

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND  
TOURISM

Repeal of Chapter 15-200 and Adoption of  
Chapter 15-215  
Hawaii Administrative Rules

September 11, 2012

SUMMARY

Chapter 215 of Title 15, Hawaii Administrative  
Rules, entitled "Kalaeloa Community Development  
District Rules" is adopted.

EXHIBIT 2

of this chapter, and attached at the end of this chapter, which specify element standards for each frontage type. [Eff **OCT 27 2012**] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-40 Land use. (a) All lots shall conform to the land uses specified in Figure 1.7 (land use summary), dated September 2012, made a part of this chapter, and attached at the end of this chapter.

(b) Any one or more allowed land uses may be established on any lot, subject to Figure 1.7, (land use summary), dated September 2012, made a part of this chapter, and attached at the end of this chapter.

(c) Where a project on a single lot proposes two or more land uses, the project shall be subject to all applicable permits and approvals. [Eff **OCT 27 2012**] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-41 Building placement. (a) Facades shall be built parallel to the build to line with a minimum frontage occupancy as provided in Figure 1.8 (building placement and encroachments), dated September 2012, made a part of this chapter, and attached at the end of this chapter.

(b) For frontage occupancy calculations, single buildings that form a courtyard of fifteen feet in width or less by recessing a portion of the building from the build to line, shall be measured as the full width of the building parallel to the build to line. [Eff **OCT 27 2012**] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-42 Building form. (a) The height of any building or structure or portion thereof shall be measured from ground elevation.

(b) Attics or raised basements, masts, belfries, clock towers, chimney flues, elevator bulkheads,

church spires, cupolas, domes, ventilators, skylights, parapet walls, cornices, solar energy systems, or necessary mechanical appurtenances on the roof level shall be limited to the height necessary for their proper functioning, as determined by the executive director in his sole discretion; provided, however, that notwithstanding the executive director's determination, attics shall not exceed fourteen feet in height.

(c) Any part of a building which is taller than sixty-five feet and along a view corridor street, see Figure 1.12 (view corridors), dated September 2012, made a part of this chapter, and attached at the end of this chapter, shall be setback from the lot line abutting the view corridor by fifty feet.

(d) All principal buildings shall be constructed with building elements conforming to Figure 1.3 (development standards summary, building form), dated September 2012, made a part of this chapter, and attached at the end of this chapter.

[Eff **OCT 27 2012** ] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

#### §15-215-43 Architectural standards.

(a) Balconies, galleries, and arcades shall be made of concrete, painted wood or metal.

(b) For building facades and elevations in the T3 general urban, T4 urban center and T5 urban center high intensity transect zones, a change of exterior texture and material should be accompanied by a change in plane; provided, however, glazing and spandrel glass is exempt from this provision.

(c) Fences, walls, and hedges may be constructed or installed to a height of six feet in any side yard or rear yard and to a height of three feet in any portion of a front yard or a side yard that faces a thoroughfare:

- (1) Fences in front yards or side yards facing a thoroughfare shall be painted or constructed

- out of a decorative material compatible with the materials of the principal building; and
- (2) Retaining walls shall be constructed out of masonry or stone or another equally durable material.
- (d) Lighting:
  - (1) Entrances, arcades and passageways shall be illuminated;
  - (2) Courtyards, passageways, roof gardens, corner plazas, and other landscaped areas shall provide pedestrian-scaled, tamper-proof lights;
  - (3) Lighting sources shall be constructed or installed so that light is aimed downwards and does not spill over to abutting properties; and
  - (4) Architectural details may be accented through lighting.
- (e) Roofs:
  - (1) Roofs may be accessible and may be used as roof decks, gardens, balconies or terraces;
  - (2) Roofs shall either be finished with light colors for reflectivity or incorporate landscaping; and
  - (3) Roof top mechanical equipment shall be clustered away from the edge of the building and either painted to match the roof top or located behind a parapet wall or enclosed in a roof top mechanical equipment enclosure so that it is not visible from a thoroughfare, historic or public buildings.
- (f) Service functions (T3 general urban, T4 urban center and T5 urban center high intensity transect zones):
  - (1) Utilities, service elements, recycling and trash elements shall be located off alleys (if applicable), or in structured parking garages where they exist. Alternatively, they may be located at least ten feet behind the facade of a principal building and screened from view from a thoroughfare other

