

JAN 21 2022

A BILL FOR AN ACT

RELATING TO THE SUBDIVISION OF URBAN LAND.

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

1 SECTION 1. Chapter 205, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§205- Permit; dual occupancy development; subdivision;
5 single-family residential property. (a) Notwithstanding any
6 other law to the contrary, each county may establish a permit
7 process for an owner of residential property in an urban
8 district to subdivide the property into two lots of equal size
9 and construct a duplex or two single-family buildings on each
10 subdivided lot; provided that:

11 (1) The property to be subdivided:

12 (A) Does not contain any single-family detached
13 dwelling units;

14 (B) Does not lie within a historic district nor
15 within the county, state, or federal floodplain;

16 (C) Will not be subdivided into lots of less than
17 1,200 square feet; provided that the county in



1 which the property lies does not develop a
2 smaller minimum lot size; and
3 (D) Was not created through subdivision pursuant to
4 this section; and
5 (2) The owner of the property to be subdivided has not
6 subdivided adjacent property pursuant to this section.
7 (b) Each county may adopt objective zoning, subdivision,
8 and design standards to allow for the provisions of this
9 section; provided that the appropriate agency for each county:
10 (1) Shall set standards that do not preclude the
11 construction of two units on either lot of the
12 subdivided property; provided further that a setback
13 of up to four feet from the side and rear lot lines
14 may be required; and
15 (2) Shall not require:
16 (A) Construction of offsite and onsite improvements;
17 (B) Dedications of rights-of-way;
18 (C) Off-street parking if the constructed duplex or
19 single-family building is near a major transit
20 stop, stop on a high frequency bus line, or car
21 share vehicle location; and



1 (D) Setbacks for an existing structure.

2 (c) The residences constructed on the property subdivided
3 pursuant to this section:

4 (1) Shall not be used for rentals of less than thirty
5 days; and

6 (2) May be sold or conveyed separately from the other
7 residence on the same subdivided lot.

8 (d) Each county shall submit an annual report to the
9 legislature on the permits issued under this section no later
10 than twenty days prior to the convening of each regular session
11 beginning with the regular session of 2024."

12 SECTION 2. New statutory material is underscored.

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

14

INTRODUCED BY: 



S.B. NO. 2230

Report Title:

Dual Occupancy Development; Subdivision; Single-Family Residential Property

Description:

Allows counties to establish a permit process for the construction and sale of a duplex or two housing units on a subdivided single-family residential lot.

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

