

APPENDIX G:
Applicable State
Land Use and
City & County
Regulations

INTRODUCTION

The following regulatory information lists the specific development and building guidelines applicable to the project site. Variances, conditional use permits, or other regulatory modification require specific processes which are determined on a case-by-case basis. Further information on these processes can be found in State and City and County regulation literature.

STATE LAND USE REGULATIONS

The buildable portions of the Waimano site generally coincide with the State Land Use Map designation of Urban District. Correspondingly, the portions of the Waimano site which would be difficult to build upon are principally designated as Conservation District.

While development within the Conservation District may be permitted under specific and extraordinary circumstances, the process for such approval is very lengthy and is approached on a case-by-case basis by the State Land Use Commission or by the Board of Land and Natural Resources.

CITY AND COUNTY REGULATIONS

The following descriptions are excerpted from applicable sections from the City & County of Honolulu LUO. The LUO should be consulted when actual planning and design proceeds.

R-5 Residential

- Permitted Principal Uses:
 - Day-care facilities
 - Duplex units
 - Dwellings, detached, one-family, two-family
 - Meeting facilities
 - Public uses and structures
 - Schools: Elementary, intermediate, high
 - Telecommunications antennas
 - Utility installations

- Development Standards:

Minimum Lot Area:

- 5,000 square feet for one-family detached dwelling and other uses.
- 7,500 square feet for one-family detached dwelling.
- 3,750 square feet per duplex unit.

Minimum Lot Width and Depth:

- 50 feet for detached dwelling and other uses.
- 30 feet per duplex unit.

Yards:

Front:

- 10 feet for detached dwelling and duplex unit.
- 30 feet for other uses.

Side and Rear:

- 5 feet for detached dwelling.

For duplex lots, 5 feet for any portion of any structure not located on the common property line; the required side yard is 0 (zero) feet for that portion of the lot containing the common wall.

- 15 feet for other uses.

Maximum Building Area:

- 50 percent of the zoning lot.

Maximum Height:

- 25 feet.

Height Setbacks:

Any portion of a structure exceeding 15 feet shall be set back from every side and rear buildable area boundary line 1 foot for each 2 feet of additional height over 15 feet.

Any portion of a structure exceeding 20 feet shall be setback from the front yard buildable area boundary line 1 foot for every 2 feet of additional height over 20 feet.

Zoning Adjustment: Height Setback

The Director may adjust the of building height envelope up to a maximum of 35 feet, only under the following conditions:

1. The lot has a slope greater than 40 percent.
2. There is no other reasonable development alternative without an increase in the height envelope.
3. The lot shall be limited to dwelling use.

P-2 Preservation

• Principal Permitted Uses:

- Aquaculture
- Cemeteries and columbaria
- Crop production
- Forestry
- Game preserves
- Livestock grazing
- Public uses and structures
- Recreation facilities, outdoor
- Telecommunications antennas
- Utility installations

• Development Standards

Minimum Lot Area: 5 acres

Minimum Lot Width: 200 feet

Yards:

Front: 30 feet

Side and Rear: 15 feet

Maximum Building Area:
5 percent of the zoning lot

Maximum Height:
15 feet; up to 25 feet is permitted if height setbacks are provided.

Height Setbacks:
Any portion of a structure exceeding 15 feet shall be setback from every side and rear build-able area boundary line 1 foot and for each 2 feet of additional height about 15 feet.

The above are customarily permitted standards for the referenced zoning districts. Exceptions can be secured in the form of variances or conditional use permits.

Non-Conforming Structures
Under Land Use Ordinance provisions, existing buildings that do not conform to current zoning and other code requirements may remain in continued usage as long as they are not substantially altered. If alterations or destruction of existing structures exceeds 50% of the replacement value of the structure, reconstruction must result in the entire structure being in conformance with all present codes.

Parking and Loading Requirements
Land Use Ordinance parking and loading requirements are as follows in Table 1:

Arrangement of Parking Stalls (Spaces):

The following requirements should be met:

- Except for landscaping elements as provided under Section 3.80-B., all spaces shall be unobstructed, provided that building columns may extend a maximum total of 6 inches into the sides of the parking space. A wall is not considered a building column.

TYPE OF USE	REQUIREMENT (Stalls per subject use)
Auditoriums	1/75 square feet assembly area or 1/5 fixed seats, whichever is greater.
Boarding Facilities	2 plus .75/unit
Multi-Family Dwellings	Dwelling Unit: 600 sq. ft. or less: 1/unit Dwelling Unit: 601 sq. ft. - 799 sq. ft. : 1.5/unit Dwelling Unit: 800 sq. ft. : 2/unit Plus 1 guest stall/10 dwelling units.
Dining Facilities	1/100 square feet of dining area plus 1/400 square feet of kitchen and other areas provided facility comprises 50% or more of the floor area developed on the parcel. Otherwise, 1/400 square feet
Lodging Units	0.75/unit
Medical Clinics	1/400 square feet
Meeting Facilities	1/75 square feet of assembly area, or 1/5 fixed seats, whichever is greater.
Offices	1/400 square feet
Personal Services	1/300 square feet
Recreation Facilities	1/200 sq. ft., plus 3/court
Repair Facilities, Minor	1/500 square feet
Repair Facilities, Major	1/300 square feet
Schools	1/10 students, plus 1/400 square feet of office space.
Warehousing	1/1,500 square feet

