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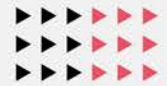
2023/2024

'OHANA DWELLING HANDBOOK

**A How-to Guide To Building An
'Ohana Dwelling Unit**



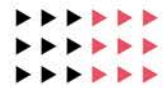
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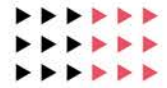
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BUILDING AN 'OHANA DWELLING

A HOMEOWNER'S GUIDE



This guide will help you determine if building an 'Ohana Dwelling is feasible, provide step-by-step guidance for how to proceed with developing one, and will provide you with important information about the rules and regulations of Hawaii County that you will need to know before you start.



1. Overview

1.1 What is an 'Ohana Dwelling?

An 'Ohana dwelling is an additional dwelling unit developed on a residential property as an attached or detached house. Traditionally the 'Ohana dwelling unit is smaller than the primary dwelling, but this is not a requirement. An 'Ohana dwelling has all of the amenities of a home needed for day-to-day living: a kitchen, bathroom, and sleeping area. An 'Ohana dwelling means,

A SECOND DWELLING UNIT PERMITTED TO BE BUILT AS A SEPARATE OR AN ATTACHED DWELLING UNIT ON A BUILDING SITE, BUT DOES NOT INCLUDE A GUEST HOUSE OR A FARMHOUSE.

****It is important to note that Hawai'i County's definition of an 'Ohana dwelling is different from other counties in the state of Hawai'i. Make sure to follow Hawai'i County's codes and standards.****

A hand holding a red pencil is shown in the foreground, drawing a red outline of a kitchen interior on a white surface. The kitchen features a countertop, a sink, a window, and a door. The drawing is done in a simple, sketchy style.

A circular image of a small red wooden cabin with a white door and a small porch with white chairs and a table, set on a green lawn under a blue sky.

'OHANA DWELLING CONFIGURATIONS



Attached



Detached



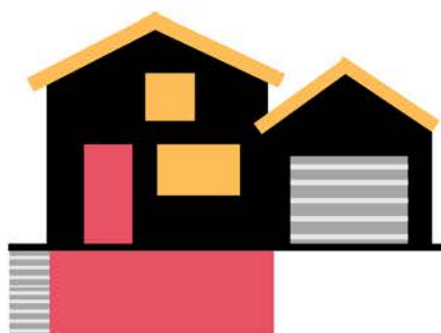
**Above the
Garage**



**Interior
(Upper Level)**



**Interior
(Lower level)**



**Garage
Conversion**



Did you know?

You are also allowed to redesignate the primary residence as an 'Ohana dwelling and build a new primary dwelling, as long as the existing dwelling meets the standards of an 'Ohana dwelling or can be modified to comply with all the 'Ohana dwelling standards.

1.2 WHY BUILD

AN 'OHANA DWELLING?

1.

Housing family or friends

As the name implies, to house family members who want an independent living space. Another common term for an 'Ohana dwelling is a “mother-in-law apartment” or a “granny flat.”

2.

Rental Income

You can rent the 'Ohana dwelling or the primary dwelling as an income property to rent to long-term renters. The dwelling may also be used as a short-term vacation rental or as a bed and breakfast, depending on the zoning district. Keep in mind that there may be restrictions, or a use permit may be required. See 7.1, Rental Regulations and Requirements, on page 38 for additional information.

3.

Downsizing

Some property owners want to downsize their home but stay on their property. Moving into an 'Ohana dwelling and renting out the main house or allowing family to move into the main house allows this option.

4.

Aging in Place

An 'Ohana dwelling can be built to suit your needs as you age, or for aging family members. This could include ADA (handicap accessibility) accommodations. They can also be built to house an in-home caregiver.

5.

Community and Environmental Benefits

'Ohana dwellings are an effective way to help provide needed housing in the community. They also help reduce urban sprawl, which means people can live closer to town, closer to their place of work, and make efficient use of public infrastructure and services. In other words, it keeps country country.

1.3 PROCESS

AND TIMELINE



Stage 1: Planning

The first stage is devoted to the planning phases. This includes researching your property and the applicable code requirements, as well as identifying your needs and goals for the project.



Stage 2: Designing and Permitting

During this stage you will work with a designer/architect to develop your building plans and submit your 'Ohana dwelling permit application and your building permit application for approval. You will also hire a contractor during this stage.



Stage 3: Construction

Once your permits have been approved you can begin construction. Your oversight of the project will be needed through completion.

Estimated Timeline

PLANNING
3-5 months

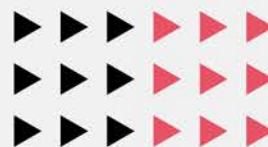
PERMITTING
4-6 months

CONSTRUCTION
6-12 months



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Source: County of Hawai'i Zoning Maps

STAGE 1: PLANNING



2. 'OHANA DWELLING BASICS

2.1 Research your property

You will need to research your property before you build an 'Ohana dwelling. The following are the areas you need to research before you start your project. Additional details about specific requirements for development can be found in other sections of this handbook.

1.

