

PLANNING DIRECTOR INITIATED (PL-PDI-2025-000014)
AMENDMENT TO CHAPTER 25, ARTICLE 1, ARTICLE 2, ARTICLE 4, ARTICLE 5,
AND ARTICLE 7 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS
AMENDED), RELATING TO ZONING DISTRICT REGULATIONS FOR MEETING
FACILITIES, CHURCHES, TEMPLES, SYNAGOGUES, AND COMMUNITY
BUILDINGS
PROPOSED REVISION

This report supplements the Planning Director’s Background and Recommendation Report previously submitted to the Windward and Leeward Planning Commission. It presents a minor revision to the proposed definition of “Event” under Hawai‘i County Code (HCC) Chapter 25 (Zoning).

PROPOSED AMENDMENTS HCC CHAPTER 25 (ZONING)

The Planning Director proposes the following amendment to the proposed definition of “Event.” (Additions are *italicized*)

Relating to the Definitions:

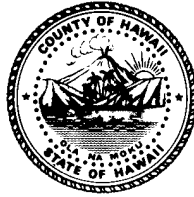
Section 25-1-5(b) is proposed to be amended by adding a new definition to read as follows:

““Event” means an assembly, generally by invitation or ticket purchase, that extends beyond the typical meeting facility *or residential use*, including but not limited to commercial weddings, wedding receptions, promotional events, and concerts.”

Reasons for the Amendment: The amendment to the proposed definition of “Event” will distinguish routine meeting facility or residential uses from larger gatherings. The inclusion of *residential use* ensures such events are properly regulated and not automatically allowed under existing meeting facility or residential use categories, supporting better land use enforcement and community compatibility.

Chapter 25 (Zoning) of the Hawai‘i County Code 1983 (2016 edition, as amended) is proposed to be amended as attached (**Planning Department Exhibit 1A**). (Material to be deleted is bracketed and struck through; material to be added is underscored)

COUNTY OF HAWAI‘I



STATE OF HAWAI‘I

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 1, ARTICLE 2, ARTICLE 4 ARTICLE 5, AND ARTICLE 7 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO ZONING DISTRICT REGULATIONS FOR MEETING FACILITIES, CHURCHES, TEMPLES, SYNAGOGUES, AND COMMUNITY BUILDINGS.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI‘I:

SECTION 1. Purpose. The purpose of this ordinance is to provide further clarification to the definition and requirements for meeting facilities, and to remove references to churches, temples, synagogues, and community buildings.

SECTION 2. Chapter 25, article 1, section 25-1-5, subsection (b) of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by repealing the definition for “community building”:

~~“[“Community building” means a public or privately owned building for civic, social, educational, cultural, and recreational activities which is not operated primarily for financial gain.]”~~

SECTION 3. Chapter 25, article 1, section 25-1-5, subsection (b) of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by adding a new definition to be appropriately inserted and to read as follows:

““Event” means an assembly, generally by invitation or ticket purchase, that extends beyond the typical meeting facility or residential use, including but not limited to commercial weddings, wedding receptions, promotional events, and concerts.”

SECTION 4. Chapter 25, article 1, section 25-1-5, subsection (b) of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending the definition for “meeting facility” to read as follows:

~~““Meeting facility” [means a permanent facility for nonprofit recreational, social or multi-purpose use, which has no overnight accommodations, and which may be for organizations operating on a membership basis for the promotion of members’ mutual interests or may be primarily intended for community purposes. Typical uses include private clubs, union halls, community centers, and student centers.]~~ means a facility or building site that is used for recreational, social, or multipurpose use, and may include a kitchen but has no transient accommodations. Typical uses include private clubs, union

halls, cultural, community and association centers, religious facilities such as places of worship, and student centers. This does not include schools or events.”

SECTION 5. Chapter 25, article 2, division 6, section 25-2-61 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended to read as follows:

- “(a) The following uses shall be permitted within designated County zoning districts only if a use permit is obtained for the use from the commission:
- (1) Bed and breakfast establishments in RS, RA, FA, and A districts, provided that the property is within the state land use urban district.
 - (2) Crematoriums, funeral homes, funeral services and mortuaries in RS, RD, RM, RCX, RA, FA, A and V districts.
 - ~~[(3) Churches, temples and synagogues, including meeting facilities for churches, temples, synagogues and other such institutions, in RS, RD, RM, RA, FA and A districts; provided that a minimum building site area of ten thousand square feet is required within the RS, RD, RM, and RA districts.]~~
 - [(4)](3) Day care centers in RS, RD, RM, RA, FA and A districts, provided that a minimum building site area of ten thousand square feet shall be required within the RS, RD, RM, and RA districts.
 - ~~[(5)]~~(4) Golf courses and related golf course uses including golf driving ranges, golf maintenance buildings, and golf club houses in the RS, RD, RM, RCX, RA, FA, A, V, CG, CV, and O districts, provided that the property is within the state land use urban or rural district. Golf courses and golf driving ranges shall not be permitted within the state land use agricultural district unless approved by the County before July 1, 2005.
 - ~~[(6)]~~(5) Group living facilities that exceed the criteria in subsection 25-1-5(b), paragraph (b) of the definition of “group living facility” in the RS, RD, RM, RCX, RA, FA, A, CN, CG, CV, and V districts.
 - ~~[(7)]~~(6) Hospitals, sanitariums, old age, convalescent, nursing and rest homes in the RS, RD, RM, RCX, RA, FA, A, and V districts, provided that a minimum building site area of ten thousand square feet shall be required within the RS, RD, RM, RCX and RA districts.
 - ~~[(8)]~~(7) Major outdoor amusement and recreation facilities in RCX, RA, A, CN, CG, CV, MCX, ML, MG and O districts.
 - ~~[(9)]~~(8) Medical clinics in RS, RD, RM, RA, FA, and A districts.
 - (9) Meeting facilities with events in RA, FA, and A districts.
 - (10) Schools in RS, RD, RM, RA, FA, A, V, MCX, ML, and MG districts, provided that a minimum building site area of ten thousand square feet shall be required within the RS, RD, RM, and RA districts.
 - (11) Telecommunication antennas and towers in RS, RD, RM, RCX, RA, FA, A, IA and O districts.
 - (12) Yacht harbors and boating facilities in the RS, RD, RM, RCX, RA, V, CG, CV, MCX, ML, MG and O districts.
 - (13) Wind energy facilities in the O district; provided that the property is within the state land use agricultural district.

- (14) Other unusual and reasonable uses which are not specifically permitted in any zoning district with the approval of the director and the concurrence of the council by resolution.
- (b) Any use which received an approval as a conditionally permitted use prior to September 25, 1984, or which received prior approval through the use permit process, is considered a legal use of the affected parcel and may be expanded or enlarged without obtaining another use permit, provided such expansion, enlargement or addition is in full compliance with this chapter and the applicable district regulations.
- (c) A use permit shall not be required for any use described in subsection (a) above, if a special permit is obtained for that use, pursuant to section 205-6, Hawai'i Revised Statutes.
- (d) A use permit shall not be required for meeting facilities and/or events operated in partnership with State or County agencies or conducted at State or County venues or facilities."