- than an alley or service street, with a hedge, landscaping, low wall, or fence;
- (2) Prohibited materials for constructing recycling or trash enclosures include: chain link, fencing with slats mesh screen, cinderblocks, or unpainted wood;
  - (3) Utilities and service elements that are visible from thoroughfares shall not be visually intrusive and shall be incorporated in the building structure through use of the following strategies:
    - (A) Burying the utilities and service elements underground;
    - (B) Constructing a utility room to enclose the utilities and service elements;
    - (C) Screening the utilities and service elements behind the building; or
    - (D) Clustering the utilities and service elements on the roof within a mechanical enclosure; and
  - (4) Recycling or trash enclosures shall be of a similar material and color with the principal building.

(g) Signage. All signs shall be in compliance with the applicable rules and regulations administered by the city and county of Honolulu, as provided for in the city and county of Honolulu's land use ordinance, as it may be amended from time to time.

(h) Windows:

- (1) Highly-reflective and mirrored glass materials are prohibited; and
- (2) Visible light transmission level of windows on the ground floor shall be seventy per cent or greater and on all other floors the visible light transmission level shall be fifty per cent or greater.

[Eff **OCT 27 2012** ] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-46 Open space. (a) Open space shall not to be used for driveways, loading purposes, storage, or for the parking of vehicles.

(b) Berms, landforms, or underground structures covered with landscaping, including artificial turf, or used for permitted agricultural uses, may be used to satisfy any open space requirements.

(c) For any project in the Kalaeloa CDD, a minimum of twenty per cent of each lot shall be provided as open space. One third of this requirement shall be satisfied at grade, with the remaining two-thirds at any elevation. [Eff **OCT 27 2012** ] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-47 Parking and loading.

(a) Applicability. This section applies to all new buildings and additions and renovations of existing buildings that increase the existing floor area by twenty-five per cent or more.

(b) Access. Driveway access for parking shall be a minimum of fifty-five feet measured from the edge of the right-of-way.

(c) Curb cuts for T3 general urban zone, T4 urban center zone and T5 urban center high intensity zone shall be as follows:

- (1) The number of curb cuts shall be minimized along boulevards and avenues, to the maximum practicable extent. Shared alleys, access drives and arrangements are encouraged to reduce the need for new curb cuts;
- (2) Maximum width of new curb cuts shall be twenty-five feet for a two-way driveway and twelve feet for a one-way driveway, except that driveways for front yard houses and all other detached dwellings shall be no more than ten feet in width; and

- (3) Curb cuts shall be setback a minimum of twenty-two feet from adjacent properties. Lots with less than one hundred linear feet of frontage are exempt from this provision.
- (d) Placement. Parking location shall conform with standards set forth in Figure 1.9 (parking), dated September 2012, made a part of this chapter, and attached at the end of this chapter.
- (e) Quantity:
  - (1) Required number of off-street parking spaces is as follows:

#### Off-Street Parking

Uses	Requirements
Detached dwellings, live-work, and duplexes:	two per unit plus one per one thousand square feet of floor area over 2,500 square feet;
Multi-family dwelling six hundred square feet or less:	0.9 per unit;
Multi-family dwelling greater than six hundred square feet:	1.25 per unit;
Group homes, care, convalescent and nursing home:	0.9 per four patient beds, dwelling units, or lodging units;
Commercial, clinics, administrative and all other uses:	one per four hundred fifty square feet of floor area;

Restaurants and bars, and dance-nightclubs:	0.9 per three hundred square feet of eating or drinking area, plus 0.9 per twenty-five square feet of dance floor area, plus one per four hundred fifty square feet of kitchen or accessory area;
Group assembly:	0.9 per three hundred square feet of assembly area or 0.9 per ten fixed seats, whichever is greater;
Religious facilities and theaters:	0.9 per every five fixed seats or fifty square feet of general assembly area, whichever is greater;
Day-care center:	0.9 per ten enrolled capacity;
Educational facilities that are at the elementary and intermediate level:	0.9 for each twenty students of design capacity, plus one per four hundred fifty square feet of office floor area;
Educational facilities that are at the high school level, language, vocational, business, technical, trade, college, or universities:	0.9 for each ten students of design capacity, plus one per four hundred fifty square feet of office floor area;

Industrial:                   one per nine hundred  
square feet of floor  
area; and