Check the permit history for your house

5.

Fees and System Development Charges

2.

Check if your property is in a zone that allows 'Ohana dwellings.

6.

Building permit fees

3.

Verify the county utility connections

7.

System Development Charges

4.

Construction standards



ACCESSING INFORMATION THROUGH THE COUNTY GIS SYSTEM



Requests for Public Record

Hawai'i County no longer takes paper Requests for Public Record. Instead they now provide access to their GIS system. This system can be used to find the public information about your property. The County website provides a GIS tutorial on their website, but you will want to explore the online GIS system in order to learn how to navigate it fully.

The website below provides the link to the GIS system and gives a step-by-step tutorial to get started.

www.planning.hawaiicounty.gov/i-want-to/find-out/my-zoning



Understand the Tax Implications

Adding an 'Ohana dwelling will likely increase the value of your home and thus its property taxes. Before starting on your 'Ohana dwelling project, please contact your Hawai'i County Real Property Tax Office to learn how the addition of an 'Ohana dwelling may affect your property taxes.

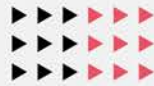
East Office: (808) 961-8354

West Office: (808) 323-4881

Email: cohappraisal@hawaiicounty.gov

STILL NEED HELP?

**CALL THE PLANNING DEPARTMENT
AND ASK TO TALK TO ONE OF THE
FOLLOWING:**



A County Planner

can give you information about planning and Zoning and other land use Code requirements that apply to your property.

A Building Code and Engineering Reviewer

can help you with building code and engineering requirements, and to find out if there is specific construction flood requirements for your property.

East Hawai'i: (808) 961-8327

West Hawai'i: (808) 323-4850

A Permit Technician

can answer questions about the permit process or if you need help with application requirements.

A Water expert

can help you find out if your project requires you to increase the size of your existing water meter.

A Transportation expert

can help you determine if your project will trigger right-of-way improvements.

A Sewer Access expert

a DEM wastewater expert can help you determined if your project triggers any issues with sewer access.

The Wastewater Branch

can answer questions about your Individual Wastewater System or other wastewater questions.

East Hawai'i: (808) 933-0401

West Hawai'i: (808) 322-1963

**If you need help, these
experts and others can
give you help to get you
started.**

**East Hawai'i:
(808) 961-8288**

**West Hawai'i:
(808) 323-4770**

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2.2 'OHANA DWELLING REGULATIONS

2.2.1 Eligibility

An application for an 'Ohana dwelling permit on any building site can only be accepted by the director after the completion of all subdivision improvements required by Hawai'i County Code Chapter 23 (subdivisions), for the subdivision in which the building site is located.

Public facilities must be able to adequately serve the addition of an 'Ohana dwelling unit. These could impact the cost of your project significantly, which is why it is important to identify the issue before proceeding forward:

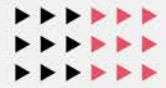
Sewage Disposal System. The building site shall be served by a public or private sewage disposal system. An adequate public sewage disposal system shall meet with the requirements of the department of public works and an adequate private sewage disposal system, cesspool or septic tank shall meet with the requirements of the State department of health.

Potable Water Supply. The building site shall be served by an approved public or private water system meeting with the requirements of the department of water supply which system can accommodate the 'Ohana dwelling and the main dwelling unit. An 'Ohana dwelling that is not served by an approved public or private water system may use a water catchment system provided that the director determines that there is sufficient annual rainfall in the area to accommodate a water catchment system and water catchment system meets the requirements of the department of health and the department of water supply.

Fire Protection. The building site shall be served by adequate fire protection measures meeting with the requirements of the fire department.

Streets. The building site shall gain access to a public or private street meeting with the requirements of the department of public works.

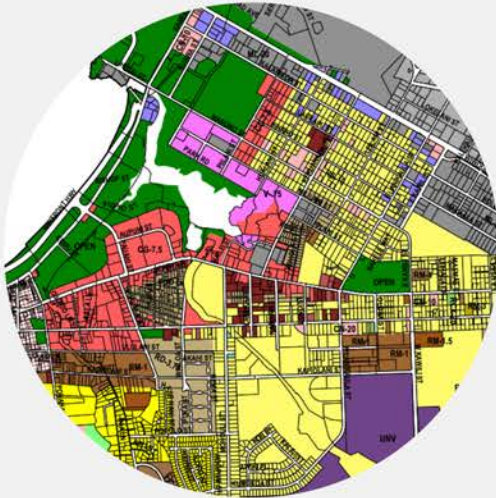
PLACEHOLDER: UTILITIES



Potential obstacles or expenses for
utility improvements

This is a placeholder page based on feedback from the Vibrant Hawaii meeting of common obstacles.

ELIGIBILITY FOR AN 'OHANA DWELLING



Source: County of Hawai'i Zoning Maps

As you research your property, check with County staff (see page 12) to see if the public facilities adequately serve the site to support the development of an 'Ohana dwelling. If not, you will need to improve these facilities before developing your property with any improvements for an 'Ohana dwelling.

