

KPAR-8-1.5

DEFINITIONS, COMPREHENSIVE ZONING ORDINANCE

GUEST HOUSE

AUTHORITY:

PURSUANT TO Article XIV section 14.03.E of the Kauai County Charter the Planning Commission of the County of Kaua'i adopts the following administrative rules pertaining to the responsibility of the Department to implement and enforce Chapter 8, Section 8-1.5 of the Kaua'i County Code, 1987 as amended, concerning the definition of "Guest House."

DEFINITION:

Section 8-1.5 of the Kauai County Code, 1987 as amended, defines Guest House to mean "a building with a floor area of no more than five hundred (500) square feet, 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).

FINDINGS:

In implementing the definition of a "Guest House", there is a need to clarify whether or not the structure may be attached to a single family residence, detached from a single family residence, within a multifamily residence, or accompanied by an accessory structure (i.e. Garage).

RULE:

DEVELOPMENTAL STANDARDS

1. The maximum floor area for a guest house is five hundred (500) square feet.
2. The total floor area for a guest house shall be the sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls. The total floor areas shall include enclosed attached accessory structure such as garages or storage areas. Unenclosed attached structures, such as breezeways, lanais, or porches shall be excluded.
3. The guest house may be detached from a single-family residence or multi-family residence.
4. The guest house may be attached to a single-family dwelling unit or multi-family unit(s). When the guest house is attached to a single-family dwelling unit or multi-family dwelling unit(s), the enclosed and unenclosed floor areas of the dwelling unit(s) shall not be counted in the calculation of the maximum five hundred (500) square feet of floor area for the respective guest house.

5. When attached to another dwelling unit(s), the guest house shall have its own separate exterior access.
6. When proposed with a kitchen in the State Land Use Agriculture, the guest house application shall require an executed Farm Dwelling Agreement

DRAFT