
A BILL FOR AN ACT

RELATING TO TIME SHARE ZONING.

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

1 SECTION 1. Section 514E-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§514E-5 Geographic limitations.** Except as provided in
4 this section, time share units, time share plans, and transient
5 vacation rentals are prohibited.

6 (1) Existing time share units, time share plans, and
7 transient vacation rentals are not impaired by the
8 provisions of this section.

9 (2) Time share units, time share plans, and transient
10 vacation rentals are allowed:

11 (A) In areas designated for hotel use, resort use, or
12 transient vacation rentals, pursuant to county
13 authority under section 46-4, or where the
14 county, by its legislative process, designates
15 hotel, transient vacation rental, or resort use;
16 provided that, if a county with a population
17 density between 100 and 1000 people per square
18 mile establishes a time share zoning district



1 that allows time share units and time share
2 plans, such a county may then restrict time share
3 units and time share plans in other zoning
4 districts, including areas designated for hotel
5 use, resort use, or transient vacation rentals;

6 (B) In a hotel where the county explicitly approves
7 such use, in advance, as a nonconforming use; or

8 (C) In a county with a population in excess of five
9 hundred thousand, in an existing hotel which is a
10 valid nonconforming use under county ordinance;
11 provided that the property shall have at least
12 sixty units and at least forty per cent of the
13 units, upon completion of sales of the time share
14 intervals in the project, shall be made available
15 for sale as residential apartments or rented as
16 residential apartments."

17 SECTION 2. New statutory material is underscored.

18 SECTION 3. This Act shall take effect on July 1, 2020.

Report Title:

Time Share; Zoning

Description:

Authorizes certain counties to restrict time share units and time share plans in zoning districts, if the county establishes a time share zoning district. Effective 7/1/2020. (SD2)