Only one permit application for an 'Ohana dwelling unit may be active for any one applicant at any time. If you have obtained an 'Ohana dwelling permit for a property (for any property that you are a titleholder) and the construction was completed to the satisfaction of the director within the last two years, you are not eligible to apply for a subsequent 'Ohana dwelling permit on any building site.

2.2.2 Allowable Zones

The building site must be a legal lot of record. 'Ohana dwelling units are allowed on properties zoned as one of the following:

- **RS (Single-Family Residential) districts**
- **RA (Residential and Agricultural) districts**
- **FA (Family Agricultural) districts**
- **A (Agricultural) districts**



Source: County of Hawai'i Zoning Maps

'OHANA DWELLINGS

ARE RESTRICTED FROM:

1.

Any building site within the State land use conservation district;

2.

Any building site developed under an affordable housing project approved by the State housing finance and development corporation (HFDC) and/or the County housing agency which has been granted preemptions from the requirements of the County Code;

3.

Any building site developed as a planned unit development (P.U.D.) or a cluster plan development (C.P.D.);

4.

Any building site where more than one dwelling unit is permitted in the zoning district, including building sites that permit more than one dwelling unit in the RS district, building sites with duplex and multiple-family dwellings, care homes, family child care homes, group living facilities, and single-family dwellings which are transient vacation units;

5.

Any building site that is the subject of an approved **variance** from the provisions of chapter 22 or chapter 23 (subdivisions);

4.

Any building site on which the construction of an ohana dwelling or a second dwelling unit is specifically prohibited by a change of zone ordinance.

Variances are explicitly prohibited from being granted to permit the construction or placement of an 'Ohana dwelling, therefore it is important that your application meets all of the standards before you submit it.

Did you know?

A **variance** is legal request to deviate from current zoning requirements. If granted, it permits the owner to use the land in a manner not usually permitted by the zoning ordinance.

'OHANA DWELLING REGULATIONS



2.2.3 Lot requirements

An 'Ohana dwelling unit is allowed on a property with a single family residence. Only one 'Ohana dwelling is allowed per lot. The minimum building site area for a building site containing both the first dwelling and the 'Ohana dwelling unit is 10,000 square feet.



2.2.4 Size regulations

There is no minimum or maximum size for the structure.

2.2.5 Height requirements

Attached Unit

If the living areas of the 'Ohana dwelling unit and the first dwelling unit are joined by a common wall, floor, or ceiling (an attached unit), the height limit for an 'Ohana dwelling unit is the same height limit as the primary unit. For all the zoning districts that 'Ohana dwelling units are allowed, (RS, RA, FA, and A), the limit is 35 feet.

Detached Unit

If the 'Ohana dwelling unit is a detached unit, the height limit is 25 feet, regardless of whether a greater height limit is provided for the zoning district.

'OHANA DWELLING REGULATIONS



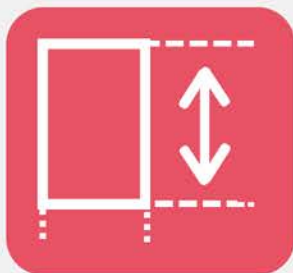
2.2.6 Parking regulations

Two parking spaces for each dwelling unit is required; therefore, for a site with a single family primary residence and an 'Ohana dwelling unit, four spaces will need to be provided. All parking spaces, both new and existing, need to be arranged so that each one is individually accessible.



2.2.7 Design regulations

Your property may be subject to design regulations depending on if you live in an HOA or an overlay zone. Make sure to research your property to see if this applies to you.



2.2.8 Yard regulations

If the dwelling has street frontage (as opposed to a property on a flag lot), a front yard is required. The yard requirements for an attached 'Ohana dwelling unit are the same for the primary dwelling (see Table 1).

The minimum front, rear, and side yard requirements for a detached 'Ohana dwelling unit is the minimum yard requirements for the zoning district in which the building site is situated plus an additional five feet (see Table 1).

TABLE 1:

ZONING DISTRICT YARD SETBACK REQUIREMENTS

| Zoning District Yard Setback Requirements | | | | | | | |
|---|-------|-------|-------|-------|-------|-------|--------------------------------|
| District | Front | | Rear | | Side | | Open Space from Main Structure |
| | PD | OD | PD | OD | PD | OD | OD |
| RS - Building site of 10,000 - 19,999 sq ft | 20 ft | 25 ft | 20 ft | 25 ft | 10 ft | 15 ft | 15 ft |
| RS - Building site of 20,000+ sq ft | 25 ft | 30 ft | 25 ft | 30 ft | 15 ft | 20ft | 15 ft |
| RA | 25 ft | 30 ft | 25 ft | 30 ft | 15 ft | 20 ft | 15 ft |
| FA | 30 ft | 35 ft | 30 ft | 35 ft | 20 ft | 25 ft | 15 ft |
| A | 30 ft | 35 ft | 30 ft | 35 ft | 20 ft | 25 ft | 15 ft |

PD = Primary Dwelling
OD = Ohana Dwelling

'OHANA DWELLING REGULATIONS



2.2.9 Occupancy Restrictions

Did you know that despite being called “Ohana dwellings,” there is no restriction on who can occupy your 'Ohana dwelling in the County of Hawai'i?



