

SB2576

**Date:** 02/10/2010

**Committee:** Senate Education and  
Housing

**Department:** Education

**Person Testifying:** Kathryn Matayoshi, Interim Superintendent of Education

**Title of Bill:** SB 2576 RELATING TO HOUSING.

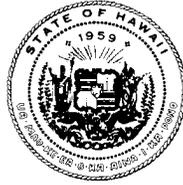
**Purpose of Bill:** Requires new residential developments in school impact districts to be subject to all statutes, ordinances, charter provisions, and rules relating to school impact fees and school impact districts.

**Department's Position:** The Department of Education supports S.B. 2576 which would clarify that residential developments seeking to fast track land entitlements under Chapter 201H will be subject to the requirements of the school impact fee law, Section 302-A-1602, Hawaii Revised Statutes, if they are located in a designated school impact district.

New homes in projects developed under Chapter 201H have the same impact on public schools as any other proposed residential project seeking land entitlements in the conventional manner. They generate additional public school students who require school facilities. The department can determine what school impact fees will be required from developers of Chapter 201H projects before a project is filed, or within the forty-five day approval period.

Thank you for the opportunity to testify in favor of this bill.

Linda Lingle  
GOVERNOR



KAREN SEDDON  
EXECUTIVE DIRECTOR

## STATE OF HAWAII

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IN REPLY REFER TO

Statement of  
**Karen Seddon**  
Hawaii Housing Finance and Development Corporation  
Before the

### SENATE COMMITTEE ON EDUCATION AND HOUSING

February 10, 2010, 1:20 p.m.  
Room 225, State Capitol

In consideration of  
**S.B. 2576**  
**RELATING TO HOUSING.**

The HHFDC **opposes** S.B. 2576 because it would preclude any flexibility in meeting the school impact fees requirement.

Section 201H-38, HRS provides the necessary flexibility for an affordable housing project to pencil out. It allows an affordable housing developer to seek certain exemptions from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon, provided minimum requirements of health and safety are met. In the 201H application, the developer identifies the specific codes or standards from which exemptions are being sought, along with the proposed replacement standards. The requested exemptions are negotiated with line agencies, and final recommendations on the affordable housing project are made to the county councils for their approval or disapproval.

The provision of affordable housing is important; so is the education of children who reside in the affordable housing communities. The 201H-38, HRS exemptions do not relieve developers from the responsibility of addressing school impacts. However, they do allow for the necessary flexibility in meeting the school impact fee requirements. For this reason, we respectfully request that the Committee hold this measure.

Thank you for the opportunity to testify.