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# A BILL FOR AN ACT

RELATING TO HOUSING.

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

1           SECTION 1. Hawaii's housing market suffers from a  
2 persistent shortage of housing, particularly housing that is  
3 affordable to Hawaii's workforce and lower-income groups. Of  
4 the approximately 64,700 housing units that are forecasted to be  
5 needed between 2015 and 2025, nearly eighty-nine per cent, or  
6 about 57,500 units, will be needed by those earning one hundred  
7 forty per cent or less of the area median income. Approximately  
8 43,800 units are estimated to be needed for renter households.  
9 The special action team on affordable rental housing has  
10 determined that additional incentives are needed to spur rental  
11 housing development to meet the considerable demand.

12           Chapter 201H, Hawaii Revised Statutes, provides for a  
13 forty-five day approval process for affordable housing projects  
14 seeking district boundary amendments from the state land use  
15 commission, as well as for projects seeking county approvals and  
16 exemptions relating to planning, zoning, construction standards  
17 for subdivisions, development and improvement of land, and the



1 construction of dwelling units thereon. Establishing a forty-  
2 five day approval process for affordable housing projects  
3 seeking district boundary amendments for land areas of fifteen  
4 acres or less within the jurisdiction of the counties could  
5 expedite governmental approvals and save time and money, thereby  
6 creating a new incentive to spur housing development.

7 SECTION 2. Section 201H-38, Hawaii Revised Statutes, is  
8 amended by amending subsection (a) to read as follows:

9 "(a) The corporation may develop on behalf of the State or  
10 with an eligible developer, or may assist under a government  
11 assistance program in the development of, housing projects that  
12 shall be exempt from all statutes, ordinances, charter  
13 provisions, and rules of any government agency relating to  
14 planning, zoning, construction standards for subdivisions,  
15 development and improvement of land, and the construction of  
16 dwelling units thereon; provided that:

17 (1) The corporation finds the housing project is  
18 consistent with the purpose and intent of this  
19 chapter, and meets minimum requirements of health and  
20 safety;



1           (2) The development of the proposed housing project does  
2           not contravene any safety standards, tariffs, or rates  
3           and fees approved by the public utilities commission  
4           for public utilities or of the various boards of water  
5           supply authorized under chapter 54;

6           (3) The legislative body of the county in which the  
7           housing project is to be situated shall have approved  
8           the project with or without modifications:

9           (A) The legislative body shall approve, approve with  
10           modification, or disapprove the project by  
11           resolution within forty-five days after the  
12           corporation has submitted the preliminary plans  
13           and specifications for the project to the  
14           legislative body. If on the forty-sixth day a  
15           project is not disapproved, it shall be deemed  
16           approved by the legislative body;

17           (B) No action shall be prosecuted or maintained  
18           against any county, its officials, or employees  
19           on account of actions taken by them in reviewing,  
20           approving, modifying, or disapproving the plans  
21           and specifications; and



- 1 (C) The final plans and specifications for the  
2 project shall be deemed approved by the  
3 legislative body if the final plans and  
4 specifications do not substantially deviate from  
5 the preliminary plans and specifications. The  
6 final plans and specifications for the project  
7 shall constitute the zoning, building,  
8 construction, and subdivision standards for that  
9 project. For purposes of sections 501-85 and  
10 502-17, the executive director of the corporation  
11 or the responsible county official may certify  
12 maps and plans of lands connected with the  
13 project as having complied with applicable laws  
14 and ordinances relating to consolidation and  
15 subdivision of lands, and the maps and plans  
16 shall be accepted for registration or recordation  
17 by the land court and registrar; ~~and~~
- 18 (4) The land use commission shall approve, approve with  
19 modification, or disapprove a boundary change within  
20 forty-five days after the corporation has submitted a  
21 petition to the commission as provided in section



1           205-4. If, on the forty-sixth day, the petition is  
2           not disapproved, it shall be deemed approved by the  
3           commission[-]; and

4           (5) The appropriate county land use decision-making  
5           authority in which the project is located, pursuant to  
6           section 205-3.1(b) and (c), shall approve, approve  
7           with modification, or disapprove a district boundary  
8           change involving land areas of fifteen acres or less  
9           within forty-five days after the corporation has  
10           submitted a petition to the county land use decision-  
11           making authority. If on the forty-sixth day the  
12           petition is not disapproved, it shall be deemed  
13           approved by the county land use decision-making  
14           authority."

15           SECTION 3. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17           SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Housing; Expedited Approvals for Eligible Affordable Housing  
Projects

**Description:**

Establishes expedited approvals for affordable housing projects  
seeking district boundary amendments for land areas of 15 acres  
or less under the jurisdiction of the counties. Effective  
7/1/2050. (SD2)

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

