Accessory Dwelling Unit
Homeowners’ Handbook
A Guide for Homeowners on Oahu Interested in Building an Accessory Dwelling Unit

hawaiiadu.org
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Introduction

What is an accessory dwelling unit?

An accessory dwelling unit (ADU) is a home, built on a single-family lot, separate from the main dwelling. Accessory dwelling units have their own kitchen, bathroom, and sleeping facilities. They can be attached or detached from the existing single-family home, also called the primary dwelling unit. Accessory dwelling units are sometimes referred to as granny flats or in-law apartments, both names referring to multigenerational living. They can be completely new construction, an extension or partition of the main house, or a conversion of an existing accessory structure such as a recreational room or garage.

How to use this manual

This manual is intended to inform homeowners about ADUs and help them decide whether building an ADU is right for them. It guides the homeowner through the ADU development process, from checking a property for the basic requirements to choosing a tenant. Deciding to build an ADU is a big decision. Use this manual to help you consider all the details before proceeding with a building permit application.

The manual is broken down into the following sections:

Initial Considerations: Helps the homeowner reflect on the responsibilities of managing an ADU and discusses the basic requirements.

Getting Started: Offers key considerations such as hiring construction professionals and how to finance the project.

Designing the ADU: Provides planning and design tips, including floor plan examples.

Permitting and Construction: Outlines the building permit process and what to expect during construction.

Being a Landlord: Summarizes the responsibilities of a landlord.

In addition to these sections, the appendix to this manual contains resources that could be of use to the homeowner throughout the process including forms, checklists, and additional information on legal requirements.

Although this manual aims to provide the homeowner with enough information to get an ADU project started, it is merely a guide and does not replace the need for professional services throughout the process. Additionally, information in this manual is subject to change, as ADUs are new to the City and County of Honolulu. The manual will be updated as new information becomes available.

Check for manual updates and additional resources at hawaiiadu.org.
Accessory Dwelling Unit Process Diagram

Become a landlord
- Review the Fair Housing Act and the Landlord-Tenant Code
- Prepare a rental application and screen potential tenants
- Have a lease ready for the first qualified applicant

Permit and construct
- Apply for a building permit with the Dept. of Planning and Permitting
- Permitting could take 2 to 4 months after the application is submitted
- Proceed with construction when the permit is issued

Design the ADU to fit your needs
- Who will live there? What size will it be? What amenities will it have?
- Research existing designs, prefabricated and packaged home options
- Have a design professional create site-specific plans for you

Hire construction professionals
- Go to http://cca.hawaii.gov/rico/ to learn about hiring licensed professionals
- Ask friends, family, and coworkers for recommendations

Secure financing
- Research the financial options available to you
- Test the HawaiiADU financing calculator
- Seek advice from Hawaiian Community Assets or other professionals

Review the requirements
- Submit a pre-check form with the Dept. of Planning and Permitting
- Contact Hawaiian Community Development Board if you live on Hawaiian Home Lands
History of ‘Ohana Units and ADUs in Hawai’i

In 1981 the State of Hawai‘i passed a bill permitting second dwelling units to be built on single-family lots as a means to improve the affordable housing market and allow homeowners to accommodate extended family on their property. The counties were then given the authority to regulate ADUs in 1989, at which point each county made adjustments to their ordinances to fulfill the needs of their communities.

Until recently, Oahu homeowners could build a separate dwelling on their property only if it was to be occupied by a relative. In September 2015, the City and County of Honolulu loosened this restriction by creating an ADU Ordinance that legalizes the development and rental of ADUs (see Ordinance 15-4, included in the appendix).

Maui, Kauai, and Hawai‘i counties all have their own accessory dwelling unit regulations, but the rules differ from county to county, and homeowners should check their local requirements before deciding to build an ADU. This manual only applies to Oahu.

Benefits

ADUs provide a host of benefits to homeowners, renters, the local community, and the environment.

*Homeowners*

**Provides a source of income:** Renting an ADU provides the homeowner with supplemental income that can be used toward mortgage payments, expenses, retirement, or other forms of savings.

**Alleviates overcrowding:** In Hawai‘i, it is common for extended family to live together. ADUs provide an opportunity for family members to stay together, but have separate accommodations and more space. Plus, ADUs provide flexibility so that if circumstances change, the ADU can be rented out to a non-relative.

**Encourages aging in place:** For kupuna who do not want to give up their home, but wish to downsize, they can move into the ADU and rent out the main house. Alternatively, those who need at-home care can offer the ADU to a caregiver at a reduced price in exchange for services.

**Provides an opportunity to help those in need:** ADUs present an opportunity for private homeowners to contribute to solving one of the most pressing problems in Hawai‘i—the lack of affordable housing and the resulting plight of homelessness faced by many of our families. Many people are surprised to learn that most families experiencing homelessness have no mental health or substance abuse issues, and they have steady incomes, but just not enough to afford Hawai‘i’s high housing costs. Homeowners with space for an ADU can help families out of homelessness by renting out their ADUs at an affordable rate, while still making it a good investment.

*Renters*
Provides access to single-family neighborhoods: Accessory dwelling units add more options in the rental market, particularly the opportunity to live in single-family neighborhoods without having to buy a home. For some, these neighborhoods are more attractive because they tend to be relatively quiet and family-oriented.

Potential for affordable rental housing: ADUs typically have lower rents than rental units in multifamily buildings, and can play an important role in addressing Hawai‘i’s affordable housing problem.

Potential to reduce burdens on low-income households: Housing costs are considered to be affordable when they are less than 30 percent of a household’s income. In Hawai‘i, many people pay more than half their income toward housing, which means they are faced with difficult choices when it comes to paying for other necessities such as nutritious food, medical care, and education supports for their children. Lower housing costs made available through the renting of affordable ADUs can relieve some of this pressure, while at the same time providing families the opportunity to live in stable, family-friendly neighborhoods with better access to resources, which can provide a foundation for success for future generations.

Community

Creates rental housing: As ADUs are permitted and built, rental housing stock increases.

Supports local economy: The local construction industry will get a boost, maintaining and potentially creating jobs for our friends and neighbors.

Maintains neighborhood character: The addition of ADUs into single-family neighborhoods increases density with little effect on neighborhood character. This is achieved by working with design professionals to create units that will fit in aesthetically and minimize disruptions.

Minimizes urban sprawl: Infill development, the utilization of vacant spaces in already developed areas, prevents expansion into the rural areas of the island, a result known as urban sprawl. As a form of infill development, ADUs can help maintain the beauty of undeveloped land on Oahu.

Uses existing infrastructure: New construction becomes more labor intensive and expensive as it expands into undeveloped areas. Since ADUs are built on lots shared with a single-family home, they can take advantage of existing public utility infrastructure.

Encourages diversity: If ADUs are rented at an affordable level, neighborhoods will become mixed-income, giving more people the opportunity to live in a single-family environment.
Environment

Reduces footprint: Less resources are consumed when building smaller homes, and once they are occupied, smaller homes typically have a small carbon footprint than larger ones. They produce less construction waste, can use smaller, more efficient appliances, and require less energy to cool, heat, and light from day-to-day.

Conserves water and energy: If the design incorporates green concepts, it creates an opportunity to save on utilities like water and electricity. These energy savings directly translate into monetary savings, a benefit for the environment, homeowner and tenant.
Initial Considerations

Is an ADU right for you?

After becoming familiar with the various benefits associated with ADUs, which benefits apply to you? Ask yourself:

1. Why do you want an ADU?
2. Do you have a homeowners’ association that prohibits second dwellings or rentals?
3. Would you convert an existing space or add new construction?
4. Are you prepared for the costs associated with construction and owning another dwelling unit (property taxes, property insurance, General Excise tax, etc.)?
5. Will you be able to handle maintenance of the ADU and fulfill other duties of a landlord?

Owning an ADU is a huge commitment requiring a lot of time and money. You should be aware of the investments required of you before jumping into the process.

Basic Requirements

Once you have decided that an ADU fits your needs, you need to make sure you qualify to build one. The City and County of Honolulu’s Department of Planning and Permitting (DPP) is the primary agency that you will need to work with. DPP is responsible for supplying building permits, enforcing building codes, and overseeing additions to utility and other infrastructure, all of which apply to ADU construction.

The following outlines the basic requirements listed in the ADU Ordinance that determine whether a property is eligible for an ADU. Your property must meet all of the requirements to be eligible.

1. The lot is zoned in R-3.5, R-5, R-7.5, R-10, R-20, or Country District.

To look up the zoning designation, go to the Honolulu Land Information System website at http://gis.hicentral.com, and scroll down to the Report Generator, shown below.
Enter your address and look under Zoning and Flood Information—Zoning (LUO) Designation.

The zoning designation must match one of the districts listed (R-3.5, R-5, R-7.5, R-10, R-20, or Country District).

2. Lot area is at least 3,500 square feet.

Find the square footage of your lot using the property search on the Department of Planning and Permitting website. Go to the DPP’s Property Search at http://dppweb.honolulu.gov/DPPWeb/default.aspx?PossePresentation=PropertySearch. Search for your property by entering the house number and street name then you will see details of your property, including the lot area in square feet. This number must be at least 3,500 square feet.
3. **The lot cannot be landlocked.**

A lot that is landlocked has no direct access road. In other words, to access a landlocked property, one must cross someone else’s property.

This requirement is reviewed on a case-by-case basis. Check with the DPP if you have a question about this particular requirement.

4. **The lot does not contain more than one dwelling unit.**

Accessory dwelling units are only allowed on single-family lots, meaning the property must only have one existing single-family home built on it. The house cannot be a multi-family dwelling unit, like a duplex or apartment building, nor can it have an existing ‘ohana or ADU. Only one ADU is allowed per single-family lot.

5. **The property owner, property owner’s family, or designated representative will reside in either the primary dwelling or the ADU.**

The homeowner (or family of the homeowner) must live on the property so long as one of the units is occupied. For example, if the ADU is being rented out, the homeowner must live in the main house. If the main house is rented out, the homeowner must live in the ADU.
You must sign a Declaration of Restrictive Covenants during the permitting process, which will include a statement that the property owner will reside in one of the units if the other is being rented. The homeowner may designate a person to act as the property owner, record this person with the DPP, and allow this person to live on and manage the property in the homeowner’s absence. The ordinance has exceptions for “unforeseen circumstances” such as an active military deployment or illness that prevents the property owner from living on the property. If such an event were to occur, the director must give approval for a rental to remain active.

The appendix to this manual includes a copy of a sample Declaration of Restrictive Covenants.

6. The property owner will record covenants running with the land with the Bureau of Conveyances or the Land Court of the State of Hawai‘i, or both.

