

JAN 18 2019

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 there exists in the
2 State a critical need for the development and construction of
3 affordable housing units. Act 127, Session Laws of Hawaii 2016,
4 amended by Act 96, Session Laws of Hawaii 2017, established a
5 goal of developing at least 22,500 affordable rental housing
6 units ready for occupancy between 2017 and 2026. The
7 legislature further finds that the transit-oriented development
8 associated with the construction of a rail transit system in
9 Honolulu has the potential to fulfill this housing goal.
10 Because the State is the largest landowner of properties along
11 the rail transit line, the State has the opportunity to utilize
12 its resources to significantly increase the inventory of
13 affordable housing units.

14 The legislature additionally finds that Act 130, Session
15 Laws of Hawaii 2016, established the office of planning as the
16 lead agency to coordinate and advance smart growth and transit-
17 oriented development planning within the State, including



1 targeting transit-oriented development areas for significant
2 increases in affordable housing and rental units and approving
3 all state agencies' development plans for parcels along the rail
4 transit corridor. The legislature also finds that requiring an
5 affordable housing component as part of development and
6 redevelopment of state properties along the rail transit line
7 will not only increase the affordable housing stock, but also
8 support rail ridership goals by locating denser, mixed use
9 developments along the rail transit line.

10 The purpose of this Act is to require affordable housing to
11 be included as part of the development or redevelopment plan for
12 state transit-oriented development along the rail transit
13 corridor as part of the office of planning's function as lead
14 agency to coordinate and advance smart growth and transit-
15 oriented development planning within the State.

16 SECTION 2. Section 225M-2, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) The office of planning shall gather, analyze, and
19 provide information to the governor to assist in the overall
20 analysis and formulation of state policies and strategies to
21 provide central direction and cohesion in the allocation of



1 resources and effectuation of state activities and programs, and
2 effectively address current or emerging issues and
3 opportunities. More specifically, the office shall engage in
4 the following activities:

5 (1) State comprehensive planning and program coordination.
6 Formulating and articulating comprehensive statewide
7 goals, objectives, policies, and priorities, and
8 coordinating their implementation through the
9 statewide planning system established in part II of
10 chapter 226;

11 (2) Strategic planning. Identifying and analyzing
12 significant issues, problems, and opportunities
13 confronting the State, and formulating strategies and
14 alternative courses of action in response to
15 identified problems and opportunities by:

16 (A) Providing in-depth policy research, analysis, and
17 recommendations on existing or potential areas of
18 critical state concern;

19 (B) Examining and evaluating the effectiveness of
20 state programs in implementing state policies and
21 priorities;



1 (C) Monitoring current social, economic, and physical
2 conditions and trends through surveys,
3 environmental scanning, and other techniques [~~—~~
4 ~~current social, economic, and physical conditions~~
5 ~~and trends~~]; and

6 (D) Developing, in collaboration with affected public
7 or private agencies and organizations,
8 implementation plans and schedules and, where
9 appropriate, assisting in the mobilization of
10 resources to meet identified needs;

11 (3) Planning coordination and cooperation. Facilitating
12 coordinated and cooperative planning and policy
13 development and implementation activities among state
14 agencies and between the state, county, and federal
15 governments, by:

16 (A) Reviewing, assessing, and coordinating, as
17 necessary, major plans, programs, projects, and
18 regulatory activities existing or proposed by
19 state and county agencies;



- 1 (B) Formulating mechanisms to simplify, streamline,
2 or coordinate interagency development and
3 regulatory processes; and
- 4 (C) Recognizing the presence of federal defense and
5 security forces and agencies in the State as
6 important state concerns;
- 7 (4) Statewide planning and geographic information system.
8 Collecting, integrating, analyzing, maintaining, and
9 disseminating various forms of data and information,
10 including geospatial data and information, to further
11 effective state planning, policy analysis and
12 development, and delivery of government services by:
 - 13 (A) Collecting, assembling, organizing, evaluating,
14 and classifying existing geospatial and non-
15 geospatial data and performing necessary basic
16 research, conversions, and integration to provide
17 a common database for governmental planning and
18 geospatial analyses by state agencies;
 - 19 (B) Planning, coordinating, and maintaining a
20 comprehensive, shared statewide planning and
21 geographic information system and associated



1 geospatial database. The office shall be the
2 lead agency responsible for coordinating the
3 maintenance of the multi-agency, statewide
4 planning and geographic information system and
5 coordinating, collecting, integrating, and
6 disseminating geospatial data sets that are used
7 to support a variety of state agency applications
8 and other spatial data analyses to enhance
9 decision-making. The office shall promote and
10 encourage free and open data sharing among and
11 between all government agencies. To ensure the
12 maintenance of a comprehensive, accurate, up-to-
13 date geospatial data resource that can be drawn
14 upon for decision-making related to essential
15 public policy issues such as land use planning,
16 resource management, homeland security, and the
17 overall health, safety, and well-being of
18 Hawaii's citizens, and to avoid redundant data
19 development efforts, state agencies shall provide
20 to the shared system either their respective
21 geospatial databases or, at a minimum, especially



