

19 JUL 18 10:34

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, July 31, 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. 2754

A BILL FOR AN ORDINANCE AMENDING SECTION 8-1.5, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO GUEST HOUSE

This Bill proposes to amend Chapter 8, Kaua'i County Code 1987, as amended, by amending the definition of "Guest House" to allow for the existence of a kitchen within the dwelling unit for use by guests, tenants, or the property owner. The definition of a "Guest House" is further amended to remove the limitation of parcel size on which a guest house may be constructed. Guest Houses shall be prohibited from operating transient vacation rental or homestay operations within or outside of a designated Visitor Destination Area (VDA).

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 its 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. 2754 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on June 26, 2019, by the following vote:

AYES: Brun, Chock, Cowden, Evslin, Kagawa, Kaneshiro, Kualii	TOTAL - 7,
NOES: None	TOTAL - 0,
EXCUSED & NOT VOTING: None	TOTAL - 0,
RECUSED & NOT VOTING: None	TOTAL - 0.
Lihu'e, Hawai'i June 27, 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 - July 3, 2019)

**A BILL FOR AN ORDINANCE AMENDING SECTION 8-1.5,  
KAUA'I COUNTY CODE 1987, AS AMENDED,  
RELATING TO GUEST HOUSE**

---

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

SECTION 1. Section 8-1.5, Kaua'i County Code 1987, as amended, is hereby amended by amending the definition of "Guest House" as follows:

““Guest House” means a building with a floor area of no more than five hundred (500) square feet, [contains no kitchen, is used for dwelling purposes by guests, and is located on a parcel of at least nine thousand (9,000) square feet that contains one (1) or more dwelling units.] may contain a kitchen, and is used for dwelling purposes by guests, tenants, or owner(s). A guest house shall not be used for a transient vacation rental (TVR) or homestay operation within or outside of the visitor destination area (VDA).”

SECTION 2. Chapter 8, Kaua'i County Code 1987, as amended, is hereby amended by amending Table 8-2.4 Table of Uses, in pertinent part only, to read as follows:

**Table 8-2.4 Table of Uses**

Sec.	USE	ZONING DISTRICT									
		Residential		RR	Commercial		Industrial		AG	O	
		R-1 to R-6	R-10 to R-20		CN	CG	IL	IG			
8-2.4(a)(2)	Accessory structures and uses, including one (1) guest house [on a lot or parcel 9,000 square feet or larger]	P	P								

SECTION 3. Section 8-1.5, Kaua'i County Code 1987, as amended, is hereby amended by adding a new definition to be appropriately inserted and to read as follows:

““Tenant” means a person who occupies real property owned by another based upon an agreement between the person and the landlord/owner, almost always in exchange for rental payments.”

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other

provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 5. Material to be repealed is bracketed. New material is underscored. 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 6. This Ordinance shall take effect upon its approval.

Introduced by: /s/ ARTHUR BRUN  
/s/ MASON K. CHOCK

DATE OF INTRODUCTION:

**June 26, 2019**

Līhu'e, Kaua'i, Hawai'i

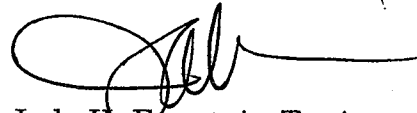
V:\BILLS\2018-2020 TERM\Bill No. 2754 Guesthouse- AB MC (AMK\_ks).docx

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2754, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on June 26, 2019, by the following vote:

FOR PASSAGE:	Brun, Chock, Cowden, Evslin, Kagawa, Kualii, Kaneshiro	TOTAL - 7,
AGAINST PASSAGE:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i  
June 27, 2019



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