
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The legislature finds that the present lack of
2 a supply of affordable housing is turning the State into one of
3 "haves" and "have nots". Desperately needed affordable housing
4 is a major problem facing this State. Another related problem
5 is the extended length of time it takes to process permits for
6 affordable housing development projects.

7 The purpose of this Act is to require all state and county
8 agencies to give priority to affordable housing projects in the
9 land use, zoning, and permit review and issuing process, except
10 for any project involving the health or safety of the community.

11 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
12 by adding a new section to be appropriately designated and to
13 read as follows:

14 "§46- Affordable housing projects, priority. (a) Any
15 application for a housing project that is certified to be an
16 affordable housing project by the Hawaii public housing
17 administration or any county agency that has been delegated or
18 has assumed the powers under section 46-15.1 shall be given the



1 highest priority by all county councils and county agencies
 2 reviewing and issuing any amendments to a community;
 3 development, or community development plan, changes in zoning,
 4 or any permits required by the affordable housing project.

5 (b) For purposes of this section:

6 (1) "Affordable housing project" means any housing project
 7 that offers at least one-half of all housing units in
 8 the project to persons or families earning one hundred
 9 forty per cent or less of the median family income for
 10 that area, as determined by the United States
 11 Department of Housing and Urban Development.

12 (2) "Permit" means but is not limited to a special area
 13 management permit, variance, conditional use permit,
 14 special permit, subdivision permit, grubbing and
 15 grading permit, building permit, water meter permit,
 16 and occupancy permit."

17 SECTION 3. Chapter 201G, Hawaii Revised Statutes, is
 18 amended by adding a new section to be appropriately designated
 19 and to read as follows:

20 "§201G- Affordable housing, priority. (a) Any
 21 application for an approval or permit for a housing project that
 22 is certified to be an affordable housing project by the Hawaii

1 public housing administration or any county agency that has been
2 delegated or has assumed the powers under section 46-15.1 shall
3 be given the highest priority by all state and county agencies
4 reviewing and issuing any approvals or permits required by the
5 affordable housing project.

6 (b) For purposes of this section:

7 (1) "Affordable housing project" means any housing project
8 that offers at least one-half of all housing units in
9 the project to persons or families earning one hundred
10 forty per cent or less of the median family income for
11 that area, as determined by the United States
12 Department of Housing and Urban Development.

13 (2) "Approval or permit" means but is not limited to a
14 land use district boundary amendment, conservation
15 district use permit, department of health certificates
16 of need or necessity, plan approval, wastewater
17 facility approval, limited access highway or similar
18 approval, or permit for the withdrawal, diversion, or
19 consumptive use of water."

20 SECTION 4. New statutory material is underscored.

1 SECTION 5. This Act shall take effect on July 1, 2006.

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SB. NO. 2759

Report Title:

Affordable Housing

Description:

Requires all state and county agencies to give affordable housing projects priority in land use and permit approval, except for other projects involving the health or safety of the community.

