

JAN 21 2011

A BILL FOR AN ACT

RELATING TO TIME SHARE ZONING DISTRICTS.

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.** (a) Except as provided
4 in this section, time share units, time share plans, and
5 transient vacation rentals are prohibited.

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

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

11 [~~A~~] (1) 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 county, by
14 its legislative process, designates hotel, transient
15 vacation rental, or resort use; provided that if a
16 county establishes a time share zoning district that
17 allows time share units and time share plans, the
18 county may restrict time share units and time share



1 plans in other zoning districts, including areas
 2 designated for hotel use, resort use, or transient
 3 vacation rentals;

4 ~~(B)~~ (2) In a hotel where the county explicitly approves
 5 such use, in advance, as a nonconforming use; or

6 ~~(C)~~ (3) In a county with a population in excess of five
 7 hundred thousand, in an existing hotel which is a
 8 valid nonconforming use under county ordinance."

9 SECTION 2. Statutory material to be repealed is bracketed
 10 and stricken. New statutory material is underscored.

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

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Report Title:

Time Shares; Zoning

Description:

Provides that if a county establishes a time share zoning district, the county may restrict time share units and time share plans in other zoning districts, including areas designated for hotel and resort use, or transient vacation rentals.

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