
A BILL FOR AN ACT

RELATING TO FAMILY CHILD CARE HOMES.

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

1 SECTION 1. Section 46-15.35, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§46-15.35 Family child care homes; permitted use in**
4 **residential areas[-] and agriculturally zoned lands.** (a) For
5 the purposes of zoning, family child care homes shall be
6 ~~considered~~:

7 (1) Considered a residential use of property and shall be
8 a permitted use in all residentially designated zones,
9 including but not limited to zones for single-family
10 dwellings[-]; and

11 (2) Considered a permitted use in all agriculturally
12 designated districts; provided that the family child
13 care home is located in a farm dwelling,
14 notwithstanding sections 205-2 and 205-4.5.

15 No conditional use permit, variance, or special exception shall
16 be required for residences used as family child care homes.

17 (b) For the purposes of this section, "family child care
18 home" means a private residence, including an apartment, unit,



1 or townhouse, as those terms are defined in section 502C-1, at
2 which care may be provided for [~~three~~] one to no more than six
3 children who are unrelated to the caregiver by blood, marriage,
4 or adoption at any given time."

5 SECTION 2. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Family Child Care Homes; Agriculturally Designated Districts

Description:

Permits family child care homes in agriculturally designated districts if located in a farm dwelling. Amends definition of "family child care home" to allow for care of one to six unrelated children. Effective 7/1/2050. (SD1)

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