This agreement ensures the property owner does not sell the ADU separate from the rest of the property. The lot cannot be divided into two separate properties. The Declaration of Restrictive Covenants also lists the other rules about owning an ADU.

7. If you have signed a private covenant prohibiting ADUs, you cannot build one.

A homeowners’ association may have rules against the construction and/or rental of ADUs. You must follow their rules, whether or not your property meets all the other ADU requirements. Be sure to check with your homeowners’ association before proceeding with plans.

8. The lot fits one parking space in addition to the parking required for the primary dwelling, unless the lot is located within one-half mile of a rail station.

If the edge of your property within 0.5 mile from the edge of a rail station, you are not required to provide a parking space for the ADU. If it is more than 0.5 miles away, your ADU site plan must include a parking space designated for the ADU. This parking space is in addition to the minimum number required for your single-family home.

9. The ADU will have a maximum size of 400 square feet for 3,500 to 4,999 square-foot lots or 800 square feet for 5,000 square-foot lots or larger.

If your lot is not at least 3,500 square feet in size, you cannot build an ADU. There is a minimum size based on the building code, which your design professional can refer to if you would like a very small unit.

You must be able to meet all of the above requirements to proceed with building an ADU. If you wish to convert an existing, legally established accessory structure that does not meet the parking or square footage requirements, you may apply for a Zoning Adjustment then continue onto applying for a building permit. This is further discussed in the “Permitting and Construction” section.
Another important consideration is the availability of utility infrastructure such as sewers and water supply. It is possible that utility infrastructure in some neighborhoods will not be able to support a new dwelling unit. If this is true, you cannot build an ADU on your property. This is further discussed in the “Getting Started” section.

Does an ‘ohana unit better suit your needs?

If you intend to use the extra space for family members only, you may want to consider building an ‘ohana unit instead. As mentioned in the introduction, ‘ohana units are also second dwellings built on a lot with an existing house. ‘Ohana units follow a different set of rules and have a separate building permit, so it is important to evaluate your needs and both types of units before deciding which one to construct.

‘Ohana and ADU Comparison Chart

<table>
<thead>
<tr>
<th></th>
<th>‘Ohana Unit</th>
<th>ADU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>R-5, R-7.5, R-10, Country District, AG-1, AG-2</td>
<td>R-3.5, R-5, R-7.5, R-10, R-20, Country District</td>
</tr>
<tr>
<td>Lot eligibility</td>
<td>Must be on the ‘ohana eligibility map</td>
<td>Must contain only one single-family dwelling</td>
</tr>
<tr>
<td>Maximum Size</td>
<td>No set maximum; based on lot coverage</td>
<td>400 sq. ft. for lots 3,500-4,999 sq. ft. 800 sq. ft. for lots greater than 5,000 sq. ft.</td>
</tr>
<tr>
<td>Occupancy</td>
<td>Must be related (by blood, marriage, or adoption) to the occupants of the main house</td>
<td>If rented, must be a long-term lease (6 months or longer)</td>
</tr>
<tr>
<td>Parking</td>
<td>2 off-street parking spaces plus 1 additional space per 1,000 SF for units over 2,500 SF</td>
<td>1 off-street parking space: no parking required for lots within 0.5 mile from rail station</td>
</tr>
<tr>
<td># units allowed per lot</td>
<td>1 unit</td>
<td>1 unit</td>
</tr>
<tr>
<td>Attached or detached to main house</td>
<td>Both allowed</td>
<td>Both allowed</td>
</tr>
</tbody>
</table>
Getting Started

Pre-Check Form

To see if your lot qualifies for ADU development, fill out and submit a Pre-Check Form from the Department of Planning and Permitting (DPP). Although the pre-check is not required for the building permit application, it is recommended that homeowners complete it to make sure the property meets the basic requirements and has access to sufficient public facilities before proceeding with planning. If you choose to skip the pre-check, there is considerable risk that the property will be deemed ineligible during the permitting process, after you have invested considerably more time and money than you would have by doing the pre-check first. The pre-check process is intended to help you avoid unnecessary time, expense and frustration.

The Pre-Check Form asks for the following:

- Tax Map Key (TMK) of the property
- Zoning district
- Lot area
- Address
- Type of unit (conversion of an existing unit, new unit, attached/detached)
- Number of bedrooms

For the pre-check process, you will be required to gather signatures from multiple agencies to confirm that the building site meets the code requirements and has access to sufficient utility infrastructure.

<table>
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<tr>
<th>City Agencies on the ADU Pre-Check Form</th>
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<tbody>
<tr>
<td><strong>Department</strong></td>
</tr>
<tr>
<td>DPP Customer Services Division</td>
</tr>
<tr>
<td>DPP Wastewater Branch</td>
</tr>
<tr>
<td>State Department of Health – Wastewater Branch</td>
</tr>
<tr>
<td>Board of Water Supply – Service Engineering</td>
</tr>
<tr>
<td>DPP Traffic Review B</td>
</tr>
</tbody>
</table>

You must receive approval from all of these departments to ensure utilities and infrastructure can support your new unit; otherwise, you are not eligible for an ADU. A sample ADU Pre-Check form can be found the appendix of this manual, and you can download a copy of the form at http://www.honoluludpp.org/Portals/0/pdfs/construction/Ohana%20ADU%20Pre-Check%20Form.pdf).
Working with professionals

Different professions in building construction
You will be working with a variety of professionals to build your ADU, so it is important to understand their roles in your construction project.

**Architect** – a person who designs buildings and prepares the plans for the contractor to follow and build

**General Contractor** – a person or company who will provide the labor and materials for your project

**Subcontractor** – a person or company who will provide a specific service for your project such as plumbing or electrical work

**Electrical Engineer** – a person who assesses the electrical capacity of a building

**Structural Engineer** – a person who assesses the integrity of a building’s structural support

**Mechanical Engineer** – a person who assesses the plumbing, heating, cooling, and ventilating needs of a building

Choosing the right people

Start by asking friends, family, and neighbors about local professionals they have had positive experiences with. You can also research companies that have experience with single-family and tiny homes. Once you have a list of candidates, you should interview each of them and discuss the following:

**Professional license**
They must be licensed in the State of Hawai‘i to work on a project that costs more than $1,000. Take down their company name, address, and license number so you can verify their licensing online with the Department of Commerce and Consumer Affairs (DCCA) at [http://cca.hawaii.gov/rico/business_online/](http://cca.hawaii.gov/rico/business_online/). The DCCA’s website includes a section explaining why it is important to hire a licensed contractor (see [http://cca.hawaii.gov/rico/licensedcontractor/](http://cca.hawaii.gov/rico/licensedcontractor/)). See the appendix for the DCCA’s checklist for hiring a contractor.

**Beware:** Some unscrupulous unlicensed builders have been known use the name and license number of a licensed contractor. If you are not certain that the person you have spoken with about building your ADU is truly affiliated with the company they say they are with, it is a good idea to look up the company number and call for verification.

**Experience with ADUs or residential construction**
You may not find many local professionals with experience building ADUs on Oahu, but you will find people who have experience with units similar to ADUs such as ‘ohana units or tiny homes.

**References**
Most businesses provide past client testimonials on their website. You should ask for contact information of references if you would like to talk to them directly.
**Documentation of past work**
You can usually find past and current projects on their website. If not, you should ask to see records of past work, especially projects on Oahu.

**Training and continuing education**
Is the company continuously expanding their knowledge of the local construction industry? Ask if the company is an active member of the Building Industry Association (BIA), an organization that provides educational workshops, trainings, and other resources to keep members up-to-date on construction-related topics, especially at the local level.

**Rates and fees**
Cost is a huge factor for most homeowners planning a construction project. Compare the rates across all your options before making a decision.

**Working with a contractor**

**Find multiple offers**
After you have a design professional draw up the project plans, contact multiple contractors to price your project. Compare the offers, taking note of the aforementioned topics and what the offer includes and excludes. Pricing that is significantly lower than the others may not include all of the services listed in the other offers.

**The contractor agreement**
Draw up a written agreement between you and the contractor (or review their prepared agreement) and include the following information, as listed by the Hawaii Contractors License Board:

- The contractor’s license number and classification (Type A – General engineering; Type B – General building contractor; Type C – Specialty contractor)
- The total amount due from the homeowner to the contractor
- The start date and number of days until project completion
- List of work to be accomplished and materials to be used
- The approximate percentage of work to be subcontracted
- A statement of the risk of loss of any payments made to a sales representative
- The name and address of any salesperson who solicited or negotiated the contract
- The name and address of the contractor
- A payment schedule based on the amount of work completed, and provides that 5 to 10 percent be withheld until all work is completed
- A description of what constitutes substantial completion of work
- The terms of warranties
- A provision requiring the contractor to obtain lien releases from all subcontractors and suppliers


**Construction Costs**
**Hard Costs versus Soft Costs**

When you try to estimate the costs of your ADU, it will be important for you to know some of the basic vocabulary and cost components.

**Hard costs** are a result of direct work on the project, such as:
- Demolition
- Site preparation
- Materials
- Labor
- Landscaping

**Soft costs** include all other costs that are not hard construction costs, such as:
- Financing (second mortgage or loan)
- Architect/design services
- Engineering services
- Permitting
- Utility connection and separate meter fees

**Estimating the project budget**

This budget example is based on an $80,000 project (cost of labor and materials). This cost varies greatly with respect to the rates of the professionals you hire and the design. This list also assumes the unit will require city utility hook-up fees, which may not be required for your project.

<table>
<thead>
<tr>
<th>Category</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building permit and plan review fees (DPP calculator)</td>
<td>$1,560</td>
</tr>
<tr>
<td>Utility Connection Fees</td>
<td></td>
</tr>
<tr>
<td>Water hook-up (Board of Water Supply)</td>
<td>$5,500</td>
</tr>
<tr>
<td>Sewer hook-up (DPP Wastewater Branch)</td>
<td>$6,424</td>
</tr>
<tr>
<td>Architect/design services (estimated at 10%)</td>
<td>$8,000</td>
</tr>
<tr>
<td>Contractor (labor and materials)</td>
<td>$80,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$101,484</strong></td>
</tr>
</tbody>
</table>

**Financing your ADU**

**Financial calculator**

If you have an estimated project cost and a fixed-rate mortgage quote, try the ADU finance calculator on [hawaiiadu.org](http://hawaiiadu.org) to find out how much income you can bring in after mortgage and other payments. It also provides affordable rent amounts for different household incomes to give you an
idea of how much tenants can comfortably pay. You will need Microsoft Excel and the following information for the calculator:

- Project cost
- Down payment
- Fixed interest rate
- Payment period (in years)

**Financial Guidance - Hawaiian Community Assets**

Hawaiian Community Assets (HCA) is a HUD-certified financial education and housing counseling agency that can assist you and your family to become financially qualified to secure loans and/or grants to build your ADU.