SECTION 6. Chapter 25, article 2, division 7, section 25-2-71 of the Hawai'i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (c) to read as follows:

- “(c) Plan approval shall be required in all applicable districts prior to the construction or establishment of the following improvements and uses:
 - (1) Meeting facilities, as permitted under Section 25-4-17 (Meeting Facilities).
 - ~~[(+)]~~(2) Public uses, structures and buildings ~~[and community buildings,]~~ as permitted under section 25-4-11.
 - ~~[(2)]~~(3) Telecommunication antennas and towers, as permitted under section 25-4-12.
 - ~~[(3)]~~(4) Temporary real estate offices and model homes, as permitted under section 25-4-8.
 - ~~[(4)]~~(5) Utility substations, as authorized under section 25-4-11.
 - (6) Events, as permitted under section 25-5-42."

SECTION 7. Chapter 25, article 4, division 1, section 25-4-11 of the Hawai'i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (c) to read as follows:

- “(c) Public uses, structures and buildings ~~[and community buildings]~~ are permitted uses in any district, provided that the director has issued plan approval for such use.”

SECTION 8. Chapter 25, article 4, division 1, of the Hawai'i County Code 1983 (2016 Edition, as amended) is amended by adding the following section to read as follows:

- “Section 25-4-17 Meeting Facilities.
- (a) A meeting facility can be established within a new or existing structure, or on a building site for recreational, social, cultural, or multipurpose use. The facility may include a kitchen.

- (b) A meeting facility may be used for organizations operating on a membership basis for the promotion of members' mutual interests or may be primarily intended for community purposes.
- (c) A meeting facility only applies on building sites that have gatherings more than two times per week with more than 25 attendees.
- (d) The hours of operation for meeting facilities shall start no earlier than 8:00 am and end no later than 9:00 pm.
- (e) A meeting facility can be established in a zoning district that permits such use, provided that the Director has issued plan approval.
- (f) A meeting facility shall be subject to technical review by the County Department of Public Works, County Fire Department, County Department of Water Supply and State Department of Health for compliance with current code and rule requirements."

SECTION 9. Chapter 25, article 4, division 5, section 25-4-51 of the Hawai'i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

- “(a) The number of parking spaces for each use shall be as follows:
- (1) Agricultural tourism: one for each three hundred square feet of gross floor area used principally for the agricultural tourism activity, but not fewer than three spaces, plus bus parking if buses are allowed.
 - (2) Bed and breakfast establishments: one for each guest bedroom, in addition to one for the dwelling unit.
 - (3) Bowling alleys: four for each alley.
 - (4) Commercial uses, including retail and office uses in RS, RD, RM, RCX, CN, CG, CV, MCX, V, RA, FA, A and IA districts: one for each three hundred square feet of gross floor area.
 - (5) Day care centers: one for each ten care recipients of design capacity or one for every two hundred square feet of gross floor area, whichever is greater.
 - (6) Dwellings, multiple-family: one and one quarter for each unit. In the CDH district, one for each unit on a property maintaining a unit density higher than one thousand square feet of land area per rentable unit or dwelling unit.
 - (7) Dwellings, single-family and double-family or duplex: two for each dwelling unit. In the CDH district, one for each unit on a property maintaining a unit density higher than one thousand square feet of land area per rentable unit or dwelling unit.
 - (8) Dwellings, single-family and double-family or duplex that are occupied for any period of less than one hundred eighty days: 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.
 - (9) Funeral homes, funeral services, mortuaries, and crematoriums: one for each seventy-five square feet of gross floor area.
 - (10) Golf courses: four for every hole.
 - (11) Hospitals: one for each bed.
 - (12) Hotels and lodges:

- (A) For hotel guest units without a kitchen, one for every three units;
- (B) For hotel guest units with a kitchen, one and one quarter for each unit.
- (13) Industrial uses in ML, MG, MCX, RA, FA, A and IA districts: one for each four hundred square feet of gross floor area.
- (14) Laundromats, cleaners (coin operated): one for every four machines.
- (15) Major outdoor amusement and recreation facilities: one for each two hundred square feet of gross floor area within enclosed buildings, plus one for every three persons that the outdoor facilities are designed to accommodate when used to the maximum capacity.
- (16) Meeting facilities [~~including churches~~]: one for each [~~seventy-five~~] one hundred fifty square feet of gross floor area[~~or seven people, whichever is greater.~~]
- (17) Nursing homes, convalescent homes, rest homes and homes for the elderly: one for every two beds.
- (18) Parks: as determined by the director.
- (19) Recreation facilities, outdoor or indoor, other than herein specified: one for each two hundred square feet of gross floor area, plus three per court (racquetball, tennis or similar activities).
- (20) Rooming and lodging houses, religious, fraternal or social orders having sleeping accommodations: one for each two beds.
- (21) Schools (elementary and intermediate): one for each twenty students of design capacity, plus one for each four hundred square feet of office floor space.
- (22) Schools (high, language, vocational, business, technical and trade, college): one for each ten students of design capacity, plus one for each four hundred square feet of office floor space.
- (23) Sports arenas, auditoriums, theaters, assembly halls: one for every four seats.
- (24) Swimming pools (community): one for each forty square feet of pool area.
- (25) Warehouse and bulk storage establishments where there is no trade or retail traffic: one for each one thousand square feet of gross floor area.”

SECTION 10. Chapter 25, article 5, division 1, section 25-5-3 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsections (a) and (b) to read as follows:

“(a) The following uses shall be permitted in the RS district:

- (1) Adult day care homes.
- (2) Apiaries.
- (3) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.

~~[(4) Community buildings, as permitted under section 25-4-11.]~~

~~[(5)]~~(4) Crop production.

~~[(6)]~~(5) Dwellings, single-family.

~~[(7)]~~(6) Family child care homes.

~~[(8)]~~(7) Group living facilities.

~~[(9)]~~(8) Home occupations, as permitted under section 25-4-13.

~~[(10)]~~(9) Meeting facilities[~~or seven people, whichever is greater.~~], as permitted under section 25-4-17.

- ~~[(11)]~~(10) Model homes, as permitted under section 25-4-8.
- ~~[(12)]~~(11) Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- ~~[(13)]~~(12) Public uses and structures, as permitted under section 25-4-11.
- ~~[(14)]~~(13) Short-term vacation rentals situated in the general plan resort and resort node areas.
- ~~[(15)]~~(14) Temporary real estate offices, as permitted under section 25-4-8.
- ~~[(16)]~~(15) Utility substations, as permitted under section 25-4-11.
- (b) In addition to those uses permitted under subsection (a) above, the following uses may be permitted in the RS district, provided that a use permit is issued for each use:
 - (1) Bed and breakfast establishments as permitted under section 25-4-7.
 - (2) Care homes.
 - ~~[(3)]~~ Churches, temples and synagogues.
 - ~~[(4)]~~(3) Crematoriums, funeral homes, funeral services, and mortuaries.
 - ~~[(5)]~~(4) Day care centers.
 - ~~[(6)]~~(5) Golf courses and related golf course uses, including golf driving ranges, golf maintenance buildings and golf club houses, provided that the property is within the state land use urban or rural district. Golf courses and golf driving ranges shall not be permitted within the state land use agricultural district unless approved by the County before July 1, 2005.
 - ~~[(7)]~~(6) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - ~~[(8)]~~(7) Medical clinics.
 - ~~[(9)]~~(8) Schools.
 - ~~[(10)]~~(9) Telecommunication antennas and towers.
 - ~~[(11)]~~(10) Yacht harbors and boating facilities.”

