

STAND. COM. REP. NO.

1275

Honolulu, Hawaii

MAR 14 , 2025

RE: S.B. No. 1263
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Housing, to which was referred S.B. No. 1263, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Create a process for expediting the review of majority residential mixed-use transit-oriented development or residential transit-oriented development on certain parcels within county-designated transit-oriented development zones that have a low risk of affecting historically significant resources;
- (2) Further empower lead agencies, including county agencies, to make determinations on the potential effects of a project;
- (3) Create a ninety-day or thirty-day limit, as applicable, for the Department of Land and Natural Resources to concur or not concur with project effect determinations; and

2025-2548 SB1263 HD1 HSCR HMSO



- (4) Ensure that projects with written concurrence are exempt from further review unless there is a change to the project.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Association of REALTORS; Oahu Metropolitan Planning Organization; Holomua Initiative; Grassroot Institute of Hawaii; Hawai'i YIMBY; and NAIOP Hawaii. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation; Office of Hawaiian Affairs; and Hawaii Community Development Authority.

Your Committee finds that there is an urgent need for more housing development throughout the State, especially in transit-oriented areas. Your Committee acknowledges that preserving Hawaii's cultural heritage in historic properties and burial sites is essential to the State's identity and history. Efforts to streamline the historic property review processes for residential transit-oriented development in areas with low risk to historically significant resources are therefore needed to empower agencies to ensure cultural preservation and enable timely housing construction.

Your Committee further finds that the companion to this measure, H.B. No. 738, H.D. 2 (Regular Session of 2025), a substantially similar measure, was previously passed by your Committee.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 738, H.D. 2, a measure that:
 - (A) Creates a process for expediting the review of majority-residential mixed-use transit-oriented development or residential transit-oriented development on certain parcels within county-designated transit-oriented development zones that have a low risk of affecting historically significant resources;



- (B) Authorizes lead agencies, including county governments, to make determinations on the potential effects of a project;
 - (C) Creates a ninety-day limit, or thirty-calendar-day limit if no historic properties are affected, for the Department of Land and Natural Resources to concur or not concur with project effect determinations;
 - (D) Exempts projects with written concurrence from further review unless there is a change to the project or additional historic properties, aviation artifacts, or burial sites are identified within the project area;
 - (E) Establishes notice and reporting requirements if there is a change to the project or additional historic properties, aviation artifacts, or burial sites are identified within the project area after the initial written concurrence; and
 - (F) Contains an effective date of July 1, 3000;
- (2) Amending the definition of "majority-residential mixed-use transit-oriented development";
 - (3) Deleting language that would have required agencies to provide the entirety of the project scope, project area, construction phases, and timelines for programmatic agreements;
 - (4) Requiring counties and the Hawaii Community Development Authority to identify and provide to the Department of Land and Natural Resources certain rights-of-ways, in addition to parcels, where majority-residential mixed-use transit-oriented development, residential transit-oriented development, or infrastructure is specifically consistent with a comprehensive general plan and making conforming amendments;
 - (5) Requiring the assessment about whether the development on a parcel or right-of-way affects historic property, aviation artifacts, or a burial site to include on



consultation with the Office of Hawaiian Affairs and the relevant Island Burial Councils; and

- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1263, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1263, S.D. 2, H.D. 1, and be referred to your Committee on Water & Land.

Respectfully submitted on
behalf of the members of the
Committee on Housing,

ZAC

LUKE A. EVSLIN, Chair



