



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

20 - 41

ORDINANCE _____

BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

RELATING TO OFF-STREET PARKING AND LOADING.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to comprehensively update the off-street parking and loading requirements in Chapter 21 of the Revised Ordinances of Honolulu 1990 (the Land Use Ordinance).

SECTION 2. Chapter 21, Article 6, Revised Ordinances of Honolulu 1990 ("Off-street Parking and Loading") is repealed.

SECTION 3. Chapter 21, Revised Ordinances of Honolulu 1990 ("Land Use Ordinance"), is amended by adding a new Article 6 to read as follows:

"Article 6. Off-street Parking and Loading

Sec. 21-6.10 Off-street parking and loading – Purpose and intent.

- (a) The purpose of off-street parking and loading standards is to provide:
- (1) Regulations and guidance regarding off-street parking and loading;
 - (2) Regulations to assist with satisfying the goals of the Oahu general plan, development plans, sustainable communities plans, neighborhood transit-oriented development plans, Oahu resilience strategy, and other adopted city plans and policies; and
 - (3) Regulations to create opportunities to reduce housing and development costs and support multimodal communities.
- (b) The intent of parking and loading standards is to:
- (1) Ensure the provision of sufficient off-street parking and loading spaces in lots and structures that contribute to attractive, environmentally sound, and pedestrian-friendly streetscapes;
 - (2) Provide mechanisms and incentives to encourage the development of a more sustainable and multimodal transportation network, and encourage the use of transportation options to reduce congestion, improve pedestrian safety, and enhance the quality of the environment; and



A BILL FOR AN ORDINANCE

- (3) Provide reasonable flexibility to ensure that environmental, economic, and technical concerns are given appropriate consideration in decision-making.
- (c) Off-street parking and loading spaces must be provided as required by this article.
- (d) Unless otherwise specified in this article, the term "parking spaces" refers to motor vehicle parking spaces, and the term "vehicle" refers to motor vehicles.

Sec. 21-6.20 Off-street parking requirements.

- (a) Determining if parking is required, and the appropriate parking ratio. No off-street parking is required in the Primary Urban Center Development Plan area and Ewa Development Plan area, except for those areas thereof located in the residential, agricultural, and preservation zoning districts. Additionally, no off-street parking is required in any zoning district within one-half mile of an existing or future Honolulu rail transit station, as identified in the accepted environmental impact statement, or in the transit-oriented development special districts. The minimum off-street parking ratios shown below in Table 21-6.1 apply to all other areas not identified above. In areas where no parking is required, any parking that is provided must meet the design, dimensions, and other standards set forth in this chapter.

Table 21-6.1
Minimum Off-Street Parking Ratios

| Uses | Standard (per floor area unless noted otherwise) |
|--|---|
| RESIDENTIAL Dwellings; boarding facilities; consulates; group living facilities; hotels | 1 per 1,000 square feet of private dwelling or lodging area, not including areas identified in (b)(2)(A) |



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 20-41

BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

| | |
|--|---|
| COMMERCIAL 1 Convenience stores; retail and sales; food and grocery stores (including neighborhood grocery stores); eating and drinking establishments (including bars, nightclubs, taverns, cabarets, and dance halls); shopping centers; offices; personal services; commercial kennels; business services; laundromats, coin-operated cleaners; repair establishments; broadcasting stations; financial institutions; automotive and boat parts and services; automobile and boat sales and rentals; catering establishments; dance or music schools; home improvement centers; laboratories (medical or research); medical clinics; photographic processing; photography studios; plant nurseries; veterinary establishments | 1 per 500 square feet |
| COMMERCIAL 2 Data processing facilities; sales of appliances, household and office furniture, machinery, and plumbing and heating supplies; automobile service stations | 1 per 1,000 square feet |
| AGRICULTURE, INDUSTRY AND WAREHOUSING Agricultural products processing (major or minor); animal products processing; centralized bulk collection, storage and distribution of agricultural products to wholesale and retail markets; sale and service of machinery used in agricultural production; sawmills; storage and sale of seed, feed, fertilizer and other products essential to agricultural production; self-storage facilities; food manufacturing and processing; freight movers; heavy equipment sales and rentals; linen suppliers; manufacturing, processing and packaging (light or general); maritime-related sales, construction, maintenance, and repair; motion picture and television studios; petroleum processing; port facilities; publishing plants for newspapers, books, and magazines; salvage, scrap, and junk storage and processing; storage yards; warehousing facilities; waste disposal and processing; and wholesale and retail establishments dealing primarily in bulk materials delivered by or to ship, or by ship and truck in combination; wholesaling and distribution | 1 per 2,000 square feet |
| SCHOOLS AND CULTURAL FACILITIES Art galleries, museums, and libraries; day-care facilities; schools | 1 per 500 square feet of office, classroom, gallery space |
| PLACES OF ASSEMBLY Auditoriums; funeral homes and mortuaries; meeting facilities; gymnasiums; sports arenas; theaters | 1 per 125 square feet of assembly area, or 1 per 5 fixed seats, whichever is less |



