

JAN 19 2024

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# 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 the cost and  
2 availability of housing in the State are significant challenges  
3 facing Hawaii residents. Although Hawaii has the tenth-highest  
4 median wage nationally, living expenses are two-thirds higher  
5 than the rest of the nation, with the cost of housing being a  
6 major contributing factor.

7           The legislature further finds that the lack of affordable  
8 housing disproportionately impacts low-income, elderly residents.  
9 While Hawaii does have many senior apartments, nearly every  
10 senior apartment has a waitlist that typically ranges from three  
11 months to four years.

12           The legislature believes that relaxing construction  
13 restrictions in the agricultural district will help to encourage  
14 the development of affordable senior housing.

15           Accordingly, the purpose of this Act is to allow owners of  
16 large lands in the agricultural district to construct elderly  
17 housing on not more than fifteen acres of those lands.



1 SECTION 2. Chapter 205, Hawaii Revised Statutes, is  
2 amended by adding a new section to part I to be appropriately  
3 designated and to read as follows:

4 "§205- Amendments to district boundaries involving  
5 large agricultural lands; elderly housing. (a) Subject to  
6 section 205-4, any person with a property interest in thirty or  
7 more acres of contiguous agricultural lands may petition the  
8 land use commission to reclassify up to fifteen acres of that  
9 land to allow for elderly housing or allow elderly housing on up  
10 to fifteen acres as a permissible use.

11 (b) The petition shall include a proposal for the elderly  
12 housing to be constructed and a financial plan that includes:

13 (1) Units having different purchase prices or rent amounts  
14 so that individuals paying the higher prices or rents  
15 for certain units subsidize the units having lower  
16 prices or rents; and

17 (2) Requirements that units having lower prices or rents  
18 shall be available only to individuals with incomes of  
19 not more than eighty per cent of the area median  
20 income or who are considered asset limited, income  
21 constrained, and employed.



1        (c) Notwithstanding section 205-4(h), no amendment of a  
2 land use district boundary shall be approved under this section  
3 unless the commission finds upon the clear preponderance of the  
4 evidence that the proposed boundary is reasonable, not violative  
5 of part III of this chapter, and consistent with the policies  
6 and criteria established pursuant to sections 205-16 and 205-17.  
7 Six affirmative votes of the commission shall be necessary for  
8 any boundary amendment under this section.

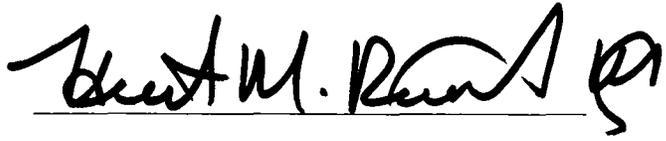
9        (d) The commission may impose other requirements,  
10 including the receipt of a federal subsidy, federal grant, or  
11 other federal incentive as a requirement for approval of the  
12 petition.

13        (e) For purposes of this section "elderly housing" means a  
14 housing complex in which at least eighty per cent of the  
15 occupied units shall be occupied by at least one person  
16 fifty-five years of age or older."

17        SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY: 

# S.B. NO. 2804

**Report Title:**

LUC; Agricultural District; Land Reclassification; Senior Housing; Elderly Housing

**Description:**

Authorizes large land owners to petition the Land Use Commission to allow the development of elderly housing on portions of agricultural lands.

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