- (2) When there is uncertainty as to requirements for a proposed use, the executive director will review the proposed use and determine its applicable off-street parking requirements;
  - (3) When computation of required parking spaces results in a fractional number, the number of spaces required shall be rounded to the nearest whole number;
  - (4) Every twenty-four inches of pew or bench area provided in a religious facility or other place of assembly shall be counted as seats for the purpose of determining requirement for off-street parking;
  - (5) At least fifty per cent of required parking spaces shall be standard sized parking spaces; and
  - (6) When a building includes uses incidental or accessory to a principal use, the executive director shall determine the total number of required spaces on the basis of the parking requirements for the use that creates a larger parking demand.
- (f) Shared parking:
- (1) Due to the mixed-use nature of the Kalaeloa CDD and the differing peaks associated with different uses, the same parking facility may be utilized by a variety of users throughout the day. This can reduce the total number of parking spaces needed to serve the peak parking demand of the Kalaeloa CDD. The executive director may authorize shared parking based upon a finding that adequate parking or loading spaces will be provided;

- (2) Required parking may be adjusted downward, without the need for a variance, according to the shared parking factor of Figure 1.9 (parking), dated September 2012, made a part of this chapter, and attached at the end of this chapter; and
- (3) Parking required by the rules for an individual project shall be located within 1,200 feet of the project site, within or outside the Kalaeloa CDD by covenant, lease, license or other arrangement to the satisfaction of the executive director.
- (g) On street. Marked on-street parking shall count towards required parking when the on-street parking is adjacent to the lot or within two hundred feet of the lot.
- (h) Aisle and space dimensions:
  - (1) Each standard parking space shall be no less than 8.5 feet wide and eighteen feet long;
  - (2) Each compact parking space shall be no less than 7.5 feet wide and sixteen feet long and shall be marked as a compact space; and
  - (3) Ingress and egress aisles shall be provided to a thoroughfare and between parking bays. Minimum aisle widths for parking bays shall be:
    - (A) Parking at 0 - 44 degrees: 12 feet;
    - (B) Parking at 45 - 59 degrees: 13.5 feet;
    - (C) Parking at 60 - 69 degrees: 18.5 feet;
    - (D) Parking at 70 - 79 degrees: 19.5 feet;
    - (E) Parking at 80 - 89 degrees: 21 feet;
    - and
    - (F) Parking at 90 degrees: 22 feet.

Notwithstanding the foregoing, for a parking angle of ninety degrees, the minimum aisle width may be reduced by one foot for every six inches of additional parking space width above the minimum width, to a minimum aisle width of nineteen feet.

- (i) Design:
  - (1) Tandem parking and hydraulic lifts are permitted in parking facilities used for

residential purposes, when both spaces are utilized by a single dwelling;

- (2) Tandem parking and hydraulic lifts are permitted in any attended parking facility;
- (3) Storage is permitted above all parking spaces constructed in parking garages or in parking structures;
- (4) Robotic parking is permitted;
- (5) Any mechanical equipment for providing parking shall be visually screened from view at abutting thoroughfares by architectural or landscape treatments;
- (6) High albedo concrete shall be used instead of asphalt in surface parking lots; and
- (7) All sources of illumination shall be shielded to prevent any direct reflection toward adjacent premises.
- (j) Landscaping for surface lots located at

grade:

- (1) Parking lot landscape requirements are one tree per twenty spaces with a minimum of one landscaped island for every ten spaces;
- (2) Every other row of parking shall include a landscaped median for the entire length of a bay. The entire length shall be planted with large shade trees at least every forty-five feet. Where a tree planting island occurs the entire length of a bay, there shall be a minimum of one planting island every fifteen spaces and a minimum of one large shade tree every fifteen spaces in a tree planting island; and
- (3) Permeable surfaces for parking and maneuvering areas are permitted.

(k) Structures. Priority placement near entries, doors, elevators, or stairs within parking structures shall be given to parking for bicycles, car-shares, and plug-in electric vehicles.

