H.B. NO. 1760

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

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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   SECTION 2.   New statutory material is underscored.

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

12

INTRODUCED BY: _Calvin K.Y. Say_

BY REQUEST

JAN 1 3 2012

Report Title:
Maui County Package; Time Share Zoning

Description:
Authorizes the counties to restrict time share units and time share plans in zoning districts, other than time share zoning districts, including areas designated for hotel use, resort use, or transient vacation rentals.

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