Sign up for HCA’s free services and you will be matched with a dedicated counselor who will help you develop a budget, review your credit report, conduct a mortgage qualification assessment, and assist you in applying for grants and loans to help build your ADU.

**Client Intake**

To enroll in HCA’s free services, you will first need to complete and submitted a client intake packet with copies of financial documents.

You can download a client intake packet online at [www.hawaiiancommunity.net](http://www.hawaiiancommunity.net) or call HCA at (808) 587-7886 to request a client intake packet.

**Homebuyer Education Workshop**

Once you enroll in HCA’s services, you will be enrolled in an 8-hour homebuyer education workshop that will teach you financial management, the loan process, how to secure mortgage financing, home-buying resources, and more.

**Individualized Counseling**

Our certified Counselors work with you and your family to develop customized financial action plan to build savings, pay down debt, and improve credit so you can financially qualify for an ADU. During sessions, HCA counselors will refer you to additional services and enroll you in loans and grants to help make your ADU a reality.

**Financial Products**

HCA also provides access to loans and grants to help qualified individuals build their ADUs. The grants and loans include:

- Housing Assistance Micro-Loan: Loans up to $25,000 to build your home.
- HCA MATCH Savings Accounts: 2:1 match on $1,000 saved by you and your family to help pay for your ADU.
- Punawai IDA: 2:1 match on $1,000 saved by you and your family to help pay for your ADU.

See the appendix for HCA’s contact information and further details on the Punawai IDA and MATCH Savings Accounts.
Designing the ADU

Site Requirements

An ADU is treated as a single-family home when it comes to building codes, other than the specific limitations and requirements. The size of your lot determines the maximum square footage of the ADU as stated in the following table.

<table>
<thead>
<tr>
<th>Lot Area (sq. ft.)</th>
<th>Maximum ADU Floor Area (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,500 to 4,999</td>
<td>400</td>
</tr>
<tr>
<td>5,000 or more</td>
<td>800</td>
</tr>
</tbody>
</table>

The table below from Section 21 of the Land Use Ordinance indicates development standards for residential districts. The highlighted notes apply to ADUs, since an ADU is a dwelling.

Revised Ordinances of Hawaii (ROH) Section 21 - Table 21-3.2
Residential Districts Development Standards

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>District</th>
<th>R-3.5</th>
<th>R-5</th>
<th>R-7.5</th>
<th>R-10</th>
<th>R-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot area (square feet)</td>
<td>One-family dwelling detached</td>
<td>3,500</td>
<td>5,000</td>
<td>7,500</td>
<td>10,000</td>
<td>20,000</td>
</tr>
<tr>
<td></td>
<td>Two-family dwelling detached</td>
<td>7,000</td>
<td>7,500</td>
<td>14,000</td>
<td>Use not permitted</td>
<td>Use not permitted</td>
</tr>
<tr>
<td></td>
<td>Duplex</td>
<td>3,500</td>
<td>3,750</td>
<td>7,000</td>
<td>Use not permitted</td>
<td>Use not permitted</td>
</tr>
<tr>
<td>Minimum lot width and depth (feet)</td>
<td>30 per duplex unit, 50 for other uses</td>
<td>35 per duplex unit, 65 for other uses</td>
<td>65 for dwellings, 100 for other uses</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yard (feet)</td>
<td>Front</td>
<td>10 for dwellings, 30 for other uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Side and Rear</td>
<td>5 for dwellings, 15 for other uses</td>
<td>5 for dwellings, 15 for other uses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Area</td>
<td>50 percent of the zoning lot</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum height (feet)</td>
<td>25-30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height setbacks</td>
<td>Per Sec. 21-3.70-1(c)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The professionals you hire should be familiar with this information if they are experienced with single-family home construction on Oahu. If your property is located in the Country District, make sure your design professional refers to those zoning standards for setbacks and other requirements.
In addition to the development standards listed above, there is a maximum building area, or the maximum percentage of a lot that can be built on. Residential lots have a maximum building area of 50 percent, while country district lots limit it to 25 percent (for non-agricultural uses).

**Converting an existing accessory structure**

The process for converting an existing accessory structure into a legal, permitted ADU depends on whether the structure was already permitted for another use.

**Legally established accessory structures**

For structures that were permitted for another use (e.g., a rec room), the following steps apply.

**Step 1:** Check to see if the existing structure meets the basic requirements. If it meets all of the basic requirements, move to step 2a. If not, move to step 2b.

**Step 2a:** Continue onto filling out the pre-check form and proceed with the regular planning and permitting process.

**Step 2b:** If your accessory structure does not meet the square footage or parking requirements, you should apply for a zoning adjustment. Review the DPP’s zoning adjustment instructions (available at [http://www.honoluludpp.org/Portals/0/pdfs/zoning/ADU_%20Application%20Instructions_09-09-2015.pdf](http://www.honoluludpp.org/Portals/0/pdfs/zoning/ADU_%20Application%20Instructions_09-09-2015.pdf)) so you can collect all the necessary paperwork before proceeding with an application (available at [http://www.honoluluudpp.org/Portals/0/pdfs/zoning/LUPD%20Master%20Application%20Form%202015-%20fillable.pdf](http://www.honoluluudpp.org/Portals/0/pdfs/zoning/LUPD%20Master%20Application%20Form%202015-%20fillable.pdf)). Review of zoning adjustment applications take up to 45 days. There are also an application fee of $200 due when the application is submitted and a processing fee of $400 due upon approval. Contact the DPP if you have questions about the limitations or requirements of the zoning adjustment application.

**Accessory structures with no permit**

You may apply for an after-the-fact permit if your existing accessory structure does not currently have a building permit, as long as it meets the basic requirements. Though this permit costs more than a building permit attained before construction, it is beneficial for you to take on the cost now rather than suffer through higher costs later on.

For example, if anything happens to your unpermitted ADU, it may not be covered by home insurance. Any damage that home insurance would typically cover would become an out-of-pocket expense. In addition, when you decide to renovate the unit, licensed construction professionals are required to submit plans of the existing structure and what the changes will be. They will not do your renovation without following the proper procedure. If you plan on selling your home, buyers expect everything to be properly permitted and legal.

**How will you design the ADU?**

Accessory dwelling units are essentially small single-family homes. The building codes associated with single-family dwellings apply to ADUs, which means that your ADU must a kitchen, bathroom, and bedroom (which can be shared with the living space).
Be a good neighbor
If you are building an ADU, it is useful to get input from your neighbors. Though you may experience some opposition, they will likely feel more comfortable about the idea if you initiate the conversation and are open to hearing their concerns. Accessory dwelling units are meant to add value to a community without disrupting the community’s character, and being able to voice this to your neighbors can increase support for ADU development.

Neighborhood trends in architecture, landscaping, and spacing
Your ADU should attempt to conform to the architectural style, landscaping, and spacing exhibited in your neighborhood. New construction that does not fit in will be obtrusive and potentially reduce the appeal of your property and neighborhood.

Size
Consider the size limitations and who you think might live in the ADU. A rental unit for a small family should have two bedrooms and sufficient living and storage space. A single or couple’s unit may only need a very small space, so you might not have to build the ADU to the maximum size. The minimum size is your zoning code’s minimum single-family dwelling square footage, which your design professional can find out for you.

Utilities and Amenities
When designing your ADU, you will have to decide whether or not to build it with separate utility meters. Your tenant can pay their utilities (electricity, water, sewer, and gas) independent from you if you are able to put in separate meters. There are fees to put in separate meters, so you may want to ask you contractor how much it would cost to install them.

These are a number of amenities you may want to consider including in your ADU:

- Laundry facilities
- Garden or yard
- Air conditioning
- Built-in fans
- ADA accessibility
- Built-in storage space
- High efficiency appliances
- Lanai
Privacy and Views
The ADU should be situated in a way that maintains your neighbor’s and your primary dwelling’s privacy. Work with your hired professionals to creatively place the ADU on your property to maximize privacy, using the tips below.

Construction and Noise
Take note of your neighbors’ needs when it comes to scheduling your construction project. Work with your contractor on the timeline—start and end dates, times of day, and days of the week—to minimize the amount of disturbance the project causes the neighbors. Also think of the noise a tenant may produce and design the ADU to minimize daily disturbances.

Solar Access
A new building shades surrounding areas, and you do not want it to block sunlight from your neighbor’s yards or gardens. Position the ADU in a way that refrains from shading your neighbor’s property.
Parking and Traffic
There is a requirement for one off-street parking space for an ADU in addition to existing parking requirements for the main house, but there is an exception if the ADU is located one-half mile from a rail station. Congestion and parking are widespread issues on Oahu, which can be addressed by encouraging the use of public transportation and carpooling by as many people as possible. Consider adding more parking if your lot has extra space to minimize the number of cars parked on the street.
Green design
Do some research on sustainable or green home design and ask your design professional about ways to incorporate it into your ADU plans. If you find an idea of interest to you, run it by your design professional and contractor to make sure it is locally relevant and feasible for your project and budget. These are a few options you can look into:

Materials
Ask your construction professionals about green building materials options. There are suppliers who offer a variety of products that are recycled, salvaged, or generally sustainable from roofing down to flooring. There are local groups that specialize in collecting and repurposing construction materials.

See the Materials Chart in the appendix.

Solar
Solar photovoltaic (PV) panels and solar water heaters are widely used in homes on Oahu. Inquire with local vendors and your construction professionals about which products would work best for your ADU. They will be able to explain any rebates or tax credits that exist for solar products.

Water
You can save water by installing high efficiency kitchen and bathroom fixtures such as low-flow toilets, water-efficient faucets, and Energy Star dishwashers. A rainwater catchment system can be used to collect rainwater for watering the yard or garden, doing laundry, or other needs. Some go as far as installing gray water systems to recycle water from sinks and showers.
**Floorplan examples**

The following floorplans illustrate what an ADU could look like. These graphics are not complete plans; you must hire a design professional to draw up plans for your ADU project.

