
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) After issuing a special management area use permit
16 pursuant to this section, the department of planning of the



1 respective county shall prioritize approving permits to
2 redevelop permanent affordable multi-family rental housing that
3 has been substantially destroyed as a result of a disaster from
4 wildfire, hurricane, flooding, tsunami, or earthquake proclaimed
5 by the governor to constitute a state of emergency under chapter
6 127A, Hawaii Revised Statutes.

7 (d) Except as otherwise provided in this Act or under
8 federal law, special management area use permits shall be exempt
9 from all statutes, charter provisions, ordinances, and rules
10 relating to districts as designated in the national register or
11 Hawaii register pursuant to chapter 343, Hawaii Revised
12 Statutes.

13 (e) Notwithstanding any other law to the contrary, land
14 use entitlements described in Maui county Ordinance No. 2120
15 (1992), including waivers of state and county statutes,
16 ordinances, and their administrative rules and regulations
17 relating to planning, zoning, and construction standards, shall
18 remain applicable to future housing developments.

19 (f) Notwithstanding any other law to the contrary, if an
20 affordable multi-family rental housing that was originally
21 developed as an experimental and demonstration housing project



1 pursuant to section 46-15, Hawaii Revised Statutes, has been
2 substantially destroyed as a result of a disaster from wildfire,
3 hurricane, flooding, tsunami, or earthquake proclaimed by the
4 governor to constitute a state of emergency under chapter 127A,
5 Hawaii Revised Statutes:

6 (1) Any initiating project ordinance issued by a county
7 for the experimental and demonstration housing project
8 shall remain valid and relevant and continue to be in
9 full force and effect in the county in which it was
10 issued; and

11 (2) The director of a county planning department in the
12 respective county may amend or modify the final plans
13 and specifications of the experimental and
14 demonstration housing project to incorporate cost-
15 effective best industry practices that include
16 advances in building design, materials, construction
17 types, and methods; provided that any modification
18 shall adhere to principles that emphasize community,
19 history, culture, future resilience, and safety while
20 ensuring the well-being of the project's occupants;
21 provided further that the modifications shall not



1 impose requirements or conditions that unreasonably
2 increase rebuilding or future operating costs.

3 SECTION 2. If any provision of this Act, or the
4 application thereof to any person or circumstance, is held
5 invalid, the invalidity does not affect other provisions or
6 applications of the Act that can be given effect without the
7 invalid provision or application, and to this end the provisions
8 of this Act are severable.

9 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

Counties; County Planning Departments; Affordable Rental Housing; Special Management Area Use Permits; Experimental and Demonstration Housing Projects

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 and requires county planning departments to prioritize approving permits for these redevelopments. Permits county planning departments to amend or modify final plans and specifications for redevelopment of an existing experimental and demonstration housing project, with certain restrictions. Effective 7/1/3000. (HD1)

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

