A BILL FOR AN ACT

RELATING TO HOUSING.

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

SECTION 1. Chapter 201H, Hawaii Revised Statutes, is amended by adding a new section to part II to be appropriately designated and to read as follows:

"§201H- Housing development; income restrictions and additional exemptions. (a) The corporation may develop on behalf of the State or, with an eligible developer, may assist under a government assistance program in the development of housing projects that shall be exempt 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.

(b) Housing projects developed by the corporation pursuant to this section shall not be subject to income restrictions by the corporation or any other agency of the State or county in which the project is developed; provided that:

(1) Either:
(A) Fifty per cent of the units constructed under the proposed housing project shall be reserved for households with an income of up to one hundred forty per cent of the area median income as determined by the United States Department of Housing and Urban Development; or

(B) All units constructed under the proposed housing project shall exclusively be:

(i) Sold or transferred as leasehold or fee simple units;

(ii) Sold or transferred to owner-occupiers;

(iii) Sold or transferred to prospective owners who own no other real property; and

(iv) Sold or transferred to residents of the State;

provided further that the provisions of this paragraph shall apply in perpetuity. If the project fails to meet the above provisions at any point, all exemptions for the project shall lapse and the developer shall be subject to all fees, fines, or other penalties deemed appropriate by the county in which the project is located;
The corporation finds that the housing project meets minimum requirements of health and safety;

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

The county in which the housing project is to be situated shall have approved the project with or without modifications and:

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

(B) No action shall be prosecuted or maintained against any county, its officials, or employees on account of actions taken by them in reviewing,
(C) The final plans and specifications for the project shall be deemed approved by the county if the final plans and specifications do not substantially deviate from the preliminary plans and specifications. The final plans and specifications for the project shall constitute the zoning, building, construction, and subdivision standards for that project. For purposes of sections 501-85 and 502-17, the executive director of the corporation or the responsible county official, as applicable, may certify maps and plans of lands connected with the project as having complied with applicable laws and ordinances relating to consolidation and subdivision of lands, and the maps and plans shall be accepted for registration or recordation by the land court and registrar; and

(5) The land use commission shall approve, approve with modification, or disapprove a boundary change within...
forty-five days after the corporation has submitted a petition to the commission as provided in section 205-4. If, on the forty-sixth day, the petition is not disapproved, it shall be deemed approved by the commission.

(c) For the purposes of this section, "government assistance program" has the same meaning as defined in section 201H-38."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: [Signature]
Report Title:
Hawaii Housing Finance and Development Corporation; Housing Development; Exemptions; Income Restrictions; Affordable Housing; Homeownership; Workforce Rentals

Description:
Allows the Hawaii Housing Finance and Development Corporation to develop certain housing projects that are exempt from laws, rules, and ordinances, including income restrictions, under certain circumstances.

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