

COUNTY COUNCIL INITIATED

BILL 147

RELATING TO TRANSIENT ACCOMMODATIONS

AMENDMENT TO CHAPTER 2 (ADMINISTRATION), ARTICLE
7 AND CHAPTER 25 (ZONING), ARTICLE 1, ARTICLE 2,
ARTICLE 4, ARTICLE 5 AND ARTICLE 7 OF THE HAWAI'I
COUNTY CODE (2016 EDITION, AS AMENDED)

COUNTY COUNCIL'S REQUEST

Bill 147 seeks to update the Hawai'i County transient vacation rental (TVR) regulations to:

- Clarify hosted and un-hosted rentals;
- Distinguish between B&Bs and STVRs;
- Consolidate transient accommodation regulations;
- Strengthen enforcement & compliance;
- Improve registration, monitoring, and enforcement tools;
- Align zoning and registration requirements; and
- Coordinate Chapter 25 (Zoning) with Chapter 6 (Business)

BACKGROUND AND LEGISLATIVE HISTORY

- **2018 Bill 108 adopted**
Established short-term vacation rentals (STVR) regulations for un-hosted rentals.
- **2024 Bill 121 & 122 proposed**
Proposed revisions to transient accommodations and B&Bs.
- **2025 Hunden Economic Impact Study Completed**
Evaluated economic, fiscal, housing, and regulatory impacts of TVRs.
- **2025 Ordinance No. 25-50 adopted**
Created a registration framework for TVRs in HCC Chapter 6.
- **2025 Ordinance No. 25-92 adopted**
Delayed implementation of Ordinance 25-50 to July 1, 2026.
- **2026 Bill 147 Introduced**

PROPOSED AMENDMENTS TO ZONING CODE

Proposed New Definitions

- A “TVR” or “transient vacation rental” would mean a dwelling unit or portion thereof, containing no more than five bedrooms or suites, that is offered to be furnished and rented to a transient for periods of less than one hundred eighty (180) consecutive days in exchange for compensation or other consideration.
- A “B&B” or “bed and breakfast” would be defined as a TVR that is incidental and subordinate to use as the principal home of a host;
- A “Host” would mean a reachable person who resides on the same building site as a TVR while it is rented; and
- An “STVR” or “short-term vacation rental” would mean a TVR located on a building site on which a host does not reside.

PROPOSED AMENDMENTS TO ZONING CODE

Create a New Division Governing TVR Use Regulations

Includes new provisions establishing where B&Bs are permitted.

A B&B is permitted in the following zoning districts:

- RS, RD, RM, RCX, V, CN, CG, CV, CDH and PD zoning districts;
- Agricultural zoning districts under specified conditions;
 - The state land use urban and rural district; or
 - The state land use agricultural district, provided that
 - Where the B&B is located in a farm dwelling, the dwelling is also the principal home of the host;
 - The dwelling is not an additional farm dwelling; and
 - A special permit is obtained.

PROPOSED AMENDMENTS TO ZONING CODE

Create a New Division Governing TVR Use Regulations (cont.)

Includes new provisions establishing where STVRs and Non-Conforming Use Certificates (NUCs) are permitted.

A STVR is permitted in the following zoning districts:

- RM, V, CG, CN, CV and CDH zoning districts;
- Any residential district within any of the following:
 - Resort and Resort Node areas
 - Certain open areas adjacent to an area identified as a resort designations and that is along the shoreline; and
- Project Districts consistent with underlying zoning districts.

PROPOSED AMENDMENTS TO ZONING CODE

Create a New Division Governing TVR Use Regulations (cont.)

- An STVR is not permitted in a multiple-family dwelling, unless the dwelling is defined and governed as a Condominium Property Regime (CPR) under Hawai'i Revised Statutes, chapter 514B.
- Existing valid NUCs may continue operation where STVRs are no longer permitted.
- Cancellation of registration results in revocation of associated NUC; and
- An STVR operating under an NUC may increase the number of bedrooms available to rent so long as it doesn't exceed 5 bedrooms and the owner registers the change with the director.

PROPOSED AMENDMENTS TO ZONING CODE

Create a New Division Governing TVR Use Regulations (cont.)