2.2.10 Rental Restrictions

You can rent the 'Ohana dwelling or the primary dwelling as an income property to rent to long-term renters. The dwelling may also be used as a short-term vacation rental if the property is situated in the general plan resort and resort node areas are permitted in RS districts. See 7.1, Rental Regulations and Requirements, on page 38 for additional information.

2.3 Applicable Regulations for Ohana Dwellings in Hawai'i County

- Planning Department Rule 12, 'Ohana Dwelling Units'
- 'Ohana Dwellings Standards (Hawai'i County Code Section 25-6-30 through 25-6-39.7)
- Notice to property owners and lessees of record of pending application (Hawai'i County Code Section 25-2-4)

Zoning district codes, applicable based upon your property's zoning designation

- RS DISTRICTS (HAWAII COUNTY CODE SECTION 25-5-1 THROUGH 25-5-8)
- RA DISTRICTS (HAWAII COUNTY CODE SECTION 25-5-50 THROUGH 25-5-57)
- FA DISTRICTS (HAWAII COUNTY CODE SECTION 25-5-60 THROUGH 25-5-67)
- A DISTRICTS (HAWAII COUNTY CODE SECTION 25-5-70 THROUGH 25-5-77)

2.3 EVALUATING EXISTING SPACE TO CONVERT TO AN 'OHANA DWELLING



Unfinished areas or structures like garages may not meet current building code requirements for living space. This often includes factors such as:

- Ceiling height
- Emergency egress windows (emergency exit windows)
- Insulation and ventilation
- Stairs



These factors could make it expensive, difficult, or even impossible to convert a space into an 'Ohana dwelling. If you are thinking of converting an existing space into an 'Ohana dwelling, research your property before you decide to build.

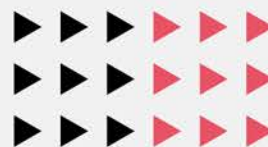
You are required to submit a building permit for renovations to existing space to convert it into an 'Ohana dwelling unit.





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STAGE 2: PERMITTING & DESIGN



3. PERMITTING

YOUR 'OHANA DWELLING



You will have to submit: 1) an 'Ohana dwelling permit application, and 2) a building permit application.

Hawai'i County currently only accepts electronic application submissions. You will need to download the appointment application form(s) from the county's website (www.planning.hawaiicounty.gov), fill it out, collect the supporting documents, and then submit the application through the EPIC system. Keep in mind that an application for an 'Ohana dwelling permit on any building site can only be accepted by the director after the completion of all subdivision improvements required by Hawai'i County Code Chapter 23 (subdivisions), for the subdivision in which the building site is located.

3.1 Permit Fees

You are required to submit an application form for an Ohana dwelling, along with a filing fee. The current filing fee for an 'Ohana dwelling unit is \$25. The current filing fee for the building permit application is \$50. Please verify the required amount, as it may be subject to change.

3.2 How Does A Pre-Existing Unit Become Legal?

If you have a pre-existing 'Ohana dwelling structure that is not permitted, it is important that you make it legal. If you have a pre-existing unpermitted 'Ohana dwelling you are subject to enforcement that could prove to be expensive and could result in the requirement to remove the structure altogether. Pre-existing 'Ohana dwellings must meet the same standards as new units, including parking and building code standards. An application to legalize a pre-existing unit must include an application for an 'Ohana dwelling permit and a building permit application. The contents must show any changes to the main residence or detached unit to accommodate the 'Ohana dwelling, and must comply with current code standards, rather than the standards of when the structure was built.

3.3 'OHANA DWELLING

APPLICATION CHECKLIST



Step 1: Research your property before you plan and build an 'Ohana dwelling unit (see Research Your Property on page 10 above)

Still need help? Call the Planning Department for assistance.

East Hawai'i: (808) 961-8288

West Hawai'i: (808) 323-4770

Step 2: Fulfill all Subdivision Requirements

The construction of all of the subdivision improvements including the subdivision roads, drainage, water, and if applicable, wastewater systems, in accordance with approved construction plans, must be completed to the satisfaction of the director of public works before submitting your 'Ohana dwelling permit application.

Step 3: Complete an 'Ohana dwelling building permit application and required forms and documents.

- 'Ohana dwelling permit and building permit applications forms are available on the County of Hawai'i through their EPIC system.
- Make sure you read the permit application fully before you begin your development process and ensure that you have all of the necessary information.
- Compile all of the data and plans for your 'Ohana dwelling that you will need to submit with your application.