SECTION 11. Chapter 25, article 5, division 2, section 25-5-22 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsections (a) and (b) to read as follows:

- “(a) The following uses shall be permitted in the RD district:
 - (1) Adult day care homes.
 - (2) Apiaries.
 - (3) Bed and breakfast establishments as permitted under section 25-4-7.
 - (4) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - ~~[(5)]~~ Community buildings, as permitted under section 25-4-11.
 - ~~[(6)]~~(5) Crop production.
 - ~~[(7)]~~(6) Dwellings, double-family or duplex.
 - ~~[(8)]~~(7) Dwellings, single-family.
 - ~~[(9)]~~(8) Family child care homes.
 - ~~[(10)]~~(9) Group living facilities.
 - ~~[(11)]~~(10) Home occupations, as permitted under section 25-4-13.
 - ~~[(12)]~~(11) Meeting facilities[-], as permitted under section 25-4-17.
 - ~~[(13)]~~(12) Model homes, as permitted under section 25-4-8.

- ~~[(14)]~~(13) Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- ~~[(15)]~~(14) Public uses and structures, as permitted under section 25-4-11.
- ~~[(16)]~~(15) Short-term vacation rentals situated in the general plan resort and resort node areas.
- ~~[(17)]~~(16) Temporary real estate offices, as permitted under section 25-4-8.
- ~~[(18)]~~(17) Utility substations, as permitted under section 25-4-11.
- (b) In addition to those uses permitted under subsection (a) above, the following uses may be permitted in the RD district, provided that a use permit is issued for each use:
 - (1) Care homes.
 - ~~[(2)]~~Churches, temples and synagogues.]
 - ~~[(3)]~~(2) Crematoriums, funeral homes, funeral services, and mortuaries.
 - ~~[(4)]~~(3) Day care centers.
 - ~~[(5)]~~(4) Golf courses and related golf course uses, including golf driving ranges, golf maintenance buildings and golf club houses, provided that the property is within the state land use urban or rural district. Golf courses and golf driving ranges shall not be permitted within the state land use agricultural district unless approved by the County before July 1, 2005.
 - ~~[(6)]~~(5) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - ~~[(7)]~~(6) Medical clinics.
 - ~~[(8)]~~(7) Schools.
 - ~~[(9)]~~(8) Telecommunication antennas and towers.
 - ~~[(10)]~~(9) Yacht harbors and boating facilities.”

SECTION 12. Chapter 25, article 5, division 3, section 25-5-32 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsections (a) and (b) to read as follows:

- “(a) The following uses shall be permitted in the RM district:
- (1) Adult day care homes.
 - (2) Apiaries.
 - (3) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (4) Boarding facilities, rooming, or lodging houses.
 - (5) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - (6) Commercial or personal service uses, on a small scale, as approved by the director, provided that the total gross floor area does not exceed one thousand two hundred square feet and a maximum of five employees.
 - ~~[(7)]~~Community buildings, as permitted under section 25-4-11.]
 - ~~[(8)]~~(7) Crop production.
 - ~~[(9)]~~(8) Dwellings, double-family or duplex.
 - ~~[(10)]~~(9) Dwellings, multiple-family.
 - ~~[(11)]~~(10) Dwellings, single-family.
 - ~~[(12)]~~(11) Family child care homes.
 - ~~[(13)]~~(12) Group living facilities.
 - ~~[(14)]~~(13) Home occupations, as permitted under section 25-4-13.

- ~~[(15)]~~(14) Meeting facilities~~[-]~~, as permitted under section 25-4-17.
- ~~[(16)]~~(15) Model homes, as permitted under section 25-4-8.
- ~~[(17)]~~(16) Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- ~~[(18)]~~(17) Public uses and structures, as permitted under section 25-4-11.
- ~~[(19)]~~(18) Short-term vacation rentals situated in any of the following:
 - (A) General plan resort and resort node areas.
 - (B) Outside the general plan resort and resort node areas, in multiple family dwellings within a condominium property regime as defined and governed by chapters 514A or 514B, Hawai‘i Revised Statutes.
- ~~[(20)]~~(19) Temporary real estate offices, as permitted under section 25-4-8.
- ~~[(21)]~~(20) Time share units situated in any of the following:
 - (A) Areas designated as resort under the general plan land use pattern allocation guide (LUPAG) map.
 - (B) Areas determined by the director to be within resort areas identified by the general plan land use element, except for retreat resort areas.
 - (C) Areas determined for such use by the council, by resolution.
- ~~[(22)]~~(21) Utility substations, as permitted under section 25-4-11.
- (b) In addition to those uses permitted under subsection (a) above, the following uses may be permitted in the RM district, provided that a use permit is issued for each use:
 - (1) Care homes.
 - ~~[(2) Churches, temples and synagogues.]~~
 - ~~[(3)]~~(2) Crematoriums, funeral homes, funeral services, and mortuaries.
 - ~~[(4)]~~(3) Day care centers.
 - ~~[(5)]~~(4) Golf courses and related golf course uses, including golf driving ranges, golf maintenance buildings and golf club houses, provided that the property is within the state land use urban or rural district. Golf courses and golf driving ranges shall not be permitted within the state land use agricultural district unless approved by the County before July 1, 2005.
 - ~~[(6)]~~(5) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - ~~[(7)]~~(6) Medical clinics.
 - ~~[(8)]~~(7) Schools.
 - ~~[(9)]~~(8) Telecommunication antennas and towers.
 - ~~[(10)]~~(9) Yacht harbors and boating facilities.”

SECTION 13. Chapter 25, article 5, division 4, section 25-5-42 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

- “(a) The following uses shall be permitted in the RCX district:
- (1) Adult day care homes.
 - (2) Apiaries.
 - (3) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (4) Boarding facilities, rooming, or lodging houses.
 - (5) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - ~~[(6) Churches, temples and synagogues.]~~

- ~~[(7)]~~(6) Commercial or personal service uses, on a small scale, as approved by the director.
- ~~[(8)]~~~~Community buildings, as permitted under section 25-4-11.]~~
- ~~[(9)]~~(7) Convenience stores.
- ~~[(10)]~~(8) Crop production.
- ~~[(11)]~~(9) Day care centers.
- ~~[(12)]~~(10) Dwellings, double-family or duplex.
- ~~[(13)]~~(11) Dwellings, multiple-family.
- ~~[(14)]~~(12) Dwellings, single-family.
- ~~[(15)]~~(13) Family child care homes.
- ~~[(16)]~~(14) Group living facilities.
- ~~[(17)]~~(15) Home occupations, as permitted under section 25-4-13.
- ~~[(18)]~~(16) Medical clinics.
- ~~[(19)]~~(17) Meeting facilities~~[-]~~, as permitted under section 25-4-17.
- ~~[(20)]~~(18) Model homes, as permitted under section 25-4-8.
- ~~[(21)]~~(19) Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- ~~[(22)]~~(20) Public uses and structures, as permitted under section 25-4-11.
- ~~[(23)]~~(21) Restaurants.
- ~~[(24)]~~(22) Schools.
- ~~[(25)]~~(23) Short-term vacation rentals situated in the general plan resort and resort node areas.
- ~~[(26)]~~(24) Utility substations, as permitted under section 25-4-11.”

