

ACT 210

H.B. NO. 2560

A Bill for an Act Relating to Family Child Care Homes.

Be It Enacted by the Legislature of the State of Hawaii:

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

“§46-15.35 Family child care homes; permitted use in residential areas[-] and agriculturally designated districts. (a) For the purposes of zoning, family child care homes shall be [~~considered~~]:

- (1) Considered a residential use of property and shall be a permitted use in all residentially designated zones, including but not limited to zones for single-family dwellings[-]; and
- (2) Considered a permitted use in all agriculturally designated districts; provided that the family child care home is located in a farm dwelling, notwithstanding sections 205-2 and 205-4.5.

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

(b) For the purposes of this section, “family child care home” means a private residence, including an apartment, unit, or townhouse, as those terms are defined in section 502C-1, at which care may be provided for [~~three~~] one to no more than six children who are unrelated to the caregiver by blood, marriage, or adoption at any given time.”

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 3. This Act shall take effect on July 1, 2014.

(Approved July 5, 2014.)