
A BILL FOR AN ACT

RELATING TO LAND USE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that affordable housing
2 continues to be one of the State's most significant and
3 challenging social problems. As the cost of housing increases,
4 the State must continue to assist residents in obtaining
5 affordable housing while balancing fiscal restrictions.

6 In 2011, the home for life task force, established pursuant
7 to S.C.R. 7, S.D. 1 (2009) and amended by H.C.R. 13 (2010),
8 found that accessory dwelling units hold enormous potential to
9 support affordable housing in addition to supporting
10 multigenerational living, aging in place, smart growth, and the
11 revitalization of the construction industry.

12 An accessory dwelling unit is a separate additional living
13 unit either attached or detached from the primary residential
14 unit. Accessory dwelling units provide a legal alternative to
15 illegal rental units and are similar to ohana dwelling units,
16 but with less restrictions, particularly, the absence of the
17 requirement that the unit be rented to a family member only.

18 This allows families to pool their resources while living



1 together, yet provides them the flexibility to rent their
2 accessory dwelling unit to anyone if a family member vacates it.

3 In addition, existing government policies and personnel may
4 readily be adapted to administer accessory dwelling units with
5 minimal changes. Ohana zones have been mapped to identify where
6 accessory dwelling units may be added. Newly created accessory
7 dwelling units may use existing utility and roadway
8 infrastructure without requiring government subsidies. At the
9 same time, the new construction may increase property tax
10 revenue, permit fees, and sewer fees.

11 The legislature further finds that accessory dwelling units
12 support the elderly by providing a supplemental source of rental
13 income or the option of a companion living arrangement where
14 reduced rent is exchanged for assistance.

15 The legislature finds that requiring the counties to allow
16 for the construction of accessory dwelling units will reduce the
17 market for illegal dwelling units, increase the supply of
18 affordable housing, provide families with additional housing
19 flexibility, provide opportunities to revitalize the
20 construction industry, and increase tax revenues.



1 The purpose of this Act is to require the counties to allow
2 the construction of accessory dwelling units on lots where a
3 residential dwelling unit is permitted.

4 SECTION 2. Section 46-4, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By amending subsection (c) to read:

7 "(c) Each county may adopt reasonable standards to allow
8 the construction of two single-family dwelling units and shall
9 adopt reasonable standards to allow the construction of one
10 single-family dwelling unit and one accessory dwelling unit on
11 any lot where a residential dwelling unit is permitted."

12 2. By amending subsection (f) to add a new definition to
13 read:

14 "Accessory dwelling unit" means a separate additional
15 dwelling unit, including separate kitchen, bedroom, and bathroom
16 facilities, attached or detached from the primary residential
17 dwelling unit."

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on January 1, 2020.

20



Report Title:

Counties; Land Use; Accessory Dwelling Units

Description:

Requires the counties to adopt reasonable standards to allow the construction of one single-family dwelling unit and one accessory dwelling unit on each lot where a residential dwelling unit is permitted. Effective 1/1/2020. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