SECTION 14. Chapter 25, article 5, division 5, section 25-5-52 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (c) and (d) to read as follows:

- “(c) The following uses may be permitted in the RA district, provided that if a building site is located within the State land use rural district, the following uses may be permitted if a special permit is obtained for such use:
 - (1) Bed and breakfast establishments, as permitted under section 25-4-7.
 - ~~[(2)]~~~~Community buildings, as permitted under section 25-4-11.]~~
 - ~~[(3)]~~(2) Country clubs, tennis clubs and other similar recreational facilities which include buildings or indoor recreational features.
 - ~~[(4)]~~(3) Drive-in theaters.
 - ~~[(5)]~~(4) Guest ranches.
 - ~~[(6)]~~(5) Home occupations, as permitted under section 25-4-13.
 - ~~[(8)]~~~~Meeting facilities.]~~
 - ~~[(9)]~~(6) Model homes, as permitted under section 25-4-8.
 - ~~[(10)]~~(7) Temporary real estate offices, as permitted under section 25-4-8.
 - ~~[(11)]~~(8) Uses, other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai‘i Revised Statutes.
- (d) The following uses may be permitted in the RA district, provided that either a use permit is issued for each use if the building site is within the State land use urban district or a special permit is issued for each use if the building site is within the State land use rural district:

- (1) Bed and breakfast establishments, as permitted under section 25-4-7.
- (2) Crematoriums, funeral homes, funeral services, and mortuaries.
- ~~[(3) Churches, temples and synagogues.]~~
- ~~[(4)]~~(3) Day care centers.
- ~~[(5)]~~(4) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
- ~~[(6)]~~(5) Major outdoor amusement and recreation facilities, includes stadiums, sports arenas, and other similar open air recreational uses.
- ~~[(7)]~~(6) Medical Clinics.
- (7) Meeting facilities, including events, as permitted under section 25-4-17.
- (8) Schools.
- (9) Yacht harbors and boating facilities.”

SECTION 15. Chapter 25, article 5, division 6, section 25-5-62 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (c) and (d) to read as follows:

- “(c) The following uses may be permitted in the FA district, provided that a special permit is obtained for such use if the building site is located within the State land use agricultural district:
 - (1) Adult day care homes.
 - (2) Bed and breakfast establishments, as permitted under section 25-4-7.
 - ~~[(3) Community buildings, as permitted under section 25-4-11.]~~
 - ~~[(4)]~~(3) Family child care homes.
 - ~~[(5)]~~(4) Home occupations, as permitted under section 25-4-13.
 - ~~[(6) Meeting facilities.]~~
 - ~~[(7)]~~(5) Model homes, as permitted under section 25-4-8.
 - ~~[(8)]~~(6) Public uses and structures, other than those necessary for agricultural practices, as provided under section 25-4-11.
 - ~~[(9)]~~(7) Temporary real estate offices, as permitted under section 25-4-8.
 - ~~[(10)]~~(8) Uses, other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai‘i Revised Statutes.
- (d) The following uses may be permitted in the FA district, provided that either a use permit is issued for each use if the building site is outside of the State land use agricultural district or a special permit is issued for each use if the building site is within the State land use agricultural district:
 - (1) Bed and breakfast establishments, as permitted under section 25-4-7.
 - ~~[(2) Churches, temples and synagogues.]~~
 - ~~[(3)]~~(2) Crematoriums, funeral homes, funeral services, and mortuaries.
 - ~~[(4)]~~(3) Day care centers.
 - ~~[(5)]~~(4) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - ~~[(6)]~~(5) Major outdoor amusement and recreation facilities, includes stadiums, sports arenas, and other similar open air recreational uses.
 - ~~[(7)]~~(6) Medical clinics.
 - (7) Meeting Facilities, including events, as permitted under section 25-4-17.
 - (8) Schools.”

SECTION 16. Chapter 25, article 5, division 7, section 25-5-72 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (c) and (d) to read as follows:

- “(c) The following uses may be permitted in the A district, provided that a special permit is obtained for such use if the building site is located within the State land use agricultural district:
- (1) Adult day care homes.
 - (2) Airfields, heliports, and private landing strips.
 - (3) Bed and breakfast establishments, as permitted under section 25-4-7.
 - ~~[(4) Community buildings, as permitted under section 25-4-11.]~~
 - ~~[(5)]~~(4) Excavation or removal of natural building material or minerals, for commercial use.
 - ~~[(6)]~~(5) Family child care homes.
 - ~~[(7)]~~(6) Guest ranches.
 - ~~[(8)]~~(7) Home occupations, as permitted under section 25-4-13.
 - ~~[(9)]~~(8) Lodges.
 - ~~[(10) Meeting facilities.]~~
 - ~~[(11)]~~(9) Model homes, as permitted under section 25-4-8.
 - ~~[(12)]~~(10) Public dumps.
 - ~~[(13)]~~(11) Public uses and structures, other than those necessary for agricultural practices, as provided under section 25-4-11.
 - ~~[(14)]~~(12) Temporary real estate offices, as permitted under section 25-4-8.
 - ~~[(15)]~~(13) Trailer parks with density of three thousand five hundred square feet of land area per trailer, provided that plan approval is secured prior to commencing such use.
 - ~~[(16)]~~(14) Uses, other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai‘i Revised Statutes.
- (d) The following uses may be permitted in the A district, provided that either a use permit is issued for each use if the building site is outside of the State land use agricultural district or a special permit is issued for each use if the building site is within the State land use agricultural district:
- (1) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (2) Crematoriums, funeral homes, funeral services, and mortuaries.
 - ~~[(3) Churches, temples and synagogues.]~~
 - ~~[(4)]~~(3) Day care centers.
 - ~~[(5)]~~(4) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - ~~[(6)]~~(5) Major outdoor amusement and recreation facilities.
 - ~~[(7)]~~(6) Medical clinics.
 - (7) Meeting Facilities, including events, as permitted under section 25-4-17.
 - (8) Schools.”

SECTION 17. Chapter 25, article 5, division 8, section 25-5-82 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (c) to read as follows:

- “(c) The following uses may be permitted in the IA districts, provided that a special

permit is obtained for such use:

- (1) Crematoriums, funeral homes, funeral services, and mortuaries.
- ~~[(2) Churches, temples, or synagogues.]~~
- ~~[(3) Community buildings as permitted under section 25-4-11.]~~
- ~~[(4)]~~(2) Day care centers.
- ~~[(5)]~~(3) Hospitals.
- (4) Meeting Facilities, including events, as permitted under section 25-4-17.
- ~~[(6)]~~(5) Public uses and structures, other than those necessary for agricultural purposes, as permitted under section 25-4-11.
- ~~[(7)]~~(6) Uses other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai‘i Revised Statutes.”

SECTION 18. Chapter 25, article 5, division 9, section 25-5-92 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

“(a) The following uses shall be permitted in the V district:

- (1) Adult day care homes.
- (2) Amusement and recreational facilities, indoor.
- (3) Apiaries.
- (4) Art galleries, museums.
- (5) Automobile service stations.
- (6) Bars, night clubs and cabarets.
- (7) Bed and breakfast establishments, as permitted under section 25-4-7.
- (8) Business services.
- (9) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
- ~~[(10) Churches, temples, and synagogues.]~~
- ~~[(11)]~~(10) Commercial parking lots and garages.
- ~~[(12) Community buildings, as permitted under section 25-4-11.]~~
- ~~[(13)]~~(11) Day care centers.
- ~~[(14)]~~(12) Dwellings, double-family or duplex.
- ~~[(15)]~~(13) Dwellings, multiple-family.
- ~~[(16)]~~(14) Dwellings, single-family.
- ~~[(17)]~~(15) Family child care homes.
- ~~[(18)]~~(16) Financial institutions.
- ~~[(19)]~~(17) Group living facilities.
- ~~[(20)]~~(18) Home occupations, as permitted under section 25-4-13.
- ~~[(21)]~~(19) Hotels.
- ~~[(22)]~~(20) Lodges.
- ~~[(23)]~~(21) Medical clinics.
- ~~[(24)]~~(22) Meeting facilities[.]including events, as permitted under section 25-4-17.
- ~~[(25)]~~(23) Major outdoor amusement and recreation facilities.
- ~~[(26)]~~(24) Model homes, as permitted under section 25-4-8.
- ~~[(27)]~~(25) Parks, playgrounds, tennis courts, swimming pools, and other similar open area recreational facilities.
- ~~[(28)]~~(26) Personal services.