(1) Loading:

- (1) The following loading space requirements shall apply:

## Loading Space Requirements

<u>Uses</u>	<u>Loading Requirements</u>	<u>Floor Area (in square feet)</u>
Goods and services and industrial:	one	2,000 - 10,000
	two	10,001 - 20,000
	three	20,001 - 40,000
	four	40,001 - 60,000
	one	Each additional 50,000 over 60,000
Civic, civic support and educational, :	one	5,000 - 10,000
	two	10,001 - 50,000
	three	50,001 - 100,000
	one	Each additional 100,000 over 100,000
Office:	one	20,000 - 50,000
	two	50,001 - 100,000
	one	Each additional 100,000 over 100,000
Multi-family dwellings and lodging:	one	20,000 - 150,000
	two	150,001 - 300,000
	one	Each additional 200,000 over 300,000

- (2) Loading space requirements shall be provided within a building, lot, or alley. Loading spaces are prohibited in thoroughfares;
- (3) When only one loading space is required and total floor area is less than 5,000 square feet, the minimum horizontal dimensions of the space shall be 19 x 8-1/2 feet, and the

space shall have a vertical clearance of at least ten feet;

- (4) When more than one loading space is required, the minimum horizontal dimensions of at least half of the required spaces shall be 12 x 35 feet and have a vertical clearance of at least fourteen feet. The balance of the required spaces shall have horizontal dimensions of at least 19 x 8-1/2 feet and vertical clearance of at least ten feet;
- (5) Each loading space shall be unobstructed and shall be arranged so that any vehicle may be moved without moving the other;
- (6) Adequate maneuvering areas and access to a street shall be provided and shall have a vertical clearance not less than the applicable height for the loading space;
- (7) All loading spaces and maneuvering areas shall be paved with an all-weather surface;
- (8) Where loading areas are illuminated, all sources of illumination shall be shielded to prevent any direct reflection toward adjacent premises;
- (9) Loading spaces for three or more vehicles shall be arranged so that no maneuvering to enter or leave a loading space shall be on any public street, alley or walkway;
- (10) Each required loading space shall be identified as such and shall be reserved for loading purposes;
- (11) No loading space shall occupy required off-street parking spaces or restrict access; and
- (12) An adjustment of up to fifty per cent of the required number of loading spaces may be allowed when such spaces are assigned to serve two or more uses of a single project jointly, provided that:
  - (A) Each use has access to the loading zone without crossing any street or public sidewalk; and

- (B) The amount of loading spaces which may be credited against the requirements for the use or uses involved shall not exceed the number of spaces reasonably expected to be available during differing periods of peak demand.
- (m) Bicycle parking:
  - (1) Both short-term bicycle parking and long-term bicycle parking shall be provided by the developer;
  - (2) Bicycle parking shall be provided within four hundred feet of the principal entrance of the building;
  - (3) Instructional signs, if applicable, shall be used to explain how to use the bicycle parking device and directional signage shall be installed when bicycle parking locations are not readily visible from entrances; and
  - (4) For use classifications not specifically mentioned, requirements will be determined by the executive director based on the most similar use listed, except that Figures BT.1 to BT.3, dated September 2012, made a part of this chapter, and attached at the end of this chapter, are exempt from bicycle parking requirements. [Eff **OCT 27 2012** ]  
 (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-48 Green building. (a) Purpose. This section provides standards intended to result in a responsible development pattern that conserves natural resources and provides a healthy environment for inhabitants of the Kalaeloa CDD.

(b) Applicability. This section applies to all new buildings and additions and renovations of existing buildings that increase the existing floor area by twenty-five per cent or more.

(c) Green building standards:

- (1) A project shall qualify for the applicable base LEED rating system in effect at the

supplement other standards provided elsewhere in the rules. [Eff **OCT 27 2012** ] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-62 Large lot development. (a) Purpose. This section establishes the standards for developing large lots, dividing them into smaller pedestrian-oriented blocks, and achieving an interconnected block network with walkable block lengths. The standards for large lot projects ensure that these projects promote walkability, pedestrian-orientation, and sustainability of urban and built form. Buildings should include massing and articulation that reflects a human scale, rather than large, monolithic, and repetitive building fabric.

(b) Applicability. The following standards shall apply to projects on large lots.

(c) Thoroughfare network:

- (1) Large lots shall be divided to create pedestrian-oriented blocks;
- (2) New thoroughfares shall connect with existing thoroughfares;
- (3) New passageways that are introduced shall be a minimum of fifteen feet wide between building elevations;
- (4) New passageways that are introduced shall be un-gated and shall be publically-accessible;
- (5) Each new block shall have an alley for service and parking access; and
- (6) Cul-de-sacs and dead-end streets are not permitted, unless they allow for future connections.

