
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 there is a severe
2 shortage of affordable rental housing in the county of Maui,
3 particularly in the western part of the island. To address this
4 issue, the legislature passed Act 150, Session Laws of Hawaii
5 2018 (Act 150), to appropriate funds in support of the Keawe
6 street apartments housing project in Lahaina, Maui. Act 98,
7 Session Laws of Hawaii 2019 (Act 98), amended Act 150 by
8 increasing the appropriation to the rental housing revolving
9 fund from \$30,000,000 to \$37,000,000 to expedite and complete
10 the Leialii affordable housing project by 2022, provided that if
11 the project does not obtain necessary land use entitlements by
12 April 30, 2020, the earmarked funds would be returned to the
13 rental housing revolving fund. On February 7, 2020, the Maui
14 county council granted an exemption to chapter 201H, Hawaii
15 Revised Statutes, relating to the Hawaii housing finance and
16 development corporation, for the project, which satisfied Act
17 98's land use entitlements requirement. On April 2, 2020, the



1 county of Maui granted final subdivision approval of the project
2 site.

3 The legislature further finds that on September 21, 2020,
4 the state historic preservation division notified the Hawaii
5 housing finance and development corporation that it would
6 require a new archaeological inventory survey (AIS) for the
7 entire villages of Leialii master planned community of which the
8 Keawe street apartments affordable housing project is a small
9 part. On September 30, 2020, representatives from the state
10 historic preservation division, department of land and natural
11 resources, and governor's office held a teleconference to
12 discuss whether a resolution could be reached to enable the
13 project to proceed. The result was that the Hawaii housing
14 finance and development corporation must still prepare a new AIS
15 with adequate testing of the Keawe street apartments affordable
16 housing project site and a strategy for addressing prior
17 commitments for the balance of the villages of Leialii.

18 The legislature finds that because a new AIS must be
19 conducted, the 2022 completion deadline imposed by Act 98 cannot
20 be met.



1 The purpose of this Act is to maintain the viability of the
2 Keawe street affordable housing project by:

3 (1) Amending Act 98 to remove the 2022 deadline for the
4 completion of the Leialii affordable housing project;
5 and

6 (2) Specifying that the developer of the Keawe street
7 apartments housing project shall be responsible for
8 all associated costs of the AIS for the footprint of
9 the Keawe street apartments housing project but shall
10 not be responsible for the cost of the AIS for the
11 entire Villages of Leialii master planned community.

12 SECTION 2. Act 98, Session Laws of Hawaii 2019, is amended
13 by amending section 6 to read as follows:

14 "SECTION 6. There is appropriated out of the rental
15 housing revolving fund the sum of \$37,000,000 or so much thereof
16 as may be necessary for fiscal year 2019-2020 to expedite and
17 complete the construction of the Leialii affordable housing
18 project in Lahaina, Maui[, by 2022; provided that if the project
19 does not obtain necessary land use entitlements by April 30,
20 2020, the appropriated funds shall be returned to the rental
21 housing revolving fund].



1 The sum appropriated shall be expended by the Hawaii
2 housing finance and development corporation for the purposes of
3 this Act."

4 SECTION 3. The developer of the Keawe street apartments
5 housing project shall be responsible for all associated costs of
6 the archaeological inventory survey for the footprint of the
7 Keawe street apartments housing project but shall not be
8 responsible for the cost of the AIS for the entire Villages of
9 Leialii master planned community.

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken.

12 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Affordable Housing; Leialii Affordable Housing Project; Keawe Street Apartments

Description:

Removes the construction completion deadline for the Leialii affordable housing project and Keawe street apartments. Specifies that the developer of the Keawe street apartments affordable housing project shall be responsible for all associated costs of the AIS for the footprint of the Keawe street apartments affordable housing project. (SD3)

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

