
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. Section 201H-38, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The corporation may develop on behalf of the State or
4 with an eligible developer, or may assist under a government
5 assistance program in the development of, housing projects that
6 shall be exempt from all statutes, ordinances, charter
7 provisions, and rules of any government agency relating to
8 planning, zoning, construction standards for subdivisions,
9 development and improvement of land, and the construction of
10 dwelling units thereon; provided that:

11 (1) The corporation finds the housing project is
12 consistent with the purpose and intent of this
13 chapter, and meets minimum requirements of health and
14 safety;

15 (2) The development of the proposed housing project does
16 not contravene any safety standards, tariffs, or rates
17 and fees approved by the public utilities commission



1 for public utilities or of the various boards of water
2 supply authorized under chapter 54;

3 (3) ~~[The legislative body of the county in which the~~
4 ~~housing project is to be situated shall have approved~~
5 ~~the project with or without modifications;~~

6 ~~(A) The legislative body shall approve, approve with~~
7 ~~modification, or disapprove the project by~~
8 ~~resolution within forty-five days after the~~
9 ~~corporation has submitted the preliminary plans~~
10 ~~and specifications for the project to the~~
11 ~~legislative body. If on the forty-sixth day a~~
12 ~~project is not disapproved, it shall be deemed~~
13 ~~approved by the legislative body;~~

14 ~~(B) No action shall be prosecuted or maintained~~
15 ~~against any county, its officials, or employees~~
16 ~~on account of actions taken by them in reviewing,~~
17 ~~approving, modifying, or disapproving the plans~~
18 ~~and specifications; and~~

19 ~~(C) The final plans and specifications for the~~
20 ~~project shall be deemed approved by the~~
21 ~~legislative body if the final plans and~~



1 ~~specifications do not substantially deviate from~~
2 ~~the preliminary plans and specifications. The~~
3 ~~final plans and specifications for the project~~
4 ~~shall constitute the zoning, building,~~
5 ~~construction, and subdivision standards for that~~
6 ~~project. For purposes of sections 501-85 and~~
7 ~~502-17, the executive director of the corporation~~
8 ~~or the responsible county official may certify~~
9 ~~maps and plans of lands connected with the~~
10 ~~project as having complied with applicable laws~~
11 ~~and ordinances relating to consolidation and~~
12 ~~subdivision of lands, and the maps and plans~~
13 ~~shall be accepted for registration or recordation~~
14 ~~by the land court and registrar;] The development~~
15 ~~project meets the appropriate zoning designation~~
16 ~~or plan designation; and~~

- 17 (4) The land use commission shall approve, approve with
18 modification, or disapprove a boundary change within
19 forty-five days after the corporation has submitted a
20 petition to the commission as provided in section 205-
21 4. If, on the forty-sixth day, the petition is not



1 disapproved, it shall be deemed approved by the
2 commission."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on July 1, 2050.

6



Report Title:

By-Right Development; Counties; Housing; Hawaii Housing Finance and Development Corporation

Description:

Removes requirements for housing project developments of the Hawaii housing finance and development corporation to obtain approval from county legislative bodies; provided the projects meet the appropriate zoning and plan designations. 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.