~~[(29)]~~(27) Photography studios.
~~[(30)]~~(28) Public uses and structures, as permitted under section 25-4-11.
~~[(31)]~~(29) Restaurants.
~~[(32)]~~(30) Retail establishments.
~~[(33)]~~(31) Short-term vacation rentals.
~~[(34)]~~(32) Telecommunication antennas, as permitted under section 25-4-12.
~~[(35)]~~(33) Temporary real estate offices, as permitted under section 25-4-8.
~~[(36)]~~(34) Theaters.
~~[(37)]~~(35) Time share units.
~~[(38)]~~(36) Utility substations, as permitted under section 25-4-11.
~~[(39)]~~(37) Visitor information centers.”

SECTION 19. Chapter 25, article 5, division 10, section 25-5-102 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

“(a) The following uses shall be permitted in the CN district:

- (1) Adult day care homes.
- (2) Amusement and recreation facilities, indoor.
- (3) Apiaries.
- (4) Automobile service stations.
- (5) Bed and breakfast establishments, as permitted under section 25-4-7.
- (6) Boarding facilities, rooming, or lodging houses, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
- (7) Business services.
- (8) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
- ~~[(9) Churches, temples and synagogues.~~
- ~~[(10) Community buildings, as permitted under section 25-4-11.]~~
- ~~[(11)]~~(9) Convenience stores.
- ~~[(12)]~~(10) Crematoriums, funeral homes, funeral services, and mortuaries.
- ~~[(13)]~~(11) Crop production.
- ~~[(14)]~~(12) Day care centers.
- ~~[(15)]~~(13) Dwellings, double-family or duplex, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
- ~~[(16)]~~(14) Dwellings, multiple-family, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
- ~~[(17)]~~(15) Dwellings, single-family.
- ~~[(18)]~~(16) Family child care homes.
- ~~[(19)]~~(17) Farmers markets. When the vending activity in a farmers market involves more than just the sale of local fresh and/or raw produce, plant life, fish and local homegrown and homemade products for more than two days a week, the director, at the time of plan approval, shall restrict the hours of use,

maintenance and operations and may require improvements as determined appropriate to ensure its compatibility with the existing character of the surrounding area.

- ~~[(20)]~~(18) Financial institutions.
- ~~[(21)]~~(19) Group living facilities.
- ~~[(22)]~~(20) Home occupations, as permitted under section 25-4-13.
- ~~[(23)]~~(21) Medical clinics.
- ~~[(24)]~~(22) Meeting facilities~~[-]~~including events, as permitted under section 25-4-17.
- ~~[(25)]~~(23) Model homes, as permitted under section 25-4-8.
- ~~[(26)]~~(24) Museums.
- ~~[(27)]~~(25) Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- ~~[(28)]~~(26) Offices.
- ~~[(29)]~~(27) Personal services.
- ~~[(30)]~~(28) Photography studios.
- ~~[(31)]~~(29) Public uses and structures, as permitted under section 25-4-11.
- ~~[(32)]~~(30) Repair establishments, minor.
- ~~[(33)]~~(31) Restaurants.
- ~~[(34)]~~(32) Retail establishments.
- ~~[(35)]~~(33) Schools.
- ~~[(36)]~~(34) Short-term vacation rentals situated in the general plan resort and resort node areas.
- ~~[(37)]~~(35) Telecommunication antennas, as permitted under section 25-4-12.
- ~~[(38)]~~(36) Theaters.
- ~~[(39)]~~(37) Utility substations as permitted under section 25-4-11.”

SECTION 20. Chapter 25, article 5, division 11, section 25-5-112 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

- “(a) The following uses shall be permitted uses in the CG district:
- (1) Adult day care homes.
 - (2) Amusement and recreation facilities, indoor.
 - (3) Apiaries.
 - (4) Art galleries, museums.
 - (5) Art studios.
 - (6) Automobile service stations.
 - (7) Automobile sales and rentals.
 - (8) Bars, nightclubs and cabarets.
 - (9) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (10) Boarding facilities, rooming, or lodging houses, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
 - (11) Broadcasting stations.
 - (12) Business services.

- (13) Car washing, provided that if it is mechanized, sound attenuated structures or sound attenuated walls shall be erected and maintained on the property lines.
- (14) Catering establishments.
- (15) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
- ~~[(16) Churches, temples and synagogues.]~~
- ~~[(17)](16)~~ Cleaning plants using only nonflammable hydrocarbons in a sealed unit as the cleansing agent.
- ~~[(18)](17)~~ Commercial parking lots and garages.
- ~~[(19) Community buildings, as permitted under section 25-4-11.]~~
- ~~[(20)](18)~~ Convenience stores.
- ~~[(21)](19)~~ Crematoriums, funeral homes, funeral services, and mortuaries.
- ~~[(22)](20)~~ Crop production.
- ~~[(23)](21)~~ Day care centers.
- ~~[(24)](22)~~ Display rooms for products sold elsewhere.
- ~~[(25)](23)~~ Dwellings, double-family or duplex, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
- ~~[(26)](24)~~ Dwellings, multiple-family, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
- ~~[(27)](25)~~ Dwellings, single-family.
- ~~[(28)](26)~~ Equipment sales and rental yards, and other yards where retail products are displayed in the open.
- ~~[(29)](27)~~ Family child care homes.
- ~~[(30)](28)~~ Farmers markets. When the vending activity in a farmers market involves more than just the sale of local fresh and/or raw produce, plant life, fish and local homegrown and homemade products for more than two days a week, the director, at the time of plan approval, shall restrict the hours of use, maintenance and operations and may require improvements as determined appropriate to ensure its compatibility with the existing character of the surrounding area.
- ~~[(31)](29)~~ Financial institutions.
- ~~[(32)](30)~~ Group living facilities.
- ~~[(33)](31)~~ Home occupations, as permitted under section 25-4-13.
- ~~[(34)](32)~~ Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
- ~~[(35)](33)~~ Hotels.
- ~~[(36)](34)~~ Ice storage and dispensing facilities.
- ~~[(37)](35)~~ Laboratories, medical and research.
- ~~[(38)](36)~~ Laundries.
- ~~[(39)](37)~~ Light manufacturing, processing and packaging, where the only retail sales outlet for products produced is on the premises where produced.
- ~~[(40)](38)~~ Medical clinics.
- ~~[(41)](39)~~ Meeting facilities~~[-]~~including events, as permitted under section 25-4-17.
- ~~[(42)](40)~~ Model homes, as permitted under section 25-4-8.
- ~~[(43)](41)~~ Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.

