

JAN 23 2015

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. According to the United States Census Bureau
2 and the department of business, economic development, and
3 tourism statistics, nearly 40 per cent of private residences on
4 O'ahu were built in 1969 or earlier. In certain census tracts,
5 this number is as high as 85 per cent.

6 Hawai'i law provides that any building, structure, object,
7 district, area, or site over fifty years old is considered
8 historic property. Further, current application of historic
9 preservation law requires review by the state historic
10 preservation division of the department of land and natural
11 resources prior to the granting of permits for proposed projects
12 on historic properties. This requirement, in certain instances,
13 has delayed the granting of permits, which has had a negative
14 impact on development. As nearly 40 per cent of residential
15 properties on O'ahu have reached or are approaching fifty years
16 of age, it is prudent for the State to reexamine the current
17 processes and procedures regarding historic properties.



1 Redefining "historic property" to include only properties
2 that are significant to Hawaiian history, art, and culture
3 ensures the preservation of Hawai'i's culturally important
4 buildings while allowing development for a large portion of
5 properties over fifty years old which are in dire need of
6 repair.

7 The purpose of this Act is to:

- 8 (1) Include only buildings, structures, objects,
9 districts, areas, or sites that are significant in
10 Hawaiian history, architecture, archeology,
11 engineering, or culture in the definition of "historic
12 property";
- 13 (2) Require the department of land and natural resources
14 to develop a list of types of projects that have no
15 potential to affect a historic property and a list of
16 the types of properties likely to be eligible for
17 inclusion in the Hawaii register of historic places
18 and to provide those lists to the counties; and
- 19 (3) Require the department of land and natural resources
20 to develop a plan for completing a comprehensive
21 inventory of historic buildings in the State.



SECTION 2. Section 6E-2, Hawaii Revised Statutes, is amended by amending the definition of "historic property" to read as follows:

"Historic property" means any building, structure, object, district, area, or site, including heiau and underwater site, ~~[which]~~ that is over fifty years old[-] and is significant in Hawaii's history, architecture, archeology, engineering, or culture."

SECTION 3. (a) The department of land and natural resources shall:

(1) Develop a list of the types of projects that have no potential to affect a historic property and provide the list to the counties no later than October 1, 2015; and

(2) Develop a list of the types of properties likely to be eligible for inclusion in the Hawaii register of historic places and provide the list to the counties no later than January 2, 2016.

(b) Properties not included in or eligible for inclusion in the Hawaii register of historic places and projects of the types identified in the list developed pursuant to subsection



1 (a) (1) shall not be subject to review under section 6E-42,
 2 Hawaii Revised Statutes, and the counties shall not submit such
 3 projects to the department for review under section 6E-42,
 4 Hawaii Revised Statutes.

5 SECTION 4. The department of land and natural resources
 6 shall develop a plan for completing a comprehensive inventory of
 7 historic buildings in the State and shall submit the plan,
 8 together with a proposed budget for implementation of the plan,
 9 to the legislature no later than fourteen days prior to the
 10 convening of the regular session of 2016.

11 SECTION 5. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect upon its approval.
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Report Title:

Department of Land and Natural Resources; Historic Property;
Definition; Inventory of Historic Buildings

Description:

Includes only buildings, structures, objects, districts, areas, or sites that are significant in Hawaii's history, architecture, archeology, engineering, or culture in the definition of "historic property". Requires the department of land and natural resources to provide the counties with a list that identifies the types of projects that have no potential to affect a historic property and the types of properties likely to be eligible for inclusion in the Hawaii register of historic places; develop a plan for completing a comprehensive inventory of historic buildings in the State; and submit a plan, together with a proposed budget, to the legislature.

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