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# A BILL FOR AN ACT

RELATING TO HOUSING.

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

1           SECTION 1. This Act shall be known as the "Yes In My  
2 Backyard Act".

3           SECTION 2. The legislature finds that the *Measuring*  
4 *Housing Demand in Hawaii, 2015-2025* report published by the  
5 department of business, economic development, and tourism in  
6 March 2015 finds that, based in part on the State's population  
7 growth, the projected statewide demand for residential housing  
8 was between 64,700 and 66,000 units. Although the department  
9 finds that population growth in the State has slowed since the  
10 2015 report, in the *Hawaii Housing Demand: 2020-2030* report,  
11 published in December 2019, the department still projects that  
12 an additional 36,155 units will be needed between 2020 and 2030.

13           The legislature further finds that "yes in my backyard"  
14 legislation, which is aimed at increasing housing by reducing  
15 administrative barriers and encouraging the adoption of more  
16 flexible zoning and regulatory policies, has been enacted in  
17 Oregon and California. Similar legislation aimed at increasing



1 transparency and tracking discriminatory land use policies was  
2 co-introduced on the federal level by United States Senator  
3 Brian Schatz in May 2021.

4 The purpose of this Act is to encourage:

- 5 (1) The counties to adopt zoning and regulatory policies  
6 that allow for greater housing opportunities for  
7 residents at all income levels by requiring each  
8 county to submit a biennial report to the legislature  
9 on its efforts to reduce or remove certain regulatory  
10 barriers to housing; and
- 11 (2) The Hawaii housing finance and development corporation  
12 and Hawaii public housing authority to allow for  
13 greater affordable housing opportunities by requiring  
14 the corporation and the authority to each submit a  
15 biennial report to the legislature and its respective  
16 board on its respective efforts to streamline  
17 affordable housing development based on its review of  
18 the county biennial reports submitted to the  
19 legislature required by this Act.



1 SECTION 3. Chapter 46, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4 "§46- Yes in my backyard; removing barriers to housing  
5 development. Each county shall submit biennial reports to the  
6 legislature on how the county has reduced or removed regulatory  
7 or zoning barriers to housing for residents at all income levels  
8 to obtain housing. The report shall include the county's  
9 recommendations for amendments to the Hawaii Revised Statutes,  
10 Hawaii Administrative Rules, and Hawaii State Constitution to  
11 support the county's efforts in producing additional affordable  
12 housing and the county's efforts in the following areas:

- 13 (1) Allowing multi-family development in retail and  
14 commercial zones;  
15 (2) Converting office units and commercial space to  
16 apartments and multi-family uses;  
17 (3) Promoting a range of housing types in areas zoned for  
18 single family homes;  
19 (4) Reducing minimum lot size for housing uses;  
20 (5) Streamlining the permit process and timelines;  
21 (6) Establishing density bonuses;



1        (7) Converting vacant or underutilized county land for  
2                    affordable housing; and

3        (8) Utilizing financing programs to more efficiently  
4                    deliver affordable housing.

5            Each report shall be submitted to the legislature no later  
6 than twenty days prior to the convening of the first year of  
7 each fiscal biennium, beginning with the regular session of  
8 2023."

9            SECTION 4. Chapter 201H, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12            "§201H-        Yes in my backyard; removing barriers to  
13 housing development. The corporation shall review the reports  
14 submitted to the legislature by the counties pursuant to section  
15 46-        and:

16            (1) Make recommendations to the legislature and to the  
17                    board on streamlining affordable housing development  
18                    based on the corporation's review of the reports of  
19                    each county;

20            (2) Incorporate the information in the corporation's  
21                    housing studies; and



1       (3) Submit biennial reports to the legislature no later  
2       than twenty days prior to the convening of the second  
3       year of each fiscal biennium, beginning with the  
4       regular session of 2024."

5       SECTION 5. Chapter 356D, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8       "§356D- Yes in my backyard; removing barriers to  
9 housing development. The authority shall review the reports  
10 submitted to the legislature by the counties pursuant to section  
11 46- and:

12       (1) Make recommendations to the legislature and to the  
13       board on streamlining affordable housing development  
14       based on the authority's review of the reports of each  
15       county;

16       (2) Incorporate the information in the authority's housing  
17       studies; and

18       (3) Submit biennial reports to the legislature no later  
19       than twenty days prior to the convening of the second  
20       year of each fiscal biennium, beginning with the  
21       regular session of 2024."



1 SECTION 6. New statutory material is underscored.

2 SECTION 7. This Act shall take effect on July 1, 2050.

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**Report Title:**

Counties; Hawaii Housing Finance and Development Corporation;  
Hawaii Public Housing Authority; Housing; Yes In My Backyard;  
Biennial Reports

**Description:**

Requires each county to submit biennial reports to the legislature on its efforts to reduce zoning and regulatory barriers to housing development. Requires the Hawaii housing finance and development corporation and Hawaii public housing authority to submit biennial reports, based on their individual review of the counties' reports, to the legislature and their respective board on streamlining affordable housing development. Effective 7/1/2050. (HD1)

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

