JAN 2 1 2022

A BILL FOR AN ACT

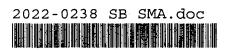
RELATING TO PLANNING.

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

1	SECTION 1. 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- Duty to affirmatively further fair housing;
5	housing assessment; general plans. (a) The counties and all of
6	their agencies shall administer their programs and activities
7	relating to housing and community development in a manner to
8	affirmatively further fair housing and shall not take any action
9	that is materially inconsistent with this obligation.
10	(b) Pursuant to subsection (a), each county's general plan
11	shall assess fair housing in its jurisdiction, which shall
12	include all of the following components:
13	(1) An analysis of population trends and documentation of
14	projections and qualification of the county's existing
15	and projected housing needs for all income levels,
16	including extremely low-income households;

1	(2)	A summary of fair housing issues in the county and an
2		assessment of the county's fair housing enforcement
3		and fair housing outreach capacity;
4	(3)	An analysis of available federal, state, and local
5		data and knowledge to identify integration and
6		segregation patterns and trends, racially or
7		ethnically concentrated areas of poverty and
8		affluence, disparities in access to opportunity, and
9		disproportionate housing needs, including displacement
10		risk; provided that the analysis shall identify and
11		examine such patterns, trends, areas, disparities, and
12		needs, both within the county and in comparison to the
13		State, based on race and other classes of persons
14		protected by employment and housing laws;
15	(4)	An assessment of the contributing factors, including
16		the local and regional historical origins and current
17		policies and practices for the fair housing issues
18		identified in this section;
19	(5)	An identification of the county's fair housing
20		priorities and goals, giving highest priority to those
21		factors identified in paragraph (4) that limit or deny

1		fair housing choice or access to opportunity, or
2		negatively impact fair housing or civil rights
3		compliance, and identifying the metrics and milestones
4		for determining what fair housing results will be
5		achieved;
6	(6)	Strategies and actions to implement those priorities
7		and goals identified in paragraph (5), which may
8		include but are not limited to enhancing mobility
9		strategies and encouraging development of new
10		affordable housing in areas of opportunity, place-
11		based strategies to encourage community revitalization
12		including preservation of existing affordable housing,
13		and protecting existing residents from displacement;
14		and
15	(7)	An inventory of land suitable and available for
16		residential development, including vacant sites and
17		sites having realistic and demonstrated potential for
18		redevelopment to meet the county's housing need for a
19		designated income level, an analysis of the
20		relationship of zoning and public facilities and
21		services to these sites, and an analysis of the



1		relationship of the sites identified in the land
2		inventory to the county's duty to affirmatively
3		further fair housing.
4	<u>(c)</u>	Each county shall develop a statement of the
5	community	's goals, qualified objectives, and policies to
6	incorpora	te into its revised general plan relative to
7	affirmati	vely further fair housing and to the maintenance,
8	preservat	ion, improvement, and development of housing. The
9	statement	shall identify:
10	(1)	Actions that will be taken to make sites available
11		during the planning period with appropriate zoning and
12		development standards and with services and facilities
13		to accommodate that portion of the county's share of
14		the regional housing need for each income level that
15		could not be accommodated on sites identified in the
16		inventory completed pursuant to this subsection
17		without rezoning;
18	(2)	Sites as needed to affirmatively further fair housing
19		and to facilitate and encourage the development of a
20		variety of types of housing for all income levels,
21		including multifamily rental housing, factory-built

1		housing, housing for agricultural employees,
2		supportive housing, single-room occupancy units,
3		emergency shelters, and transitional housing;
4	(3)	Strategies to assist in the development of adequate
5		housing to meet the needs of extremely low, very low,
6		low- and moderate-income households;
7	(4)	Methods to conserve and improve the condition of
8		existing affordable housing stock, which may include
9		addressing ways to mitigate the loss of dwelling units
10		demolished by public or private action; and
11	(5)	A commitment to promote and affirmatively further fair
12		housing opportunities and supply of housing throughout
13		the community or communities for all persons
14		regardless of race, religion, sex, marital status,
15		ancestry, national origin, color, familial status,
16		sexual orientation, age, or disability, and other
17		classes protected under state law.
18	(d)	The counties shall revise their general plans to
19	accommoda	te the housing-related policies of a sustainable
20	community	strategy or an alternative planning strategy adopted
21	pursuant	to this section. The schedule shall provide for



1	adoption	of the required rezoning within one year of the
2	adoption	of the resolution. Each county shall submit a report
3	of its fi	ndings with a detailed budget and schedule for
4	preparati	on and adoption of the required rezoning, including
5	plans for	citizen participation and expected interim action, to
6	the legis	lature no later than twenty days prior to the convening
7	of each r	egular session.
8	<u>(e)</u>	For purposes of this section, "affirmatively further
9	fair hous	ing" means taking meaningful actions to:
10	(1)	Overcome patterns of segregation;
11	(2)	Foster inclusive communities free from barriers that
12		restrict access to opportunity based on protected
13		characteristics or classes of persons;
14	(3)	Combat discrimination;
15	(4)	Address significant disparities in housing needs and
16		in access to opportunity;
17	(5)	Replace segregated living patterns with truly
18		integrated and balanced living patterns;
19	(6)	Transform racially and ethnically concentrated areas
20		of poverty into areas of opportunity; and

l	(7) Foster and maintain compliance with civil rights and
2	fair housing laws."
3	SECTION 2. New statutory material is underscored.
4	SECTION 3. This Act shall take effect upon its approval.
5	
	INTRODUCED BY:

Report Title:

Counties; Duties; Affirmatively Further Fair Housing; Housing Assessment; General Plans

Description:

Requires counties to affirmatively further fair housing and conduct certain assessments to combat discrimination and overcome patterns of segregation. Requires counties to amend their general plans to accommodate housing-related policies adopted pursuant to this Act.

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