
A BILL FOR AN ACT

RELATING TO UNIVERSITY DISTRICTS.

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

1 SECTION 1. The University of Hawaii includes three
2 university campuses and seven community college campuses located
3 in four counties across the State. Each county has unique
4 zoning ordinances, planning, and permitting processes. Each
5 county also has its own set of approvals and decision-making
6 entities, including various and several departments, boards and
7 commissions, and county councils.

8 In addition to the University of Hawaii's educational
9 functions, its campuses include a variety and mix of other uses
10 that serve the university or college community and enhance the
11 overall educational experience provided by a university or
12 college. The legislature finds that these jurisdictional
13 variations lead to inconsistent regulatory processes across
14 campuses, which make it difficult to strategically consider the
15 University of Hawaii system as a whole for the benefit of the
16 people it serves.



1 The purpose of this Act is to provide a framework that
2 supports consistent land use planning and development across the
3 University of Hawaii system and allows project partnerships with
4 qualified persons.

5 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
6 amended by adding a new subpart to part I to be appropriately
7 designated and to read as follows:

8 " . UNIVERSITY DISTRICTS

9 **§304A-A Definitions.** As used in this subpart:

10 "Campus" means contiguous parcels of real property held by
11 the university or in partnership with a qualified person and
12 comprise the university campuses at Manoa, Hilo, and West Oahu,
13 and each of the seven community colleges. Contiguous parcels
14 include parcels separated by a public or private highway or
15 trail.

16 "Conservation district" has the same meaning as provided in
17 section 205-2.

18 "County" means any county of the State.

19 "Project" means a specific work or improvement, including
20 real and personal properties, or any interest therein, acquired,



1 owned, constructed, reconstructed, rehabilitated, or improved by
2 the university or in partnership with a qualified person.

3 "Public agency" means any office, department, board,
4 commission, bureau, division, public corporation, agency, or
5 instrumentality of the federal, state, or county government.

6 "Qualified person" includes any individual, partnership,
7 corporation, or any public agency possessing the competence,
8 expertise, experience, and resources, including financial,
9 personnel, and tangible resources, required for the purposes of
10 a project and other qualifications as may be deemed desirable by
11 the university in administering this subpart.

12 "Real property" means lands, structures, and interests in
13 land, including lands under water and riparian rights, space
14 rights, and air rights, and any and all other things and rights
15 usually included within the term. Real property also means any
16 and all interests in the property less than full title, such as
17 easements, incorporeal hereditaments, and every estate,
18 interest, or right, legal or equitable, including terms for
19 years and liens thereon by way of judgments, mortgages, or
20 otherwise.



1 **§304A-B Designation of university districts; campus**
2 **development plans.** (a) The president may propose to the board
3 of regents that a campus be designated as a university district.
4 The proposal shall describe the boundaries of the district.
5 Upon receipt of a proposal, the board of regents may designate
6 the proposed campus a university district.

7 (b) A university district shall not include real property
8 that is:

9 (1) Not held by the university or in partnership with a
10 qualified person; or

11 (2) Located within a conservation district.

12 (c) After designation as provided in subsection (a), the
13 president shall develop a campus development plan for the
14 designated university district. The campus development plan
15 shall include but not be limited to campus development guidance
16 policies and a campus capital improvement program. The
17 development plan shall support the purposes of this chapter.
18 The president shall present the proposed campus development plan
19 to the board of regents for its consideration and adoption.

20 (d) Whenever possible, planning activities of the
21 university shall be coordinated with affected public agencies,



1 and consideration shall be given to state and county plans
2 adopted under chapter 226.

3 (e) Chapter 91 shall not be applicable to the designation
4 of a university district or the adoption of a campus development
5 plan.

6 **§304A-C Campus development rules.** (a) After adoption of
7 a campus development plan as provided under subsection 304A-
8 B(c), the board of regents shall establish campus development
9 rules under chapter 91, related to health, safety, building,
10 planning, zoning, and land use. Rules adopted under this
11 section shall follow existing county rules, ordinances, and
12 regulations as closely as is consistent with standards meeting
13 minimum requirements of good design, pleasant amenities, health,
14 safety, and coordinated development.

15 (b) At least one public hearing shall be held on the
16 island where the proposed university district is located.

17 (c) Upon its effective date, campus development rules
18 shall supersede all other county ordinances and rules relating
19 to the use, zoning, planning, and development of land and
20 construction that are inconsistent with this chapter and the



1 campus development rules. Campus development rules shall not
2 supersede or replace state laws or rules.

3 **§304A-D Developments within special management areas and**
4 **shoreline setback.** (a) Notwithstanding chapter 205A, all
5 requests for developments within a special management area and
6 shoreline setback variances for developments on any lands within
7 a university district for which a campus development plan has
8 been adopted, shall be submitted to and reviewed by the lead
9 agency as defined in section 205A-1. In university districts
10 for which a campus development plan has not been adopted, parts
11 II and III of chapter 205A shall continue to be administered by
12 the applicable county authority until a campus development plan
13 for the university district takes effect.

14 (b) In the review of such requests, the lead agency shall
15 conform to the following, as deemed appropriate:

16 (1) Applicable county rules adopted in accordance with
17 section 205A-26 for the review of developments within
18 a special management area, except that section 205A-
19 26(2)(C) shall not apply; and



1 (2) Part III of chapter 205A and applicable county rules
2 for the review of developments within the shoreline
3 setback."

4 SECTION 3. In codifying the new sections added by
5 section 2 of this Act, the revisor of statutes shall substitute
6 appropriate section numbers for the letters used in designating
7 the new sections in this Act.

8 SECTION 4. This Act shall take effect on July 1, 2060.



Report Title:

University of Hawaii; University Districts; Campus Development

Description:

Provides a framework that supports consistent land use planning and development across the University of Hawaii system through designation of university districts and allows project partnerships with qualified persons. Effective 7/1/2060. (HD1)

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