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

20-21
ORDINANCE _____
BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

| | |
|---|--|
| RECREATION Amusement and recreation facilities (outdoor and indoor) involving swimming pools and sports played on courts | 1 per 250 square feet of assembly area or seating, plus 2 per court, and 10 per field or pool |
| SPECIAL USES and CIRCUMSTANCES Agriculture – aquaculture; composting; crop production; forestry; roadside stands; game preserves; livestock grazing; livestock production; livestock veterinary services; zoos Commerce and business – skating rinks; bowling alleys; home occupations; trade or convention centers Industrial – base yards; explosive and toxic chemical manufacturing, storage, and distribution; resource extraction Outdoor recreation – botanical gardens; golf courses; recreation facilities not otherwise specified herein; marinas and marina facilities; boat ramps; golf driving ranges Social and civic service – cemeteries and columbaria; hospitals; prisons; public uses and structures; universities and colleges Transportation – airports; heliports; helistops; truck terminals Utilities and communications – broadcasting antennas; receive-only antennas; utility installations and wind machines. | Determined by Director |

- (b) Method of calculating the number of required parking spaces.
- (1) When computation of the total required parking spaces for a zoning lot results in a number with a fraction of 0.5 or greater, the number of required parking spaces will be the next highest whole number.
 - (2) When a building or premises includes uses incidental or accessory to a principal use, the total number of required parking spaces will be determined on the basis of the parking requirements of the principal use. Floor area that may be eliminated for purposes of calculating parking requirements includes:



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 20-41
BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

- (A) Common areas and accessory recreation areas in multifamily dwellings, hotels, group living facilities, boarding facilities, and consulates;
- (B) Accessory areas in schools, cultural facilities, places of assembly or other similar uses, except all classrooms, offices, and gallery space;
- (C) Stairwells and ancillary spaces, when directly and exclusively used for mechanical spaces and not actively used by employees. Mechanical car-wash areas are included in this exemption; and
- (D) Other areas that do not induce a parking demand, as determined by the director.

Sec. 21-6.30 Adjustments and exceptions to parking requirements.

- (a) Change of use. If there is a change in use, the number of off-street parking spaces set forth in Table 21-6.1 for the new use is required, except as provided under Section 21-4.110(e), relating to nonconforming parking and loading.
- (b) For accessory dwelling units, one off-street parking space must be provided in addition to the required off-street parking for the primary dwelling unit, except for accessory dwelling units located within one-half mile of a rail transit station.
- (c) For bed and breakfast homes in areas where parking is required for the dwelling, one off-street parking space for each guest bedroom is required in addition to the required off-street parking for the dwelling.
- (d) Home occupations.
 - (1) Home occupations that depend on client visits including, but not limited to group instruction, must provide one off-street parking space per five clients on the premises at any one time. This parking requirement is in addition to, and the client parking space must not obstruct, the parking spaces required or provided for the dwelling use. Residents of multifamily dwellings may fulfill this requirement by the use of guest parking with the approval of the building owner, building management, or condominium association.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

20 - 41

ORDINANCE _____

BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

- (2) On-street parking of commercial vehicles associated with a home occupation is prohibited; provided that the occasional, infrequent, and momentary parking of a vehicle for pickups or deliveries to service the home occupation is allowed.
- (e) In connection with planned development projects, cluster housing, conditional use permits, existing use permits, and within special districts, the director may impose special parking and loading requirements.
- (f) Except for multifamily dwellings and hotels, all buildings and uses that are located within the boundaries of any improvement district for public off-street parking, and that have been assessed their share of the cost of the improvement district, are exempt from the off-street parking requirements of this chapter.
- (g) Joint use of parking and loading, on-site and off-site. On-site joint use of parking and loading is permitted on lots with more than one use. Off-site joint use of parking and loading is permitted, subject to Section 21-6.70 and the provisions of this section. All parking spaces provided under this section must be standard size. The number of required parking and loading spaces may be reduced by applying the rates provided in Table 21-6.2 to the total requirement for the various uses when added together.



