

ACT 101

A Bill for an Act to Amend Chapter 143, Revised Laws of Hawaii 1955, as Amended, Relating to Urban Development and Renewal.

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

SECTION 1. Chapter 143, Revised Laws of Hawaii, 1955, as amended, is hereby further amended:

(a) By amending subsection (p) of section 143-2 thereof to read as follows:

“(p) ‘Urban area’ shall mean any closely settled community in a county.”

(k) By amending subsection (a) of section 143-6 to read as follows:

“(a) To undertake and carry out urban renewal projects and related activities authorized by this chapter; to make and execute contracts and other instruments necessary or convenient to exercise its powers under this chapter; to sue and be sued; to have a seal; and, subject to any limitations in this chapter contained, to exercise all powers necessary, incidental or convenient to carry out and effectuate the purposes and provisions of this chapter.”

(c) By inserting the following sentence between the first and second sentence of subsection 143-6 (d) :

“Further, the plans shall give due consideration to the provisions of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the plans.”

(d) By adding a new subsection designated as “g” at the end of section 143-6 to read as follows:

“(g) To prepare a general neighborhood renewal plan for urban renewal areas which may be of such scope that urban renewal activities may have to be carried out in stages over an estimated period of up to 10 years. Such plan may include, but is not limited to, a preliminary plan which (1) outlines the urban renewal activities proposed for the area involved, (2) provides a framework for the preparation of urban renewal plans, and (3) indicates generally the land uses, population density, building coverage, prospective requirements for rehabilitation and improvement of property and portions of the area contemplated for clearance and redevelopment. A general neighborhood renewal plan shall, in the determination of the local governing body, conform to the general plan of the locality as a whole and the workable program of the county.”

(e) By adding a new paragraph at the end of subsection 143-6(f) to read as follows:

“To prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, nonprofit organizations and others) displaced from an urban renewal area, and to make relocation payments to or with respect to such persons from funds provided by the federal government.”

(f) By inserting the words “individuals and” immediately before the word “families” appearing on the sixth line of the first paragraph of section 143-7.

(g) By adding a new paragraph at the end of section 143-7 to read as follows:

“If at any time after the initial adoption of the redevelopment plan, the agency shall determine that a change in the plan shall be in the public interest and in furtherance of the purpose of redevelopment, the plan or any part thereof may be amended by following the same procedure as set forth above for the adoption of the original plan.”

(h) By adding a new paragraph at the end of section 143-8 to read as follows:

“Pursuant to the provisions of section 8-5, the agency may take and acquire any right, interest, or estate less than a fee simple estate, which are necessary for the undertaking and execution of an urban redevelopment or renewal project and related activities under this chapter, including the acquisition of air space rights and the imposition of restrictions, covenants and controls to assure the development of a continued use of project property in accordance with the redevelopment or renewal plan.”

(i) By amending subsection (b) of section 143-12 to read as follows:

“(b) The lease term shall not be more than 75 years, and in the case of leases for single or multiple residential sites involving federal financial assistance, for such longer term as may be required.”

By amending subsection (c) of section 143-12 by deleting the word “five” wherever appearing therein and substituting the word “twenty” therefor.

(j) By deleting from section 143-20 (1963 Supp.) the remainder of the paragraph beginning with the semi-colon appearing on line 44, substituting a period for said semi-colon, and inserting the word “and” immediately after “uses;” appearing on line 40.

(k) By amending the paragraph beginning with line 49 in section 143-20.1 (1963 Supp.) to read as follows:

“The procedure and exceptions set forth in Section 143-20 shall apply to any such projects; provided, that pursuant to the provisions of section 8-5, the agency may take and acquire any estate less than a fee simple estate in undeveloped vacant lands whenever it shall appear that the purposes of this section shall be best achieved and promoted by such taking.”

(l) By repealing section 143-61 in toto.

(m) By inserting the following language immediately after “conservation work”, appearing in line 12 of section 143-51: “or a program of code enforcement,”

SECTION 2. This Act shall take effect upon its approval.

(Approved June 3, 1965.) **S.B. 177.**