~~[(44)]~~(42) Offices.
~~[(45)]~~(43) Personal services.
~~[(46)]~~(44) Photography studios.
~~[(47)]~~(45) Public uses and structures, as permitted under section 25-4-11.
~~[(48)]~~(46) Printing shops, cartographing and duplicating processes such as
blueprinting or photostating shops.
~~[(49)]~~(47) Repair establishments, minor.
~~[(50)]~~(48) Restaurants.
~~[(51)]~~(49) Retail establishments.
~~[(52)]~~(50) Schools.
~~[(53)]~~(51) Short-term vacation rentals.
~~[(54)]~~(52) Telecommunication antennas, as permitted under section 25-4-12.
~~[(55)]~~(53) Theaters.
~~[(56)]~~(54) Time share units.
~~[(57)]~~(55) Utility substations, as permitted under section 25-4-11.
~~[(58)]~~(56) Veterinary establishments.”

SECTION 21. Chapter 25, article 5, division 12, section 25-5-122 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

- “(a) The following uses shall be permitted in the CV district:
- (1) Adult day care homes.
 - (2) Amusement and recreation facilities, indoor.
 - (3) Apiaries.
 - (4) Art galleries, museums.
 - (5) Automobile sales and rentals.
 - (6) Automobile service stations.
 - (7) Bars.
 - (8) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (9) Boarding facilities, rooming, or lodging houses, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
 - (10) Business services.
 - (11) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - ~~[(12) Churches, temples and synagogues.]~~
 - ~~[(13)]~~(12) Commercial parking lots and garages.
 - ~~[(14) Community buildings, as permitted under section 25-4-11.]~~
 - ~~[(15)]~~(13) Convenience stores.
 - ~~[(16)]~~(14) Crematoriums, funeral homes, funeral services, and mortuaries.
 - ~~[(17)]~~(15) Crop production.
 - ~~[(18)]~~(16) Day care centers.
 - ~~[(19)]~~(17) Dwellings, double-family or duplex, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.

- ~~[(20)]~~[(18)] Dwellings, multiple-family, provided that the maximum density shall be one thousand two hundred fifty square feet of land area per rentable unit or dwelling unit.
- ~~[(21)]~~[(19)] Dwellings, single-family.
- ~~[(22)]~~[(20)] Family child care homes.
- ~~[(23)]~~[(21)] Farmers markets. When the vending activity in a farmers market involves more than just the sale of local fresh and/or raw produce, plant life, fish and local homegrown and homemade products for more than two days a week, the director, at the time of plan approval, shall restrict the hours of use, maintenance and operations and may require improvements as determined appropriate to ensure its compatibility with the existing character of the surrounding area.
- ~~[(24)]~~[(22)] Financial institutions.
- ~~[(25)]~~[(23)] Group living facilities.
- ~~[(26)]~~[(24)] Home occupations, as permitted under section 25-4-13.
- ~~[(27)]~~[(25)] Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
- ~~[(28)]~~[(26)] Hotels, when the design and use conform to the character of the area, as approved by the director.
- ~~[(29)]~~[(27)] Laboratories, medical and research.
- ~~[(30)]~~[(28)] Lodges.
- ~~[(31)]~~[(29)] Manufacturing, processing and packaging light and general, except for concrete or asphalt products, where the products are distributed to retail establishments located in the immediate community, as approved by the director.
- ~~[(32)]~~[(30)] Medical clinics.
- ~~[(33)]~~[(31)] Meeting facilities~~[-]~~including events, as permitted under section 25-4-17.
- ~~[(34)]~~[(32)] Model homes, as permitted under section 25-4-8.
- ~~[(35)]~~[(33)] Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- ~~[(36)]~~[(34)] Offices.
- ~~[(37)]~~[(35)] Personal services.
- ~~[(38)]~~[(36)] Photography studios.
- ~~[(39)]~~[(37)] Public uses and structures, as permitted under section 25-4-11.
- ~~[(40)]~~[(38)] Publishing plants for newspapers, books and magazines, printing shops, cartographing, and duplicating processes such as blueprinting or photostating shops, which are designed to primarily serve the local area.
- ~~[(41)]~~[(39)] Repair establishments, major, when there are not more than five employees, as approved by the director.
- ~~[(42)]~~[(40)] Repair establishments, minor.
- ~~[(43)]~~[(41)] Restaurants.
- ~~[(44)]~~[(42)] Retail establishments.
- ~~[(45)]~~[(43)] Schools.
- ~~[(46)]~~[(44)] Short-term vacation rentals.
- ~~[(47)]~~[(45)] Telecommunication antennas, as permitted under section 25-4-12.
- ~~[(48)]~~[(46)] Temporary real estate offices, as permitted under section 25-4-8.
- ~~[(49)]~~[(47)] Theaters.

~~[(50)]~~(48) Utility substations, as permitted under section 25-4-11.”

SECTION 22. Chapter 25, article 5, division 13, section 25-5-132 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

“(a) The following uses shall be permitted in the MCX district:

- (1) Agricultural products processing, minor.
- (2) Amusement and recreation facilities, indoor.
- (3) Apiaries.
- (4) Art galleries, museums.
- (5) Art studios.
- (6) Automobile sales and rentals.
- (7) Automobile service stations.
- (8) Bars, nightclubs and cabarets.
- (9) Broadcasting stations.
- (10) Business services.
- (11) Car washing.
- (12) Catering establishments.
- (13) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.

~~[(14) Churches, temples and synagogues.]~~

~~[(15)]~~(14) Cleaning plants using only nonflammable hydrocarbons in a sealed unit as the cleaning agent.

~~[(16)]~~(15) Commercial parking lots and garages.

~~[(17) Community buildings, as permitted under section 25-4-11.]~~

~~[(18)]~~(16) Convenience stores.

~~[(19)]~~(17) Crematoriums, funeral homes, funeral services, and mortuaries.

~~[(20)]~~(18) Data processing facilities.

~~[(21)]~~(19) Display rooms for products sold elsewhere.

~~[(22)]~~(20) Equipment sales and rental yards.

~~[(23)]~~(21) Farmers markets.

~~[(24)]~~(22) Financial institutions.

~~[(25)]~~(23) Food manufacturing and processing.

~~[(26)]~~(24) Home improvement centers.

~~[(27)]~~(25) Ice storage and dispensing facilities.

~~[(28)]~~(26) Kennels in sound-attenuated buildings.

~~[(29)]~~(27) Laboratories, medical and research.

~~[(30)]~~(28) Laundries.

~~[(31)]~~(29) Manufacturing, processing and packaging establishments, light.

~~[(32)]~~(30) Medical clinics.

~~[(33)]~~(31) Meeting facilities~~[-]~~including events, as permitted under section 25-4-17.

~~[(34)]~~(32) Model homes.

~~[(35)]~~(33) Motion picture and television production studios.

~~[(36)]~~(34) Offices.

~~[(37)]~~(35) Personal services.

~~[(38)]~~(36) Photographic processing.
~~[(39)]~~(37) Photography studios.
~~[(40)]~~(38) Plant nurseries.
~~[(41)]~~(39) Public uses and structures, as permitted under section 25-4-11.
~~[(42)]~~(40) Publishing plants for newspapers, books and magazines, printing shops, cartographing, and duplicating processes such as blueprinting or photostating shops.
~~[(43)]~~(41) Repair establishments, minor.
~~[(44)]~~(42) Restaurants.
~~[(45)]~~(43) Retail establishments.
~~[(46)]~~(44) Sales and service of machinery used in agricultural production.
~~[(47)]~~(45) Schools, business.
~~[(48)]~~(46) Schools, photography, art, music and dance.
~~[(49)]~~(47) Schools, vocational.
~~[(50)]~~(48) Self-storage facilities.
~~[(51)]~~(49) Telecommunications antennas, as permitted under section 25-4-12.
~~[(52)]~~(50) Temporary real estate offices, as permitted under section 25-4-8.
~~[(53)]~~(51) Theaters.
~~[(54)]~~(52) Utility substations, as permitted under section 25-4-11.
~~[(55)]~~(53) Veterinary establishments in sound-attenuated buildings.
~~[(56)]~~(54) Warehousing.
~~[(57)]~~(55) Wholesaling and distribution operations.”