A BILL FOR AN ORDINANCE

**Table 21-6.2
Joint-use Parking and Loading Reduction Matrix**

| Uses | Residential | Industrial Warehouse/ Office/ | Commercial Retail/ | Eating and Drinking Establishment | Hotel/Lodging | Other |
|---|-------------|--|-----------------------|---|---------------|-------|
| Residential | 100% | 80% | 90% | 90% | 90% | 90% |
| Office/ Warehouse/ Industrial | 80% | 100% | 80% | 80% | 90% | 90% |
| Retail / Commercial | 90% | 80% | 100% | 90% | 80% | 90% |
| Eating and Drinking Establishment | 90% | 80% | 90% | 100% | 90% | 90% |
| Hotel/Lodging | 90% | 90% | 80% | 90% | 100% | 90% |
| Other | 90% | 90% | 90% | 90% | 90% | 90% |
| Three different uses | 90% | All joint-use parking spaces must be standard size. | | | | |
| Four or more uses | 80% | | | | | |

(h) Incentives for sustainable transportation.

- (1) Unbundled parking. Except in the residential zoning districts, in areas where parking is otherwise required under Section 21-6.20, if at least 50 percent of the parking spaces provided by a project is unbundled, the project has no minimum parking requirement.
- (2) Bicycle parking in excess of the minimum bicycle parking requirements. Four short-term or long-term bicycle parking spaces in excess of the minimum bicycle parking requirement may be substituted for one off-street vehicle parking space, up to a maximum of four vehicle parking spaces or 15 percent of the required off-street vehicle parking spaces, whichever is greater. Bicycle parking must comply with Section 21-6.40.



A BILL FOR AN ORDINANCE

- (3) Bicycle sharing. Shared bicycle parking spaces, provided off-street on private property, may be substituted for required bicycle parking spaces, or may be substituted for up to a maximum of two vehicle parking spaces or 15 percent of the required off-street vehicle parking spaces, whichever is greater. Four shared bicycle parking spaces are equivalent to one off-street vehicle parking space. To be eligible for a reduction in the required number of vehicle parking spaces, the following must be submitted prior to the project's building permit approval:
- (A) A written agreement with the provider of the bicycle sharing service, including the number and a written description of the location of shared bicycles;
 - (B) A floor plan or site plan of the area clearly identifying the location of the shared bicycles;
 - (C) The property owner and provider's contact information, including street address; and
 - (D) Any other pertinent information as determined by the director.
- (4) Car sharing. One shared car parking space may be substituted for three required off-street vehicle parking spaces. Shared car parking spaces must be accessible to the subscribers of the car sharing service, and may include subscribers who access the shared cars from a public street. To be eligible for a reduction in the required number of vehicle parking spaces, the following must be submitted prior to the issuance of a building permit for the project:
- (A) A written agreement with the provider of the car share service, which must include the number of shared car parking spaces and a description of the location of the shared car parking spaces;
 - (B) A floor plan or site plan of the parking area clearly identifying the location of the shared car parking spaces;
 - (C) The property owner and provider's contact information, including street address; and
 - (D) Any other pertinent information as required by the director.



