
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 while it
2 facilitates expedited review, the forty-five day window for a
3 legislative body to approve, approve with modification, or
4 disapprove an affordable housing project is too short for
5 meaningful discussion of the project and impedes the ability of
6 a county to perform its due diligence in evaluating an
7 affordable housing project.

8 Accordingly, the purpose of this Act is to allow ninety
9 days for a legislative body to approve, approve with
10 modification, or disapprove an affordable housing project.

11 SECTION 2. Section 201H-38, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) The corporation may develop on behalf of the State or
14 with an eligible developer, or may assist under a government
15 assistance program in the development of, housing projects that
16 shall be exempt from all statutes, ordinances, charter
17 provisions, and rules of any government agency relating to



1 planning, zoning, construction standards for subdivisions,
2 development and improvement of land, and the construction of
3 dwelling units thereon; provided that:

4 (1) The corporation finds the housing project is
5 consistent with the purpose and intent of this
6 chapter, and meets minimum requirements of health and
7 safety;

8 (2) The development of the proposed housing project does
9 not contravene any safety standards, tariffs, or rates
10 and fees approved by the public utilities commission
11 for public utilities or of the various boards of water
12 supply authorized under chapter 54;

13 (3) The legislative body of the county in which the
14 housing project is to be situated shall have approved
15 the project with or without modifications:

16 (A) The legislative body shall approve, approve with
17 modification, or disapprove the project by
18 resolution within [~~forty-five~~] ninety days after
19 the corporation has submitted the preliminary
20 plans and specifications for the project to the
21 legislative body. If on the [~~forty-sixth~~]



H.B. NO. 1769

1 ninety-first day a project is not disapproved, it
2 shall be deemed approved by the legislative body;

3 (B) No action shall be prosecuted or maintained
4 against any county, its officials, or employees
5 on account of actions taken by them in reviewing,
6 approving, modifying, or disapproving the plans
7 and specifications; and

8 (C) The final plans and specifications for the
9 project shall be deemed approved by the
10 legislative body if the final plans and
11 specifications do not substantially deviate from
12 the preliminary plans and specifications. The
13 final plans and specifications for the project
14 shall constitute the zoning, building,
15 construction, and subdivision standards for that
16 project. For purposes of sections 501-85 and
17 502-17, the executive director of the corporation
18 or the responsible county official may certify
19 maps and plans of lands connected with the
20 project as having complied with applicable laws
21 and ordinances relating to consolidation and



H.B. NO. 1769

1 subdivision of lands, and the maps and plans
 2 shall be accepted for registration or recordation
 3 by the land court and registrar; and

4 (4) The land use commission shall approve, approve with
 5 modification, or disapprove a boundary change within
 6 forty-five days after the corporation has submitted a
 7 petition to the commission as provided in section
 8 205-4. If, on the forty-sixth day, the petition is
 9 not disapproved, it shall be deemed approved by the
 10 commission."

11 SECTION 3. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.
 14

INTRODUCED BY: *OCW*
 By Request
JAN 16 2020



H.B. NO. 1769

Report Title:

Maui County Package; Housing; Affordable Housing Projects

Description:

Extends to ninety days a legislative body's deadline to approve, approve with modification, or disapprove an affordable housing project.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