Includes new section establishing Operational Standards; Responsible Management

Use of the TVR shall include the following:

- Registration information posted on-site.
- Host shall reside on the same building site as the B&B during rental operations.
- In the case of STVR, the reachable person shall:
 - Respond via telephone to a request or message from a guest, neighbor, or County agency within one hour of receiving the request or message; and
 - Be physically present at a TVR within three hours of receiving a request to do so from a guest, neighbor, or County agency.

PROPOSED AMENDMENTS TO ZONING CODE

Create a New Division Governing TVR Use Regulations (cont.)

Establishes a Good Neighbor Policy, which includes the following:

- Occupancy:
 - Maximum of 12 adults or twice the number of rentable bedrooms.
 - Gatherings limited to twice the renter occupancy limit.
- Requires rentals to remain residential in character.
- If provided, breakfast is limited to registered guests at B&Bs.
- Prohibits weddings, concerts, and special events.
- Quiet hours shall be from 10:00pm to 8:00am.
- STVRs must be rented as an entire dwelling unit; and
- Guest vehicles at a TVR must be parked within the designated on-site parking area.

PROPOSED AMENDMENTS TO ZONING CODE

Create a New Division Governing TVR Use Regulations (cont.)

Establishes Operational standards; Advertising and Signage, which includes the following:

- Registration number required on advertisements.
- No advertising as special event venues.
- Signage must comply with other chapters in code; and
- The street address shall be visible from the street used to access the TVR.

PROPOSED AMENDMENTS TO ZONING CODE

Establish a Division for Violations, Penalties, Enforcement

There are four new Sections that are proposed to enforce the following:

- **TVR enforcement; generally;**
 - Authorizes complaint investigations and enforcement procedures.
- **TVR enforcement; administrative provisions;**
 - Establish administrative fines for violations as follows:
 - Fine may include up to twice the highest advertised daily rental rate during the preceding 12 months, plus:
 - First violation: \$5,500
 - Second violation: \$7,500
 - Subsequent violations: \$10,000
- **TVR enforcement; prima facie evidence; and**
 - Define prima facie evidence standards.

PLANNING DEPARTMENT ANALYSIS

PLANNING DEPARTMENT ANALYSIS

Staff find that Bill 147 generally:

- Expands the County's existing transient accommodation framework;
- Improves operational accountability, regulatory consistency, and enforcement capability;
- Enhances neighborhood compatibility through updated operational standards;
- Improves consistency between zoning, registration, and enforcement requirements;
- Reflects recommendations identified in the 2025 Hunden Economic Impact Study, and
- Remains less restrictive than regulatory approaches adopted by neighboring counties.

PLANNING DEPARTMENT ANALYSIS

Summary Comparing Bill 147 to Current Code

- County currently regulates STVRs (un-hosted rentals) with many of the same regulations proposed in Bill 147 such as good neighbor standards, registration, enforcement using current fine structure, and use of prima facie evidence.
- Ord. 25-50, which amended the Businesses Code, requires all TVRs (hosted and un-hosted) to register their TVR.
- Bill 147 would expand areas where STVRs are permitted to include RM without CPR requirement, CN, and CDH zoning districts.
- Bill 147 would create a new enforcement and fine structure specific to all TVRs.

PLANNING DEPARTMENT ANALYSIS

Summary Comparing Bill 147 to Current Code (cont.)

- Bill 147 would expand areas where B&Bs are permitted to include RS, PD, and any Agricultural zoning district in the State Land Use (SLU) Urban or Rural district.
 - Use Permits would not longer be required for B&Bs in SLU Urban and Rural districts.
 - Special Permits will still be required for B&Bs in the SLU Agricultural District.
- Currently the STVR fund is located in the Zoning Code. Bill 147 proposes to move it to the Administration Code.
- Compared to neighboring counties, Hawai'i County generally maintains a less restrictive regulatory framework while emphasizing operational standards, registration compliance, and enforcement rather than broad zoning prohibitions. Hawai'i County's current and proposed application fees also remain substantially lower than comparable fees charged by neighboring counties, indicating that the County's fee structure remains relatively modest.

