

JAN 17 2025

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. The legislature further finds that
7 the lack of affordable housing disproportionately impacts
8 low-income, elderly residents. While there are many senior
9 apartments in Hawaii, nearly every senior apartment has a
10 waitlist with placement times that typically ranges from three
11 months to four years. The legislature believes that relaxing
12 construction restrictions in the agricultural district will help
13 to encourage the development of affordable senior housing.

14 Accordingly, the purpose of this Act is to allow owners of
15 large lands in the agricultural district to construct elderly
16 housing, assisted living homes, or low-density apartments, on
17 not more than fifteen acres of those lands.



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

"§205- Amendments to district boundaries involving large agricultural lands; elderly housing. (a) Subject to section 205-4, any person with a property interest in thirty or more acres of contiguous agricultural lands may petition the land use commission for an exemption to the current zoning guidelines to reclassify up to fifteen acres of that land to allow for elderly housing, assisted living homes, or low-density apartments, or allow elderly housing on up to fifteen acres as a permissible use.

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

(1) Different purchase prices or rent amounts for units so that individuals paying higher prices or rents for certain units may subsidize units having lower prices or rents; and

(2) Requirements that units having lower prices or rents shall be available only to individuals with incomes of



1 not more than eighty per cent of the area median
2 income or who are considered asset limited, income
3 constrained, and employed.

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

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

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

20 SECTION 3. New statutory material is underscored.



S.B. NO. 1114

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

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INTRODUCED BY:

David M. Ruckelshaus *DR*



S.B. NO. 1114

Report Title:

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

Description:

Authorizes large landowners 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.