3.3 'OHANA DWELLING APPLICATION CHECKLIST

You will need that following data and plans for your application:

- Filled out application form
- Site Plan, showing:
 - All property boundaries;
 - Proposed 'Ohana dwelling unit, including yar (setback) requirements from property lines;
 - All existing and proposed structures; including detached garages and water catchment system;
 - Two additional parking spaces for the proposed 'Ohana dwelling unit;
 - Existing and proposed driveways;
 - Location of private sewage disposal systems.
 - Scaled elevations of dimensions and design of proposed 'Ohana dwelling, including materials such as roof, siding, trim, etc.
- A notarized affidavit stating that the applicant is a titleholder of the affected property.
- A notarized affidavit stating that provisions of any restriction, covenant, or other land use restriction application to the lot by way of a deed or lease or other provision do not prohibit the construction or placement of an 'Ohana dwelling unit or a second dwelling unit.
- A copy of notice of the application sent to all parties listed in the application who did not execute the application as a titleholder; to owners of properties within three hundred feet of the perimeter boundary of the lot; and to any known association of such property owners, information them that an application for an 'Ohana dwelling unit permit has been filed. See Step 5 and Appendix I for details.

3.3 'OHANA DWELLING APPLICATION CHECKLIST

Step 4: Apply for an 'Ohana dwelling permit and a building permit online using the county's EPIC system.

Save your application and supporting documents in PDF form. Then you'll need to create your user account in EPIC. Visit www.planning.hawaiicounty.gov and click on the Customer Self-Service (CSS) portal, where you may create a new user account. Once your account is created, select the application you wish to apply for. For this purpose, you will select the 'Ohana Dwelling Permit Application.

You will be prompted to Add Contacts. You can choose anyone as a Contact, as long as the person or company has their own EPIC user account. You will also be prompted to Add Attachments. This is where you will upload your PDF files of the application form and all of the supporting documents.

The planning director will review your application for completeness within fifteen days of you filing your application. Once your application has been accepted, the planning director will forward your application to appropriate agencies for review and comment on the adequacy of your proposed infrastructure facilities required for the 'Ohana dwelling unit.

Within a period of 30-60 days of acceptance of your application, the planner director will either approve or deny your application. If for some reason the director fails to render a decision within the 60 day limit, the application is considered approved.

Hot Tip:

The Hawai'i County website provides a Building Permit Applicant Checklist that you should reference to ensure that application is complete.

3.3 'OHANA DWELLING

APPLICATION CHECKLIST

Step 5: Within 10 ten days of submitting your application and required forms for approval, you are required to serve notice of the 'Ohana dwelling permit application on surrounding owners and lessees of record.

You will need to send a copy of the notice of the application sent to all parties listed in the application who did not execute the application as a titleholder; **to owners of properties within three hundred feet of the perimeter boundary of the lot; and to any known association of such property owners**, informing them that an application for an 'ohana dwelling unit permit has been filed. You will need to first serve notice of the filing of the application within ten days after the director or commission has officially acknowledged receipt of the application, and again serve notice of the application and of any proposed action or public hearing within ten days after receiving notice from the director or the commission of the date of the proposed action or hearing. The second notice needs to be served no less than ten days prior to the date of the proposed action or hearing. **See Appendix I for an example letter of notice.**

In determining the names and addresses of the affected owners and lessees of record, as required by this section, you will need to utilize the data available from the real property tax office.

The notice to the affected property owners and lessees needs to include the following information: The name of the applicant; the precise location of the property involved; the nature of the application and the proposed use of the property; the date on which the application was filed with the director or the commission; the date on which the administrative action by the director will be taken on the application.

Prior to the director's proposed administrative action or prior to the commission's public hearing, the you will need to submit to the director or the commission, as appropriate, **proof of service or of good faith efforts** to serve notice of the application on the designated property owners and lessees. Such proof may consist of certified mail receipts, affidavits, declarations, or the like. The list of names, addresses, and tax map key of those individuals notified shall also be submitted.

3.3 'OHANA DWELLING

APPLICATION CHECKLIST



Step 6: Check plan review status and make corrections on an application.

East Hawai'i: (808) 961-8288 West Hawai'i: (808) 323-4770

Step 7: Get your 'Ohana dwelling permit.

What happens if you build an 'Ohana dwelling unit without a permit?

The unit would be considered unlawful and a public nuisance, and the county will take immediate action for abatement, removal, and enjoinder of the unit.

The planning director is allowed to revoke your 'Ohana dwelling permit if:

- You intentionally misrepresented a material fact in the permit application, including all attachments
- You transfer or attempt to transfer an 'Ohana dwelling unit permit issued by the director prior to completion of the construction of the 'Ohana dwelling unit and final approval by the director of public works.

You are allowed to appeal a revocation notice within thirty days of receiving it.

Step 8: Start building an 'Ohana dwelling and get ready for inspections for your 'Ohana dwelling permit.

Step 9: Schedule an inspection, get inspection results, and make corrections.

4. DESIGN OF YOUR 'OHANA DWELLING

4.1 Identify Initial Design Goals

Before you get started with your project, identify what type of structure you would like (attached versus detached), and spend some time thinking through how you would like the dwelling to serve you and your family. Who will be living there? Will it be used to house someone with accessibility issues? Having a clear idea of the purpose of the 'Ohana dwelling will help you decide on things like the number of bedrooms and desired square footage. Once you have established the primary needs that need to be met by the 'Ohana dwelling, then you can think about things like design elements.