- This floorplan shows the potential for converting a garage into a two-bedroom ADU.
- This floorplan of a detached ADU design that emphasizes indoor/outdoor living.
Permitting and Construction

Applying for a building permit

Once you have hired a professional to design your ADU, you can start the permitting process. Your design professional or general contractor should have the experience to help get your ADU permitted, so the following steps are an overview of what you and your hired professional will do. The Department of Planning and Permitting provides these steps to attain an ADU building permit through their online portal:

1. Complete an Internet Building Permit (IBP) application online. Note your IBP number
2. Upload to ePlans:
   a. ADU Pre-Check Form (if completed)
   b. Construction drawings
   c. Other required documents
3. Download the Restrictive Covenants and submit to the Permit Issuance Branch before recording it with Bureau of Conveyance or Land Court. A permit will not be issued if this is not received.
4. Pay fees to the DPP Wastewater Branch, State Department of Health, Board of Water Supply, and the Honolulu Fire Department when contacted by each of these agencies.
5. Return signed building permit application with approved plans and required documents to the Permit Issuance Branch
6. Pay building permit fees to the Permit Issuance Branch
7. Building permit is issued
Building Permit Application Documents
These are the forms required by the DPP for a building permit. Some forms only apply to certain applicants depending on the project specifications. These forms can be found on the DPP’s website under Applications & Forms – Building Permits (see http://www.honoluludpp.org/ApplicationsForms/BuildingPermits.aspx).

- Building Permit Application Worksheet
- Contractors Statement – Form DPP-29
- Specialty Contractors Statement – Form BPD 200.19a
- Called Inspection – Form BSD-10
- Supplemental Information Sheet
- ‘Ohana/ADU Pre-Check Form
- Flood Hazard Forms

Plan Requirements
You must submit four sets of plans for the ADU. The plans must be stamped and signed by a licensed architect or engineer if any of the following apply:

- One-story building project cost exceeds $40,000
- Two-story building project cost exceeds $35,000
- Principle structural members are of reinforced concrete or structural steel

Electrical plans must be stamped by licensed electrical engineer with the exception of demand less than 30 kilovolt-amperes.

Declaration of Restrictive Covenants
A Declaration of Restrictive Covenants must be recorded with the Bureau of Conveyances (see http://dlnr.hawaii.gov/boc/) or the Land Court before an ADU building permit is issued. See the instructions in the appendix on how to prepare and file the restrictive covenants. There is a one-time fee for filing documents. Please see the Bureau of Conveyance’s fee page (http://dlnr.hawaii.gov/boc/recording-fees/) for further information.

To check whether you need to record with the Bureau of Conveyances or the Land Court, search for your property on the City and County of Honolulu’s Real Property Assessment Division (http://qpublic9.qpublic.net/hi_honolulu_search.php?search(parcel) using your Tax Map Key. It will provide information when the owner acquired title and the document number of the conveying document. If the document number is shown by the year and document number, i.e. 1998-008768, it is recorded in the Regular System. If the document number is a number with no year reference, it is recorded in Land Court.
Fees
The Department of Planning and Permitting provides a building permit fee calculator (http://dppweb.honolulu.gov/DPPWeb/default.aspx?PossePresentationId=5000) based on the cost of the project. The calculator gives the amounts for the building permit fee and the plan review fee. The plan review fee is due when your plans are accepted for review, while the building permit fee is due after your plans are approved.

There are other fees not included in the DPP’s building permit fee calculator, like the fees charged for utility connections. Ask your professionals or contact each department for your project’s fees (See appendix for each department’s contact information). These fees may vary depending on the project.

Timeline
It is difficult to give an accurate estimate for the time it takes to complete the permitting process because each property and project is unique. An estimate for the pre-check process is one month. As for the building permit process, if there are no complications the permit may be issued in two to four months. Remember, ADUs are new to the City and County of Honolulu and the departments involved with the building process are continuously making improvements to their ADU procedures to ensure ADU development is an island-wide success. The process may seem long, but it is well worth the time to make certain your ADU will be safe and legal.

What to do during construction

Maintain communication with your contractor
Set the expectation for how often you will touch base, which could be once a week or a couple times per month. Be available to respond to questions when needed.

Monitor the work during construction and after completion
When it is appropriate, walk through the construction site to monitor the quality of work, timeliness of completed work, etc. Be careful not to interfere too much, as this might delay work.

Make decisions in a timely fashion
You will be asked to select things like fixtures, appliances, and other materials. Make these decisions within a reasonable amount of time for your contractor to order and install the materials. Try to avoid making changes that will affect your project timeline and budget, unless you have the means to increase your budget.

Meet all the responsibilities as written in the contractor’s agreement
Keep up with all other duties you agreed to fulfill to bring your project to completion.
Inspections

When construction is complete, your ADU will be inspected to ensure it is built to code. There are no additional fees for this inspection (it is included in your building permit fees). Submit a completed Request for Building Inspection form to the DPP to schedule your final inspection.

Property Taxes and Insurance

The Real Property Assessment Division of the City and County of Honolulu’s Department of Budget and Fiscal Services will receive notice when your property has been permitted and inspected. Expect a property tax increase.

Remember to update your property insurance to cover your ADU. Costs will vary based on your insurer and the assessed property value.
Being a Landlord

Remember that the homeowner or designated representative must reside in the primary dwelling or the ADU when either of the units is rented out. In addition, the length of the lease must be at least six months. After those first six months pass, the landlord may rent to the same tenant on a month-to-month basis. Failure to comply with these rules provide grounds for suspension or revocation of the ADU building permit.

Fair Housing Act and other regulations
According to the Fair Housing Act (see http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws/yourrights), it is unlawful to discriminate against potential renters because of race, color, religion, sex, familial status, or national origin. Read through Hawaii’s Landlord-Tenant Code (see http://files.hawaii.gov/dcca/ocp/landlord_tenant/landlord-tenant-handbook.pdf), which describes the responsibilities of both the landlord and tenant including rental agreements, maintenance, and how to deal with different issues that may come up.

General Excise Tax (GET)

Determining how much to charge for rent
Talk to your financial adviser
Discuss your financial needs with your lender or financial counselor to identify a reasonable amount of rent that will help you cover your mortgage or other payments. To determine what is “reasonable”, you can research rental properties with similar amenities, square footage, number of bedrooms, and location.

Affordable housing
Accessory dwelling units are part of an island-wide affordable housing initiative; the people who pushed for the legalization of ADUs on Oahu did so to bring about more affordable housing on the island. You have the freedom to decide how much to charge for rent, so consider renting to a Section 8 participant or setting rent at an affordable level. Housing is considered affordable when it costs 30 percent or less of the tenant’s household’s income. When a tenant can comfortably pay rent, the landlord also has peace of mind knowing that the rent can be paid without issue.

Choosing a tenant
Advertise
There are many ways to advertise your ADU/primary dwelling for rent. Given the rental housing market here on Oahu, you may experience a high amount of interest. Here is a list of channels to advertise through:

- Word of mouth through family, friends, neighbors, and coworkers
- Flyers at local businesses and public bulletin boards
- Craigslist.com
- Apartments.com
- Zillow.com

The Declaration of Restrictive Covenants you signed to obtain the ADU building permit restricts you from using the ADU or your main house as a short-term rental (less than 6 month leases). If you advertise the ADU or your main house as a vacation rental or bed and breakfast, it can be used as evidence against you as a violation of the Restrictive Covenants, providing grounds for suspension or revocation of the permit. If you proceed with renting the ADU or main house as a short-term rental, you can be fined $1,000 per day.

**Seek Expertise**

Hawaiian Community Assets (HCA) offers homeowners enrolled in its services access to Hawaii Tenant Referral Services. Through Hawaii Tenant Referral Services, you can advertise your unit to individuals who have completed a client intake, rental housing workshop, and individualized counseling with HCA.

In addition, HCA will provide you, as the homeowner, with potential renters’ Renter-Ready Packet which will include a cover letter detailing HCA services completed by the individual, copy of a credit report, and a financial assessment to confirm their existing monthly income and debt. Potential renters may also qualify for loans and grants to assist with first month’s rent and deposits through HCA.

Once the renter has signed a lease with you, as the homeowner, Hawaii Tenant Referral Services will bill you for a $150 one-time fee that will allow other homeowners in Hawaiʻi to utilize this service.

Overall, Hawaii Tenant Referral Services provides you with critical financial information about your potential renter and gives you piece of mind that whomever you choose has gone through the steps to become financially qualified renter.

**Screen**

Invite potential renters to visit the property and decide if it fits their needs. Once they tour the ADU/primary dwelling, you can provide a rental application. If multiple people will be renting together, provide each with a separate application.

You may want to request the following information on the rental application:

1. First, middle, and last name
2. Current address
3. Date of birth
4. Social security number
5. Driver’s license/ID number
6. Past addresses
   a. If rental, provide landlord name and number/email
   b. Length of stay
7. Employment history
   a. Address
   b. Supervisor name and number/email
   c. Salary/wage
8. Bank reference
   a. Bank name
   b. Account number
   c. Phone number
9. Personal references
   a. Name
   b. Address
   c. Relationship
   d. Phone number/email
10. Criminal history

Along with checking the references on the application, you may charge an application fee in order to pay for both a credit and criminal background check.

Some renters have difficulty finding housing due to a spotty credit history, which is sometimes the result of events that occurred out of the person’s control. Keep an open mind and consider looking to Hawaiian Community Assets for a tenant who completed their renter preparation program.

**Make a decision**
Keeping in mind the Fair Housing Act and the Landlord-Tenant Code of Hawaii, you should choose the first applicant who qualifies and offer them the lease agreement.

**Sign the lease**
Prepare a lease agreement and have it checked by an attorney or real estate agent. Have the tenant sign the lease and provide you with a security deposit and first month’s rent before giving them the keys.
Acknowledgements

Hawaii Appleseed would like to recognize the following organizations for their contributions to this manual.

Content
City & County of Honolulu Department of Planning and Permitting
Hawaiian Community Development Board
Hawaiian Community Assets

Graphics and Images
Architects Hawaii, Ltd.

We would also like to thank the City of Santa Cruz, the City of Seattle, and the City of San Francisco, which provided examples of work they have done to assist homeowners with the development of ADUs.
Appendix
Bill 20 (Ordinance 15-41)

TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED (THE LAND USE ORDINANCE), RELATING TO ACCESSORY DWELLING UNITS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose and intent. The purpose of this ordinance is to establish accessory dwelling units as a permitted use in all residential zoning districts, to encourage and accommodate the construction of accessory dwelling units, increase the number of affordable rental units and alleviate the housing shortage in the City, and to establish land use standards for those accessory dwelling units.