SECTION 23. Chapter 25, article 5, division 14, section 25-5-142 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

- “(a) The following uses shall be permitted in the ML district:
- (1) Agricultural products processing, minor.
 - (2) Airfields, heliports and private landing strips.
 - (3) Amusement and recreation facilities, indoor.
 - (4) Animal hospitals.
 - (5) Animal quarantine stations.
 - (6) Apiaries.
 - (7) Aquaculture activities.
 - (8) Automobile and truck storage facilities.
 - (9) Automobile and truck sales and rentals.
 - (10) Automobile service stations.
 - (11) Bakeries.
 - (12) Bars.
 - (13) Broadcasting stations.
 - (14) Car washing.
 - (15) Carpentry, hardwood products and furniture manufacturing and storage establishments.
 - (16) Catering establishments.

- (17) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
- ~~[(18) Churches, temples and synagogues.]~~
- ~~[(19)]~~(18) Cleaning and dyeing plants.
- ~~[(20)]~~(19) Commercial parking lots and garages.
- ~~[(21) Community buildings, as permitted under section 25-4-11.]~~
- ~~[(22)]~~(20) Contractors' yards for equipment, material, and vehicle storage, repair, or maintenance.
- ~~[(23)]~~(21) Crematoriums, funeral homes, funeral services, and mortuaries.
- ~~[(24)]~~(22) Day care centers.
- ~~[(25)]~~(23) Financial institutions.
- ~~[(26)]~~(24) Food manufacturing and processing facilities.
- ~~[(27)]~~(25) Greenhouses, plant nurseries.
- ~~[(28)]~~(26) Heavy equipment sales, service and rental.
- ~~[(29)]~~(27) Home improvement centers.
- ~~[(30)]~~(28) Junkyards, provided that the building site is not less than one acre in area.
- ~~[(31)]~~(29) Laboratories, medical and research.
- ~~[(32)]~~(30) Laundries.
- ~~[(33)]~~(31) Lumberyards and building material yards, but not including concrete or asphalt mixing and the fabrication by riveting or welding of steel building frames.
- ~~[(34)]~~(32) Manufacturing, processing and packaging establishments, light.
- (33) Meeting facilities including events, as permitted under section 25-4-17.
- ~~[(35)]~~(34) Motion picture and television production studios.
- ~~[(36)]~~(35) Photographic processing.
- ~~[(37)]~~(36) Plumbing, electrical, air conditioning and heating establishments.
- ~~[(38)]~~(37) Primary airports, provided that plan approval is secured from the director.
- ~~[(39)]~~(38) Public uses and structures, as permitted under section 25-4-11.
- ~~[(40)]~~(39) Publishing plants for newspapers, books and magazines, printing shops, cartographing, and duplicating processes such as blueprinting or photostating shops.
- ~~[(41)]~~(40) Recycling centers, which do not involve the processing of recyclable materials.
- ~~[(42)]~~(41) Repair establishments, minor.
- ~~[(43)]~~(42) Restaurants.
- ~~[(44)]~~(43) Self storage facilities.
- ~~[(45)]~~(44) Storage and sale of seed, feed, fertilizer and other products essential to agricultural production.
- ~~[(46)]~~(45) Telecommunication antennas, as permitted under section 25-4-12.
- ~~[(47)]~~(46) Temporary real estate offices, as permitted under section 25-4-8.
- ~~[(48)]~~(47) Transportation and tour terminals.
- ~~[(49)]~~(48) Truck, freight and draying terminals.
- ~~[(50)]~~(49) Utility facilities, public and private, including offices or yards for equipment, material, vehicle storage, repair or maintenance.

- ~~[(51)]~~(50) Utility substations, as permitted under section 25-4-11.
- ~~[(52)]~~(51) Veterinary establishments.
- ~~[(53)]~~(52) Vocational schools.
- ~~[(54)]~~(53) Warehousing, which does not include retail sales or discount houses or establishments open to the general public or defined members.
- ~~[(55)]~~(54) Wholesaling and distribution, including the storage of incidental materials and equipment, except for highly flammable or explosive products.”

SECTION 24. Chapter 25, article 5, division 15, section 25-5-152 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

“(a) The following uses shall be permitted in the MG district:

- (1) Agricultural products processing, major and minor.
- (2) Airfields, heliports and private landing strips.
- (3) Amusement and recreation facilities, indoor.
- (4) Animal hospitals.
- (5) Animal quarantine stations.
- (6) Animal sales, stock, and feed yards.
- (7) Apiaries.
- (8) Aquaculture activities and facilities.
- (9) Automobile and truck storage facilities.
- (10) Automobile body and fender establishments.
- (11) Automobile service stations.
- (12) Bakeries.
- (13) Bars.
- (14) Breweries, distilleries, and alcohol manufacturing facilities.
- (15) Broadcasting stations.
- (16) Bulk storage of flammable products and bulk storage of explosive products.
- (17) Car washing.
- (18) Catering establishments.
- (19) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
- ~~[(20) Churches, temples and synagogues.]~~
- ~~[(21)]~~(20) Cleaning and dyeing plants.
- ~~[(22)]~~(21) Commercial parking lots and garages.
- ~~[(23) Community buildings, as permitted under section 25-4-11.]~~
- ~~[(24)]~~(22) Concrete or asphalt batching and mixing plants and yards.
- ~~[(25)]~~(23) Contractors’ yards for equipment, material, and vehicle storage, repair, or maintenance.
- ~~[(26)]~~(24) Crematoriums, funeral homes, funeral services, and mortuaries.
- ~~[(27)]~~(25) Day care centers.
- ~~[(28)]~~(26) Dumping, disposal, incineration, or reduction of refuse or waste matter.
- ~~[(29)]~~(27) Expansion of an existing commercial excavation operation, provided that plan approval is secured from the director.
- ~~[(30)]~~(28) Fabricating establishments.