4.2 Hiring and Working with an Architect or Designer

You are required to submit an application form for an 'Ohana dwelling, along with a filing fee. The current filing fee is \$25. Please verify the required amount, as it may be subject to change.

Architects are licensed, highly trained design professionals who oversee design and construction of buildings. Architects are well-suited for your project if you would like a customized home to fit your specific needs, that is responsive to site conditions, highly detailed, and sustainable. They also offer creative design solutions, and are especially adept for navigating complex design needs.

Designers are people who plan the form, aesthetic, and function of a structure before it is built. Architects are a type of designer. There are also designers who are unlicensed, who design and draft the plans for a structure. Unlicensed designers can be more cost effective than a licensed architect.

Interior designers focus on the aesthetics of interior spaces.

Structural Engineer may be required if you do not hire a licensed architect. Permit plans will require either the prescriptive path per the residential structural code, or stamped drawings by a structural engineer or licensed architect.

4.2 HIRING AND WORKING WITH A DESIGNER

When choosing who to hire for your project, it is important that the skills of the professional you hire should match your vision for your 'Ohana dwelling, and that they will be a good match for you to work with. A common misconception is that you can save money by doing the project yourself. This is rarely the case, especially when you factor in the time you will spend on the process and the likelihood of having to take time or extra costs incurred for mistakes made.

Work on finding an architecture or design professional early-on in the project. If you do not know where to start, ask for recommendations from friends and family, and find out who designed projects in your community that you like.

Meet with 3-5 design firms before moving forward with an architect. In the meetings you should consider the following:

- Look at past projects they have worked on. Do you like their work? Do they display the skills and competency necessary for your project? You can absolutely ask for references from their past clients, and follow up with the references to find out how their experience was with the given firm.
- Do you have good chemistry? Does their personality and style work with yours?
- Do they have the skills and staff necessary to have the capacity to take your project? Make sure you meet the staff member(s) who will work on your project.
- It is important to talk about budget at this point, and to make sure that their fees will work with your given budgetary constraints.
- How busy is the firm? What would their timeline for the project likely be?

It is also essential to discuss their **Scope of Work**. Not all services are provided by every architect, so make sure to ask what services they offer.

Money Saving Tip:

Working with a design-build contractor could help make the process more efficient, and potentially save you money.

4.3 THE DESIGN PROCESS

This section outlines the process with an architect or designer, and their role through the design, permit, and construction process.

1.

Visioning and Concept Design

You and the architect or designer will meet to discuss the project vision and the goals and needs that the project has to meet. This is also when the architect would research the property and find out about the land, including its existing structures and land-use restrictions. This is the phase when you will agree on the terms and scope of the project, and sign a contract.

2.

Schematic Design

The architect or designer will draft up a design concept that reflects your vision. This would include preliminary site plans, floor plans, building elevations, and building systems (such as HVAC).

3.

Design Development

This is where the design gets turned into a detailed plan, including aspects such as finishes. If your plans require a structural engineer, this is when that team member would be contributing. During this phase, you, or your architect, should take the design concept to review with County staff to ensure that they do not see any preliminary inconsistencies with the code requirements.

4

Construction Documents

Your architect or designer will produce two sets of drawings during this phase: the construction set (which will be on site throughout the construction process), and the permit set, which will be submitted with your building permit application to the county.

4.3 THE DESIGN PROCESS

**5.**

Building Permit

You or your architect will submit the permit set with the building permit application to the county. This part of the process protects you, your architect, and builder from any potential dangerous errors.

6.

Bidding and Negotiation of Contractors (optional)

Unless you are working with a design-build firm (which have in-house contractors), you will review bids from contractors. Depending on the scope of work, this may be done with your architect/designer. See Section 5.2 on page 34 for additional details on this phase.

7.

Construction Administration

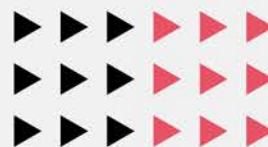
Depending on the scope of work you establish with your architect, your architect will make site visits during construction to ensure the project is being executed according to their plans and will get involved if any issues arise. If you do not have an architect, work closely with a trusted builder and make regular site visits to check on the progress.



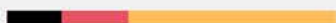


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STAGE 3: CONSTRUCTION



5.0 CONSTRUCTION OF DWELLINGS

5.1 Common Construction Types



Wood Frame

Wood framed construction is the most common construction type for residential homes and is cost-effective. However, given hazards in Hawai'i, such as hurricane force winds, earthquakes, lava, termites, etc., and the tropical climate, other construction types should be considered.

Modular

Modular construction is a pre-fabricated system that is assembled in a factory and brought on-site to be installed on a site-built foundation.



Concrete Blocks

Concrete block construction with concrete post-and-beam structure is an effective construction type in the tropics. Concrete block provides stability in hurricanes; however, it requires careful detailing to prevent mold and mildew developing in wet climates.

5.2 GETTING A BID & HIRING A CONTRACTOR

A contractor is the person who will oversee the construction of your project. They will oversee the site on a daily basis, will manage all of the contributing parties, and will communicate with you regularly about the progress and budgetary updates.

