

ACT 208

H.B. NO. 536

A Bill for an Act Relating to Community Development.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that there is a need to clarify the language of section 206E-8.5, Hawaii Revised Statutes, pertaining to review and approval of special management area permits and shoreline setback variances in community development districts.

The purposes of this Act are to allow the counties to continue administering special management area permits and shoreline setback variances in community development districts until such time as a community development plan is developed and approved in accordance with section 206E-5, Hawaii Revised Statutes, and to repeal the Hamakua community development district statute.

SECTION 2. Section 206E-8.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows.

“(a) Notwithstanding chapter 205A, all requests for developments within a special management area and shoreline setback variances for developments on any lands within a community development district, for which a community development plan has been developed and approved in accordance with section 206E-5, shall be submitted to and reviewed by the lead agency as defined in chapter 205A. In community development districts for which a community development plan has not been developed and approved in accordance with section 206E-5, parts II and III of chapter 205A shall continue to be administered by the applicable county authority until a community development plan for the district takes effect.”

SECTION 3. Chapter 206E, part V, Hawaii Revised Statutes, is repealed.

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 28, 2002.)