(d) New buildings:

- (1) New buildings are permitted as indicated by the building types allocated to each transect;
- (2) New buildings shall have their principle entrance off of a new or existing thoroughfare or passageway;
- (3) New buildings with civic or institutional uses shall be located in central locations,

and be recognizable and accessible to the public;

- (4) Buildings shall incorporate mid-block pedestrian passageways and courtyards at least every three hundred feet. Where passageways are utilized, they shall connect through the block, across existing alleys if necessary, to other passageways, to mid-block crossings, or thoroughfares for greater street grid connectivity;
- (5) When a building includes a courtyard, the courtyard shall have a minimum dimension of forty feet deep and thirty-five feet wide along the street side;
- (6) The required mid-block pedestrian passageway or courtyard shall not abut an alley; and
- (7) For large lots that abut other lots not subject to a permit application, an alley of at least twenty-six feet in width must be provided at the edge of the lot that is adjacent to the other lots to ensure access by vehicles and access to light and air of the other lots. An alternative proposal may be considered as long as it meets the intent of providing light, room, and air to neighboring lots. [Eff **OCT 27 2012** ] (Auth: HRS §§206E-4, 206E-5, 206E-7) (Imp: HRS §§206E-4, 206E-5, 206E-7)

§15-215-63 Historical and cultural sites.

(a) Lots located in the Kalaeloa CDD that are determined to be historically and culturally significant shall be preserved, protected, reconstructed, rehabilitated and restored by the landowners consistent with the implementing regulations of section 106 of the National Historic Preservation Act, as amended, and chapter 6E, HRS.

(b) Prior to the submittal of any permit application to the authority, a developer shall obtain a letter from SHPD which confirms that the developer has complied with all SHPD requirements. A copy of

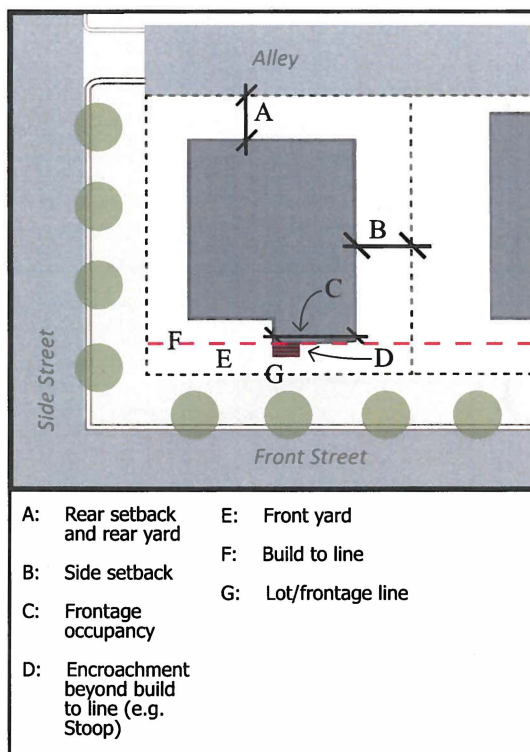
**FIGURE 1.3 DEVELOPMENT STANDARDS SUMMARY**

