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**As of December 14, 2017, 4:41 p.m.**

Attached is a Floor Amendment that was not approved at the December 14, 2017 Special Planning Committee Meeting. This Floor Amendment was not reintroduced at the request of the community proposers.

(December 13, 2017)

FLOOR AMENDMENT

Bill No. 2666, Update to the General Plan of the County of Kauaʻi

Introduced by: COUNCILMEMBER MEL RAPOZO (By Request)

<b>AMENDMENT</b> <b>(Based on proposals submitted by the</b> <b>Community Coalition of Kauaʻi</b> <b>relating to Affordable Housing)</b>	<b>PLANNING</b> <b>DEPARTMENT'S</b> <b>POSITION</b> <b>(INFORMATIONAL ONLY)</b>
1. Amend Bill No. 2666 by amending the booklet entitled "Planning Commission Draft" dated "June, 2017," including all Appendices, by amending page 10, by adding a new definition (appropriately alphabetized as needed), as follows:  <u>"NNAHU means Net New Affordable Housing Unit. NNAHUs are calculated by taking the number of affordable units newly created during a given time period minus the number of affordable units lost in any manner during that period. Rental and owner-occupied affordable units are calculated separately. New affordable units may include conversions of existing buildings (in whole or in part) into affordable units, such as commercial spaces converted into affordable residential units, "in-law" apartments, or ADUs on existing residential lots."</u>	Does not support (all items)
2. Amend Bill No. 2666 by amending the booklet entitled "Planning Commission Draft" dated "June, 2017," including all Appendices, by amending page 114 as follows:  <u>"Affordable housing refers to housing (both rental and owned) where no more than 30% of household income is required for direct housing costs and no more than 50% of household income is required for total housing costs (including related costs of transportation, utilities, insurance, maintenance reserve, etc.). Government-sponsored or assisted affordable housing refers to</u> those projects funded through County support, Federal tax credits, and/or imposition on developers."	Does not support
3. Amend Bill No. 2666 by amending the booklet entitled "Planning Commission Draft" dated "June, 2017," including all Appendices, by amending page 114 as follows:	Does not support

**NOT APPROVED; AT THE REQUEST OF THE COMMUNITY PROPOSERS,  
NOT REINTRODUCED FOR A VOTE (12-14-2017)**

<p>“Objective: To increase <u>affordable</u> housing opportunities by <u>establishing and maintaining sufficient affordable housing, both for purchase and for rental,</u> for low to moderate <u>and middle</u> income <u>[households.] residents on Kaua‘i.</u>”</p>	
<p>4. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, by amending page 115 by adding a new section 1.3 as follows:</p> <p>“In addition to moving forward with Lima Ola, the County should acquire land with access to transit, water, and wastewater service for future project development.</p> <p><u>1.3 Rapidly Eliminate and Prevent Affordable Housing Deficits</u></p> <p><u>A new and better approach must be used to produce a better result. The 2000 General Plan had a good description of the affordable housing problem as of 2000 and a stated a widespread desire throughout Kaua‘i to give priority to fixing that problem. However, despite good intentions expressed in the 2000 General Plan, the affordable housing problem of 2000 turned into a crisis over the years since 2000. Kaua‘i was and is not alone in this crisis, and fortunately other areas have developed and used systems of “best practices” that demonstrate successful approaches to resolving and preventing a lack of affordable housing. Adaptive management is a key systems methodology in successful best practices. Another successful practice utilized elsewhere is that whenever a severe affordable housing deficit occurs, declare an emergency and invoke special powers to rapidly resolve the emergency. By adopting appropriate proven best practices and innovating new paths to success for unique aspects of the affordable housing crisis on Kaua‘i, rapid elimination of Kaua‘i’s affordable housing deficit within three to five years can be reasonably expected. Proactive monitoring of appropriate indicators and adaptive management can prevent affordable housing deficits from occurring by actions such as outlined in action C.1. below.”</u></p>	<p>Does not support</p>

<p>5. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices (e.g., Appendix G – Action Matrix), by amending page 115, by adding a new item C.1. (appropriately renumbered as needed), as follows:</p> <p><u>1. Rapidly eliminate the affordable housing deficit crisis by year-end 2020 through the addition of sufficient Net New Affordable Housing Units (NNAHUs) by the following actions:</u></p> <p><u>a. Establish an Affordable Housing Task Force with the following goals, and give it emergency powers whenever an affordable housing deficit occurs or is predicted to occur within five years. In the event of a deficit, the Mayor may declare an affordable housing emergency and establish an “Affordable Housing Emergency Task Force” with a mandate and all necessary resources and special powers to resolve the deficit within one year. In the case of the large accumulated deficit of 1,400 units as of 2017, the elimination deadline may be extended to three years.</u></p> <p><u>These special powers shall include but not be limited to: modification or waiver of regulations, rules, and procedures that impede the creation of NNAHU sufficient to meet the objective of affordable housing for the majority of Kaua’i residents. (These housing emergency powers have precedent in the housing emergency declarations by the Governor of Hawai’i and by the Mayor of Hawai’i County, as well as mayors of cities elsewhere. There is also precedent for such powers and incentives related to affordable housing in various State legislation such as: HRS 201-H, Important Agricultural Lands (IAL), and the proposed Sustainable Living Experimental Permit legislation that passed both Houses of the Hawai’i State Legislature.)</u></p> <p><u>b. Proactively prevent affordable housing deficits and maintain an equitable, stable, and sustainable affordable housing market for both rental and ownership. Based on present data, this requires the AHTF to achieve the addition of 500 NNAHUs per</u></p>	<p>Does not support</p>
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<p><u>year, for a total of 9,000 NNAHUs on Kaua‘i between 2018 and 2035. This data of total existing affordable housing unit inventory and NNAHUs should be monitored, updated, and published quarterly.</u></p> <p>[1.] <u>2.</u> Complete the Lima Ola affordable housing project.”</p>	
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6. If any provision that is amended is also found elsewhere, such language is hereby amended to provide consistency.
7. If more than one amendment to a same section is adopted on this date, all amendments shall take effect to the extent there is no conflict. If there is a conflict, the latest amendment shall be controlling.

(Material to be deleted is bracketed. New material to be added is underscored.)

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