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# A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING.

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

1           SECTION 1. The purpose of this Act is to increase the  
2 development of affordable housing in transit oriented  
3 developments by requiring new for-sale housing developments to  
4 designate at least thirty per cent of the units as affordable  
5 housing for residents in the low- or moderate-income ranges.

6           SECTION 2. Chapter 201H, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9           "§201H-    Housing development in transit oriented  
10 development; exemption from statutes, ordinances, charter  
11 provisions, and rules. (a) Any law to the contrary  
12 notwithstanding, new for-sale housing developments of  
13 units or more per acre on privately owned lands in transit  
14 oriented developments and privately financed without federal,  
15 state, or county financing assistance or subsidies, including  
16 tax credits, that designate at least thirty per cent of the  
17 units as affordable housing for residents in the low- or

1 moderate-income ranges, may be exempt from all statutes,  
2 ordinances, charter provisions, and rules of any government  
3 agency relating to planning, zoning, construction standards for  
4 subdivisions, development and improvement of land, and the  
5 construction of dwelling units thereon, pursuant to section  
6 201H-38; provided that the affordable housing units shall be  
7 subject to the ten-year occupancy requirements and transfer  
8 restrictions in sections 201H-47 and 201H-49, respectively.

9 (b) As used in this section:

10 "Affordable housing" means the same as defined under  
11 section 201H-57.

12 "Transit oriented development" means compact, mixed-use  
13 development near new or existing public transit facilities that  
14 serves housing, transportation, and neighborhood goals."

15 SECTION 3. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun, before its effective date.

18 SECTION 4. New statutory material is underscored.

19 SECTION 5. This Act shall take effect upon its approval.

**Report Title:**

Affordable Housing; 30% Requirement

**Description:**

Requires new for-sale housing located in transit oriented developments to designate at least thirty per cent of the units as affordable housing for residents in the low- or moderate-income ranges. (SD1)