
A BILL FOR AN ACT

RELATING TO AGRICULTURAL DISTRICTS.

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

1 SECTION 1. Section 514B-31, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§514B-31[+] **Creation.** (a) To create a condominium
4 property regime, all of the owners of the fee simple interest in
5 land shall execute and record a declaration submitting the land
6 to the condominium property regime. Upon recordation of the
7 master deed together with a declaration, the condominium
8 property regime shall be deemed created.

9 (b) The condominium property regime shall be subject to
10 any right, title, or interest existing when the declaration is
11 recorded if the person who owns the right, title, or interest
12 does not execute or join in the declaration or otherwise
13 subordinate the right, title, or interest. A person with any
14 other right, title, or interest in the land may subordinate that
15 person's interest to the condominium property regime by
16 executing the declaration, or by executing and recording a
17 document joining in or subordinating to the declaration.



1 (c) Notwithstanding any law to the contrary, for projects
2 in the agricultural district classified pursuant to chapter 205
3 that are greater than ten acres, a county may require that
4 county approval be given prior to the creation of the
5 condominium property regime pursuant to standards adopted by the
6 county. Proof of this approval shall be attached to the
7 declaration."

8 SECTION 2. Section 514B-33, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§514B-33 Condominium map.** (a) A condominium map shall
11 be recorded with the declaration. The condominium map shall
12 contain the following:

13 (1) A site plan for the condominium property regime,
14 depicting the location, layout, and access to a public
15 road of all buildings and projects included or
16 anticipated to be included in the condominium property
17 regime, and depicting access for the units to a public
18 road or to a common element leading to a public road;

19 (2) Elevations and floor plans of all buildings in the
20 condominium property regime;



- 1 (3) The layout, location, boundaries, unit numbers, and
2 dimensions of the units;
- 3 (4) To the extent that there is parking in the condominium
4 property regime, a parking plan for the regime,
5 showing the location, layout, and stall numbers of all
6 parking stalls included in the condominium property
7 regime;
- 8 (5) Unless specifically described in the declaration, the
9 layout, location, and numbers or other identifying
10 information of the limited common elements, if any;
11 and
- 12 (6) A description in sufficient detail, as may be
13 determined by the commission, to identify any land
14 area that constitutes a limited common element.
- 15 (b) If land submitted to the condominium property regime
16 is located within an agricultural district in a county, the
17 condominium map shall be accompanied by a letter signed by a
18 county official or agency of that county certifying that the
19 condominium property regime will conform to that county's zoning
20 laws pursuant to section 514B-5.



1 [~~(b)~~] (c) The condominium map may contain any additional
2 information that is not inconsistent with this chapter."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on June 30, 3000.



Report Title:

Agricultural Districts; Condominium Property Regimes; Counties;
Condominium Maps; Zoning

Description:

Authorizes counties to require their approval for condominium projects located in agricultural districts that are greater than ten acres prior to the creation of the condominium property regime. Requires a condominium map to be accompanied by a letter certifying that the condominium property regime will conform to the applicable County's zoning laws. Effective 6/30/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