~~[(31)]~~(29) Fertilizer manufacturing plants.
~~[(32)]~~(30) Financial institutions.
~~[(33)]~~(31) Food manufacturing and processing facilities.
~~[(34)]~~(32) Freight movers.
~~[(35)]~~(33) Greenhouses, plant nurseries.
~~[(36)]~~(34) Heavy equipment sales, service and rental.
~~[(37)]~~(35) Home improvement centers.
~~[(38)]~~(36) Junkyards.
~~[(39)]~~(37) Kennels.
~~[(40)]~~(38) Laboratories, medical and research.
~~[(41)]~~(39) Laundries.
~~[(42)]~~(40) Lava rock or stone cutting or shaping facilities.
~~[(43)]~~(41) Lumberyards and building material yards.
~~[(44)]~~(42) Machine, welding, sheet metal, and metal plating and treating establishments.
~~[(45)]~~(43) Manufacturing, processing and packaging establishments, light and general.
~~[(46)]~~(44) Marine railways, drydocks, and ship or boat yards.
~~[(47)]~~(45) Meeting facilities, as permitted under section 25-4-17.
~~[(47)]~~(46) Motion picture and television production studios.
~~[(48)]~~(47) Photographic processing.
~~[(49)]~~(48) Primary airports, provided that plan approval is secured from the director.
~~[(50)]~~(49) Public dumps.
~~[(51)]~~(50) Public uses and structures, as permitted under section 25-4-11.
~~[(52)]~~(51) Publishing plants for newspapers, books and magazines, printing shops, cartographing, and duplicating processes such as blueprinting or photostating shops.
~~[(53)]~~(52) Recycling centers.
~~[(54)]~~(53) Reduction, refining, smelting, or alloying of metals, petroleum products or ores.
~~[(55)]~~(54) Repair establishments, major and minor.
~~[(56)]~~(55) Restaurants.
~~[(57)]~~(56) Saw mills.
~~[(58)]~~(57) Self storage facilities.
~~[(59)]~~(58) Slaughterhouses.
~~[(60)]~~(59) Storage and sale of seed, feed, fertilizer and other products essential to agricultural production.
~~[(61)]~~(60) Storage, curing, or tanning of raw, green, or salted hides or skins.
~~[(62)]~~(61) Telecommunication antennas, as permitted under section 25-4-12.
~~[(63)]~~(62) Temporary real estate offices, as permitted under section 25-4-8.
~~[(64)]~~(63) Transportation and tour terminals.
~~[(65)]~~(64) Truck, freight and draying terminals.
~~[(66)]~~(65) Utility facilities, public and private, including power plants, offices or yards for equipment, material, vehicle storage, repair or maintenance.
~~[(67)]~~(66) Utility substations, as permitted under section 25-4-11.

~~[(68)]~~(67) Veterinary establishments.
~~[(69)]~~(68) Warehousing.
~~[(70)]~~(69) Wholesaling and distribution, including the storage of incidental materials and equipment.
~~[(71)]~~(70) Yacht harbors and boating facilities.”

SECTION 25. Chapter 25, article 5, division 16, section 25-5-162 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

- “(a) The following uses shall be permitted in the O district:
- (1) Aquaculture activities and facilities.
 - (2) Apiaries.
 - (3) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - ~~[(4) Community buildings, as permitted under section 25-4-11.]~~
 - ~~[(5)]~~(4) Existing churches and temples of historical significance.
 - ~~[(6)]~~(5) Forestry.
 - ~~[(7)]~~(6) Game preserves.
 - ~~[(8)]~~(7) Growing of plants provided such growth does not impair a view intended to be preserved in the O district.
 - ~~[(9)]~~(8) Heiaus, historical areas, structures, and monuments.
 - ~~[(10)]~~(9) Natural features, phenomena, and vistas as tourist attractions.
 - ~~[(11)]~~(10) Private recreational uses involving no aboveground structure except dressing rooms and comfort stations.
 - ~~[(12)]~~(11) Public parks.
 - ~~[(13)]~~(12) Public uses and structures, as permitted under section 25-4-11.
 - ~~[(14)]~~(13) Utility substations, as permitted under section 25-4-11.”

SECTION 26. Chapter 25, article 7, division 2, section 25-7-22 of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended by amending subsection (a) to read as follows:

- “(a) The following uses shall be permitted uses in the CDH district:
- (1) Adult day care homes.
 - (2) Amusement and recreation facilities, indoor.
 - (3) Apiaries.
 - (4) Art galleries.
 - (5) Automobile service stations or garages, excluding body and fenderworks, electric tire rebuilding or battery rebuilding and provided that all work is conducted wholly within a completely enclosed building.
 - (6) Bakeries.
 - (7) Bars, cocktail lounges and night clubs.
 - (8) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (9) Boarding facilities, rooming, or lodging houses.
 - (10) Broadcasting stations or studios (radio and television).

- (11) Business services.
- (12) Car washing, provided that the facilities are not detrimental to the character of the district.
- (13) Commercial parking lots and garages.
- ~~[(14) Community buildings, as permitted under section 25-4-11.]~~
- ~~[(15)]~~(14) Crop production.
- ~~[(16)]~~(15) Display rooms for products sold elsewhere.
- ~~[(17)]~~(16) Dwellings, double-family or duplex, with a maximum density of five hundred square feet of land area per rentable unit or dwelling unit.
- ~~[(18)]~~(17) Dwellings, multiple-family, with a maximum density of five hundred square feet of land area per rentable unit or dwelling unit.
- ~~[(19)]~~(18) Dwellings, single-family.
- ~~[(20)]~~(19) Family child care homes.
- ~~[(21)]~~(20) Farmers markets. When the vending activity in a farmers market involves more than just the sale of local fresh and/or raw produce, plant life, fish and local homegrown and homemade products for more than two days a week, the director, at the time of plan approval, shall restrict the hours of use, maintenance and operations and may require improvements as determined appropriate to ensure its compatibility with the existing character of the surrounding area.
- ~~[(22)]~~(21) Financial institutions.
- ~~[(23)]~~(22) Group living facilities.
- ~~[(24)]~~(23) Home occupations, as permitted under section 25-4-13.
- ~~[(25)]~~(24) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
- ~~[(26)]~~(25) Hotels and apartment hotels with a maximum density of five hundred square feet of land area per rentable unit.
- ~~[(27)]~~(26) Laundries other than those utilizing steam cleaning equipment, provided that the facilities are not detrimental to the character of the district.
- ~~[(28)]~~(27) Manufacturing, processing and packaging, light, provided that the activities are not detrimental to the character of the district.
- ~~[(29)]~~(28) Medical clinics.
- ~~[(30)]~~(29) Meeting facilities[-], including events, as permitted under section 25-4-17.
- ~~[(31)]~~(30) Model homes, as permitted under section 25-4-8.
- ~~[(32)]~~(31) Modeling agencies.
- ~~[(33)]~~(32) Museums and libraries.
- ~~[(34)]~~(33) Neighborhood parks, playgrounds, tennis courts, swimming pools, and similar neighborhood recreational areas and uses.
- ~~[(35)]~~(34) Offices.
- ~~[(36)]~~(35) Personal services.
- ~~[(37)]~~(36) Photography and artist studios.
- ~~[(38)]~~(37) Public uses and structures, as permitted under section 25-4-11.
- ~~[(39)]~~(38) Publishing plants for newspapers, books and magazines, printing shops, cartographing and duplicating processes such as blueprinting or photostating.
- ~~[(40)]~~(39) Repair establishments, minor.
- ~~[(41)]~~(40) Restaurants.

~~[(42)]~~(41) Retail establishments, provided that they are not detrimental to the character of the district.
~~[(43)]~~(42) Schools, business.
~~[(44)]~~(43) Schools, photography, art, music, dance or other similar studios or academies.
~~[(45)]~~(44) Schools, vocational.
~~[(46)]~~(45) Telecommunication antennas, as permitted under section 25-4-12.
~~[(47)]~~(46) Temporary real estate offices, as permitted under section 25-4-8.
~~[(48)]~~(47) Theaters, auditoriums and indoor sports arenas.
~~[(49)]~~(48) Utility substations, as permitted under section 25-4-11.”

SECTION 27. Material to be repealed is bracketed and stricken. New material is underscored. In printing this ordinance, the brackets, bracketed and stricken material, and underscoring need not be included.

SECTION 28. Severability. 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 application 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 29. This ordinance shall take effect upon its approval.

INTRODUCED BY:

COUNCIL MEMBER, COUNTY OF HAWAI‘I

_____, Hawai‘i
Date of Introduction:
Date of 1st Reading:
Date of 2nd Reading:
Effective Date: