

Shannon Alivado

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Sent: Friday, January 23, 2009 3:50 PM
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Subject: LEG - AFFORDABLE HOUSING - Governors Proposed Affordable Housing Package 2009
Attachments: 090108 AH Ltr re Legislation.PDF; AH1 - Expeditious Review.PDF; AH2 - Std Timeframes for Permits.PDF; AH3 - County Plans = LUC Quasi-Leg Review.PDF; AH4 - AH fees exemptions and County incentives.PDF; AH5 - County timeframe to accept AH infrastructure.PDF; AH6 - County AH Receiving Zones.PDF; AH7 - 3rd Party Review Authorization & Immunity.PDF

Aloha LURF Members:

Attached for your review and comment are seven Affordable Housing measures that the Governor is considering introducing this Legislative Session.

Background. In 2007, the Governor initiated the Affordable Housing Regulatory Barriers Task Force in response to the U.S. HUD's National Call to Action. The Task Force's goal was to identify barriers to affordable housing development in Hawaii and recommend solutions.

These Draft bills, along with the Report to the Governor's Affordable Housing Regulatory Barriers Task Force (December 2008 - distributed to Members in an earlier e-mail and on the Members' Only website), has been developed over the past 15 months. LURF has been an active participant on the Task Force.

Summary of Proposed Legislation. Attached, in addition to a letter from Linda Smith, Senior Policy Advisor, are the Justification Sheets and Draft Bills being proposed. The measures include:

- **AH1 – PRIORITY PERMITTING FOR MIXED USE PROJECTS (WHICH INCLUDE AFFORDABLE HOUSING) AND SUPPORTING INFRASTRUCTURE.** To stimulate affordable housing development by allowing mixed use housing projects, including infrastructure projects for a housing or mixed use housing, to be eligible for expeditious review at the state and county levels.
- **AH2 – STANDARD TIMEFRAMES FOR PERMIT REVIEWS.** Establishes standard timeframes that govern permit issuances for affordable housing projects to expedite the construction of affordable housing units.
- **AH3 – COUNTY PLANS RECLASSIFICATIONS SUBJECT TO QUASI-LEGISLATIVE REVIEW.** Plan-based petitions would be subject to quasi-legislative rather than quasi-judicial review by the state land use commission. The proposed legislation would all a land use commission review for petitions for boundary amendments based on county

plans.

- **AH4 – EXEMPTIONS FOR IMPACT/CONNECTION FEES; COUNTY AH INCENTIVES.** Increases the supply while decreasing the cost of affordable housing. Exempts affordable housing projects from impact and connection fees and provides incentives for the development of affordable housing.
- **AH5 – COUNTY TIMEFRAME TO ACCEPT AFFORDABLE HOUSING RELATED INFRASTRUCTURE.** This bill establishes a timeframe for counties to accept or reject public infrastructure that is part of an affordable housing development. This will ensure that projects progress within reasonable lengths of time.
- **AH6 – COUNTY AFFORDABLE HOUSING “RECEIVING ZONES.”** In addition to directing the State to identify and designate AH receiving zones it also prohibits receiving zones on conservation and important agricultural lands.
- **AH7 – THIRD PARTY REVIEW AUTHORIZATION AND IMMUNITY.** The purpose of this bill is to support the development of affordable housing by facilitating and permitting the review process at the state and county levels through the use of third party reviewers. The bill also limits the liability of those who handle the review function.

Recommendation. We would recommend supporting the concepts included in the Governor’s Affordable Housing Package. The Task Force included the majority Chairs of the House and Senate Housing Committees, thus some of these bills and concepts may also be submitted by majority party members.

LURF Members Review and Comment. Please submit any comments to us. We will inform you if, and when, these bills are introduced and keep you informed of their progress.

Information Available on Website. For your convenience, copies of the Draft Bills, Justification sheets and the above information will be available on our Members Only website.

Mahalo,

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