PLANNING DIRECTOR'S RECOMMENDATION

The Planning Director recommends that the Planning Commissions send a favorable recommendation of Bill 147 to the County Council with the suggested revisions in the recommendation report. The key recommendations follow:

RECOMMENDATION #4

Clarify the definition of a Transient Vacation Rental as follows:

~~["TVR" or]~~ "[transient]Transient vacation rental" (TVR) means a dwelling unit or portion thereof, containing no more than five bedrooms ~~[or suites]~~ on a building site, unless subject to a condominium property regime:

- (1) That is, or is offered to be, furnished and rented to a transient:
 - (A) For a rental period less than one hundred and eighty consecutive days; and
 - (B) In exchange for money, goods, services, or other consideration; and
- (2) Excluding hotels, motels, inns, apartment hotels, boarding facilities, lodges[,] and timeshares~~[, and tents].~~"
- (3) Tents shall not be used as a transient vacation rental.

Reason: Clarifies TVR limitations and expressly prohibits tents as TVRs.

RECOMMENDATION #7

Clarify permitted locations of B&Bs as follows:

Section 25-4- . Bed and breakfasts; where permitted.

A B&B is permitted in the following zoning districts:

- (1) RS, RD, RM, RCX, RA, V, CN, CG, CV, CDH, and PD; and
- (2) Any agricultural district, other than IA, that is wholly situated within:
 - (A) The State land use urban or rural district; or
 - (B) The State land use agricultural district, provided that:
 - i. Where the B&B is located in a single-family dwelling or farm dwelling, as defined in Chapter 205 Hawai'i Revised Statutes, and the dwelling is also the principal home of the host;
 - ii. The dwelling is not an additional farm dwelling or farm employee housing;~~and~~
 - iii. A host shall not live in the guest house or detached bedroom; and
 - iv. A special permit is obtained~~[-]~~, as defined in Chapter 205, Hawai'i Revised Statutes."

RECOMMENDATION #7 (cont.)

Clarify permitted locations of B&Bs as follows:

Reason:

- Clarifies that B&Bs are permitted within the RA zoning district.
- Incorporates comments from the Office of Planning and Sustainable Development (OPSD).
- Clarifies hosted occupancy requirements by requiring the host to reside on the same building site, but not within the rented guest house or detached bedroom.
- Updates agricultural housing terminology to align with proposed amendments to Chapter 205, HRS.
- Improves consistency with State land use regulations and anticipated statutory changes.

RECOMMENDATION #8

Clarify STVR Zoning Applicability as follows:

Section 25-4- . Short-term vacation rentals; where permitted; nonconforming use certificate.

(a) An STVR is permitted in the following zoning districts:

(1) RM, V, CG, CN, CV, and CDH;

(2) ~~[Any residential district, other than RM,]~~ RS, RD, RCX zoning districts that ~~[is]~~ are wholly situated within any of the following:

(A) A Resort or Resort Node area, as designated in the General Plan; or

(B) An area designated as Open in the General Plan that is adjacent to an area identified in subparagraph (A) and that is located along the shoreline~~[: and]~~.

(3) A project district where consistent with the uses allowed in the underlying zoning district.

RECOMMENDATION #8 (cont.)

Clarify STVR Zoning Applicability as follows:

Section 25-4- . Short-term vacation rentals; where permitted; nonconforming use certificate. (cont.)

(b) ~~[An STVR is not permitted in a multiple-family dwelling, unless the dwelling is defined and governed as a condominium property regime under the Hawai'i Revised Statutes, chapter 514B.]~~ STVRs are limited to one per building site, unless the dwelling is defined and governed as a condominium property regime under the Hawai'i Revised Statutes, chapter 514B.

Reason: Clarifies where STVRs are permitted and limits STVRs to one per building site.

RECOMMENDATION #10

Clarify TVR Compliance and Permitting Requirements as follows:

Section 25-4- General provisions.

- (a) Use of a TVR, including the structure or dwelling, the rental activity, and any other activity on the property in connection therewith, must be done in accordance with the provisions of this division~~[-]~~, and Chapter 6, Article 6 (Transient Vacation Rentals) of the Hawai'i County Code, which governs business registration for transient vacation rentals.
- (b) The owner and, if applicable, the host of a TVR are responsible for compliance with the provisions of this division.
- ~~[(c) In the case of a conflict between the operational standards set forth in this division and the conditions of a use permit or special permit regulating the rental activity of a TVR, the latter shall control.]~~

RECOMMENDATION #10 (cont.)

