

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, October 23, 2019, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Lihu'e, on the following:

Bill NO. 2745

A BILL FOR AN ORDINANCE AMENDING CHAPTER 10, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE LIHU'E TOWN CORE URBAN DESIGN DISTRICT

This Bill proposes to amend Chapter 10, Kaua'i County Code 1987, as amended, by amending Section 10-5A.7(a), item number 20, to allow for Additional Rental Units (ARUs) within the Special Planning Area District "D" (SPA-D), also referred to as the "Rice Street Neighborhood Design District."

Bill No. 2745 is part of a package of six (6) proposals (along with Bill No. 2740, Bill No. 2741, Bill No. 2742, Bill No. 2743, and Bill No. 2744) intended to incentivize the development of Additional Rental Units (ARUs).

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of the Bill are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at their subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2745 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on September 25, 2019, by the following vote:

AYES: Brun, Chock, Evslin, Kaneshiro	TOTAL - 4,
NOES: Cowden	TOTAL - 1,
EXCUSED & NOT VOTING: Kagawa, Kualii	TOTAL - 2,
RECUSED & NOT VOTING: None	TOTAL - 0.

Lihu'e, Hawai'i  
September 25, 2019

/s/ Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One publication - The Garden Island - October 2, 2019)

**A BILL FOR AN ORDINANCE  
TO AMEND CHAPTER 10, KAUA'I COUNTY CODE 1987, AS AMENDED,  
RELATING TO THE LIHU'E TOWN CORE URBAN DESIGN DISTRICT**

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BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. Chapter 10, Kaua'i County Code 1987, as amended, is hereby amended by amending Section 10-5A.7(a) as follows:

- “(a) Generally Permitted Uses and Structures in SPA-D.
  - (1) Accessory uses and structures;
  - (2) Art galleries and sales;
  - (3) Churches and temples;
  - (4) Clubs, lodges and community centers (private);
  - (5) Commercial indoor amusement and recreation facilities;
  - (6) Convenience store and neighborhood grocery stores with a twenty thousand (20,000) square foot building footprint or smaller;
  - (7) Home businesses;
  - (8) Hotels and motels not to exceed RR-10 density;
  - (9) Household services;
  - (10) Light manufacturing, such as handicrafts and garment fabrication;
  - (11) Minor food processing, such as cracked seeds, jellies, candies, and ice cream with a twenty thousand (20,000) square foot building footprint or smaller;
  - (12) Museums, libraries and public services;
  - (13) Offices and professional buildings;
  - (14) Parking garages/structures;
  - (15) Personal services, such as barber and beauty shops, salons, Laundromats, shoe repair shops, etc.;
  - (16) Public offices and buildings;
  - (17) Public parks and monuments;
  - (18) Restaurants and food services;
  - (19) Retail sales and shops with a twenty thousand (20,000) square foot building footprint or less;
  - (20) Multiple-family dwellings not to exceed R-40 density[, provided no dwellings shall be eligible for additional rental units (ARUs) pursuant to Ordinance No. 1026];
  - (21) Single-family dwellings;
  - (22) Schools and daycare centers.”

SECTION 2. Severability Clause. If any provision of this Article or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of this Article and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 3. When revising, compiling, or printing this ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring need not be included.

SECTION 4. This Ordinance shall take effect upon its approval.

Introduced by:



LUKE A. EVSLIN



MASON K. CHOCK

DATE OF INTRODUCTION:

**September 25, 2019**

Līhu'e, Kaua'i, Hawai'i

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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2745, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on September 25, 2019, by the following vote:

FOR PASSAGE:	Brun, Chock, Evslin, Kaneshiro	TOTAL – 4,
AGAINST PASSAGE:	Cowden	TOTAL – 1,
EXCUSED & NOT VOTING:	Kagawa, Kualii	TOTAL – 2,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawai'i  
September 25, 2019



Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i