
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 homeownership within
3 the State into one of "haves" and "have nots." Desperately
4 needed affordable housing is a major problem facing this State.
5 Another related problem is the extended length of time it takes
6 to process permits for 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 housing finance and
17 development administration or any county agency that has been
18 delegated or has assumed the powers under section 46-15.1 shall



1 be given the highest priority by all county councils and county
 2 agencies reviewing or issuing any amendments to a community;
 3 development or community development plans; changes in zoning;
 4 or any permits required by the affordable housing project;
 5 provided that projects involving the health and safety of the
 6 community shall take priority over affordable housing projects.

7 (b) For purposes of this section:

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

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

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

1 "§201G- Affordable housing; priority. (a) Any
2 application for an approval or permit for a housing project that
3 is certified to be an affordable housing project by the Hawaii
4 housing finance and development administration or any county
5 agency that has been delegated or has assumed the powers under
6 section 46-15.1 shall be given the highest priority by all state
7 and county agencies reviewing or issuing any approvals or
8 permits required by the affordable housing project; provided
9 that projects involving the health and safety of the community
10 shall take priority over affordable housing projects.

11 (b) For purposes of this section:

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

18 (2) "Approval or permit" means but is not limited to a
19 land use district boundary amendment, conservation
20 district use permit, department of health certificates
21 of need or necessity, plan approval, wastewater
22 facility approval, limited access highway or similar

1 approval, or permit for the withdrawal, diversion, or
2 consumptive use of water."

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect on July 1, 2006 and
5 shall be repealed on June 30, 2009.

SB2759, SD1

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. (SD1)

