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COUNTY OF KAUAI

PLANNING DEPARTMENT

News Release

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Transient vacation rental applications now available

LĪHU'E – A bill recently passed by the County Council requires owners of single-family transient vacation rentals to register their TVRs or apply for a Non-Conforming Use Certificate.

The registration form/certificate application is now available at the Real Property Assessment office located next to the Motor Vehicle Registration office at the Līhu'e Civic Center.

This form is also downloadable from the What's New section on the home page of the county website, www.kauai.gov or www.kauaipropertytax.com on the forms and handouts page.

All existing TVRs in Visitor Destination Areas (VDAs) must be registered by Sept. 3.

All others must apply for a Non-Conforming Use Certificate by Oct. 15 and receive approval by March 30, 2009.

Applicants are required to submit the appropriate form in-person to the assessment office along with the following items:

- A plot plan and building plans, signed and stamped by a licensed architect or engineer, showing all existing structures.
- General excise tax and transient accommodation tax licenses.
- Authorization letter, if applicant is not the owner or a fractional owner of less than 75 percent, including Condominium Property Regimes (CPRs).

After registering with the assessment office, the next step for the applicant is to drop off the registration form or certificate application at the Planning Department along with the following items:

- General excise tax and transient accommodation tax licenses.
- Plot plan and building plans, signed and stamped by a licensed architect or engineer, showing all existing structures and operations.
- Copy of “For the Safety and Comfort of You and Your Neighbors” created by owner with a list of requirements and essential information designed to reduce negative impacts on the surrounding neighborhood.

During its review of the plans and a site inspection, the Planning Department will determine:

- Whether the property is located in a VDA and is in conformance with the Comprehensive Zoning Ordinance (CZO).
- Whether the property is in conformance with CZO requirements, but is outside the VDA. If this is the case, the property owner must obtain a Non-Conforming Use Certificate and supply further documentation that his TVR was in existence prior to March 7, 2008, including: tax records; receipts of payment for stays; or receipts of deposits for reservations.
- The property does not qualify for a single family transient vacation rental.
- The ordinance is not applicable to the operation, i.e. homestays and bread and breakfast operations.

Any person, firm, company, association, partnership or corporation found to be in violation of the TVR ordinance will each be assessed a fine of not less than \$500 or more than \$10,000 for each offense.

For more information, please contact the Real Property Assessment office at 241-6222 or the Planning Department at 241-6677.

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