

JAN 26 2022

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 the severe shortage
2 of affordable housing imposes a tremendous hardship on a
3 significant portion of the community. The lack of affordable
4 housing and the hardship it creates are key factors in the
5 decline in the State's population and the choice many of
6 Hawaii's youth must make between living at home with their
7 parents or seeking better living opportunities outside of
8 Hawaii. The legislature believes that an important tool in
9 addressing this crisis is to utilize state and county lands and
10 funds to support affordable housing. These resources are
11 critical and need to be used efficiently and effectively.

12 The legislature further finds that the land use regulatory
13 process involves numerous federal, state, and county rules and
14 regulations to effectively identify critical environmental
15 issues and subjects housing projects to full public review.
16 However, in an effort to support affordable housing consistent
17 with the county plans, the use of state and county lands and



1 funds are subject to additional requirements not faced by market
2 rate housing proposals. In light of these circumstances, the
3 legislature finds that it is in the public interest to
4 streamline the use of government resources to support affordable
5 housing.

6 The purpose of this Act is to make the new construction of
7 affordable housing eligible for exemption from environmental
8 impact statement and environmental assessment requirements,
9 under certain conditions.

10 SECTION 2. Chapter 343, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§343- Affordable housing projects; exemption. (a)

14 New construction of affordable housing may be exempt from the
15 requirements of this chapter if:

16 (1) Its use of state or county lands or funds, or location
17 within Waikiki, is the sole trigger for compliance
18 with this chapter;

19 (2) As proposed, it is consistent with the existing county
20 general plan or development plan classification that
21 allows housing; and



1 (3) As proposed, it does not require variances for
 2 shoreline setbacks or siting in an environmentally
 3 sensitive area, including a flood plain, tsunami zone,
 4 sea level rise exposure area, beach, erosion-prone
 5 area, geologically hazardous land, estuary, fresh
 6 water, or coastal waters.

7 (b) For the purposes of this section, "affordable housing"
 8 shall be defined by the controlling law applicable for the
 9 proposing agency or approving agency."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: *Mark W.*

By Request



S.B. NO. 3384

Report Title:

Environmental Impact Statement; Environmental Assessment;
Affordable Housing; Exemption

Description:

Makes the new construction of affordable housing eligible for exemption from environmental impact statement and environmental assessment requirements if it meets certain requirements.

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