During this phase you, or you and your architect depending on their established scope of work, will use the construction set of drawings to obtain bids from contractors. This is your opportunity to shop around, compare costs and construction types. Make sure your contractor is someone that you feel good about working with, and that you feel you can trust. Similar to hiring an architect, this is a good time to ask around for recommendations from friends and family. Architects are another great resource to help you identify contractors with a good track record and reputation. It is important to verify that your contractor is up-to-date with their contractor license and insurance. Once you have found a contractor that suits your needs you will sign a contract.

5.3 Owner and Contractor Roles During the 'Ohana Dwelling Construction Process

During the construction phase of your 'Ohana dwelling, communication with your contractor is key. While you will not be overseeing the daily progress of the development, it is important that you stay current on what is happening. Depending on the scope of work of your architect, your architect may take over a lot of these tasks on your behalf. Keep an eye on the timeline, do regular walk-throughs of the construction site to monitor the progress, and make sure that all inspections are being conducted properly. Do not hesitate to ask your contractor questions.

You want to make sure that your contractor has the skills needed to bring your vision into reality. For example, if you want a high energy-efficient 'Ohana dwelling unit, or if your architect made specifications that require technical knowledge or skills, you need to make sure your contractor has those capabilities.

6. COSTS & BUDGETING

6.1 Budgeting for Your 'Ohana Dwelling

It is very important to know your budget limits as early on in the development process as possible, and to be realistic about your budget. Remember when you are considering all of the costs to include all costs from the early design and permitting phases through the end of construction.



It is important to have a realistic idea of what your budget will be for the project. If major infrastructure improvements need to be made, then obviously costs will be higher. The costs will also vary considerably based on if you're renovating an existing structure, building a new detached unit, or putting an addition onto the primary residence. Table 2 summarizes the probable costs of your project. Some of these costs may not apply to your project. Those are indicated with an asterisk (*).



TABLE 2:

COSTS & BUDGETING

| Expense Items | What It's For | Estimated Cost |
|--|--|------------------------|
| Subdivision improvements fulfillment* | To ensure utilities can support a second dwelling. | Varies. \$0 - \$10,000 |
| 'Ohana Dwelling Permit Application Fee | For the 'Ohana Dwelling permit. Due at submittal. | \$25 |
| Building Permit Fee | For the building permit. Due at submittal. | \$50 |
| Upgraded Water Meter* | | |
| Design* | Varies | \$500 - \$8,000 |
| Construction Costs | Materials, workers, plumbing, electrical, mechanical, etc. | Varies per project |
| | | |

6.2 TYPES OF FINANCING

Financing options for 'Ohana dwelling units are available. Keep in mind that all of these finance options will require a monthly payment on top of your home mortgage. Make sure to get a clear idea of your budget before proceeding with your project. If you would like to find out more about any of these options, or others, most bank websites offer additional details and information about these financing options.

Home Equity Line of Credit (HELOC)

A HELOC is a type of loan that allows a homeowner to borrow against the equity in your home. HELOCs function much like a credit card: You can withdraw as many times as you like, within your credit limit. This feature exists for a limited amount of time, called the draw period, which varies in length depending on the term set by the lender. After the draw period, you enter into the repayment period, during which you can no longer draw on your line and your required monthly payments increase to include interest and principal.

What you should know:

- Interest rates are usually competitive with current mortgage rates.
- There are lower closing costs than a typical mortgage refinance.
- They usually come with a low introductory promotional interest rate, which generally lasts for one to four years. After the promotional rate ends, the interest rate typically increases to a variable rate (aka the market rate).
- HELOCs offer the ability to access cash larger than remaining balance on your mortgage (if you qualify).

6.2 TYPES OF FINANCING

Cash Out Refinance

A cash out refinance lets you get a new mortgage for more than your current mortgage balance based on the additional equity you've built up in your home since buying it. Using the refinance you pay off your existing mortgage, and are then able to use the extra money for the 'Ohana dwelling unit.

What you should know:

- Cash Out Refinance allows you to take out cash of the amount needed.
- There are closing costs associating with a refinance, usually around 2-3% of the total refinance value. These fees can usually be rolled into the loan.
- Interest rates are typically lower than a HELOC.

Hawaiian Community Assets (HCA) Financial Products

Hawaiian Community Assets (HCA) is a HUD-certified financial education and housing counseling agency that can assist you and your 'ohana to become financially qualified to secure loans and/or grants to build your 'Ohana dwelling unit. 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, homebuying resources, and more.

HCA also provides access to loans and grants to help qualified individuals build their 'Ohana dwelling units. 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 'ohana to help pay for your 'Ohana dwelling unit.
- Punawai IDA: 2:1 match on \$1,000 saved by you and your 'ohana to help pay for your 'Ohana dwelling unit.

HCA is a nonprofit (501(c)3). You can find out more on their website:

www.hawaiiancommunity.net

7.0 MOVE-IN

& RENTAL REQUIREMENTS

Once construction is through you need to schedule an inspection, get inspection results, and make corrections. Once that is complete your unit is ready for move-in!

