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 establishes a time
17	share zoning district that allows time share

units and time share plans, the county may

18

H.B. NO. 911

1		restrict time share units and time share plans in
2		other zoning districts, including areas
3		designated for hotel use, resort use, or
4		transient vacation rentals;
5	(B)	In a hotel where the county explicitly approves
6		such use, in advance, as a nonconforming use; or
7	(C)	In a county with a population in excess of five
8		hundred thousand, in an existing hotel which is a
9		valid nonconforming use under county ordinance;
10		provided that the property shall have at least
11		sixty units and at least forty per cent of the
12		units, upon completion of sales of the time share
13		intervals in the project, shall be made available
14		for sale as residential apartments or rented as
15		residential apartments."
16	SECTION 2	. New statutory material is underscored.
17	SECTION 3	. This Act shall take effect upon its approval.
18		INTRODUCED BY: Chinkle Ay
		EN P. O. 2007
		IAN 2 0 2007

Report Title:

Time Share Zoning; Counties

Description:

Authorizes the counties to establish a time share zoning district.