Clarify TVR Compliance and Permitting Requirements as follows:

Section 25-4- General provisions. (cont.)

- (c) No more than one accessory dwelling unit may be used as a transient vacation rental, provided there are no other transient vacation rentals on the building site.
- (d) A TVR may only be established within a dwelling that has been issued final approvals by the building division for building, electrical, and plumbing permits and any land use permits that may be applicable such as a special permit.
- (e) The applicant may be granted a one-year period to come into compliance with the requirements listed in subsection (d). Additional time may be granted to the applicant if needed.

Reason: Clarifies compliance requirements, establishes minimum permitting standards for TVRs, and improves consistency between zoning, building, registration, and enforcement requirements.

RECOMMENDATION #11

Clarify Special Events as follows:

Operational standards; good neighbor policy:

- (e) A guest or renter of a TVR may not use it for a wedding, wedding reception, concert, or other special event[-], unless approved by a use permit or special permit.

Operational standards; advertising and signage:

- (b) No person may advertise a TVR as a venue for weddings, wedding receptions, concerts, or other special events[-], unless approved by a use permit or special permit.

Reason: Clarifies that special events may be permitted when authorized through an approved use permit or special permit.

RECOMMENDATION #12

Update TVR Parking Standards as follows:

Section 25-4-51. Required number of parking spaces.

(a) The number of parking spaces for each use shall be as follows:

~~[(2) Bed and breakfast establishments: one for each guest bedroom, in addition to one for the dwelling unit.]~~

~~[(8)]~~(7) Dwellings, single-family and double-family or duplex that are occupied for any period of less than one hundred eighty days~~[:]~~ if operated as a B&B: one space for each rented bedroom in addition to one space for the dwelling unit if rooms in the dwelling unit are rented individually, or two spaces if the dwelling unit is rented as a whole and operated as a STVR.

Reason: Consolidates parking requirements for all TVRs and improves clarity, consistency, and administration of parking standards.

NEXT STEPS

The Windward and Leeward Planning Commissions are required to take action on Bill 147 as described in Section 25-2-43(b) of the zoning code. Bill 147 was transmitted by the County Council to the Department on **April 10, 2026**, which means the commissions are required to transmit their recommendations to the council by **August 8, 2026**. The commissions may recommend approval of all, some, or none of the Director's suggested recommendations. The commissions may also recommend their own revisions to the bill.

Once Bill 147 is heard before the Windward and Leeward Planning Commission, the recommendations will be sent back to the County Council's Policy Committee on Planning, Land Use and Development, where the bills will then be forwarded with a recommendation to Council. At Council, the bills will need to go through the 1st and 2nd (Final) Reading in order to be passed as an ordinance.

County	Zoning Restrictions	Permit/Registration	Initial Fees	Annual Fee
City and County of Honolulu	STRs generally limited to resort-zoned areas and a limited number of apartment-zoned districts.	Requires registration and/or Nonconforming Use Certificate (NUC) for grandfathered operations	TVU Registration / NUC Fee: \$1,000.	TVU Renewal: \$500.
	Bed & Breakfasts (hosted rentals) and Transient Vacation Units (TVUs) are regulated separately under the STR ordinance.	B&Bs and TVUs require registration and compliance with operational standards.	Bed and Breakfast or Initial Fee: \$1,000	B&B Renewal: \$500.
Kauai County	TVRs generally restricted to Visitor Destination Areas (VDAs) and grandfathered operations.	TVR permits and renewal requirements.	No registration fee.	\$750 for a TVR outside of VDA.
	Homestays generally limited to VDAs; owner-occupied requirements and guest room limits apply.	Homestay / Class IV Zoning Permit and annual recertification requirements.	Homestay Permit: Approx. \$800 Class IV Zoning Permit fee.	Homestay Renewal: \$750 annual recertification fee.

