
A BILL FOR AN ACT

RELATING TO RURAL DISTRICTS.

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

1 SECTION 1. The legislature finds that, given the need for
2 additional local housing, the counties should be permitted to
3 adopt ordinances to allow dwellings on each quarter-acre, which
4 will provide flexibility to address this important issue.
5 Accordingly, the purpose of this Act is to allow the counties to
6 determine the appropriateness of allowing dwellings on each
7 quarter-acre, rather than half-acre, of lands in rural
8 districts; provided that the ordinances are consistent with the
9 county general plan and community development plan.

10 SECTION 2. Section 205-2, Hawaii Revised Statutes, is
11 amended as follows:

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

13 "(a) There shall be four major land use districts in which
14 all lands in the State shall be placed: urban, rural,
15 agricultural, and conservation. The land use commission shall
16 group contiguous land areas suitable for inclusion in one of



1 these four major districts. The commission shall set standards
2 for determining the boundaries of each district, provided that:

3 (1) In the establishment of boundaries of urban districts,
4 those lands that are now in urban use and a sufficient
5 reserve area for foreseeable urban growth shall be
6 included;

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

14 (3) In the establishment of the boundaries of agricultural
15 districts, the greatest possible protection shall be
16 given to those lands with a high capacity for
17 intensive cultivation; and

18 (4) In the establishment of the boundaries of conservation
19 districts, the "forest and water reserve zones"
20 provided in Act 234, section 2, Session Laws of Hawaii
21 1957, are renamed "conservation districts" and,



1 effective as of July 11, 1961, the boundaries of the
 2 forest and water reserve zones theretofore established
 3 pursuant to Act 234, section 2, Session Laws of Hawaii
 4 1957, shall constitute the boundaries of the
 5 conservation districts; provided that thereafter the
 6 power to determine the boundaries of the conservation
 7 districts shall be in the commission.

8 In establishing the boundaries of the districts in each county,
 9 the commission shall give consideration to the master plan or
 10 general plan of the county."

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

12 "(c) Rural districts shall include activities or uses as
 13 characterized by low density residential lots of not more than
 14 one dwelling house per [~~one-half~~] one-quarter acre, except as
 15 provided by county ordinance pursuant to section 46-4(c) [~~7~~] and
 16 provided that each dwelling house shall be consistent with the
 17 county general plan and community development plans, in areas
 18 where "city-like" concentration of people, structures, streets,
 19 and urban level of services are absent, and where small farms
 20 are intermixed with low density residential lots except that
 21 within a subdivision, as defined in section 484-1, the



1 commission for good cause may allow one lot of less than
2 one-half acre, but not less than [~~eighteen thousand five hundred~~
3 ~~square feet,~~] one-quarter acre, or an equivalent residential
4 density, within a rural subdivision and permit the construction
5 of one dwelling on [~~such~~] the lot; provided that all other
6 dwellings in the subdivision shall have a minimum lot size of
7 one-half acre or 21,780 square feet. Such petition for variance
8 may be processed under the special permit procedure. These
9 districts may include contiguous areas which are not suited to
10 low density residential lots or small farms by reason of
11 topography, soils, and other related characteristics. Rural
12 districts shall also include golf courses, golf driving ranges,
13 and golf-related facilities.

14 In addition to the uses listed in this subsection, rural
15 districts shall include geothermal resources exploration and
16 geothermal resources development, as defined under section
17 182-1, and construction and operation of wireless communication
18 antenna, as defined under section 205-4.5(a)(18), as permissible
19 uses."

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



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

- 4 (1) Low density residential uses;
- 5 (2) Agricultural uses;
- 6 (3) Golf courses, golf driving ranges, and golf-related
7 facilities;
- 8 (4) Public, quasi-public, and public utility facilities;
- 9 and
- 10 (5) Geothermal resources exploration and geothermal
11 resources development, as defined under section 182-1.

12 In addition, the minimum lot size for any low density
13 residential use shall be one-half acre and there shall be but
14 one dwelling house per [~~one-half~~] one-quarter acre[~~7~~]; provided
15 that each dwelling house shall be consistent with the county
16 general plan and community development plan, except as provided
17 for in section 205-2."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Rural Districts; Dwellings; County Ordinances

Description:

Authorizes the counties to adopt ordinances that allow up to one dwelling per quarter-acre in rural districts. Effective 7/1/2050. (SD2)

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

