
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] Notwithstanding any other law to the contrary,
4 the corporation may develop on behalf of the State or with an
5 eligible developer, or may assist under a government assistance
6 program in the development of, housing projects that shall be
7 exempt from all statutes, ordinances, charter provisions, and
8 rules of any government agency relating to planning, zoning,
9 construction standards for subdivisions, development and
10 improvement of land, and the construction of dwelling units
11 thereon; provided that the development is not within a Special
12 Flood Hazard Area as identified on the current Federal Emergency
13 Management Agency's flood insurance rate maps; provided further
14 that:

15 (1) The corporation finds the housing project is
16 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 by
13 resolution within forty-five days after the
14 corporation has submitted the preliminary plans
15 and specifications for the project to the
16 legislative body. If on the forty-sixth day a
17 project is not disapproved, it shall be deemed
18 approved by the legislative body;

19 (B) No action shall be prosecuted or maintained
20 against any county, its officials, or employees
21 on account of actions taken by them in reviewing,



1 approving, modifying, or disapproving the plans
2 and specifications; and
3 (C) The final plans and specifications for the
4 project shall be deemed approved by the
5 legislative body if the final plans and
6 specifications do not substantially deviate from
7 the preliminary plans and specifications. The
8 final plans and specifications for the project
9 shall constitute the zoning, building,
10 construction, and subdivision standards for that
11 project. For purposes of sections 501-85 and
12 502-17, the executive director of the corporation
13 or the responsible county official may certify
14 maps and plans of lands connected with the
15 project as having complied with applicable laws
16 and ordinances relating to consolidation and
17 subdivision of lands, and the maps and plans
18 shall be accepted for registration or recordation
19 by the land court and registrar; and
20 (4) The land use commission shall approve, approve with
21 modification, or disapprove a boundary change within



1 forty-five days after the corporation has submitted a
2 petition to the commission as provided in section
3 205-4. If, on the forty-sixth day, the petition is
4 not disapproved, it shall be deemed approved by the
5 commission."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Hawaii Housing Finance and Development Corporation; Housing
Development; Exemption

Description:

Clarifies that certain housing projects developed by the Hawaii
Housing Finance and Development Corporation on lands that are
not within a Special Flood Hazard Area as identified on the
current Federal Emergency Management Agency's Flood Insurance
Rate Maps shall be exempt from all statutes, ordinances, charter
provisions, and rules relating to planning, zoning, and other
certain standards, provided that certain conditions are met.
(SD2)

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