	T 1	Natural	T 2	Rural/ Open Space	T 3	General Urban	T 4	Urban Center	T 5	UC -High Intensity	SD	Special District
<b>A. BUILDING TYPES</b> <i>See Figure BT.1-BT.9 for details on each type</i>												
Front Yard House	■		■		■		■		X		X	
Side Yard House	X		■		■		■		X		X	
Townhouse	X		X		■		■		■		X	
Duplex, Triplex, Quadplex	X		X		■		■		■		X	
Flex-loft	X		X		■		■		■		X	
Industrial	X		■		■		■		■		■	
Courtyard	X		X		■		■		■		X	
Urban Block	X		X		■		■		■		■	
Lei Building	X		X		■		■		■		■	
<b>B. FRONTAGE TYPES</b> <i>See Figure 1.6 for details on each type</i>												
Common Yard	■		■		■		X		X		X	
Porch & Fence	■		■		■		X		X		X	
Terrace or Lightwell	X		X		■		■		X		X	
Forecourt	X		X		■		■		■		■	
Stoop	X		X		■		■		■		■	
Shopfront	X		X		■		■		■		■	
Gallery	X		X		■		■		■		■	
Arcade	X		X		X		■		■		■	
<b>C. BUILDING PLACEMENT</b> <i>See Figure 1.8</i>												
Frontage Occupancy at Build to Line	N/S		N/S		50% min		60% min		75% min		N/S	
Setback:												
Front Yard	N/A		5'-15'		5'-15'		5'-15'		5'-15'		5'-15'	
Side Yard	0'		0'		0'		0'		0'		0'	
Rear Yard	0'		0'		0'		0'		0'		0'	
<b>D. BUILDING FORM</b>												
Maximum Height	14'		28'		60'		75'		90'		120'	
Maximum Height - Accessory Building	N/S		14'		28'		28'		N/S		N/S	
Maximum Density:												
Residential/Lodging	N/S		N/S		10 units /ac min. 20 units/ac max.		20 units /ac min. 40 units/ac max.		40 units /ac min. 60 units/ac max.		N/S	
Commercial/Retail	250 s.f per acre		500 s.f per acre		10,000 s.f/ac min. 20,000 s.f /ac max.		20,000 s.f/ac min. 40,000 s.f./ac max.		40,000 s.f/ac min. 60,000 s.f./ac max.		N/S	
Industrial/Transportation	250 s.f per acre		500 s.f per acre		20,000 s.f per acre		10,000 s.f per acre		5,000 s.f per acre		N/S	
Civic/Education	250 s.f per acre		1000 s.f per acre		20,000 s.f per acre		10,000 s.f per acre		5,000 s.f per acre		N/S	
Sustainability	N/S		1000 s.f per acre		20,000 s.f per acre		10,000 s.f per acre		5,000 s.f per acre		N/S	

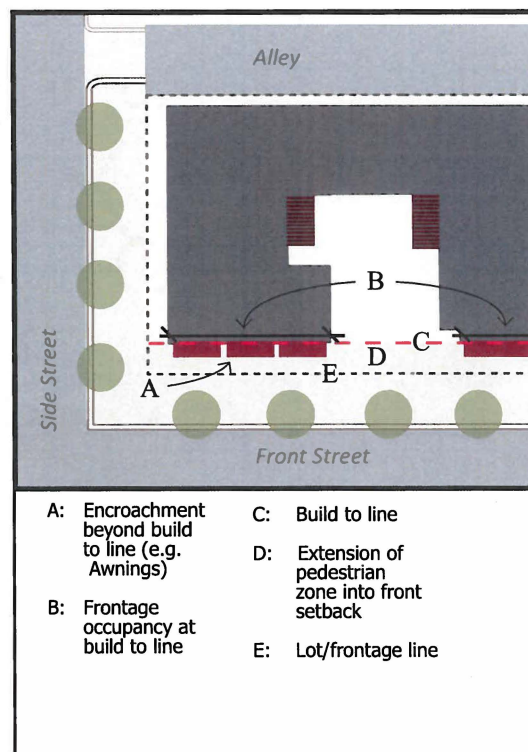
■ Permitted      X Not Permitted      N/S Not Specified

**FIGURE 1.8 BUILDING PLACEMENT AND ENCROACHMENT**

**1.8-A Illustrative Building Placement Diagram for Building Types: Front Yard House; Side Yard House; Duplex, Triplex, Quadplex, Townhouse, and Flex/Loft.**



**1.8-B Illustrative Building Placement Diagram for Building Types: Courtyard; Urban Block; and Lei Building.**



**1.8-C Encroachments**

FRONT ENCROACHMENTS	MIN VERTICAL CLEAR	MAX HORIZONTAL CLEAR
Awnings	16'	No more than 10' or 66 % of the distance from the building face to the curb, whichever is less.
Signage	12'	No more than 4' or 33 % of the distance from the building face to the curb, whichever is less.
Gallery / Arcade / Shopfront	16'	Within 2' of curb (must contain ground floor retail).
Bay Windows and Architectural Features	21'	8' from building face, but not to extend over the lot line.
Balconies / Porches	21'	8' from building face, but not to extend over the lot line.
SIDE AND REAR ENCROACHMENTS	MIN VERTICAL CLEAR	MAX HORIZONTAL CLEAR
Balconies, Decks, and Architectural Features	12' (When above Ground Floor)	10' from lot line