

JAN 17 2020

A BILL FOR AN ACT

RELATING TO RURAL DISTRICTS.

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

1 SECTION 1. The purpose of this Act is to allow the
2 counties to decide the appropriateness of allowing dwellings on
3 each quarter-acre, rather than half-acre of rural lands, given
4 the need for additional local housing. The counties should
5 adopt an ordinance to allow dwellings on each quarter-acre.

6 SECTION 2. Section 205-2, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By amending subsection (a) to read:

9 "(a) There shall be four major land use districts in which
10 all lands in the State shall be placed: urban, rural,
11 agricultural, and conservation. The land use commission shall
12 group contiguous land areas suitable for inclusion in one of
13 these four major districts. The commission shall set standards
14 for determining the boundaries of each district, provided that:

15 (1) In the establishment of boundaries of urban districts
16 those lands that are now in urban use and a sufficient



1 reserve area for foreseeable urban growth shall be
2 included;

3 (2) In the establishment of boundaries for rural
4 districts, areas of land composed primarily of small
5 farms mixed with very low density residential lots,
6 which may be shown by a minimum density of not more
7 than one house per [~~one-half~~] one-quarter acre and a
8 minimum lot size of not less than one-half acre shall
9 be included, except as herein provided;

10 (3) In the establishment of the boundaries of agricultural
11 districts the greatest possible protection shall be
12 given to those lands with a high capacity for
13 intensive cultivation; and

14 (4) In the establishment of the boundaries of conservation
15 districts, the "forest and water reserve zones"
16 provided in Act 234, section 2, Session Laws of Hawaii
17 1957, are renamed "conservation districts" and,
18 effective as of July 11, 1961, the boundaries of the
19 forest and water reserve zones theretofore established
20 pursuant to Act 234, section 2, Session Laws of Hawaii
21 1957, shall constitute the boundaries of the



1 conservation districts; provided that thereafter the
2 power to determine the boundaries of the conservation
3 districts shall be in the commission.

4 In establishing the boundaries of the districts in each county,
5 the commission shall give consideration to the master plan or
6 general plan of the county."

7 2. By amending subsection (c) to read:

8 "(c) Rural districts shall include activities or uses as
9 characterized by low density residential lots of not more than
10 one dwelling house per [~~one-half~~] one-quarter acre, except as
11 provided by county ordinance pursuant to section 46-4(c), in
12 areas where "city-like" concentration of people, structures,
13 streets, and urban level of services are absent, and where small
14 farms are intermixed with low density residential lots except
15 that within a subdivision, as defined in section 484-1, the
16 commission for good cause may allow one lot of less than one-
17 half acre, but not less than [~~eighteen thousand five hundred~~
18 ~~square feet,~~] one-quarter acre, or an equivalent residential
19 density, within a rural subdivision and permit the construction
20 of one dwelling on such lot; provided that all other dwellings
21 in the subdivision shall have a minimum lot size of one-half



1 acre or 21,780 square feet. Such petition for variance may be
2 processed under the special permit procedure. These districts
3 may include contiguous areas which are not suited to low density
4 residential lots or small farms by reason of topography, soils,
5 and other related characteristics. Rural districts shall also
6 include golf courses, golf driving ranges, and golf-related
7 facilities.

8 In addition to the uses listed in this subsection, rural
9 districts shall include geothermal resources exploration and
10 geothermal resources development, as defined under section
11 182-1, and construction and operation of wireless communication
12 antenna, as defined under section 205-4.5(a)(18), as permissible
13 uses."

14 SECTION 3. Section 205-5, Hawaii Revised Statutes, is
15 amended by amending subsection (c) to read as follows:

16 "(c) Unless authorized by special permit issued pursuant
17 to this chapter, only the following uses shall be permitted
18 within rural districts:

- 19 (1) Low density residential uses;
20 (2) Agricultural uses;



- 1 (3) Golf courses, golf driving ranges, and golf-related
- 2 facilities;
- 3 (4) Public, quasi-public, and public utility facilities;
- 4 and
- 5 (5) Geothermal resources exploration and geothermal
- 6 resources development, as defined under section 182-1.

7 In addition, the minimum lot size for any low density
 8 residential use shall be one-half acre and there shall be but
 9 one dwelling house per [~~one-half~~] one-quarter acre, except as
 10 provided for in section 205-2."

11 SECTION 4. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act shall take effect upon its approval.

14

INTRODUCED BY:

~~AC Smith~~
 Amy H Baker
 J. Lee G. Jr



S.B. NO. 2689

Report Title:

Rural Districts; Dwellings

Description:

Allows one dwelling per quarter-acre in rural districts.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

