

TERMINOLOGY AND DEFINITIONS

B&B -- “Bed and breakfast home - means a use in which overnight accommodations are provided to guests for compensation, for periods of less than 30 days, in the same detached dwelling as that occupied by an owner, lessee, operator or proprietor of the detached dwelling.” The home must be occupied by a family, is limited to two guest rooms, four guests, must provide off-street parking for each guest room, and cannot allow other rooming rentals. (section 21-4.110-2 of the LUO). A B&B is allowed only with a NUC in any zoning.

DPP – Honolulu Department of Planning and Permitting. The city agency charged with enforcement of the LUO. The Code Compliance Branch phone number is 523-4193.

TVU --“Transient vacation unit” - means a dwelling unit or lodging unit which is provided for compensation to transient occupants for less than 30 days, other than a bed and breakfast home.....”. (section 21-4.110-1 of the LUO). A TVU is allowed in any type RESORT zoning without any permit, reporting, or license required.

TVR – “Transient Vacation Rental” informal definition including B&B, TVU, any short-term rental in residential or mixed-use zoning. The law defines B&B and TVU, but in fact there are all kinds of short-term rental scenarios that have developed.

LUO – ‘Land Use Ordinance’ Honolulu Revised Statutes Chapter 27. The LUO does not allow any rentals under 30 days except for hotels, legal B&Bs and legal TVUs.

NUC – ‘Nonconforming Use Certificate’ Commonly known as ‘Grandfathering’. As it applies to B&Bs and TVUs, a certificate issued in 1990 allowing continued use under strict criteria. The purpose of an NUC is to allow previous uses to continue until the property owner fails to meet the renewal criteria as defined in the LUO. By its nature, a nonconforming use is defined as inconsistent with the zoning and is eventually to be terminated. There are approximately 1,000 TVRs on O’ahu with NUCs. An NUC must be renewed each two years with a fee.

LICENSE – There has never been a ‘License’ to operate a TVR. Illegal operations are just that – illegal. They are not ‘unlicensed’.

CUP – ‘Conditional Use Permit’ is a permit issued by the DPP that allows exceptional uses when certain conditions are met and maintained. A CUP may be a CUP major or a CUP minor.