County	Zoning Restrictions	Permit/Registration	Initial Fees	Annual Fee
Maui County	STRHs heavily regulated; apartment-zoned TVRs being phased out under Bill 9	STRH permit system; Minatoya List grandfathered units; caps by community plan areas	STRH Permit: \$1,370 application fee; additional \$1,676 if public hearing required. B&B Permit: \$206 application fee; additional \$1,676 if public hearing required.	STRH Renewal: \$1,370 B&B Renewal: \$206;
Hawaii County (Existing)	Existing STVR (un-hosted) framework allows NUCs and hosted rentals in certain zoning districts	Registration and NUC framework established under Ordinance 18-114	\$500 Filing Fee for all Un-hosted TVR (STVR)	\$250 Annual Fee for STVRs with NUCs
Hawaii County (Bill 147)	Retains existing STVR and adds B&B framework while expanding operational standards for hosted accommodations.	Registration and Special Permit for those in the State Land Use Agricultural District	\$500 Special Permit (if required) \$500 New Un-hosted STVR Permit \$250 New Hosted B&B Permit	\$100 Renewal Fee for Hosted TVR (B&B) \$250 Renewal Fee for Unhosted TVR STVR

RECOMMENDATION #1

Amend Title of TVR Enforcement Fund as follows:

Section 2- . [~~STVR~~TVR enforcement fund.

- (a) There is established an [~~STVR~~] TVR enforcement fund to be administered by the planning director and funded by all fees, fines, and other monies collected in connection with the administration and enforcement of County transient vacation rental laws, rules, or land use regulations.
- (b) Use of the fund is restricted to expenses and payments that support, expand, improve, or otherwise facilitate enforcement of County transient vacation rental laws, rules, or land use regulations.

Reason: Clarifies that the enforcement fund applies to all transient vacation rentals, rather than only short-term vacation rentals.

RECOMMENDATION #2

Clarify the B&B Definition Residency Requirements as follows:

~~“[“B&B” or] “Bed and breakfast” (B&B) means a TVR that is [incidental and subordinate to use as the principal home of a host.]~~located on a building site in which a host resides in a principal home.”

Reason: Clarifies that B&Bs must be located on the same building site as the host’s principal residence.

RECOMMENDATION #3

Clarify the Host Definition Residency Requirements as follows:

““Host” means a reachable person who resides [~~on the same building site as a TVR while is rented.~~] in a dwelling on the building site while the B&B is rented.”

Reason: Clarifies hosted occupancy requirements for B&B operations.

RECOMMENDATION #4

Clarify the definition of a Transient Vacation Rental as follows:

~~["TVR" or]~~ "[transient]Transient vacation rental" (TVR) means a dwelling unit or portion thereof, containing no more than five bedrooms ~~[or suites]~~ on a building site, unless subject to a condominium property regime:

- (1) That is, or is offered to be, furnished and rented to a transient:
 - (A) For a rental period less than one hundred and eighty consecutive days; and
 - (B) In exchange for money, goods, services, or other consideration; and
- (2) Excluding hotels, motels, inns, apartment hotels, boarding facilities, lodges[,], and timeshares[, and tents]."
- (3) Tents shall not be used as a transient vacation rental.

Reason: Clarifies TVR limitations and expressly prohibits tents as TVRs.

RECOMMENDATION #5

Remove sections relating to TVR Enforcements as follows:

~~[Section 25-2-. TVR enforcement; generally.~~

- ~~(a) In administering County transient vacation rental laws and applicable land use regulations, the planning director shall:
 - ~~(1) Establish enforcement and inspection procedures to investigate and determine the factual basis of a complaint and whether a violation of this chapter has occurred; and~~
 - ~~(2) Keep information regarding County transient vacation rental laws, policies, rules, and procedures publicly accessible.~~~~
- ~~(b) In the case of a B&B, the owner and host are jointly and severally liable for all fines, fees, and penalties assessed, whether under this section or any other provision of this chapter.]~~

RECOMMENDATION #5 (cont.)

Remove sections relating to TVR Enforcements as follows:

~~[Section 25-2- TVR enforcement; cumulative effect.~~

~~This division does not displace, dispense with, preclude, limit, or otherwise affect any other enforcement power, penalty, or legal remedy available under this chapter or other applicable law.]~~

Reason: The proposed removal is intended to avoid redundancy and potential inconsistency within Chapter 25, as the Hawai'i County Code already contains comprehensive administrative enforcement and cumulative remedies provisions under Sections 25-2-35 ("Administrative enforcement") and 25-2-36 ("Remedies cumulative").

