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## A BILL FOR AN ACT

RELATING TO LAND USE.

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

1 SECTION 1. Section 46-14.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§46-14.5 Land use density and infrastructure; low-income**  
4 **rental units.** (a) Notwithstanding any other law to the  
5 contrary, the counties are authorized to provide flexibility in  
6 land use density provisions and public facility requirements to  
7 encourage the development of any rental housing project where at  
8 least ~~[a portion]~~ fifty per cent of the rental units are set  
9 aside for persons and families with incomes at or below ~~[one~~  
10 ~~hundred forty per cent]~~ a percentage of the area median family  
11 income~~[, of which twenty per cent are set aside for persons and~~  
12 ~~families with incomes at or below eighty per cent of the area~~  
13 ~~median family income]~~.

14 (b) The percentage of the area median family income to be  
15 used in determining the provisions in subsection (a) shall be  
16 determined by the county council after considering the average  
17 income of the residents of the zip code area where the rental  
18 housing project is located."

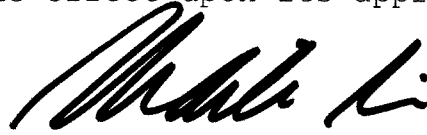


1           SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "Matti Li", written over a horizontal line.

JAN 18 2007



**Report Title:**

Land Use Density; Low-Income Rental Units

**Description:**

Specifies that flexibility in land use density provisions be provided to rental housing projects where at least 50 percent of the rental units are affordable to residents with incomes at or below a percentage of the median family income of the zip code area where the rental housing project is located.