SECTION 2. Section 21-2.140-1, Revised Ordinances of Honolulu ("Specific circumstances"), is amended by adding a new subsection (o) to read as follows:

"(o) Conversion of accessory structures. An existing, legally established, accessory structure constructed prior to the effective date of this ordinance in the country or residential district may be converted to an accessory dwelling unit and allowed to exceed the maximum floor area established by Section 21-5. (c)(1) and/or be exempted from the off-street parking requirement established by Section 21-5. (c)(4) and contained in Table 21-6.1 subject to the following conditions:

(1) Provided the director finds that viable constraints do not allow the reduction of the floor area of the existing accessory structure.

(2) Provided that the director finds that no feasible alternative off-street parking site exists due to the placement of structures on, and/or the topography of, the zoning lot."

SECTION 3. Table 21-3, Revised Ordinances of Honolulu 1990 ("Master Use Table"), is amended by amending the "Dwelling and Lodgings" category to permit duplex units and detached two-family dwellings within Country and R-10 and R-20 Residential zoning districts and add "accessory dwelling units," to read as follows:
TABLE 21-3
MASTER USE TABLE

In the event of any conflict between the text of this Chapter and the following table, the text of the Chapter shall control. The following table is not intended to cover the Waikiki Special District; please refer to Table 21-9(A).

<table>
<thead>
<tr>
<th>USES (Note: Certain uses are defined in Article 10.)</th>
<th>ZONING DISTRICTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory dwelling units</td>
<td>Ac</td>
</tr>
<tr>
<td>Boarding facilities</td>
<td></td>
</tr>
<tr>
<td>Consulates</td>
<td>Plic</td>
</tr>
<tr>
<td>Duplex Units</td>
<td></td>
</tr>
<tr>
<td>Dwelling, owner's or caretaker's accessory</td>
<td></td>
</tr>
<tr>
<td>Dwelling for cemetery caretaker</td>
<td>Ac</td>
</tr>
<tr>
<td>Dwelling, detached, one-family</td>
<td>P</td>
</tr>
<tr>
<td>Dwelling, detached, two-family</td>
<td>P</td>
</tr>
<tr>
<td>Dwelling, multifamily</td>
<td>P</td>
</tr>
<tr>
<td>Dwelling for cemetery caretaker</td>
<td>Plic</td>
</tr>
<tr>
<td>Dwelling, group living facility</td>
<td>C</td>
</tr>
<tr>
<td>Guest houses (R-20 only)</td>
<td>Ac</td>
</tr>
<tr>
<td>Hotels</td>
<td></td>
</tr>
<tr>
<td>Time sharing</td>
<td>Plic</td>
</tr>
<tr>
<td>Tentancy vacation units</td>
<td>Plic</td>
</tr>
<tr>
<td>Vacation cabins</td>
<td>C</td>
</tr>
</tbody>
</table>

KEY: Ac = Special accessory use subject to standards in Article 5
Cm = Conditional Use Permit-moderate subject to standards in Article 5; no public hearing required (see Article 2 for exceptions)
C = Conditional Use Permit-major subject to standards in Article 5; public hearing required
P = Permitted use
Plic = Permitted Use subject to standards in Article 5
PRU = Plan Review Use
### Table 21-3.2 Residential Districts Development Standards

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area (square feet)</td>
<td></td>
</tr>
<tr>
<td>One-family dwelling, detached, and other uses</td>
<td>R-3.5: 3,500</td>
</tr>
<tr>
<td></td>
<td>R-5: 5,000</td>
</tr>
<tr>
<td></td>
<td>R-7.5: 7,500</td>
</tr>
<tr>
<td></td>
<td>R-10: 10,000</td>
</tr>
<tr>
<td></td>
<td>R-20: 20,000</td>
</tr>
<tr>
<td>Two-family dwelling, detached</td>
<td>[Use not permitted] 15,000</td>
</tr>
<tr>
<td></td>
<td>[Use not permitted] 25,000</td>
</tr>
<tr>
<td>Duplex</td>
<td>[Use not permitted] 7,500</td>
</tr>
<tr>
<td></td>
<td>[Use not permitted] 12,500</td>
</tr>
<tr>
<td>Minimum lot width and depth (feet)</td>
<td></td>
</tr>
<tr>
<td>30 per duplex unit, 50 for other uses</td>
<td></td>
</tr>
<tr>
<td>35 per duplex unit, 65 for other uses</td>
<td></td>
</tr>
<tr>
<td>65 for dwellings, 100 for other uses</td>
<td></td>
</tr>
<tr>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Yards (feet):</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>10 for dwellings, 30 for other uses</td>
</tr>
<tr>
<td>Side and rear</td>
<td>5 for dwellings¹, 15 for other uses</td>
</tr>
<tr>
<td>Maximum building area</td>
<td>50 percent of the zoning lot</td>
</tr>
<tr>
<td>Maximum height (feet)²</td>
<td>25-30</td>
</tr>
<tr>
<td>Height setbacks</td>
<td>per Sec. 21-3.70-1(c)</td>
</tr>
</tbody>
</table>

¹ For duplex lots, 5 feet for any portion of any structure not located on the common property line; the required side yard is zero feet for that portion of the lot containing the common wall.

² Heights above the minima of the given range may require height setbacks or may be subject to other requirements. See the appropriate section for the zoning district for additional development standards concerning height.
A BILL FOR AN ORDINANCE

SECTION 5. Chapter 21, Article 5, Revised Ordinances of Honolulu 1990 ("Specific Use Development Standards"), is amended by adding a new Section for "Accessory dwelling units," to be appropriately numbered by the revisor of ordinances and to read as follows:

"Sec. 21-5. Accessory dwelling units.

(a) The purpose of this section is to encourage and accommodate the construction of accessory dwelling units to increase the number of affordable rental units, without substantially altering existing neighborhood character, in order to alleviate the housing shortage in the city.

(b) It is intended that accessory dwelling units only be allowed in areas where wastewater, water supply, and transportation facilities are adequate to support the additional dwelling units.

(c) One accessory dwelling unit may be located on a lot in the country, R-3.5, R-5, R-7.5, R-10, and R-20 zoning districts, subject to the following conditions:

(1) The maximum size of an accessory dwelling unit shall be as follows:

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Maximum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,500 to 4,999 sq. ft.</td>
<td>400 sq. ft.</td>
</tr>
<tr>
<td>5,000 sq. ft. or more</td>
<td>800 sq. ft.</td>
</tr>
</tbody>
</table>

(2) Accessory dwelling units are not permitted:

(A) On lots with a lot area of less than 3,500 square feet;

(B) On lots that have more than one dwelling unit, including but not necessarily limited to, more than one single-family dwelling, two-family dwelling, accessory authorized ohana dwelling, guest house, multi-family dwellings, planned development housing, cluster, or group living facility; or

(C) On lots that are landlocked.

(3) The property owner or owners or persons who are related by blood, marriage, or adoption to the property owner or owners, or designated authorized representative shall occupy the primary dwelling unit or the accessory dwelling unit, except in unforeseen hardship circumstances.
A BILL FOR AN ORDINANCE

(e.g., active military deployment, serious illness) that prevent the continued occupancy of the primary dwelling unit or the accessory dwelling unit, subject to confirmation by the director.

(4) One off-street parking space per accessory dwelling unit must be provided in addition to the required off-street parking for the primary dwelling unit, except for accessory dwelling units located within one-half mile of a rail transit station. For purposes of this section, the minimum distance requirement is measured as the shortest straight line distance between the edge of the station area and the zoning lot line(s) of the project site.

(5) The owner or owners of the lot shall record covenants running with the land with the bureau of conveyances or the land court of the State of Hawaii, or both, as is appropriate, stating that:

(A) Neither the owner or owners, nor the heirs, successors or assigns of the owner or owners will submit the lot or any portion thereof to a condominium property regime under the provisions of HRS Chapter 514A to separate the ownership of an accessory dwelling unit from the ownership of its primary dwelling unit.

(B) The property owner or owners, or persons who are related by blood, marriage, or adoption to the property owner or owners, or designated authorized representative(s) shall occupy the primary dwelling unit or the accessory dwelling unit so long as the other unit is being rented or otherwise occupied; except in cases of unforeseen hardship circumstances (e.g., active military deployment, serious illness) that prevent the continued occupancy of the primary dwelling unit or the accessory dwelling unit, subject to confirmation by the director. For purposes of this section, "designated authorized representative(s)" means the person or persons designated by the property owner or owners to the department of planning and permitting, who are responsible for managing the property;

(C) The accessory dwelling unit may only be used for long-term rental or otherwise occupied for periods of at least six months, and cannot be used as a bed and breakfast home or transient vacation unit;

(D) If the property owner or owners, or persons who are related by blood, marriage or adoption to the property owner or owners, or designated authorized representative(s) choose to receive rent for
A BILL FOR AN ORDINANCE

the primary dwelling unit and occupy the accessory dwelling unit. The primary dwelling unit may only be used for long-term rental or otherwise occupied for a minimum period of six months, and cannot be used as a bed and breakfast home or transient vacation unit;

(E) The accessory dwelling unit is limited to the approved size in accordance with the provisions of Chapter 21; and

(F) The deed restrictions lapse upon removal of the accessory dwelling unit, and all of the foregoing covenants are binding upon any and all heirs, successors and assigns of the owner or owners.

The covenant must be recorded on a form approved by or provided by the director and may contain such terms as the director deems necessary to ensure its enforceability. The failure of an owner or of an owner's heir, successor or assign to abide by such a covenant will be deemed a violation of Chapter 21 and will be grounds for enforcement by the director pursuant to Section 21-2.150, et seq.

(6) All other provisions applicable to the zoning district apply.

(7) All rentals of an accessory dwelling unit, or of the primary dwelling unit if the property owner or owners, or persons who are related by blood, marriage or adoption to the property owner or owners, or designated authorized representative(s) choose to receive rent for the primary dwelling unit and occupy the accessory dwelling unit, must be evidenced by a written rental agreement signed by the owner and the tenant for a lease period of at least six months; provided that after the initial lease period is concluded, the owner may allow the same tenant to continue renting the accessory dwelling unit on a consecutive month-to-month basis.

(d) At the time of application, the applicant shall first obtain written confirmation from the responsible agencies that wastewater treatment and disposal, water supply, and access roadways are adequate to accommodate the accessory dwelling unit.

(e) An accessory dwelling unit may be created by building a new structure (attached or detached from the primary dwelling unit) or through conversion of a legally established structure (attached to or detached from the primary dwelling unit), attic or basement, subject to meeting all pertaining zoning requirements.
The owner of a structure constructed without a building permit prior to the effective date of this ordinance, who wants to convert that structure to an accessory dwelling unit shall obtain an after-the-fact building permit. In addition to fulfilling the base requirements of the after-the-fact permit, any adjustments to the structure must conform to the accessory dwelling unit regulations, enumerated in this section and any additional adopted policies and rules.

