
A BILL FOR AN ACT

RELATING TO THE EXPEDITIOUS REDEVELOPMENT AND DEVELOPMENT OF
AFFORDABLE RENTAL HOUSING.

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

1 SECTION 1. (a) Subject to terms and conditions under
2 section 205A-26, Hawaii Revised Statutes, the director of a
3 county planning department may issue a special management area
4 use permit to an applicant to redevelop permanent affordable
5 multi-family rental housing that has been substantially
6 destroyed as a result of a disaster from wildfire, hurricane,
7 flooding, tsunami, or earthquake proclaimed by the governor to
8 constitute a state of emergency under chapter 127A, Hawaii
9 Revised Statutes.

10 (b) After any special management area use permits are
11 issued under this section, the department of planning of the
12 respective county shall file a notice of the issuance in the
13 next available issue of the periodic bulletin of the office of
14 planning and sustainable development.

15 (c) Except as otherwise provided in this Act or under
16 federal law, special management area use permits shall be exempt



1 from all statutes, charter provisions, ordinances, and rules
2 relating to districts as designated in the national register or
3 Hawaii register pursuant to chapter 343, Hawaii Revised
4 Statutes.

5 (d) Notwithstanding any other law to the contrary, land
6 use entitlements described in Maui county Ordinance No. 2120
7 (1992), including waivers of state and county statutes,
8 ordinances, and their administrative rules and regulations
9 relating to planning, zoning, and construction standards, shall
10 remain applicable to future housing developments.

11 SECTION 2. If any provision of this Act, or the
12 application thereof to any person or circumstance, is held
13 invalid, the invalidity does not affect other provisions or
14 applications of the Act that can be given effect without the
15 invalid provision or application, and to this end the provisions
16 of this Act are severable.

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



Report Title:

Counties; County Planning Departments; Affordable Rental Housing; Special Management Area Permits; National Register; Hawaii Register; Administrative Review; Exemption

Description:

Authorizes the director of a county planning department to issue a special management area use permit to redevelop permanent affordable multi-family rental housing that has been substantially destroyed as result of a disaster declared as a state of emergency. Clarifies eligibility for affordable housing projects to receive an exemption. Requires administrative review of projects under the National Register or Hawaii Register for compliance. (SD2)

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