7.1 Rental Registration Requirements

There are no restrictions on using your 'Ohana Dwelling Unit or the primary dwelling as a long-term rental. There are, however, restrictions on using your 'Ohana dwelling unit or primary dwelling as a short-term vacation rental or Bed and Breakfast.



Bed and Breakfast

Bed and Breakfasts are a permitted use in RA, RS, and A zoning districts. You will need to apply for a Use Permit in order to use either your primary residence or the 'Ohana dwelling for this.



Short-Term Vacation Rental

Generally speaking, 'Ohana dwellings are often restricted from being used as short-term vacation rentals. However, short-term vacation rentals situated in the general plan resort and resort node areas are permitted in RS zoning districts. You will need to register your Short-Term Vacation Rental (STVR), and your STVR will be subject to rules of practice and procedure. Per Hawai'i County's definition, an STVR is *"a dwelling unit of which the owner or operator does not reside on the building site, that has no more than five bedrooms for rent on the building site and is rented for a period of thirty consecutive days or less."*

For more on short-term rental requirements visit:

www.planning.hawaiicounty.gov/resources/short-term-vacation-rentals

CREDITS &

ACKNOWLEDGEMENT



Ho'oulu Lāhui



This Handbook was funded by Vibrant Hawai'i and made with the help of our partners in the interest of promoting affordable housing options in Hawai'i County.

Vibrant Hawaii

Vibrant Hawai'i is a growing community that commits to individual and collective 'auamo kuleana to increase equitable opportunities to build wealth: a reservoir of human, social, cultural, and financial abundance that we contribute to and draw upon.

Ho'oulu Lahui

Ho'oulu Lāhui is a non-profit organization (501-c3), formed in 1995, with the purpose of awakening Hawaiian culture, values, beliefs, and lifestyle in partnership with the community to achieve unity, harmony, and total well-being (Lokahi).

Western Washington University UEPP

The department of Urban and Environmental Planning and Policy (UEPP) at Western Washington University specializes in quality education, applied research, and community engagement that connect knowledge and action to address two of today's major imperatives: environmental justice and sustainability and equity and opportunity for all.

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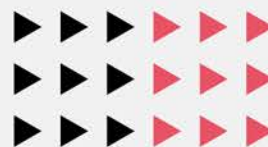
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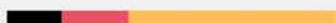


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'OHANA DWELLING HANDBOOK APPENDICES



APPENDIX I:

NOTICE TO PROPERTY OWNERS & LESSEES



You will need to send a copy of the notice of the application sent to all parties listed in the application who did not execute the application as a titleholder; to owners of properties within three hundred feet of the perimeter boundary of the lot; and to any known association of such property owners, informing them that an application for an 'ohana dwelling unit permit has been filed. You will first serve notice of the filing of the application within ten days after the director or commission has officially acknowledged receipt of the application, and again serve notice of the application and of any proposed action or public hearing within ten days after receiving notice from the director or the commission of the date of the proposed action or hearing. The second notice needs to be served no less than ten days prior to the date of the proposed action or hearing.

In determining the names and addresses of the affected owners and lessees of record, as required by this section, you will need to utilize the data available from the real property tax office.

The notice to the affected property owners and lessees shall include the following information:

- (1) The name of the applicant; the precise location of the property involved;
- (2) The nature of the application and the proposed use of the property;
- (3) The date on which the application was filed with the director or the commission; and
- (4) The date on which the administrative action by the director will be taken on the application.

Prior to the director's proposed administrative action or prior to the commission's public hearing, you will need to submit to the director or the commission, as appropriate, proof of service or of good faith efforts to serve notice of the application on the designated property owners and lessees. Such proof may consist of certified mail receipts, affidavits, declarations, or the like. The list of names, addresses, and tax map key of those individuals notified shall also be submitted.

The following page includes an example of letter of notice that will meet the requirements for the application.

APPENDIX I:

NOTICE TO PROPERTY OWNERS & LESSEES

[DATE]

RE: 'Ohana Dwelling Unit Permit Application Submittal Notice

Dear Neighbor,

This is a formal notice that [APPLICANT NAME] has submitted for approval an application for the addition of an 'Ohana Dwelling Unit Permit at:

[PROPERTY ADDRESS]

[PROPERTY CITY, STATE, ZIP]

Parcel number: [LOT NUMBER]

The property is within the [zoning district] district, which permits 'ohana dwelling units. There are no covenants or any other land use restrictions that are applicable to the lot by way of deed or lease of other provision that prohibit construction or placement of an 'ohana dwelling unit. The application was filed on [DATE]. The director will have 60 days to render a decision from the filing date, which will be on [DATE].

Mahalo,

[APPLICANT'S SIGNATURE]

APPENDIX II:

PLACEHOLDER: POLICY RECOMMENDATIONS



THIS IS A PLACEHOLDER PAGE THAT WILL INCLUDE POLICY RECOMMENDATIONS THAT WILL ENCOURAGE MORE 'OHANA DWELLING DEVELOPMENT