

JAN 20 2023

A BILL FOR AN ACT

RELATING TO PROPERTY DEVELOPMENT.

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

1 SECTION 1. The purpose of this Act is to ensure that all
2 lots, parcels, structures, and units of structures located
3 within newly created subdivisions and all units located within
4 newly created condominium property regimes in the State have a
5 mailbox that can be utilized by the United States Postal Service
6 to deliver mail, should the United States Postal Service decide
7 to extend its delivery services to the location.

8 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
9 by adding a new section to part I to be appropriately designated
10 and to read as follows:

11 "§46- Subdivisions; conditions of approval; erection of
12 mailboxes. (a) No later than June 30, 2024, each county shall
13 adopt ordinances that require the subdivider or developer to
14 perform the requirements in subsection (b) as a condition to the
15 county's approval of any subdivision that has not been approved
16 before July 1, 2024.



1 (b) Before the sale or lease of any lot, parcel,
2 structure, or unit of a structure located within the
3 subdivision, the subdivider or developer making the sale or
4 lease shall:

5 (1) Obtain the county's approval of:

6 (A) The street name for the street on which the lot,
7 parcel, or structure is located, if one has not
8 been assigned already; and

9 (B) The street address for the lot, parcel,
10 structure, or unit of the structure, as
11 applicable; and

12 (2) Erect and install within a reasonable distance from
13 the lot, parcel, structure, or unit, as applicable, a
14 mailbox assigned thereto for use by the United States
15 Postal Service to deliver mail, should the United
16 States Postal Service decide to extend its delivery
17 service to the subdivision.

18 (c) As used in this section:

19 "Approval" means the final approval granted to a proposed
20 subdivision where the actual division of land into smaller
21 parcels is sought; provided that where construction of a



1 building or buildings is proposed without further subdividing an
2 existing parcel of land, the term "approval" shall refer to the
3 issuance of the building permit.

4 "Mail" means any postcard, letter, flat, parcel, or any
5 other sealed article that has been properly addressed, postage
6 prepaid, and deposited with the United States Postal Service as
7 evidenced by the postmark, for processing and delivery.

8 "Mailbox" means any receptacle for mail that is erected and
9 installed in conformance with the standards set by the United
10 States Postmaster General and approved by the local postmaster.

11 "Mailbox" includes cluster box units.

12 "Street address" means an address that is unique to a lot,
13 parcel, structure, or unit of a structure, that is comprised of
14 a street name and number, unit number if applicable, city,
15 state, and postal code.

16 "Subdivider" means any person who divides land as specified
17 under the definition of subdivision or who constructs a building
18 or group of buildings containing or divided into three or more
19 dwelling units or lodging units.

20 "Subdivision" means the division of improved or unimproved
21 land into two or more lots, parcels, sites, or other divisions



1 of land and for the purpose, whether immediate or future, of
2 sale, lease, rental, transfer of title to, or interest in, any
3 or all such lots, parcels, sites, or division of land.

4 "Subdivision" includes resubdivision, and when appropriate to
5 the context, shall relate to the land subdivided. "Subdivision"
6 also includes a building or group of buildings, other than a
7 hotel, containing or divided into three or more dwelling units
8 or lodging units."

9 SECTION 3. Section 514B-33, Hawaii Revised Statutes, is
10 amended to read as follows:

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

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

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



- 1 (3) The layout, location, boundaries, unit numbers, and
2 dimensions of the units[+] in the condominium property
3 regime;
- 4 (4) To the extent that there is parking in the condominium
5 property regime, a parking plan for the regime,
6 showing the location, layout, and stall numbers of all
7 parking stalls included in the condominium property
8 regime;
- 9 (5) Unless specifically described in the declaration, the
10 layout, location, and numbers or other identifying
11 information of the limited common elements, if any;
12 [~~and~~]
- 13 (6) A description in sufficient detail, as may be
14 determined by the commission, to identify any land
15 area that constitutes a limited common element[+]; and
- 16 (7) For any condominium map recorded after June 30, 2024,
17 a mailbox plan for the condominium property regime,
18 showing the location of all mailboxes for all units in
19 the condominium property regime.
- 20 (b) The condominium map may contain any additional
21 information that is not inconsistent with this chapter.



1 (c) As used in this section:

2 "Mail" means any postcard, letter, flat, parcel, or any
3 other sealed article that has been properly addressed, postage
4 prepaid, and deposited with the United States Postal Service as
5 evidenced by the postmark, for processing and delivery.

6 "Mailbox" means any receptacle for mail that is erected and
7 installed in conformance to the standards set by the United
8 States Postmaster General and approved by the local postmaster.

9 "Mailbox" includes cluster box units."

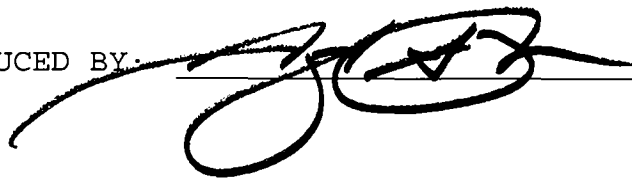
10 SECTION 4. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval.

16

INTRODUCED BY: _____

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be the name of the person introducing the bill.

S.B. NO. 463

Report Title:

Subdivisions; Approval Conditions; County Ordinance; Condominium Property Regimes; Condominium Maps; Street Addresses; Mailboxes

Description:

Requires each county to adopt, no later than June 30, 2024, ordinances applicable to subdivisions not approved by July 1, 2024, requiring as a condition of approval, the subdivider or developer to obtain a street address and install a mailbox for lots, parcels, structures, or units of a structure within the subdivision before the sale or lease thereof. Requires condominium maps recorded in the Bureau of Conveyances or registered in the Land Court after June 30, 2024, to include a mailbox plan for the condominium property regime, showing the location of all mailboxes for all units in the regime. Defines approval, mail, mailbox, street address, subdivider, and subdivision.

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