

**Mauna Lani Resort Community Design Committee Design Guidelines, Standards and Restrictions
Resort Policy Regarding Installation of Solar Energy Devices for SINGLE FAMILY HOMES**

Effective September 1, 2010

Pursuant to the Hawaii Revised Statutes (HRS) 196-7, as amended, the Mauna Lani Resort Community Design Committee (CDC) does not assess or charge any homeowner any fees for the placement of any solar energy device. However, as required by the Mauna Lani Resort Association's master DC&Rs, CDC design review and approval is required for any proposed exterior improvement, including new construction, alterations and/or additions, including proposed solar applications. The purpose of the review is to determine the aesthetic impact the proposed improvements have on neighboring properties and common areas and to ensure the continued beauty and quality of our community. As such, the CDC has the authority to require reasonable modifications of proposed improvements (or placement of improvements) to comply with the guidelines/restrictions outlined in the Mauna Lani Resort Association governing documents.

As required by the Mauna Lani Resort Association DC&Rs, a non-refundable design review fee shall be paid by the applicant to cover all related costs of plan review, including interim and post-completion inspections. With respect to solar energy devices, this design review fee is in no way a fee that has been assessed to the homeowner for the placement of the device. The design review fee is strictly required to cover all related review costs of proposed alterations, additions or new construction to a property within the Mauna Lani Resort, pursuant to the Mauna Lani Resort Association governing documents.

Per HRS-196-7, as amended, an Association's solar placement policy may reasonably restrict the placement of solar devices, but not to the extent that the restriction renders the device more than 25% less efficient, or to increase the cost of the device by more than 15%.

In compliance with Hawaii Revised Statutes 196-7, as amended, and including legislative revisions to this statute via ACT 53 (effective 4/23/10) and Act 201 (effective 7/6/10), the following design guidelines, standards and restrictions regarding the placement of solar energy devices are effective immediately:

Design Review:

The applicant shall be required to install solar devices strategically, so that the device(s) are both effective and produce the least adverse impact to neighboring properties as possible. **All submittals for the addition of solar energy device(s) shall be reviewed on a case-by-case basis.** The CDC shall review proposed locations for aesthetic appropriateness, taking into consideration the view planes of neighboring properties and common areas, to determine compliance with this requirement.

Approval Procedure:

Applicant shall provide the following documentation for review and approval, prior to installation:

- Completed Application Form (form provided upon request)

- 1 full-size and 6 half-size sets of plans to include:
 - Site plan, identifying the general location of the proposed solar energy device(s)-**must include North arrow**
 - Roof Plan
 - Exterior Elevations of the affected view planes
- Details and equipment specifications – Details shall include energy efficiency specifications of the product, i.e. anticipated energy generation and savings compared to the current electrical load of the property.
- The applicant shall pay a non-refundable project review fee to the CDC at the time the Application form and required plans are submitted for review. The current review fee for proposed solar applications is a minimum of \$500, depending on complexity and magnitude of the proposed system installation (inclusive of standard inspections).

Upon approval of the applicant's proposed improvements, the CDC shall provide a written conditional approval letter to the applicant that will include a list of pre-construction requirements. These requirements include (but may not be limited to):

- Completed Owner's Certification and Acknowledgement Form Regarding Construction (notarized original delivered to the CDC)-form provided upon request
- Copy of any applicable required County permits
- Evidence of Fully Executed Construction Contract
- Final Construction Schedule
- Construction and Compliance Deposit of \$2,500, made payable to Mauna Lani Resort Association (MLRA). This deposit is fully refundable upon: (a) completion of all post-installation documentation and inspection requirements; (b) CDC final inspection and confirmation of satisfactory completion of the project in accordance with plans approved by the CDC; (c) CDC confirmation that any and all required site clean-up and/or damages to MLRA's common areas have been satisfactorily corrected.

The applicant shall request, in writing, the CDC's final inspection of the proposed improvements within 2 weeks of completion. Once the project has undergone final inspection by the CDC and the CDC has confirmed its final approval of the improvements, the Construction and Compliance Deposit may be refunded to the applicant.