The department of planning and permitting must be notified upon removal of an accessory dwelling unit.

Prima facie evidence. If an accessory dwelling unit is advertised as a bed and breakfast home or transient vacation unit, the existence of such advertisement will be prima facie evidence of the following:

1. That the owner of the advertised unit disseminated or directed the dissemination of the advertisement in that form and manner; and
2. That a bed and breakfast home or transient vacation unit, as applicable, is being operated at the location advertised.

The burden of proof is on the owner to establish otherwise with respect to the advertisement and that the subject property either is not being used as a bed and breakfast or transient vacation unit, or that it is being used legally for such purpose.

SECTION 6. Section 21-6.30, Revised Ordinances of Honolulu 1990 ("Method of determining number"), is amended by amending subsection (d) to read as follows:

"(d) All required parking spaces [shall] must be standard-sized parking spaces, except that duplex units, detached dwellings and multifamily dwellings may have up to 50 percent compact spaces, and accessory dwelling units may have one compact space."

SECTION 7. Table 21-6.1, Revised Ordinances of Honolulu 1990 ("Off-street Parking Requirements"), is amended by amending the DWELLINGS AND LODGINGS category to read as follows:
Table 21-6.1
Off-street Parking Requirements

<table>
<thead>
<tr>
<th>Use1</th>
<th>Requirement2</th>
</tr>
</thead>
<tbody>
<tr>
<td>DWELLING AND LODGINGS</td>
<td></td>
</tr>
<tr>
<td>Boarding facilities</td>
<td>2 plus 0.75 per unit</td>
</tr>
<tr>
<td>Consulates</td>
<td>1 per dwelling or lodging unit, plus 1 per 400 square feet of office floor area, but not less than 5</td>
</tr>
<tr>
<td>Dwellings, accessory dwelling unit</td>
<td>1 per accessory dwelling unit or none if the accessory dwelling unit is located within one-half mile of a rail transit station</td>
</tr>
<tr>
<td>Dwellings, detached, duplex and farm</td>
<td>2 per unit plus 1 per 1,000 square feet over 2,500 square feet (excluding carport or garage)</td>
</tr>
<tr>
<td>Dwellings, multifamily</td>
<td></td>
</tr>
<tr>
<td>Floor Area of Dwelling or Lodging Units</td>
<td>Required Parking per Unit</td>
</tr>
<tr>
<td>600 sq. ft. or less</td>
<td>1</td>
</tr>
<tr>
<td>More than 600 but less than 800 sq. ft.</td>
<td>1.5</td>
</tr>
<tr>
<td>800 sq. ft. and over</td>
<td>2</td>
</tr>
<tr>
<td>Plus 1 guest parking stall per 10 units for all projects</td>
<td></td>
</tr>
<tr>
<td>Hotels: dwelling units</td>
<td>1 per unit</td>
</tr>
<tr>
<td>Hotels: lodging units</td>
<td>0.75 per unit</td>
</tr>
</tbody>
</table>

SECTION 8. Section 21-6.40, Revised Ordinances of Honolulu 1990 ("Arrangement of parking spaces"), is amended by amending subsection (c) to read as follows:

"(c) All spaces [shall] must be arranged so that any automobile may be moved without moving another except that tandem parking [shall be] is permissible in any of these instances:

(1) Where two or more parking spaces are assigned to a single dwelling unit and/or a parking space is assigned to an accessory dwelling unit.

(2) For use [for] as employee parking, except that at no time [shall] can the number of parking spaces allocated for employees exceed 25 percent of the total number of required spaces. Also, for employee parking, "tandem" parking [shall be] is limited to a configuration of two stacked parking stalls.

(3) Where all parking is performed by an attendant at all times, and vehicles may be moved within the lot without entering any street, alley or walkway.
(4) For public assembly facilities and temporary events when user arrivals and departures are simultaneous and parking is attendant directed."

SECTION 9. Section 21-8.20, Revised Ordinances of Honolulu 1990 ("Housing—Ohana dwellings"), is amended by amending subsection (c) to read as follows:

"(c) One ohana dwelling unit may be located on a lot zoned for residential, country, or agricultural use, with the following limitations:

(1) The maximum size of an ohana dwelling unit [shall] is not [be] limited but [shall] will be subject to the maximum building area development standard in the applicable zoning district.

(2) Ohana dwelling units [shall] are not [be] permitted on lots within a zero lot line project, cluster housing project, agricultural cluster, country cluster, planned development housing, R-3.5 zoning districts, or on duplex unit lots.

(3) An ohana dwelling unit [shall] is not [be] permitted on any nonconforming lot.

(4) The ohana dwelling unit and the first dwelling [shall] may be located within a single structure, i.e., within the same two-family detached dwelling, or the ohana dwelling unit may be detached from the first dwelling and located on the same lot as the first dwelling.

(5) The ohana dwelling unit [shall] must be occupied by persons who are related by blood, marriage or adoption to the family residing in the first dwelling. Notwithstanding this provision, ohana dwelling units for which a building permit was obtained before September 10, 1992 are not subject to this restriction and their occupancy by persons other than family members is permitted.

(6) All other provisions of the zoning district [shall] apply.

(7) The parking provisions of this chapter applicable at the time the ohana building permit is issued [shall] apply and the provision of such parking [shall be] is a continuing duty of the owner.

(8) The owner or owners of the lot shall record in the bureau of conveyances of the State of Hawaii, or if the lot is subject to land court registration under HRS Chapter 501, they shall record in the land court, a covenant
that neither the owner or owners, nor the heirs, successors or assigns of
the owner or owners shall submit the lot or any portion thereof to the
condominium property regime established by HRS Chapter 514A. The
covenant [shall] must be recorded on a form approved by or provided by
the director and may contain such terms as the director deems necessary
to ensure its enforceability. The failure of an owner or of an owner's heir,
successor or assign to abide by such a covenant [shall] will be deemed a
violation of Chapter 21 and be grounds for enforcement of the covenant by
the director pursuant to Section 21-2.150, et seq., and [shall] will be
grounds for an action by the director to require the owner or owners to
remove, pursuant to HRS Section 514A-21, the property from a
submission of the lot or any portion thereof to the condominium property
regime made in violation of the covenant."

SECTION 10. Section 21-10.1, Revised Ordinances of Honolulu 1990
("Definitions"), is amended by adding new definitions of "Accessory dwelling unit" and
"Designated authorized representative," to read as follows:

""Accessory dwelling unit" means a second dwelling unit, including separate
kitchen, bedroom and bathroom facilities, attached or detached from the primary
dwelling unit on the zoning lot."

""Designated authorized representative" means one or more persons appointed
by the owner or owners to reside in the primary dwelling unit or accessory dwelling unit
and act on behalf of the owner or owners in his or her absence."

SECTION 11. Ordinance material to be repealed is bracketed. New material is
underscored. When revising, compiling or printing this ordinance for inclusion in the
Revised Ordinances of Honolulu, the revisor of ordinances need not include the
brackets, the bracketed material, or the underscoring.
SECTION 12. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ernest Martin (BR)

DATE OF INTRODUCTION:

March 5, 2015
Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this 14th day of September, 2015.

KIRK CALDWELL, Mayor
City and County of Honolulu
ORDINANCE 15-41

BILL 20 (2015), CD1

Introduced: 03/05/15  By: ERNEST MARTIN (BR)  Committee: ZONING AND PLANNING

Title: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED (THE LAND USE ORDINANCE), RELATING TO ACCESSORY DWELLING UNITS.

Voting Legend: * = Aye w/Reservations

03/11/15 COUNCIL BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON ZONING AND PLANNING.
8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA.
1 ABSENT: PINE.

04/25/15 PUBLISH PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.

04/30/15 ZONING AND PLANNING CR-155 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.

05/06/15 COUNCIL/PUBLIC HEARING CR-155 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON ZONING AND PLANNING.
9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

06/13/15 ZONING AND PLANNING SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.

05/28/15 ZONING AND PLANNING CR-223 – REQUESTING 120-DAY EXTENSION OF TIME.

06/03/15 COUNCIL CR-223 ADOPTED.
9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

07/23/15 ZONING AND PLANNING BILL DEFERRED IN COMMITTEE.

08/20/15 ZONING AND PLANNING CR-335 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.

09/02/15 COUNCIL CR-335 ADOPTED AND BILL 20 (2015), CD1 PASSED THIRD READING AS AMENDED.
9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

GLEN TAKAHASHI, CITY CLERK

ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER

15-41
Sample Declaration of Restrictive Covenants

CITY AND COUNTY OF HONOLULU
DEPARTMENT OF PLANNING AND PERMITTING
650 SOUTH KING STREET, HONOLULU, HAWAII 96813
http://www.honoluludpd.org/

INSTRUCTIONS FOR PREPARING AND FILING A DECLARATION OF RESTRICTIVE COVENANTS FOR ACCESSORY DWELLING UNITS

Before the accessory dwelling permit can be issued, the fee owner(s) of the lot must prepare and file the declaration of restrictive covenant with the Bureau of Conveyances or the Land Court. A certified copy of the declaration showing proof of recordation must be presented to the Permit Issuance Branch before issuance of the building permit.

Preparation of the Declaration of Restrictive Covenants

Reproduce a document similar to the sample copy. Fill in blanks and omit blank spaces.

☐ Type or print neatly in black ink.
☐ All documents should be no larger than 8 ½” x 11” and should be single-sided sheets of written text.
☐ All documents should be able to reproduce legibly under photographic or electrostatic methods. Highlights are not acceptable for imaging.
☐ The first page of the document must have the following:
  ☐ Top three and one-half inches (3 ½”) must be reserved for Registrar’s recording information.
  ☐ The following one inch (1”) must be reserved for information showing to whom the recorded document should be returned with the complete mailing address.
  ☐ The mailing address to whom the document should be returned must begin one and one-half inches (1 ½”) from left the margin and not exceed three and one-half inches (3 ½”) per line.
  ☐ Must identify the full names of all fee owners, addresses and tax map key number. If the property is owned by a trust, the trustee must be identified and affiliation to the trust must be explained.
  ☐ Must identify the specific zoning designation for the property (Country, R-3.5, R-5, R-7.5, R-10 or R-20) as well as the lot area.
  ☐ The names of parties must conform throughout the document (body of instrument, below signature line and notary page).
  ☐ Signatures must be notarized.
  ☐ Attach and label “Exhibit A.” “Exhibit A” is the description of the property which is usually attached to the deed or other conveyances document.

