

COUNTY OF HAWAI'I PLANNING DEPARTMENT
REVISED RECOMMENDATION

COUNTY COUNCIL INITIATED BILL NO. 147
AMENDMENT TO CHAPTER 2 AND CHAPTER 25 OF THE HAWAI'I COUNTY CODE
1983 (2016 EDITION, AS AMENDED), RELATING TO TRANSIENT
ACCOMMODATIONS

Recommendations #7 and #8 have been revised based on the discussion at the June 30, 2026, Leeward Planning Commission meeting and testimony received during the public review process.

Recommendation #7: Clarify permitted locations of Bed and Breakfast Establishments 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 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 special permit is obtained[-], as defined in Chapter 205, Hawai'i Revised Statutes.”

Reason: This amendment clarifies the eligibility requirements for Bed and Breakfast Establishments by removing unnecessary restrictions regarding the type of dwelling occupied by the host. The amendment maintains the requirement that the host reside on the property while providing greater flexibility for existing residential configurations that continue to satisfy the intent of the regulations.

Recommendation #8: Clarify STVR Zoning Applicability and Limitation of STVRs to One Per Building Site 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, RM, 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.
- (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: The recommendation is consistent with the discussion at the Leeward Planning Commission meeting held on June 30, 2026, and testimony received by the Kona Community Development Plan Action Committee expressing concerns regarding the compatibility of new STVRs within those zoning districts.