1 in cases of secure or confidential data sets that
2 cannot be shared or must be restricted, metadata
3 describing existing geospatial data. In cases
4 where agencies provide restricted data, the
5 office of planning shall ensure the security of
6 that data; and

7 (C) Maintaining a centralized depository of state and
8 national planning references;

9 (5) Land use planning. Developing and presenting the
10 position of the State in all boundary change petitions
11 and proceedings before the land use commission,
12 assisting state agencies in the development and
13 submittal of petitions for land use district boundary
14 amendments, and conducting periodic reviews of the
15 classification and districting of all lands in the
16 State, as specified in chapter 205;

17 (6) Coastal and ocean policy management. Carrying out the
18 lead agency responsibilities for the Hawaii coastal
19 zone management program, as specified in chapter 205A.
20 Also, developing and maintaining an ocean and coastal
21 resources information, planning, and management system



1 further developing and coordinating implementation of
2 the ocean resources management plan, and formulating
3 ocean policies with respect to the exclusive economic
4 zone, coral reefs, and national marine sanctuaries;

5 (7) Regional planning and studies. Conducting plans and
6 studies to determine:

7 (A) The capability of various regions within the
8 State to support projected increases in both
9 resident populations and visitors;

10 (B) The potential physical, social, economic, and
11 environmental impact on these regions resulting
12 from increases in both resident populations and
13 visitors;

14 (C) The maximum annual visitor carrying capacity for
15 the State by region, county, and island; and

16 (D) The appropriate guidance and management of
17 selected regions and areas of statewide critical
18 concern.

19 The studies in subparagraphs (A) to (C) shall be
20 conducted at appropriate intervals, but not less than
21 once every five years;



- 1 (8) Regional, national, and international planning.
- 2 Participating in and ensuring that state plans,
- 3 policies, and objectives are consistent, to the extent
- 4 practicable, with regional, national, and
- 5 international planning efforts;
- 6 (9) Climate adaptation planning. Conducting plans and
- 7 studies and preparing reports as follows:
- 8 (A) Develop, monitor, and evaluate strategic climate
- 9 adaptation plans and actionable policy
- 10 recommendations for the State and counties
- 11 addressing expected statewide climate change
- 12 impacts identified under Act 286, Session Laws of
- 13 Hawaii 2012, through the year 2050;
- 14 (B) Provide planning and policy guidance and
- 15 assistance to state and county agencies regarding
- 16 climate change; and
- 17 (C) Publish its findings, recommendations, and
- 18 progress reports on actions taken no later than
- 19 December 31, 2017, and its annual report to the
- 20 governor and the legislature thereafter; and



1 (10) Smart growth and transit-oriented development. Acting
2 as the lead agency to coordinate and advance smart
3 growth and transit-oriented development planning
4 within the State as follows:

5 (A) Identify transit-oriented development
6 opportunities shared between state and county
7 agencies, including relevant initiatives such as
8 the department of health's healthy Hawaii
9 initiative and the Hawaii clean energy
10 initiative;

11 (B) Refine the definition of "transit-oriented
12 development" in the context of Hawaii, while
13 recognizing the potential for smart growth
14 development patterns in all locations;

15 (C) Clarify state goals for transit-oriented
16 development and smart growth that support the
17 principles of the Hawaii State Planning Act by
18 preserving non-urbanized land, improving worker
19 access to jobs, and reducing fuel consumption;



- 1 (D) Target transit-oriented development areas for
2 significant increase in affordable housing and
3 rental units;
- 4 (E) Conduct outreach to state agencies to help
5 educate state employees about the ways they can
6 support and benefit from transit-oriented
7 development and the State's smart growth goals;
- 8 (F) Publicize coordinated state efforts that support
9 smart growth, walkable neighborhoods, and
10 transit-oriented development;
- 11 (G) Review state land use decision-making processes
12 to identify ways to make transit-oriented
13 development a higher priority and facilitate
14 better and more proactive leadership in creating
15 walkable communities and employment districts,
16 even if transit will only be provided at a later
17 date; and
- 18 (H) Approve all state agencies' development or
19 redevelopment plans for parcels along the rail
20 transit corridor[-]; provided that every
21 development or redevelopment plan shall include

1 housing units with at least twenty per cent
 2 reserved for residents with an income less than
 3 or equal to eighty per cent of the area median
 4 income, unless the office of planning determines
 5 that housing is not feasible or desirable on a
 6 particular property. For the purposes of this
 7 subparagraph, "development or redevelopment
 8 plans" means conceptual land use plans that
 9 identify the location and planned uses within a
 10 defined area."

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 on July 1, 2019.

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INTRODUCED BY:

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S.B. NO. 498

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S.B. NO. 498

Report Title:

Office of Planning; Development or Redevelopment Plans;
Affordable Housing

Description:

Requires inclusion of 20% affordable housing units in state agencies' development and redevelopment plans along the rail transit corridor. Allows the Office of Planning, in consultation with the Hawaii Housing Finance and Development Corporation, to make exceptions to the affordable housing requirement.

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