
SENATE CONCURRENT RESOLUTION

URGING THE COUNTIES TO ADOPT SUPPLEMENTAL RULES PURSUANT TO
SECTION 514B-6, HAWAII REVISED STATUTES, TO ENSURE THE
CONFORMANCE OF CONDOMINIUM PROPERTY REGIMES TO THE PURPOSES
AND PROVISIONS OF COUNTY ZONING AND DEVELOPMENT ORDINANCES.

1 WHEREAS, there is a need to revise laws relating to
2 agricultural property regimes; and

3
4 WHEREAS, recently, there has been an increased interest in
5 developing agricultural lands through the condominium property
6 regime process; and

7
8 WHEREAS, while this provides land developers with a process
9 to reduce front-end costs of selling agricultural lands, it
10 often thwarts the long-term viability of these "units", as
11 master planning is absent, particularly with respect to
12 supporting county infrastructure; and

13
14 WHEREAS, current condominium property regime laws only
15 require that the proposed condominium property regime comply
16 with county zoning, but do not require compliance with county
17 subdivision requirements, where counties can review and ensure
18 that necessary supportive infrastructure is available, including
19 roads, water, and sewer lines, prior to the sale of the
20 property; and

21
22 WHEREAS, condominium property regime laws do not require
23 county approval of the condominium property regime, which
24 inhibits a county's ability to plan, regulate, and enforce its
25 agricultural plans, goals, and infrastructure services; and

26
27 WHEREAS, section 205-4.5(f), Hawaii Revised Statutes,
28 specifically allows agricultural land developers to bypass
29 county subdivision requirements, which promotes the condominium
30 property regime process over the county subdivision process; and



1
2 WHEREAS, the condominium property regime process is a
3 complex set of regulations and restrictions that are often not
4 easily understood at the time of purchase; now, therefore,
5

6 BE IT RESOLVED by the Senate of the Twenty-ninth
7 Legislature of the State of Hawaii, Regular Session of 2018, the
8 House of Representatives concurring, that each of the county
9 councils are urged to adopt supplemental rules pursuant to
10 section 514B-6, Hawaii Revised Statutes, to ensure the
11 conformance of condominium property regimes to the purposes and
12 provisions of county zoning and development ordinances and
13 chapter 205, Hawaii Revised Statutes, including section 205-4.6,
14 Hawaii Revised Statutes, where applicable; and
15

16 BE IT FURTHER RESOLVED that certified copies of this
17 Concurrent Resolution be transmitted to the Mayor of Hawaii
18 County, Mayor of the City and County of Honolulu, Mayor of
19 Kauai, Mayor of Maui, Planning Director of the Planning
20 Department of the County of Hawaii, Director of the Department
21 of Planning and Permitting of the City and County of Honolulu,
22 Planning Director of the Planning Department of the County of
23 Kauai, and Planning Director of the Planning Department of the
24 County of Maui.

