
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. This Act shall be known as the "Yes In My
2 Backyard Act".

3 SECTION 2. The legislature finds that the *Measuring*
4 *Housing Demand in Hawaii, 2015-2025* report published by the
5 department of business, economic development, and tourism in
6 March 2015 concluded that, based in part on the State's
7 population growth, the projected statewide demand for
8 residential housing was between 64,700 and 66,000 units.
9 Although the department finds that population growth in the
10 State has slowed since the 2015 report, in the *Hawaii Housing*
11 *Demand: 2020-2030* report, published in December 2019, the
12 department still projects that an additional 36,155 units will
13 be needed between 2020 and 2030.

14 The legislature further finds that "yes in my backyard"
15 legislation, which is aimed at increasing housing by reducing
16 administrative barriers and encouraging the adoption of more
17 flexible zoning and regulatory policies, has been enacted in



1 Oregon and California. Similar legislation aimed at increasing
2 transparency and tracking discriminatory land use policies was
3 co-introduced on the federal level by United States Senator
4 Brian Schatz in May 2021.

5 The purpose of this Act is to encourage:

- 6 (1) The counties to adopt zoning and regulatory policies
7 that allow for greater housing opportunities for
8 residents at all income levels by requiring each
9 county to submit a biennial report to the legislature
10 on its efforts to reduce or remove certain regulatory
11 barriers to housing; and
- 12 (2) The Hawaii housing finance and development corporation
13 and Hawaii public housing authority to allow for
14 greater affordable housing opportunities by requiring
15 the corporation and the authority to each submit a
16 biennial report to the legislature and its respective
17 board on its respective efforts to streamline
18 affordable housing development based on its review of
19 the county biennial reports submitted to the
20 legislature required by this Act.



1 SECTION 3. Chapter 46, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§46- Yes in my backyard; removing barriers to housing
5 development. Each county shall submit biennial reports to the
6 legislature on how the county has reduced or removed regulatory
7 or zoning barriers to housing for residents at all income levels
8 to obtain housing. The report shall include the county's
9 recommendations for amendments to the Hawaii Revised Statutes,
10 Hawaii Administrative Rules, and Hawaii State Constitution to
11 support the county's efforts in producing additional affordable
12 housing and the county's efforts in the following areas:

- 13 (1) Allowing multi-family development in retail and
14 commercial zones;
15 (2) Converting office units and commercial space to
16 apartments and multi-family uses;
17 (3) Promoting a range of housing types in areas zoned for
18 single-family homes;
19 (4) Reducing minimum lot size for housing uses;
20 (5) Streamlining the permit process and timelines;
21 (6) Establishing density bonuses;



- 1 (7) Converting vacant or underutilized county land for
2 affordable housing; and
- 3 (8) Utilizing financing programs to more efficiently
4 deliver affordable housing.

5 Each report shall be submitted to the legislature no later
6 than twenty days prior to the convening of the first year of
7 each fiscal biennium, beginning with the regular session of
8 2023."

9 SECTION 4. Chapter 201H, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§201H- Yes in my backyard; removing barriers to housing
13 development. The corporation shall review the reports submitted
14 to the legislature by the counties pursuant to section 46-
15 and:

- 16 (1) Make recommendations to the legislature and to the
17 board on streamlining affordable housing development
18 based on the corporation's review of the reports of
19 each county;
- 20 (2) Incorporate the information in the corporation's
21 housing studies; and



1 (3) Submit biennial reports to the legislature no later
2 than twenty days prior to the convening of the second
3 year of each fiscal biennium, beginning with the
4 regular session of 2024."

5 SECTION 5. Chapter 356D, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§356D- Yes in my backyard; removing barriers to housing
9 development. The authority shall review the reports submitted
10 to the legislature by the counties pursuant to section 46-
11 and:

12 (1) Make recommendations to the legislature and to the
13 board on streamlining affordable housing development
14 based on the authority's review of the reports of each
15 county;

16 (2) Incorporate the information in the authority's housing
17 studies; and

18 (3) Submit biennial reports to the legislature no later
19 than twenty days prior to the convening of the second
20 year of each fiscal biennium, beginning with the
21 regular session of 2024."



1 SECTION 6. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$130,000 or so much
3 thereof as may be necessary for fiscal year 2022-2023 for one
4 full-time (1.0 FTE) position for the Hawaii housing finance and
5 development corporation to manage reports and information
6 submitted by each county and to prepare reports for the
7 legislature.

8 The sum appropriated shall be expended by the Hawaii
9 housing finance and development corporation for the purposes of
10 this Act.

11 SECTION 7. New statutory material is underscored.

12 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

Counties; Hawaii Housing Finance and Development Corporation;
Hawaii Public Housing Authority; Housing; Yes In My Backyard;
Biennial Reports; Appropriation

Description:

Requires each county to submit biennial reports to the legislature on its efforts to reduce zoning and regulatory barriers to housing development. Requires the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to submit biennial reports, based on their individual review of the counties' reports, to the Legislature and their respective board on streamlining affordable housing development. Makes an appropriation. Effective 7/1/2050. (SD1)

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