

ACT 305

H.B. NO. 1837

A Bill for an Act Relating to Housing.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act shall be known as the “Yes In My Backyard Act”.

SECTION 2. The legislature finds that the report *Measuring Housing Demand in Hawaii, 2015-2025*, published by the department of business, economic development, and tourism in March 2015, concluded that, based in part on the State's population growth, the projected statewide demand for residential housing was between 64,700 and 66,000 units. Although the department finds that population growth in the State has slowed since the 2015 report, in the *Hawaii Housing Demand: 2020-2030* report, published in December 2019, the department still projects that an additional 36,155 units will be needed between 2020 and 2030, not including units under construction or already in the permitting process.

The legislature further finds that "yes in my backyard" legislation, which is aimed at increasing housing availability by reducing administrative barriers and encouraging the adoption of more flexible zoning and regulatory policies, has been enacted in Oregon and California. Similar legislation aimed at increasing transparency and tracking discriminatory land use policies was co-introduced on the federal level by United States Senator Brian Schatz in May 2021.

The legislature believes that Hawaii could benefit from similar discussions on opportunities to reduce zoning, regulatory, and statutory barriers to affordable housing development.

Accordingly, the purpose of this Act is to establish a statewide working group on affordable housing that shall meet annually to:

- (1) Foster increased inter-agency coordination on housing and zoning issues;
- (2) Raise public awareness of the ongoing efforts by the State and counties to reduce barriers to affordable housing development; and
- (3) Propose legislation.

SECTION 3. (a) There is established a statewide working group on affordable housing that shall meet annually to discuss opportunities to reduce zoning, regulatory, and statutory barriers to affordable housing development.

(b) The working group shall comprise:

- (1) The executive director of the Hawaii housing finance and development corporation, or the executive director's designee, who shall serve as a co-chair of the working group;
- (2) The executive director of the Hawaii public housing authority, or the executive director's designee, who shall serve as a co-chair of the working group;
- (3) The chairpersons of the respective standing committees on housing of the senate and house of representatives, or their designees;
- (4) The executive director of the land use commission, or the executive director's designee;
- (5) The executive director of the office of planning and sustainable development, or the executive director's designee;
- (6) The executive director of the Hawaii community development authority, or the executive director's designee;
- (7) Representatives from each county agency having authority over zoning; and
- (8) Relevant stakeholders, as recommended by the working group.

(c) The working group shall discuss:

- (1) Opportunities to reduce zoning, regulatory, and statutory barriers to affordable housing development;
- (2) Statutory or regulatory measures adopted in the previous year by the State or counties that have successfully increased opportunities to develop housing for residents at all income levels;

- (3) Opportunities for public outreach to inform residents of the ongoing efforts by the State and counties to reduce barriers to affordable housing development;
- (4) The feasibility of:
 - (A) Allowing multi-family housing development in retail and commercial zones;
 - (B) Converting office units and commercial spaces into apartments and other multi-family residential spaces;
 - (C) Promoting a range of housing types in areas zoned for single-family homes;
 - (D) Reducing the minimum lot size for housing uses;
 - (E) Streamlining the housing permitting process and timelines;
 - (F) Establishing density bonuses;
 - (G) Utilizing vacant or underutilized county land for affordable housing development; and
 - (H) Utilizing financing programs to more efficiently develop affordable housing; and
- (5) Any other topics requested by the legislature.
- (d) The working group shall submit an annual report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of each regular session, beginning with the regular session of 2023.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2022-2023 to support the statewide working group established by this Act, including one full-time equivalent (1.0 FTE) position.

The sum appropriated shall be expended by the Hawaii housing finance and development corporation for the purposes of this Act.

SECTION 4.¹ This Act shall take effect on July 1, 2022.

(Approved July 12, 2022.)

Note

- 1. So in original.