RECOMMENDATION #6

Add TVR Enforcement Fund Provisions to Chapter 25 as follows:

Section 25-2- . TVR enforcement fund.

- (a) There is established an TVR enforcement fund to be administered by the planning director and funded by all fees, fines, and other monies collected in connection with the administration and enforcement of County transient vacation rental laws, rules, or land use regulations.**
- (b) Use of the fund is restricted to expenses and payments that support, expand, improve, or otherwise facilitate enforcement of County transient vacation rental laws, rules, or land use regulations.**

Reason: Improves coordination of TVR enforcement activities across Chapter 6 and Chapter 25.

RECOMMENDATION #7

Clarify permitted locations of B&Bs as follows:

Section 25-4- . Bed and breakfasts; where permitted.

A B&B is permitted in the following zoning districts:

- (1) RS, RD, RM, RCX, RA, V, CN, CG, CV, CDH, and PD; and
- (2) Any agricultural district, other than IA, that is wholly situated within:
 - (A) The State land use urban or rural district; or
 - (B) The State land use agricultural district, provided that:
 - i. Where the B&B is located in a single-family dwelling or farm dwelling, as defined in Chapter 205 Hawai'i Revised Statutes, and the dwelling is also the principal home of the host;
 - ii. The dwelling is not an additional farm dwelling or farm employee housing;~~and~~
 - iii. A host shall not live in the guest house or detached bedroom; and
 - iv. A special permit is obtained~~[-]~~, as defined in Chapter 205, Hawai'i Revised Statutes."

RECOMMENDATION #7 (cont.)

Clarify permitted locations of B&Bs as follows:

Reason:

- Clarifies that B&Bs are permitted within the RA zoning district.
- Incorporates comments from the Office of Planning and Sustainable Development (OPSD).
- Clarifies hosted occupancy requirements by requiring the host to reside on the same building site, but not within the rented guest house or detached bedroom.
- Updates agricultural housing terminology to align with proposed amendments to Chapter 205, HRS.
- Improves consistency with State land use regulations and anticipated statutory changes.

RECOMMENDATION #8

Clarify STVR Zoning Applicability as follows:

Section 25-4- . Short-term vacation rentals; where permitted; nonconforming use certificate.

(a) An STVR is permitted in the following zoning districts:

(1) RM, V, CG, CN, CV, and CDH;

(2) ~~[Any residential district, other than RM,]~~ RS, RD, RCX zoning districts that ~~[is]~~ are wholly situated within any of the following:

(A) A Resort or Resort Node area, as designated in the General Plan; or

(B) An area designated as Open in the General Plan that is adjacent to an area identified in subparagraph (A) and that is located along the shoreline~~[: and]~~.

(3) A project district where consistent with the uses allowed in the underlying zoning district.

RECOMMENDATION #8 (cont.)

Clarify STVR Zoning Applicability as follows:

Section 25-4- . Short-term vacation rentals; where permitted; nonconforming use certificate. (cont.)

(b) ~~[An STVR is not permitted in a multiple-family dwelling, unless the dwelling is defined and governed as a condominium property regime under the Hawai'i Revised Statutes, chapter 514B.]~~ STVRs are limited to one per building site, unless the dwelling is defined and governed as a condominium property regime under the Hawai'i Revised Statutes, chapter 514B.

Reason: Clarifies where STVRs are permitted and limits STVRs to one per building site.

RECOMMENDATION #9

Add Applicability Exemptions Consistent with Chapter 6 as follows:

Section 25-4-__ . Applicability.

This article does not apply to any accommodation, lease, letting, or rental activity:

- (1) Exempt from Hawai'i Revised Statutes chapter 237D;
- (2) Subject to Hawai'i Revised Statutes chapter 521; or
- (3) Furnished to a health care worker temporarily employed at a medical facility in the County; or
- (4) Authorized by a declaration of a state of emergency.

Reason: Aligns Chapter 25 exemptions with Chapter 6.

RECOMMENDATION #10

Clarify TVR Compliance and Permitting Requirements as follows:

Section 25-4- General provisions.

