
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 Hawaii's housing
2 market suffers from a persistent shortage of housing,
3 particularly housing that is affordable to Hawaii's workforce
4 and lower income groups. Of the approximately 64,700 housing
5 units that are projected to be needed between 2015 and 2025,
6 nearly eighty-nine per cent, or about 57,500 units, will be
7 needed by working and lower income groups, or those earning one
8 hundred forty per cent or less of the area median income. Of
9 these, approximately 43,800 units are estimated to be needed for
10 renter households. The special action team on affordable rental
11 housing has determined that additional incentives are needed to
12 spur rental housing development to meet this considerable
13 demand.

14 The legislature also finds that current law establishes a
15 forty-five day entitlement approval process for affordable
16 housing projects seeking district boundary amendments from the
17 state land use commission or county approvals and exemptions



1 relating to planning, zoning, subdivision construction
2 standards, land development and improvement, or construction of
3 dwelling units. However, current law does not address boundary
4 amendment applications for certain parcels of land of fifteen
5 acres or less, which are submitted to county agencies rather
6 than to the state land use commission. Establishing a forty-
7 five day approval process for affordable housing projects
8 seeking district boundary amendments from the counties will
9 expedite governmental approvals and save time and money that
10 will serve as incentives to spur housing development.

11 Furthermore, the legislature finds that there is a lack of
12 clarity in the entitlement application process for affordable
13 housing projects in a community development district
14 administered by the Hawaii community development authority.
15 Requiring consultation with the authority for construction,
16 renovation, or improvement of affordable housing projects in a
17 community development district, in the same way that
18 consultation is currently required for county and state public
19 works projects, will improve clarity and transparency in the
20 process.



1 The purpose of this Act is to expedite the development of
2 affordable housing by:

- 3 (1) Establishing expedited county approvals for district
4 boundary amendments for affordable housing projects on
5 land areas of fifteen acres or less; and
6 (2) Requiring consultation with the Hawaii community
7 development authority for affordable housing project
8 development within designated community development
9 districts.

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

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

- 20 (1) The corporation finds the housing project is
21 consistent with the purpose and intent of this



1 chapter, and meets minimum requirements of health and
2 safety;

3 (2) The development of the proposed housing project does
4 not contravene any safety standards, tariffs, or rates
5 and fees approved by the public utilities commission
6 for public utilities or of the various boards of water
7 supply authorized under chapter 54;

8 (3) The legislative body of the county in which the
9 housing project is to be situated shall have approved
10 the project with or without modifications:

11 (A) The legislative body shall approve, approve with
12 modification, or disapprove the project and, if
13 applicable, a district boundary change involving
14 land areas of fifteen acres or less as provided
15 in section 205-3.1(b) and (c), by resolution
16 within forty-five days after the corporation has
17 submitted the preliminary plans and
18 specifications for the project to the legislative
19 body. If on the forty-sixth day a project is not
20 disapproved, it shall be deemed approved by the
21 legislative body;



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 SECTION 3. Section 206E-13, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "~~§206E-13~~ **Public projects.** Any project or activity
13 of any county or agency of the State, or an eligible housing
14 project developed pursuant to section 201H-38, in a designated
15 district shall be constructed, renovated, or improved in
16 consultation with the authority."

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 2050.

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H.B. NO. 1836 H.D. 1

Report Title:

Affordable Housing; County District Boundary Amendments; Hawaii Housing Finance and Development Corporation; Hawaii Community Development Authority

Description:

Establishes expedited county approvals for district boundary amendments for affordable housing projects on land areas fifteen acres or less. Requires consultation with the Hawaii community development authority for affordable housing development within designated community development districts. Effective 7/1/2050.
(HD1)

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

