

JAN 25 2006

A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

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

1 SECTION 1. Chapter 10, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§10- Housing development; exemption from statutes,
5 ordinances, charter provisions, rules. (a) The office may
6 develop housing projects that shall be exempt from all statutes,
7 ordinances, charter provisions, and rules of any governmental
8 agency relating to planning, districting, zoning, and
9 construction standards for subdivisions, development and
10 improvement to land, and the construction of units thereon;
11 provided that:

12 (1) The office finds the project is consistent with the
13 purpose and intent of this chapter, and meets minimum
14 requirements of health and safety;

15 (2) The development of the proposed project does not
16 contravene any safety standards, tariffs, or rates and
17 fees approved by the public utilities commission for



1 public utilities or the various boards of water supply
2 authorized under chapter 54; and

3 (3) The office consults during the planning phase of the
4 project with the county in which the project will be
5 located to receive any county concerns and county
6 recommendations about the project.

7 (b) For the purpose of this section:

8 "Housing project" means a project of affordable housing or
9 workforce housing.

10 "Affordable housing" and "workforce housing" means housing
11 that primarily includes for-sale housing or rental housing for
12 persons or families whose incomes are identified as one hundred
13 forty per cent or less of the area median income for each of the
14 counties of Hawaii, Maui, Honolulu, and Kauai, as determined by
15 the United States Department of Housing and Urban Development,
16 from time to time, and as adjusted by family size. Such persons
17 or families include persons or families within the following
18 income groups:

19 (1) "Very low income" meaning those earning fifty per cent
20 of the area median income and below;

21 (2) "Low income" meaning those earning between fifty per
22 cent and eighty per cent of the area median income;



SB 2425

Report Title:

Office of Hawaiian Affairs

Description:

Allows OHA to develop housing projects exempt from all statutes, charter provisions, ordinances, and rules relating to planning, districting, zoning, and standards for subdivisions, developments, and the construction of units.

