

JAN 22 2007

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
18 units and time share plans, the county may



restrict time share units and time share plans in
other zoning districts, including areas
designated for hotel use, resort use, or
transient vacation rentals;

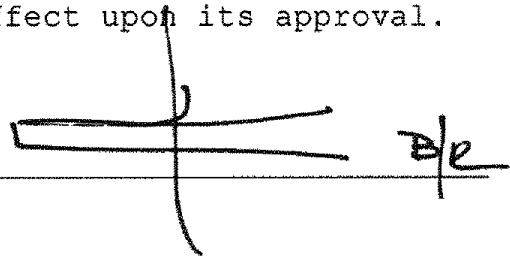
(B) In a hotel where the county explicitly approves such use, in advance, as a nonconforming use; or

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

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

 B/E



Report Title:

Time Share Zoning; Counties

Description:

Authorizes the counties to establish a time share zoning district.

