
A BILL FOR AN ACT

RELATING TO MILITARY INSTALLATIONS.

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

1 SECTION 1. The legislature finds that in December 2001,
2 the United States Congress authorized a new round of military
3 installation and base realignments and closures to be
4 implemented in 2005. In the past, certain base closings
5 resulted because of the loss of the effectiveness of a military
6 installation that was caused by the encroachment on the
7 installation by nearby civilian urban growth.

8 The legislature further finds that all branches of the
9 United States armed services in Hawaii are not only vital
10 contributors to the economy of the State but are also
11 productive, contributing community members.

12 The purpose of this Act is to require sufficient notice to
13 commanding officers of military installations in the State of:

14 (1) Proposed zoning changes on lands within three thousand
15 feet or two miles (depending on the size of the
16 population of the county) of any military
17 installation; and



1 (2) Any petitions for land use district boundary
2 amendments for any lands within three thousand feet or
3 two miles (depending on the size of the population of
4 the county) of any military installation,

5 thus affording military authorities an opportunity to:

6 (1) Raise any concerns they may have about urban
7 encroachment on military installations that could
8 adversely affect the effectiveness and preparedness of
9 the installation; and

10 (2) Participate in any contested case proceedings, as
11 applicable.

12 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
13 by adding a new section to be appropriately designated and to
14 read as follows:

15 **"§46- Notice of zoning change application within three**
16 **thousand feet or two miles of any military installation.** (a)
17 Any county planning department or commission that processes a
18 zoning change application shall notify the authorities of any
19 military installation:

20 (1) Within three thousand feet, for counties with a
21 population of five hundred thousand or more residents;
22 or



1 (2) Within two miles, for counties with a population of
2 fewer than five hundred thousand residents,
3 of any land that is the subject of the zoning change
4 application, in accordance with the county's rules for public
5 hearings.

6 (b) As used in this section, "military installation" means
7 any military base, airport, or camp."

8 SECTION 3. Chapter 205, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§205- **Notice of petition for district boundary**
12 **amendment for land within three thousand feet or two miles of**
13 **any military installation.** (a) A copy of any petition for a
14 district boundary amendment of any land:

15 (1) Within three thousand feet, for counties with a
16 population of five hundred thousand or more residents;
17 or

18 (2) Within two miles, for counties with a population of
19 fewer than five hundred thousand residents,
20 of any military installation, whether processed pursuant to
21 section 205-3.1 or 205-4, shall be served upon the appropriate
22 commanding officer of the military installation. The copy of



1 the petition shall be accompanied by a notice of any scheduled
2 hearing on the petition.

3 (b) As used in this section, "military installation" means
4 any military base, airport, or camp."

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on July 1, 2006.



Report Title:

Military Installations

Description:

Requires notification to the commanding officer of a military installation of zoning change applications and district boundary amendment petitions for land within 3,000 feet or 2 miles (depending on county population) of a military installation.
(HB2442 HD1)

