

RE: S.B. No. 2214
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii
Sir:

Your Committees on Housing and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 2214 entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

beg leave to report as follows:

The purpose and intent of this measure is to expedite the permitting process for certain housing development projects by requiring state or county agencies to issue discretionary permits for housing development projects that meet certain requirements within sixty days of receipt of a permit application deemed to be complete by the receiving state or county agency.

Your Committees received testimony in support of this measure from the Building of Industry Association Hawaii and Chamber of Commerce Hawaii. Your Committees received testimony in opposition to this measure from the Department of Planning and Permitting and one individual. Your Committees received comments on this measure from the Department of the Attorney General, Hawaii Housing Finance and Development Corporation, and Historic Hawaii Foundation.

Your Committees find that permitting delays are one of the biggest problems housing developers face in Hawaii. By requiring discretionary permits to be issued within sixty days, this measure will help in expediting the development of much needed housing which meet the requirements of transit oriented development projects.

Your Committees find that the Hawaii Housing Finance and Development Corporation does not have the mechanisms to review and approve projects. Your Committees further find that various sections of the measure require clarity. Finally, your Committees find that due to concerns about building code, health, and safety, the automatic approval process should apply to discretionary permits and not to ministerial permits.

Your Committees have amended this measure by:

- (1) Deleting language which tasks the Hawaii Housing Finance and Development Corporation with reviewing proposed projects;
- (2) Clarifying the definition of a developer;
- (3) Clarifying that the units are available to households at or below one hundred percent of the area median income;
- (4) Clarifying that permits must comply with applicable statutes and ordinances;
- (5) Including among the planning standards that the housing project will not demolish or substantially affect the characteristics of a structure that meet the criteria for listing on the Hawai'i Register of Historic Places;
- (6) Changing the automatic approval process to apply to discretionary permits; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2214, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2214, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Respectfully submitted on behalf of the members of the Committees on
Housing and Public Safety, Intergovernmental, and Military Affairs,

CLARENCE K. NISHIHARA, Chair

STANLEY CHANG, Chair