Most of the above information was obtained from the State Bureau of Conveyances. Please access their website at http://dlnr.hawaii.gov/bbo/recording-fees/

Review and Recordation

The declaration must be reviewed and approved by the assigned residential plans examiner. Therefore:

☐ Submit an unsigned (not notarized) and not recorded declaration of restrictive covenant (prepared per instructions above) to the assigned residential plans examiner at the Permit Issuance Branch.
☐ The plans examiner will review the information in the declaration and inform you if corrections or addition are needed.
☐ Once the declaration has been approved by the plans examiner, take it to the Bureau of Conveyances or Land Court for recordation at Kalanikou Building, 1151 Punchbowl Street, Room 120.
☐ After the recordation, submit a certified copy of the recorded declaration to the assigned residential plans examiner.

ATTENTION: It is the sole responsibility of the fee owner(s) to properly fill-in the declaration of restrictive covenant and file it with the Bureau of Conveyances. When you submit the filled-in and unsigned declaration of restrictive covenant to the Permit Issuance Branch (prior to being recorded) the plans examiner will only review it for content relating to building permit.
DECLARATION OF RESTRICTIVE COVENANTS

This Declaration made by ____________, Owner(s) in fee simple of that certain parcel of land at __________________, also known as Lot __________, identified by Tax Map Key __________, and more particularly described in Exhibit "A" attached hereto and made a part thereof (the "Property").

WHEREAS, by Deed dated __________, recorded in the Bureau of Conveyances (Regular System) of the State of Hawaii in Liber ____, Page ____, or in Document/Instrument No. __________, and/or filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. __________ and noted on Certificate of Title No. __________, __________ (name of owner(s)) became the sole owner(s) of the Property and is/are hereinafter collectively called the “Declarant.”

WHEREAS, the Declarant has applied for a building permit from the Department of Planning and Permitting of the City and County of Honolulu, Building Permit Application No. __________ ("Building Permit Application"), for the construction, and/or maintenance of an accessory dwelling unit on the Property.

WHEREAS, pursuant to the Land Use Ordinance of the City and County of Honolulu, in a __________ District on a zoning lot of __________ square feet, a one-family detached dwelling may only be erected and maintained on said premises, except under the provisions of the Land Use Ordinance relating to Accessory Dwelling Units.
NOW, THEREFORE, in accordance with the provisions and definitions in the Land Use Ordinance pertaining to Accessory Dwelling Units, the Declarant hereby covenants and agrees to subject the Property described in Exhibit "A" to the following restrictive covenants:

1. Neither the owner or owners, nor their heirs, successors or assigns of the owner or owners will submit the lot or any portion thereof to a condominium property regime under the provisions of HRS Chapter 514A to separate the ownership of an accessory dwelling unit from the ownership of its primary dwelling unit.

2. The property owner or owners or persons who are related by blood, marriage, or adoption to the property owner or owners, or designated authorized representative(s) shall occupy the primary dwelling unit or the accessory dwelling unit so long as the other unit is being rented or otherwise occupied; except in cases of unforeseen hardship circumstances (e.g., active military deployment, serious illness) that prevent the continued occupancy of the primary dwelling unit or the accessory dwelling unit, subject to confirmation by the director. For purposes of this section, “designated authorized representative(s)” means the person or persons designated by the property owner or owners to the department of planning and permitting, who are responsible for managing the property.

3. The accessory dwelling unit may only be used for long-term rental or otherwise occupied for periods of at least six months, and cannot be used as a bed and breakfast home or transient vacation unit.

4. If the property owner or owners, or persons who are related by blood, marriage or adoption to the property owner or owners, or designated authorized representative(s) choose to receive rent for the primary dwelling unit and occupy the accessory dwelling unit, the primary dwelling unit may only be used for long-term rental or otherwise occupied for a minimum period of six months, and cannot be used as a bed and breakfast home or transient vacation unit.

5. The accessory dwelling unit is limited to the approved size in accordance with the provisions of Chapter 21.

6. The deed restrictions lapse upon removal of the accessory dwelling unit, and all of the foregoing covenants are binding upon any and all heirs, successors and assigns of the owner or owners.

7. This Declaration of Restrictive Covenants shall run with the land and shall bind, inure to the benefit of, and constitute notice to the respective successors, grantees, assignees, mortgagees, licensees, and any other person who claims an interest in the Property.

8. Declarant shall file a certified recorded copy of this Declaration of Restrictive Covenants with the Department of Planning and Permitting of the City and County of Honolulu, as a condition precedent to the issuance of the Building Permit.
9. This Declaration of Restrictive Covenants shall not terminate, extinguish nor cancel without the express approval of the Director of Planning and Permitting of the City and County of Honolulu, State of Hawaii.

10. The failure to maintain the development in accordance with this Declaration of Restrictive Covenants shall constitute grounds for the City and County of Honolulu to revoke or suspend any building permits issued hereunder.

11. The City and County of Honolulu, State of Hawaii, shall have the right to enforce this Declaration of Restrictive Covenants and the conditions contained herein by appropriate action at law or suit in equity against Declarant and any persons claiming an interest in the Property.

IN WITNESS WHEREOF, the undersigned hereunto sets his/her hand on this ________ day of __________________, 20_____

________________________
NAME OF OWNER

________________________
NAME OF OWNER
STATE of HAWAII

CITY AND COUNTY OF HONOLULU

On this ______ day of ______________, 20____, before me personally appeared ______________, known to me to be the Declarant hereunder, described in and who executed the foregoing instrument, and acknowledge that he executed the same as his free act and deed and as the act and deed of Declarant.

Notary Public, State of Hawaii
Print Name:
My commission expires:

NOTARY CERTIFICATE (Hawaii Administrative Rules §5-11-8)

Date of Doc: ____________________________ # Pages: ____________________________

Name of Notary: ____________________________ Notes: ____________________________

Doc. Description:

First Circuit, State of Hawaii

(stamp or seal)
Sample ADU Pre-check Form

### Sample ADU Pre-check Form

<table>
<thead>
<tr>
<th>TAX MAP KEY</th>
<th>ZONING DISTRICT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Sec Plat Par Lot</td>
<td>Lot Area:</td>
</tr>
</tbody>
</table>

**APPLICANT:**

**AGENT:**

**PHONE:**

### ADU - PART I (To be completed by applicant)

1. **PROPOSAL FOR:** (check only one)
   - [ ] One new attached unit
   - [ ] One new detached unit
   - [ ] Use of existing attached second unit
   - [ ] Use of existing detached unit second unit
   - [ ] Alteration work only (conversion of garage, guest quarters, recreation rooms, basement, etc.)
   - [ ] Other

2. **TOTAL NUMBER OF BEDROOMS IN BOTH UNITS:**

3. **PARCEL NOW SERVED BY OR HAS:** (check Yes or No)
   - [ ] Yes
   - [ ] No

   a. Meets minimum lot size required
   - [ ] Yes
   - [ ] No

   b. City water
   - [ ] Yes
   - [ ] No

   c. City sewers
   - [ ] Yes
   - [ ] No

   d. Cesspool or septic tank. If "Yes", see II.b. – State Department of Health
   - [ ] Yes
   - [ ] No

   e. Direct access to a street with minimum paved roadway width of 20 feet (18 feet if street serves no more than 6 lots)
   - [ ] Yes
   - [ ] No

   f. Sufficient area for required number of parking spaces
   - [ ] Yes
   - [ ] No

### ADU - PART II (To be completed by government agencies)

**If you do not meet any requirement permit cannot be granted.**

**I. DPP CUSTOMER SERVICES DIVISION:** Parcel meets zoning and lot size/dimension standards.

- [ ] Yes
- [ ] No

**Signature**

**Date**

**II. WASTEWATER DISPOSAL (either a or b)**

a. DPP WASTEWATER BRANCH: Sewer service is available and capacity is adequate.

- [ ] Yes
- [ ] No

**Signature**

**Date**

b. STATE DEPARTMENT OF HEALTH - WASTEWATER BRANCH: Existing/proposed Individual Wastewater System meets requirements.

- [ ] Yes
- [ ] No

**Signature**

**Date**

**III. BOARD OF WATER SUPPLY - SERVICE ENGINEERING:** Existing water system is adequate.

- [ ] Yes
- [ ] No

**Signature**

**Date (Valid for 90 days)**

**BWG ONLY:** Approval for one-time 90-day extension.

**Signature**

**Date (Valid for 90 days)**

**IV. DPP TRAFFIC REVIEW BRANCH:** Meets minimum roadway requirements.

- [ ] Yes
- [ ] No
- [ ] N/A

**Signature**

**Date**

**Additional comments (attach if necessary):**
Hiring a Contractor Checklist

Are you planning to remodel your home? This checklist will help you make sure you’ve done everything you need to do for your project. Check off each item when they’re complete.

___ Get three written estimates for the job.
___ Verify the licenses of all contractors and subcontractors with DCCA Call 587-3222
___ Check prior complaints history for all contractors and subcontractors with DCCA Call 587-3222
___ Ask contractor for references
___ Request a list of subcontractors to be used
___ Draw up a written contract
___ Read the entire contract and understand all the terms and conditions
___ Purchase performance, material and completion bonds through the contractor
___ Obtain the appropriate building permits
___ See and understand any plans and blueprints before approving them
___ Periodically check on the progress of the work
___ Get lien releases from subcontractors and material supplies
___ Keep copies of all documents and correspondence
___ Publish a notice of completion in the newspaper once the job is done.
Hawaiian Community Assets Punawai IDA and MATCH Savings Accounts

Hawaiian Community Assets (HCA) provides access to loans and grants to help qualified individuals build their ADUs. Two programs—Punawai IDA and HCA MATCH—may be of particular interest to homeowners who are considering building an ADU. Although these two programs are available only to persons of Native Hawaiian ancestry, HCA also provides services that are available to others who do not be the ancestry requirement of Punawai IDA and HCA MATCH.

You can find out more about HCA’s services at [http://www.hawaiiancommunity.net](http://www.hawaiiancommunity.net).

Additional information about the Punawai IDA and HCA MATCH programs is included below.

**Punawai IDA**

Before you can be approved for enrollment into the Office of Hawaiian Affairs’ Punawai IDA you will need to complete the following steps:

1. Complete an HCA client intake packet.
2. Enroll in a financial or housing program with HCA.
3. Complete a Kahua Waiwai Financial or Housing Education workshop delivered by a certified Kahua Waiwai Trainer.
4. Receive HUD-approved financial coaching to develop a budget, review your credit, and establish a financial action plan.
5. Complete a Punawai IDA Orientation meeting and enrollment forms.
6. Establish a savings goal and a Punawai IDA Savings Plan.
7. Open, or have an existing, bank or trust account.