- (a) Use of a TVR, including the structure or dwelling, the rental activity, and any other activity on the property in connection therewith, must be done in accordance with the provisions of this division~~[-]~~, and Chapter 6, Article 6 (Transient Vacation Rentals) of the Hawai'i County Code, which governs business registration for transient vacation rentals.
- (b) The owner and, if applicable, the host of a TVR are responsible for compliance with the provisions of this division.
- ~~[(c) In the case of a conflict between the operational standards set forth in this division and the conditions of a use permit or special permit regulating the rental activity of a TVR, the latter shall control.]~~

RECOMMENDATION #10 (cont.)

Clarify TVR Compliance and Permitting Requirements as follows:

Section 25-4- General provisions. (cont.)

- (c) No more than one accessory dwelling unit may be used as a transient vacation rental, provided there are no other transient vacation rentals on the building site.
- (d) A TVR may only be established within a dwelling that has been issued final approvals by the building division for building, electrical, and plumbing permits and any land use permits that may be applicable such as a special permit.
- (e) The applicant may be granted a one-year period to come into compliance with the requirements listed in subsection (d). Additional time may be granted to the applicant if needed.

Reason: Clarifies compliance requirements, establishes minimum permitting standards for TVRs, and improves consistency between zoning, building, registration, and enforcement requirements.

RECOMMENDATION #11

Clarify Special Events as follows:

Operational standards; good neighbor policy:

- (e) A guest or renter of a TVR may not use it for a wedding, wedding reception, concert, or other special event[-], unless approved by a use permit or special permit.

Operational standards; advertising and signage:

- (b) No person may advertise a TVR as a venue for weddings, wedding receptions, concerts, or other special events[-], unless approved by a use permit or special permit.

Reason: Clarifies that special events may be permitted when authorized through an approved use permit or special permit.

RECOMMENDATION #12

Update TVR Parking Standards as follows:

Section 25-4-51. Required number of parking spaces.

(a) The number of parking spaces for each use shall be as follows:

~~[(2) Bed and breakfast establishments: one for each guest bedroom, in addition to one for the dwelling unit.]~~

~~[(8)]~~(7) Dwellings, single-family and double-family or duplex that are occupied for any period of less than one hundred eighty days~~[:]~~ if operated as a B&B: one space for each rented bedroom in addition to one space for the dwelling unit if rooms in the dwelling unit are rented individually, or two spaces if the dwelling unit is rented as a whole and operated as a STVR.

Reason: Consolidates parking requirements for all TVRs and improves clarity, consistency, and administration of parking standards.

RECOMMENDATION #13

Revise Formatting of Defined Terms as follows:

“~~“B&B”~~ or “Bed and breakfast” (B&B) means a TVR that is incidental and subordinate to use as the principal home of a host.”

“~~“STVR”~~ or “[~~short-term~~]Short-term vacation rental” (STVR) means a TVR located on a building site on which a host does not reside.”

Reason: The proposed amendment revises the formatting of defined terms to improve readability and clarity by identifying the full defined term before the acronym. The amendment is intended to make the definitions easier for the public to read and interpret consistently.

RECOMMENDATION #14

Remove Definition of “Audible” as follows:

Section 25-4-__. Operational standards; good neighbor policy.

- (f) Quiet hours shall be from 10:00 p.m. to 8:00 a.m. during which time any noise from a TVR may not disturb neighbors. During all other times, any noise from a TVR may not exceed the standards set forth in Title 11, Chapter 46 of the Hawai‘i Administrative Rules. ~~[For the purposes of this subsection, “audible” means perceptible by person without the use of a sound detection device or an audio aide.]~~

Reason: The proposed amendment removes the definition of “audible” because the term is not otherwise used within Bill 147 and may create unnecessary ambiguity in the interpretation and enforcement of applicable noise standards.

RECOMMENDATION #15

Clarify code references relating to signage requirements for TVRs:

Section 25-4-__. Operational standards; advertising and signage.

- (a) Signage associated with a TVR must comply with [~~section 22-2.6 and chapter 3 of this Code.~~] Chapter 22 (County Streets), section 22-2.6, and Chapter 3 (County Signs) of this Code.

Reason: This recommendation is intended to improve readability and clarify code references.