
A BILL FOR AN ACT

RELATING TO THE EXPEDITIOUS REDEVELOPMENT AND DEVELOPMENT OF
AFFORDABLE RENTAL HOUSING.

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

PART I

SECTION 1. Chapter 205A, Hawaii Revised Statutes, is
amended by adding a new section to part II to be appropriately
designated and to read as follows:

**"§205A- Special management area use permits; affordable
multi-family rental housing; redevelopment. (a) Subject to
terms and conditions under section 205A-26, the director of a
county planning department may issue a special management area
use permit to an applicant to redevelop permanent affordable
multi-family rental housing that has been substantially
destroyed as a result of a disaster from a wildfire, hurricane,
or earthquake proclaimed by the governor to constitute a state
of emergency under chapter 127A.**

**(b) After issuing a special management area use permit
pursuant to this section, the county planning department in the
respective county shall file a notice of the issuance in the**



1 next available issue of the periodic bulletin of the office of
2 planning and sustainable development.

3 (c) This section shall not apply to parcels on the
4 shoreline or parcels impacted by waves, storm surges, high tide,
5 or shoreline erosion."

6 PART II

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

10 **"§46- Affordable multi-family rental housing;**
11 **experimental and demonstration housing projects; redevelopment.**

12 (a) Notwithstanding any other law to the contrary, if an
13 affordable multi-family rental housing project that was
14 originally developed as an experimental and demonstration
15 housing project pursuant to section 46-15 has been substantially
16 destroyed as a result of a disaster from a wildfire, hurricane,
17 or earthquake proclaimed by the governor to constitute a state
18 of emergency under chapter 127A:

19 (1) Any ordinance approved by a county for the initial
20 construction of the experimental and demonstration
21 housing project shall remain valid and relevant and



1 continue to be in full force and effect with respect
2 to the rebuilding of the project in accordance with
3 this section;

4 (2) The director of a county planning department in the
5 respective county or any other state or county agency
6 authorized to issue a permit or approval required for
7 the rebuilding of the project may amend or modify the
8 final plans and specifications of the experimental and
9 demonstration housing project to incorporate
10 cost-effective best industry practices that include
11 advances in building design, materials, construction
12 types, or methods; provided that any modification
13 shall adhere to principles that emphasize community,
14 history, culture, future resilience, and the safety
15 and well-being of the project's occupants; provided
16 further that the modifications shall not impose
17 requirements or conditions that unreasonably increase
18 rebuilding or future operating costs; and

19 (3) Notwithstanding any termination of the applicable
20 emergency proclamation before the completion of
21 construction, the experimental and demonstration



1 housing project shall not be subject to any specific
2 provisions of law suspended pursuant to the emergency
3 proclamation issued under section 127A-13, if an
4 application for the initial permit or approval to
5 commence rebuilding of the project has been submitted
6 to the county planning department, the department or
7 office of housing of a county, or any other relevant
8 agency of the state or applicable county before the
9 end of the disaster emergency relief period; provided
10 that the submitted application was deemed by the
11 relevant state or county department or agency as
12 complete.

13 (b) This section shall not apply to parcels on the
14 shoreline or parcels impacted by waves, storm surges, high tide,
15 or shoreline erosion."

16 SECTION 3. Chapter 201H, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 **"§201H- Affordable multi-family rental housing;**
20 **redevelopment.** After issuing a special management area use
21 permit pursuant section 205A- , the county planning department



1 in the respective county and any other state or county agency
2 authorized to issue a permit or approval shall prioritize
3 approving permits to redevelop the permanent affordable
4 multi-family rental housing."

5 SECTION 4. Chapter 343, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 **"§343- Affordable multi-family rental housing;**
9 **redevelopment.** Except as otherwise provided in chapter 201H or
10 under federal law, permanently affordable multi-family rental
11 housing projects that are being redeveloped pursuant to a
12 special management area use permit issued under section
13 205A- that are located on properties or districts on the
14 Hawaii or national register of historic places shall be exempt
15 from the requirements of this chapter."

16 PART III

17 SECTION 5. If any provision of this Act, or the
18 application thereof to any person or circumstance, is held
19 invalid, the invalidity does not affect other provisions or
20 applications of the Act that can be given effect without the



1 invalid provision or application, and to this end the provisions
2 of this Act are severable.

3 SECTION 6. New statutory material is underscored.

4 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Counties; County Planning Departments; Affordable Rental Housing; Special Management Area Use Permits; Experimental and Demonstration Housing Projects

Description:

Authorizes the director of a county planning department to issue a special management area use permit to redevelop permanent affordable multi-family rental housing that has been substantially destroyed as result of certain natural disasters, with certain exceptions. Permits county planning departments and any other applicable state or county department or agency to amend or modify final plans and specifications for redevelopment of an existing experimental and demonstration housing project, with certain restrictions. Requires county planning departments and any other applicable state or county department or agency to prioritize approving permits for the redevelopment of permanent affordable multi-family rental housing in special management areas, under certain circumstances. Exempts permanently affordable multi-family rental housing projects within a special management area that are being redeveloped and are located on properties or districts on the state or national historic register from environmental impact statement requirements.
(CD1)

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