THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 1170
S.D. 2
H.D. 2

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. Chapter 205A, Hawaii Revised Statutes, is

2 amended by adding a new section to part II to be appropriately

3 designated and to read as follows:

4   "**§205A-   Special management area use permits; affordable**

5 **multi-family rental housing; experimental and demonstration**

6 **housing projects; redevelopment.** (a) Subject to terms and

7 conditions under section 205A-26, the director of a county

8 planning department may issue a special management area use

9 permit to an applicant to redevelop permanent affordable multi-

10 family rental housing that has been substantially destroyed as a

11 result of a disaster from wildfire, hurricane, or earthquake

12 proclaimed by the governor to constitute a state of emergency

13 under chapter 127A, Hawaii Revised Statutes.

14   (b) After issuing a special management area use permit

15 pursuant to this section, the department of planning of the

16 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) After issuing a special management area use permit

4 pursuant to this section, the department of planning of the

5 respective county and any other state or county agency

6 authorized to issue a permit or approval shall prioritize

7 approving permits to redevelop the permanent affordable multi-

8 family rental housing.

9   (d) Except as otherwise provided in this Act or under

10 federal law, permanently affordable multi-family rental housing

11 projects within the special management area that are being

12 redeveloped pursuant to this section and are located on

13 properties or districts on the state or national historic

14 register shall be exempt from the requirements of chapter 343.

15   (e) Notwithstanding any other law to the contrary, if an

16 affordable multi-family rental housing that was originally

17 developed as an experimental and demonstration housing project

18 pursuant to section 46-15 has been substantially destroyed as a

19 result of a disaster from wildfire, hurricane, or earthquake

20 proclaimed by the governor to constitute a state of emergency

21 under chapter 127A:

1   (1)   Any ordinance approved by a county for the initial

2   construction of the experimental and demonstration

3   housing project shall remain valid and relevant and

4   continue to be in full force and effect with respect

5   to the rebuilding of the project in accordance with

6   this section;

7   (2)   The director of a county planning department in the

8   respective county or any other state or county agency

9   authorized to issue a permit or approval required for

10   the rebuilding of the project may amend or modify the

11   final plans and specifications of the experimental and

12   demonstration housing project to incorporate

13   cost-effective best industry practices that include

14   advances in building design, materials, construction

15   types, or methods; provided that any modification

16   shall adhere to principles that emphasize community,

17   history, culture, future resilience, and the safety

18   and well-being of the project's occupants; provided

19   further that the modifications shall not impose

20   requirements or conditions that unreasonably increase

21   rebuilding or future operating costs; and

1   (3)   Notwithstanding any termination of the applicable

2   emergency proclamation before the completion of

3   construction, the experimental and demonstration

4   housing project shall not be subject to any specific

5   provisions of law suspended pursuant to the emergency

6   proclamation issued under section 127A-13, if an

7   application for the initial permit or approval to

8   commence rebuilding of the project has been submitted

9   to the department of planning of a county, the

10   department or office of housing of a county, or any

11   other relevant agency of the applicable state or

12   county before the end of the disaster emergency relief

13   period; provided that the submitted application was

14   deemed by the relevant state or county department or

15   agency as complete.

16   (f)   This section shall not apply to parcels on the

17 shoreline or parcels impacted by waves, storm surges, high tide,

18 or shoreline erosion."

19   SECTION 2.   If any provision of this Act, or the

20 application thereof to any person or circumstance, is held

21 invalid, the invalidity does not affect other provisions or

1 applications of the Act that can be given effect without the

2 invalid provision or application, and to this end the provisions

3 of this Act are severable.

4   SECTION 3. New statutory material is underscored.

5   SECTION 4. This Act shall take effect on July 1, 3000.

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 and requires county planning departments and any other applicable state or county department or agency to prioritize approving permits for these redevelopments, with certain exceptions. Exempts permanently affordable multi-family rental housing projects within the 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. 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. Effective 7/1/3000. (HD2)

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

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