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

3 "(a) [The] Notwithstanding any law to the contrary, the  
4 corporation may develop on behalf of the State or with an  
5 eligible developer, or may assist under a government assistance  
6 program in the development of, housing projects that shall be  
7 exempt from all statutes, ordinances, charter provisions, and  
8 rules of any government agency relating to planning, zoning,  
9 construction standards for subdivisions, development and  
10 improvement of land, and the construction of dwelling units  
11 thereon; provided that:

12 (1) The corporation finds the housing project is  
13 consistent with the purpose and intent of this  
14 chapter, and meets minimum requirements of health and  
15 safety;

16 (2) The development of the proposed housing project does  
17 not contravene any safety standards, tariffs, or rates



1 and fees approved by the public utilities commission  
2 for public utilities or of the various boards of water  
3 supply authorized under chapter 54;

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

7 (A) The legislative body shall approve, approve with  
8 modification, or disapprove the project by  
9 resolution within forty-five days after the  
10 corporation has submitted the preliminary plans  
11 and specifications for the project to the  
12 legislative body. If on the forty-sixth day a  
13 project is not disapproved, it shall be deemed  
14 approved by the legislative body;

15 (B) No action shall be prosecuted or maintained  
16 against any county, its officials, or employees  
17 on account of actions taken by them in reviewing,  
18 approving, modifying, or disapproving the plans  
19 and specifications; and

20 (C) The final plans and specifications for the  
21 project shall be deemed approved by the



1 legislative body if the final plans and  
2 specifications do not substantially deviate from  
3 the preliminary plans and specifications. The  
4 final plans and specifications for the project  
5 shall constitute the zoning, building,  
6 construction, and subdivision standards for that  
7 project. For purposes of sections 501-85 and  
8 502-17, the executive director of the corporation  
9 or the responsible county official may certify  
10 maps and plans of lands connected with the  
11 project as having complied with applicable laws  
12 and ordinances relating to consolidation and  
13 subdivision of lands, and the maps and plans  
14 shall be accepted for registration or recordation  
15 by the land court and registrar; and

16 (4) The land use commission shall approve, approve with  
17 modification, or disapprove a boundary change within  
18 forty-five days after the corporation has submitted a  
19 petition to the commission as provided in section 205-  
20 4. If, on the forty-sixth day, the petition is not



1           disapproved, it shall be deemed approved by the  
2           commission."

3           SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5           SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Hawaii Housing Finance and Development Corporation; Housing  
Development; Exemption

**Description:**

Clarifies that notwithstanding any other law to the contrary,  
the Hawaii Housing Finance and Development Corporation may  
develop certain housing projects that shall be exempt from all  
statutes, ordinances, charter provisions, and rules relating to  
planning, zoning, and other certain standards, provided that  
certain conditions are met. (SD1)

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