Table G-1: Parking Requirements

- Where 4 or more parking spaces are required, other than for 1- and 2-family dwellings, the parking lot or area shall be designed or arranged in a manner that no maneuvering into or from any street, alley or walkway is necessary in order for a vehicle to enter or leave a space, and which allows all vehicles to enter the street in a forward manner.
- All spaces shall be arranged so that any automobile may be moved without moving another except that tandem parking shall be permissible in any of these instances:
 - Where two parking spaces are assigned to a single dwelling unit.
 - For employee parking, except that at no time shall the number of parking spaces allocated for employees exceed 25 percent of the total number or required spaces. Also, for employee parking, "tandem" parking shall be limited to a configuration of two stacked parking stalls.
 - Where all parking is performed by an attendant at all times.
 - For public assembly facilities and temporary events when user arrivals and departures are simultaneous and parking is attendant-directed.
- One tree must be provided for every 6 parking spaces.
- For all non-dwelling uses, parking for the physically disabled shall be provided as follows:

Parking for the Physically Disabled:

For all non-dwelling uses, parking for the physically disabled shall be provided as follows:

Total Required Parking Spaces	Spaces for Physical Disabled
11 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	10
more than 1000	10 plus 1 for each additional 5000 or fraction thereof.

Table G-2: Parking Requirements for the Physically Disabled - Non-Dwelling Uses

Parking spaces for the disabled shall be identified by a posted upright sign and blue paint on the curb or on the pavement edge of the edge of the space and shall be at least 8 feet wide and shall have an adjacent access aisle a minimum of 5 feet across. Parking access aisles shall be part of an accessible route to the building or facility. The surface slope shall not exceed 4 percent in any direction. Two adjacent spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible circulation route.

Minimum Parking Lot Dimensions:

The following requirements should be followed in laying out parking area dimensions:

- Standard-sized automobile parking spaces shall be at least 19 feet in length and 8-1/2 feet in width, with parallel spaces at least 22 feet in length.
- Compact spaces shall be at least 16 feet in length and 7-1/2 feet in width, with parallel spaces at least 19 feet in length.

- At least 60% of required parking stalls must be standard-sized, except that duplex, detached, and multi-family dwellings may have 50% compact stalls.
- Minimum aisle widths for parking bays shall be provided in accordance with the following:

Parking Angle	Aisle Width
0° - 44°	12 ft.
45° - 59°	13.5 ft.
60° - 69°	18.5 ft.
70° - 79°	19.5 ft.
80° - 89°	21 ft.
90°	22 ft.

Table G-3: Required Parking Aisle Widths

- Ingress and egress aisles shall be provided to a street and between parking bays and no drive way leading into a parking area shall be less than 12 feet in width.

Loading Requirements:

Provisions for on- and off-loading of supplies and equipment must be provided for certain kinds of facility usage. The following loading requirements apply to the project site.

TYPE OF USE	FLOOR AREA SQ. FT.	REQ'
• Dining Facilities, warehousing, industrial establishments.	2,000 - 10,000	1
	10,001 - 20,000	2
	20,001 - 40,000	3
	40,000 - 60,000	4
	Each additional 50,000 or major fraction thereof	
• Hospitals or similar institutions, and places of public assembly.	5,000 - 10,000	1
	10,001 - 50,000	2
	20,000 -100,000	3
	Each additional 100,000 or major fraction thereof	1
• Offices or office buildings.	20,000 - 50,000	1
	50,000 - 100,000	2
	Each additional 100,000 or major fraction thereof	1
• Multi-family dwellings.	20 - 150 units	1
	151 - 300 units	2
	Each additional 200 or	1

Table G-4: Loading Requirements

Method of Determining Number

- To determine the required number of loading spaces, gross floor area shall apply.
- When a building is used for more than one use, and the floor area for each use is below the minimum requiring a loading space, and the aggregate floor area of the several uses exceeds the minimum floor area of the use category requiring the greatest number of loading spaces, at least 1 loading space shall be required.
- The number of loading spaces required may be adjusted to 50 percent of the required number when such spaces are assigned to serve 2 or more uses jointly, provided that each use has access to the loading zone without crossing public streets or sidewalks.

Dimensions of Loading Spaces

- When only one loading space is required and total floor area is less than 5,000 square feet, the horizontal dimensions of the space shall be 19 x 8-1/2 feet. It shall have a vertical clearance of 10 feet.
- When more than one loading space is required or total floor area is more than 5,000 square feet, the minimum horizontal dimension of at least half of the required spaces shall be 12 x 35 feet and have a vertical clearance of at least 14 feet. The balance of required spaces may have horizontal dimensions of 19 x 8-1/2 feet and vertical clearance of at least 10 feet.

Location and Improvement of Loading Spaces

- No required loading space shall be in any street or alley but shall be provided within the building or adjacent to the building.
- Where loading areas are illuminated, all sources of illumination shall be shielded to prevent any direct illumination toward any country, residential, apartment or apartment mixed use districts.
- Each required loading space shall be identified as such and shall be reserved for loading purposes.
- No loading space shall occupy required off-street parking spaces or restrict access.
- No loading spaces and maneuvering areas shall be paved or covered with an all-weather surface.
- Except in front and side yards in agricultural, country and residential districts, no loading space or maneuvering area shall be located within a required yard, except if the area displaced by the loading space or maneuvering area is provided as open space immediately abutting the required yard, and the design is approved by the Director.