A) Collecting, assembling, organizing, evaluating,
16 and classifying existing geospatial and non-
17 geospatial data and performing necessary basic
18 research, conversions, and integration to provide
19 a common database for governmental planning and
20 geospatial analyses by state agencies;



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



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1 development efforts, state agencies shall provide
2 to the shared system either their respective
3 geospatial databases or, at a minimum, especially
4 in cases of secure or confidential data sets that
5 cannot be shared or must be restricted, metadata
6 describing existing geospatial data. In cases
7 where agencies provide restricted data, the
8 office of planning shall ensure the security of
9 that data; and

10 (C) Maintaining a centralized depository of state and
11 national planning references;

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

20 (6) Coastal and ocean policy management, and sea level
21 rise adaptation coordination. Carrying out the lead



1 agency responsibilities for the Hawaii coastal zone
2 management program, as specified in chapter 205A.

3 Also:

4 (A) Developing and maintaining an ocean and coastal
5 resources information, planning, and management
6 system;

7 (B) Further developing and coordinating
8 implementation of the ocean resources management
9 plan; and

10 (C) Formulating ocean policies with respect to the
11 exclusive economic zone, coral reefs, and
12 national marine sanctuaries;

13 (7) Regional planning and studies. Conducting plans and
14 studies to determine:

15 (A) The capability of various regions within the
16 State to support projected increases in both
17 resident populations and visitors;

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



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- 1 (C) The maximum annual visitor carrying capacity for
- 2 the State by region, county, and island; and
- 3 (D) The appropriate guidance and management of
- 4 selected regions and areas of statewide critical
- 5 concern.

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

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

- 14 (9) Climate adaptation and sustainability planning and
15 coordination. Conducting plans and studies and
16 preparing reports as follows:

- 17 (A) Develop, monitor, and evaluate strategic climate
18 adaptation plans and actionable policy
19 recommendations for the State and counties
20 addressing expected statewide climate change



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- 1 impacts identified under chapter 225P and
2 sections 226-108 and 226-109; and
- 3 (B) Provide planning and policy guidance and
4 assistance to state and county agencies regarding
5 climate change and sustainability; and
- 6 (10) Smart growth and transit-oriented development. Acting
7 as the lead agency to coordinate and advance smart
8 growth and transit-oriented development planning
9 within the State as follows:
- 10 (A) Identify transit-oriented development
11 opportunities shared between state and county
12 agencies, including relevant initiatives such as
13 the department of health's healthy Hawaii
14 initiative and the Hawaii clean energy
15 initiative;
- 16 (B) Refine the definition of "transit-oriented
17 development" in the context of Hawaii, while
18 recognizing the potential for smart growth
19 development patterns in all locations;
- 20 (C) Clarify state goals for transit-oriented
21 development and smart growth that support the



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



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1 (H) Approve all state agencies' development plans for
2 parcels along the rail transit corridor~~[]~~;
3 provided that every development or redevelopment
4 plan shall include housing units with at
5 least per cent reserved for residents who:
6 (i) Are residents of the State;
7 (ii) Is the owner-occupant of the unit; and
8 (iii) Own no other real property,
9 unless the office of planning determines that
10 housing is not feasible or desirable on a
11 particular property;
12 provided further that this subparagraph shall not
13 apply to the rail transit corridor located in
14 Halawa.

15 For the purposes of this subparagraph,
16 "development plans" means conceptual land use
17 plans that identify the location and planned uses
18 within a defined area."

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 on July 1, 2021.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Bennette J. Nishleub", is written over a horizontal line. The signature is cursive and extends to the right of the line.



S.B. NO. 1003

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. Effective 7/1/2021.

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

