

Housing Policies Matrix (Sept. 15, 2005)

POLICY	EXISTING COUNTY HOUSING POLICY	COUNTY OF HAWAII	DEPARTMENT OF HOUSING AND HUMAN CONCERNS	MAUI NUI HOUSING TASK FORCE	MAUI TOMORROW
Definition of Affordable	Long-term residential developments to be sold or rented for a ten-year period within the price range established by the Director of Human Concerns for persons or families whose incomes are 140% or less of the area median income.	Dwelling units that may be rented or purchased at cost levels that can be afforded by persons or families who are within the definition of “qualified households”, as provided.	<p>Long-term residential developments to be sold or rented within the price range established by the Department of Housing and Urban Development.</p> <p>(1) Rental unit: not more than 100% of the median family income (MFI) as established by the Director of Housing and Human Concerns.</p> <p>(2) Multi-family unit: not more than 110% of the MFI.</p> <p>(3) Single-family unit: not more than 120% of MFI.</p>	<p>Long-term residential developments to be sold or rented within the price range established by “The Affordable Housing Guidelines”. Guidelines are to be prepared by the Director of Housing and Human Concerns and adopted by the County Council resolution.</p> <p>(1) Rental unit: not more than 100% of the median family income (MFI) as established by the Director of Housing and Human Concerns.</p> <p>(2) Multi-family unit: not more than 140% of the MFI.</p> <p>(3) Single-family unit: not more than 140% of MFI.</p>	Housing which is affordable to average (between 80% and 120%) or below average (less than 80%) of median household incomes for Maui County as determined HUD.
Eligibility Requirements	Citizen or permanent resident, 18 or older, gross family income under the max limits and have assets no greater than max gross annual income. Criteria for rental program shall be established by the Director of Human Concerns on a case-by-case basis. Can only purchase a County housing unit once. If single, house can be no larger than two bedrooms. Applicant has two chances to qualify and purchase a County housing unit.	Person who meets eligibility requirements, including income limitations, as established by rule.	Specific eligibility criteria may be established by the County.	Citizen or permanent resident alien, 18 years or older, family income restrictions, assets no more than gross annual income, does not own controlling interest in real property suitable for dwelling purposes, and residency requirement of five years.	Specific eligibility criteria may be established by the Maui Affordable Housing Authority (MAHA). Requires three years of Hawaii State tax returns and mortgage pre-qualification.
Methods to Satisfy Housing Requirements	To be classified as an “Affordable Housing Project” the project must be a long-term residential development of ten or more units in which 50% of the units shall be marketed as affordable housing. Requirements do not apply if project is not an “Affordable Housing Project”.	Five or more residential units or lots must earn affordable housing credits equal to 20% of the project. Timeshares shall be considered as residential units. Industrial uses generating more than 100 full-time employees must earn one affordable housing credit for every four full-time jobs created. Resort and hotels generating more than 100 full-time employees must earn one affordable housing credit for every four full-time jobs created. In-lieu fees are generally 25% of the actual sales price of a unit minus the affordable housing price for households at 120% of median income. The administrator has the authority to require resale restrictions on affordable units.	<p>For sale units: 15% affordable.</p> <p>For rent: 15% affordable.</p> <p>In-lieu: 10% of the sales price of affordable units required.</p> <p>In-lieu: developable lands.</p> <p>In-lieu: in-kind services or facilities.</p> <p>For change in zoning to business or industrial, the applicant shall commission a study to determine housing needs.</p>	<p>For sale and for rent units: 20% affordable (on-site). For sale and for rent units: 25% affordable (off-site).</p> <p>Cash in lieu fees: 40% multiplied by the average price of the market rate units/lots in the project.</p> <p>Developable lands or lots in-lieu fees: may not be less than what the cash in lieu fees would be for the project.</p> <p>Affordable units must remain affordable for the life of the unit and built concurrently with market units.</p>	Standard development – 25% affordable requirement (priority processing requires 33%). Congregate Senior Housing – 35% affordable requirement. Luxury developments – an increased rate to be determined by MAHA. Hotel and resort – one for every four employees. Commercial and industrial developments – one for every four employees. If affordable housing is developed off-site the requirement doubles. Affordable units must remain affordable for the life of the unit and built concurrently with market units. Cash in lieu fees between 30% to 35% of the higher of the average or median sale price of the market dwellings, lots and/or rental units.
Adminstrating Agency	The Affordable Housing Review Committee (AHRC) consisting of the Managing Director; Directors of Human Concerns, Planning, Public Works, and Water Supply; and any other representatives as designated by the Director of Public Works.	Office of Housing and Community Development.	Department of Housing and Human Concerns unless otherwise determined and conditioned by the County Council.	AHRC to be established with four members of the general public, an affordable housing coordinator, the Director of Housing and Human Concerns, the Director of Planning, the Director of Public Works and Environmental Management and the Director of Water Supply. Of the four members of the public, one shall have urban planning experience and one member shall have residential construction experience. The public members shall serve five year terms at the pleasure of the Mayor. The AHRC shall accept, evaluate and maintain affordable housing applications; maintain a list of lenders; and recommend expenditures from the trust fund. The AHRC shall make recommendations to the County Council regarding program changes, amendments and prepare quarterly and annual reports to the Mayor and the County Council.	Maui Affordable Housing Authority (MAHA) to be established. The MAHA’s authority is similar to the AHRC but also includes the ability to regulate construction, location, quality, sales price, rents of affordable housing. The MAHA will prepare a comprehensive annual report to the Mayor and County Council.

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Funding Requirements	General Fund.	In lieu fees shall be used to support affordable housing located no more than 25 miles from the project that generated the fee.	Establishes an Affordable Housing Fund and appropriated in the County budget for enhancing and supporting housing needs and programs of income qualified households as special housing target groups.	Establishes an Affordable Housing Trust Fund to be created by in lieu fees and administered by the AHRC. Funds will be used to support the AHRC. Funds used to support affordable housing projects will be administered through the Department of Housing and Human Concerns (DHHC).	Establishes a trust fund to be created by the payment of in lieu fees and administered by the MAHA. Funds will be used to support the MAHA. Funds used to support affordable housing projects will be administered through MAHA.
Enforcement	AHRC and the Director of Public Works.	Requires an affordable housing agreement with the County prior to final subdivision approval or plan approval. Enforcement by the Office of Housing and Community Development.	Requires an Affordable Housing Agreement to be executed prior to filing of the building permit application or upon final subdivision approval. Enforcement will be the responsibility of the Department of Housing and Human Concerns.	Requires an Affordable Housing Agreement to be executed prior to filing of the building permit application or upon final subdivision approval. Enforcement will be the responsibility of the AHRC and the DHHC	Enforcement will be the responsibility of MAHA.
Housing Credits	Allowed and transferable to other projects.	Allowed and transferable. Different amounts of credits based on the type of affordable units created. Generally, the lower the median household income targeted the more credits per unit awarded.	Allowed. Director of Housing and Human Concerns may grant enhancement credits for projects that target 80% and below MFI.	Allowed. AHRC may grant enhancement credits for projects that target 80% and below MFI.	Not addressed.
Other Requirements	Qualifying as an Affordable Housing Project provides the developer expedited processing for subdivision and building permits.	None.	None.	Requires expedited processing of County entitlements for affordable housing projects. Establishes various deadlines for processing of the application.	Restricts development on land not designated urban by requiring a process to evaluate the housing need before allowing a competitive bidding process to develop affordable housing.

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