

Summary of Proposed Key Changes to the Kalaeloa Rules
May 2023 Administrative Draft

Proposed Change	Citation	Notes
Rules Clarifications		
1. Clarifying the role of nationally-recognized building codes	§ 15-215-6(a)(4)	Recognizes that national building or safety code requirements, such as the International Building Code (IBC) or National Fire Code (NFC), takes precedence over the Kalaeloa rules.
2. Adding/removing various definitions	§ 15-215-8 and Figure 1.7	Clarifies the application of the rules. Obsolete definitions for terms that no longer appear in the Rules are removed.
3. Removal of the T1 Natural transect zone	§ 15-215-23(b)	Kalaeloa does not have any untouched, natural wilderness areas or that are unsuitable for human settlement.
4. Deferring to the City and County for green building standards	§ 15-215-48(c)	The proposed language replaces Leadership in Energy and Environmental Design (LEED) rating requirements with the City and County of Honolulu building energy conservation code (Chapter 16B, Revised Ordinances of Honolulu).
5. Adding clarification about mandatory State Historic Preservation Division (SHPD) review	§ 15-215-63(b)	Language was added to emphasize that SHPD concurrence is required prior to HCDA acceptance of permit applications for processing. This applies to proposals that have any ground disturbance or involves structures over 50 years old.
6. Clarifying that leased and sub-leased land within a parcel is not considered a separate legal parcel	§ 15-215-66	Language was added to clarify that the HCDA will only recognize legal parcel sizes when applying the permit thresholds as shown in Figure 1.1-B (Permit Type Thresholds Matrix), not leased or sub-leased areas within the legal parcel.

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7. Adding language to formally defer to the City and County for subdivisions of land	§ 15-215-67	The City and County of Honolulu has always retained the authority to legally subdivide land, and the HCDA does not have this authority. This language makes this assignment of jurisdiction explicit.
Permit Simplification		
8. Added residential and mixed-use transect zones	§ 15-215-23(b)	The addition of the T3-R neighborhood residential and T3-M mixed use transect zones is to refine typologies within the T3 zone, as the land uses emphasized in each differs, and to more-explicitly allow these types of land uses in Kalaheo. This also more closely aligns with national standards for applying form-based transect zone typologies.
9. Removal of the Thoroughfare Plan	§ 15-215-24 [and, formerly, Figure 1.4]	The roadway thoroughfare plan and illustrative cross-sections are eliminated from the Kalaheo rules. Instead, thoroughfares will be required to comply with the City and County of Honolulu's complete streets design manual.
10. Elimination of required plant species for general landscaping	§ 15-215-44(2)	Increased flexibility for plantings and trees will enable landscape designers to better meet the unique characteristics and climate conditions of each site, as well as address supply chain variability. Requirements for street-specific tree sizes and species are being maintained.
11. Elimination of dedicated recreation space in non-residential developments	§ 15-215-45	Recreational space standards are eliminated for industrial, commercial, office, and goods and services uses, since they may hinder development on smaller parcels or conflict with security requirements.

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12. Expanding which proposals can qualify for a Rules Clearance permit	§ 15-215-77	Rules clearance permits will now apply to parcels of any size and will be expanded to include more types of projects, such as limited grading, de minimis exterior alterations, repairs using similar materials, and small-scale solar panel installations. This will greatly simplify permit reviews for these types of projects.
13. Adding exemptions for Rules Clearance permits	§ 15-215-77(c)	Interior electrical or plumbing work is now being exempted from HCDA permit requirements. Changes in permitted land uses are also now being exempted from the requirements.
14. Determining the required permit type (and variance) by both transect zone and parcel size	§§ 15-215-8 and 15-215-78(c); and Figure 1.1-B	Currently, development permits are required for all work on lots that are greater than 40,000 square feet (0.92 acres) in size. The proposed thresholds in Figure 1.1-B are intended to tailor the intensity of permit reviews for projects with the most potential for adverse impacts in the most dense or sensitive locations.
15. Requiring Design Advisory Board (DAB) review process at the discretion of the Executive Director	§ 15-215-78(f)	The proposal removes the mandatory requirement for DAB review. This review process will be reserved for projects that the Executive Director deems to have the potential for adverse impacts or includes other elements that could benefit from DAB review.
16. Removing the Conditional Use of Vacant Land (CUVL) Permit and adding the Temporary Use Permit	§ 15-215-80	The Temporary Use Permit will be more flexible than the CUVL and cover shorter-term projects than the CUVL was intended for.
17. Adding archaeological resources as a qualifying reason for a variance	§ 15-215-81(d)(1)	Similar to any other attribute inherent to the parcel that restricts the building envelope and limits where development can occur, <i>in situ</i> remains should qualify as a reason for the approval of a variance.

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18. Updated Fee Schedule	§ 15-215-91	Permit fees are updated to better-reflect current costs and the staff time spent on a given permit process.
19. Incorporation of Floor Area Ratio (FAR) into Site Development Standards	Figure 1.3-B	FAR provides better control over building size and bulk than existing density requirements.
20. Simplified land use classifications	Figure 1.7	The number of enumerated land use categories is consolidated from 50 down to 24.
Improved Planning		
21. Adding limited lodging to T2 rural zone	§ 15-215-23(b)(2)	To meet the demand for lodging in the Kalaheo CDD.
22. Adding a new “Saratoga Overlay Zone” and design standards	§ 15-215-23(b)(7) and § 15-215-49	New architectural standards are designed to reflect a vision of Saratoga Avenue as a pedestrian-scaled urban main street. This vision was established in the Master Plan. These standards will also allow some proposals to bypass review by the Design Advisory Board.
23. Adjustments to fence heights and allowed materials	§ 15-215-43(c)	Allows more functional fences in residential and urban transect zones, while prohibiting some fence materials, to promote stronger neighborhood character and associated development.
24. Requiring submittal of window specifications for approval	§ 15-215-43(h)(2)	Balancing the benefits of transparent ground floor windows with the opacity required by the State Energy Code.
25. Hawaiian sense of place	§ 15-215-43(i)	Promoting and maintaining the presence of native landscaping and Hawaiian motifs, architecture and themes throughout the district.

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26. Removing the requirement for off-street parking	§ 15-215-47(a)	This will be consistent with City and County of Honolulu Ordinance 20-41, which eliminated parking minimums in the Primary Urban Center, Kapolei, and Ewa in order to allow developers to right-size parking, lower construction costs, and support multimodal transportation options. When developers still want to provide off-street parking, design guidelines and standards are still provided.
27. Exceptions to the Large Lot Development standards for certain land uses in certain zones	§ 15-215-62	Utilities, large solar arrays, and some other uses would be waived from certain parking and building type requirements that apply to parcels larger than 140,000 square feet (3.2 acres). Large Lot Development Standards would still apply to residential developments.
28. Adding changes to the Regulating Plan	Figure 1.2	Transect zone changes have been made to achieve the vision laid out in the Master Plan, protect historic assets and direct development to the most logical areas of the Kalaeloa CDD.
29. Adding changes to the Building Development Standards	Figure 1.3-A	Some changes have been made to direct certain types of development to areas where it can be best supported and best fits within the Kalaeloa CDD.
30. Adding a new Building Type: Tropical Urban Court	Figure BT.10	This typology is intended to promote more sustainable, energy-efficient buildings.