
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:

1 SECTION 1. (a) Subject to terms and conditions as the
2 director of planning of each county deems appropriate, the
3 director may issue a special management area use permit to an
4 applicant to redevelop permanent affordable multi-family rental
5 housing that has been substantially destroyed as a result of a
6 disaster declared by the governor or a mayor as a state of
7 emergency or local state of emergency under chapter 127A, Hawaii
8 Revised Statutes, to develop mixed-use permanent affordable
9 multi-family rental housing on state-owned lands and lands
10 related to the recovery of a disaster.

11 (b) Except as otherwise provided in this Act or under
12 federal law, the issuance of a special management area use
13 permit under this section shall be exempt from all statutes,
14 charter provisions, ordinances, and rules relating to the
15 issuance of special management area use permits under
16 chapter 205A, Hawaii Revised Statutes.



1 (c) After any special management area use permits are
2 issued under this section, the department of planning shall file
3 a notice of the issuance in the next available issue of the
4 periodic bulletin of the office of planning and sustainable
5 development.

6 (d) Except as otherwise provided in this Act or under
7 federal law, special management area use permits shall be exempt
8 from all statutes charter provisions, ordinances, and rules
9 relating to districts as designated in the national register or
10 Hawaii register pursuant to chapter 343, Hawaii Revised
11 Statutes.

12 (e) Notwithstanding any other law to the contrary, land
13 use entitlements described in Maui county Ordinance No. 2120
14 (1992), including waivers of state and county statutes,
15 ordinances, and their administrative rules and regulations
16 relating to planning, zoning, and construction standards, shall
17 remain applicable to future housing developments.

18 SECTION 2. If any provision of this Act, or the
19 application thereof to any person or circumstance, is held
20 invalid, the invalidity does not affect other provisions or
21 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 3. This Act shall take effect upon its approval.



Report Title:

Affordable Rental Housing; Special Management Area Permits;
National Register; Hawaii Register; Administrative Review;
Exemption

Description:

Exempts certain affordable rental housing projects from the requirements for special management area use permits. Clarifies eligibility for affordable housing projects to receive an exemption. Requires administrative review of projects under the National Register or Hawaii Register for compliance. (SD1)

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