**Punawai IDA Objectives**

Hawaiian Community Assets’ (HCA) objective for the Punawai IDA is to assist Native Hawaiian individuals and families develop savings habits necessary to prevent emergencies and reach a financial goal. Punawai IDA is intended to assist participants with:

- Developing personal financial management skills;
- Establishing regular savings habits and disciplines;
- Identifying a financial goal;
- Completing a savings plan with Punawai IDA funds that results in securing a financial goal.

Punawai IDA provides:

- Kahua Waiwai Financial Education
- Individualized HUD-approved financial coaching to help participants achieve their savings goal; and
- A savings incentive – Punawai IDA provides a 2:1 match for every dollar saved by participants toward a savings goal. Maximum Punawai IDA is $1,000 per participant. Example: Participant saves $1,000. Punawai IDA will match the savings by $2,000 (2:1), resulting in a total of $3,000 to use for a financial goal.

**Participant Eligibility**

Eligible participants of the Punawai IDA include individuals or families with Native Hawaiian ancestry residing in Hawaii who:

- Are 18 years of age or older;
- Are at or below 250% Federal Poverty Guideline for Hawai‘i;
- Have completed a Kahua Waiwai Financial Education Workshop
- Have completed HUD-approved counseling
- Complete *Punawai IDA Participant Application Form*; and
- Sign and abide by the rules set forth in the *Participant Savings Plan Agreement and Enrollment Form*.

**On-Going Participant Requirements**
To maintain eligibility in the HCA MATCH Savings Account, participants must:
- Open, or have an existing, savings or trust account;
- Must make monthly deposits in bank or trust account with NO withdrawals. If a withdrawal is made, participants will be ineligible to receive matching funds and encouraged to re-enroll in the HCA MATCH Savings Account;
- Meet with assigned HCA Community Services Specialist to provide information on spending/savings habits, progress toward savings goal, and savings account statements;
- Share feedback about the product in an exit interview and through follow-up contact;
- Stay enrolled in the product for at least three (3) months but not to exceed a maximum term of twenty-four (24) months from initial enrollment.

**Eligible Uses of Punawai IDA Match Funds**
Program participants can ONLY use match funds for the following financial goals:

<table>
<thead>
<tr>
<th>Goal</th>
<th>Eligible Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing</td>
<td>Mortgage/rent payments, utilities, down payment, closing costs, application fees, homeowners insurance, property taxes, program fees, home repair/maintenance</td>
</tr>
<tr>
<td>Education</td>
<td>Tuition, books, application fees, laptop</td>
</tr>
<tr>
<td>Business</td>
<td>Start-up/expansion costs, business plan development, equipment</td>
</tr>
<tr>
<td>Medical</td>
<td>Costs for dental, vision, or health services, emergency services</td>
</tr>
<tr>
<td>Debt</td>
<td>Collections, judgments, liens, credit cards, loans</td>
</tr>
<tr>
<td>Transportation</td>
<td>Car purchase, car repair, purchase of bus passes</td>
</tr>
<tr>
<td>Career</td>
<td>Professional work clothing, job/career training</td>
</tr>
<tr>
<td>Family</td>
<td>Funeral, childcare</td>
</tr>
<tr>
<td>Assistive Technology</td>
<td>Technology for persons with special needs to live, work, or attend school</td>
</tr>
</tbody>
</table>

**HCA Match Savings Account**
Before you can be approved for enrollment into the HCA MATCH you will need to complete the following steps:
1. Enroll in financial literacy/renter education and credit counseling program with HCA.
2. Complete Kahua Waiwai Financial Literacy or Housing Education workshop series delivered by HCA or approved provider.
3. Complete HUD-approved housing counseling with an HCA Community Services Specialist.
4. Complete HCA MATCH Orientation meeting and program enrollment forms.
5. Establish a savings goal and HCA MATCH Savings Plan.
6. Open, or have an existing, savings or trust account.

**HCA MATCH Objectives**
Hawaiian Community Assets’ (HCA) objective for the HCA MATCH Savings Account is to assist Native Hawaiian individuals and families in developing savings habits necessary to secure and sustain affordable housing. The HCA MATCH Savings Account is intended to assist participants with:

- Developing personal financial management skills;
- Establishing regular savings habits and disciplines;
- Identifying housing costs;
- Completing a savings plan with HCA MATCH funds that results in securing rental housing or sustaining homeownership.

The HCA MATCH Savings Account provides:

- Kahua Waiwai Financial Literacy and Housing Education workshops
- Ongoing, individualized HUD-approved housing counseling and case management to help participants achieve their savings and housing goal; and
- A savings incentive – HCA MATCH provides a 2:1 match for every dollar saved by participants toward a savings goal. Maximum HCA MATCH is $1,000 per participant. Example: Participant saves $1,000. HCA MATCH will match the savings by $2,000 (2:1), resulting in a total of $3,000 to use toward housing related costs for renters or homeowners.

Our goals with the HCA MATCH Savings Accounts are to support the success of each participant to implement positive savings and spending habits to achieve a realistic savings goal.

**Participant Eligibility**

Eligible participants of the HCA MATCH Savings Account include individuals or families with Native Hawaiian ancestry receiving services from HCA or an HCA-approved partner organization in Hawai‘i who:

- Is 18 years of age or older;
- Has verified monthly income;
- Is at or below 80% HUD Area Median Income for their County of residence;
- Has completed Kahua Waiwai Financial Literacy or Housing Education workshop and HUD-approved housing counseling delivered by HCA or an approved provider;
- Complete HCA MATCH Participant Application Form; and
- Sign and abide by the rules set forth in the Participant Savings Plan Agreement and Enrollment Form.

**On-Going Participant Requirements**

To maintain eligibility in the HCA MATCH Savings Account, participants must:

- Open, or have an existing, savings or trust account;
- Must make monthly deposits in bank or trust account with NO withdrawals. If a withdrawal is made, participants will be ineligible to receive matching funds and encouraged to re-enroll in the HCA MATCH Savings Account;
- Meet with assigned HCA Community Services Specialist to provide information on spending/savings habits, progress toward savings goal, and savings account statements;
- Share feedback about the product in an exit interview and through follow-up contact;
- Stay enrolled in the product for at least three (3) months but not to exceed a maximum term of twenty-four (24) months from initial enrollment.
### Materials Chart

<table>
<thead>
<tr>
<th>MATERIALS</th>
<th>$</th>
<th>$$</th>
<th>$$$</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ROOF</strong></td>
<td>Asphalt Composite</td>
<td>Metal</td>
<td>Concrete Tile</td>
</tr>
<tr>
<td><strong>EXTERIOR WALLS</strong></td>
<td>Vinyl</td>
<td>Natural Wood (Sealed)</td>
<td>Sheet Metals</td>
</tr>
<tr>
<td><strong>GUTTERS + DOWNSPOUTS</strong></td>
<td>Vinyl</td>
<td>Aluminium</td>
<td>Copper</td>
</tr>
<tr>
<td><strong>RAILINGS</strong></td>
<td>Simple Paint Grade Wood</td>
<td>Stock Metal or Custom Cable</td>
<td>Artisan Metal Work</td>
</tr>
<tr>
<td><strong>EXTERIOR FLOORING</strong></td>
<td>Plywood</td>
<td>Composite</td>
<td>Exotic</td>
</tr>
<tr>
<td><strong>DOORS + WINDOW FRAMES</strong></td>
<td>Vinyl</td>
<td>Aluminium Clad Wood</td>
<td>Custom Wood or Steel</td>
</tr>
<tr>
<td><strong>INTERIOR WALLS</strong></td>
<td>Gypsum Board</td>
<td>Custom Plaster</td>
<td>Tile</td>
</tr>
<tr>
<td><strong>INTERIOR WALL FINISH</strong></td>
<td>Standard Paint, Textured Finish</td>
<td>Quality Paint, Smooth Finish</td>
<td>Artisan Finish</td>
</tr>
<tr>
<td><strong>INTERIOR TRIM</strong></td>
<td>Painted MDF</td>
<td>Paint Grade Wood</td>
<td>Stained Clear Wood</td>
</tr>
<tr>
<td><strong>INTERIOR FLOORING</strong></td>
<td>Stained Marine Grade Plywood</td>
<td>Wood Resilient Flooring</td>
<td>Stained Wood</td>
</tr>
<tr>
<td><strong>LIGHTS</strong></td>
<td>Downlight</td>
<td>Hanging</td>
<td>Decorative</td>
</tr>
<tr>
<td><strong>CABINETS</strong></td>
<td>MDF</td>
<td>Plywood</td>
<td>Custom</td>
</tr>
</tbody>
</table>
Useful Contacts

Hawaii Appleseed
119 Merchant St., Suite 605A
Honolulu, HI 96813
(808) 587-7605
www.hiappleseed.org

Hawaiian Community Development Board
1188 Bishop St., Suite 907
Honolulu, HI 96813
www.hawndev.org

Hawaiian Community Assets
200 N. Vineyard Boulevard, Suite A300
Honolulu, HI 96817
1-866-400.1116 (toll-free)
www.hawaiiancommunity.net

Department of Planning and Permitting (DPP)
www.honoluludpp.org

Customer Services Division
Permit Issuance Branch
Frank Fasi Municipal Building
650 South King St., 1st Floor
(808) 768-8220

Customer Services Division
Building Permit Center
Kapolei Hale
1000 Uluohia St., 1st Floor
(808) 768-3123

Wastewater Branch
Frank Fasi Municipal Building
650 South King St., 1st Floor
(808) 768-8197

Land Use Permits Division
Zoning Regulations & Permits Branch
Frank Fasi Municipal Building
650 South King St., 7th Floor
(808) 768-8021
Board of Water Supply (BWS)
Service Engineering Section
630 S. Beretania St., 1st Floor
(808) 748-5460

State Department of Health (DOH)
Environmental Management Division
Wastewater Branch
919 Ala Moana Blvd., Rm 309
Honolulu, HI 96814
(808) 586-4294

Department of Land and Natural Resources
Bureau of Conveyances
1151 Punchbowl St., Rm 121
Honolulu HI 96813
(808) 587-0147

Office of Consumer Protection
Residential Landlord-Tenant Center (hotline)
(808) 586-2634
Monday through Friday, 8am-12pm
[cca.hawaii.gov/hfic/landlord_tenant/](cca.hawaii.gov/hfic/landlord_tenant/)

Regulated Industries Complaints Office
235 S. Beretania St., 9th Floor
Honolulu, HI 96813
[cca.hawaii.gov/rico](cca.hawaii.gov/rico)