A BILL FOR AN ORDINANCE

- (5) Motorcycle and moped parking. One motorcycle or moped parking space may be substituted for one off-street vehicle parking space, up to a maximum of two spaces, or 10 percent of the required off-street vehicle parking spaces, whichever is greater. Motorcycle and moped parking must comply with Section 21-6.50.
- (i) No additional off-street parking spaces are required for nonconforming zoning lots beyond parking spaces existing on the effective date of this ordinance. Any parking spaces provided on nonconforming zoning lots are subject to the parking space standards in this chapter.
- (j) The following sections may have additional requirements or opportunities not set forth in this article:
 - (1) Section 21-5.610A(a)(3), relating to a reduction in off-street parking requirements for special needs housing for the elderly;
 - (2) Section 21-2.140-1(a), relating to conditions that allow for carports and garages to encroach into front and side yards;
 - (3) Section 21-2.140-1(h), relating to issues that may affect the required number of parking spaces when changing uses within a previously developed lot or parcel;
 - (4) Section 21-2.140-1(o), relating to situations in which converted accessory structures may be exempted from off-street parking requirements;
 - (5) Section 21-5.720(c)(4), relating to accessory dwelling units; and
 - (6) Section 21-5.350(g) relating to home occupations.
- (k) Excluding zoning lots in the preservation, agricultural, country, and residential zoning districts, off-street parking spaces will not be required for additional floor area up to 15,000 square feet per zoning lot; provided that application of this subsection may only be used once on the same zoning lot.



A BILL FOR AN ORDINANCE

Sec. 21-6.40 Bicycle parking.

- (a) Parking for bicycles is required in the apartment, apartment mixed use, business, business mixed use, and resort districts, and in all precincts of the Waikiki special district.
- (b) Number of bicycle parking spaces required. Short-term and long-term bicycle parking spaces must be provided as set forth in Table 21-6.3; provided that no bicycle parking spaces are required for detached single-family and two-family dwellings, and duplexes. Short-term and long-term bicycle parking spaces must be provided whenever new floor area, new dwelling units, or a new commercial parking lot or structure is proposed. When computation of the total required bicycle parking spaces for a zoning lot results in a number with a fraction of 0.5 or greater, the number of required bicycle parking spaces will be the next highest whole number.

Table 21-6.3
Bicycle Parking Spaces Required

| | Short-Term Bicycle Parking | Long-Term Bicycle Parking |
|------------------|---|--|
| Commercial Uses | 1 space per 2,000 square feet of floor area or portion thereof, or 1 space for every 10 vehicle spaces or portion thereof, whichever is greater. | 1 space per 12,000 square feet of floor area, or 1 space per 30 vehicle spaces, or portion thereof, whichever is greater. |
| Industrial Uses | 1 space per 4,000 square feet of office floor area or portion thereof (excludes storage floor area). | 1 space per 18,000 square feet of office floor area or portion thereof (excludes storage floor area). |
| Residential Uses | 1 space for every 10 dwelling or lodging units. | 1 space for every 2 dwellings or lodging units. |
| Hotel Use | 1 space for every 20 dwelling or lodging units. | 1 space for every 10 dwelling or lodging units. |



A BILL FOR AN ORDINANCE

- (c) **Anchoring and Security.** For each bicycle parking space required, a bicycle rack must be provided, to which a bicycle frame and one wheel may be secured with a high-security U-shaped lock. If a bicycle may be locked to each side of the rack without conflict, each side may be counted toward a required space.
- (d) **Size and Accessibility.**
- (1) Each bicycle parking space must be a minimum of two feet in width, six feet in length, and must be accessible without moving another bicycle. Vertical or stacked spaces that meet the dimension, security, and accessibility requirements above are permitted, and the depth and height of these spaces must be a minimum of four feet. All types of bicycle parking spaces must be clear of walls, poles, landscaping (other than ground cover), street furniture, drive aisles, pedestrian ways, and vehicle parking spaces for at least five feet from the edge of the bicycle parking space on the side that the bicyclist accesses the bicycle parking area .
 - (2) Short-term bicycle parking spaces must be located as close as practicable to the entrances of the principal uses on a lot so they are highly visible and easily identifiable. Section 21-4.110(e), relating to nonconforming parking and loading, does not apply to short-term bicycle parking spaces.
 - (3) Bicycle parking spaces, including those with fixed racks for parking and locking, are allowed within front yards pursuant to Section 21-4.30(a)(7).
 - (4) Long-term bicycle parking must be provided in the form of enclosed bicycle lockers or easily accessible, secure, and covered bicycle storage. Section 21-4.110(e), relating to nonconforming parking and loading, does not apply to long-term bicycle parking spaces.
 - (5) Bicycle parking spaces within enclosed parking structures must be located as close as practicable to an entrance of the parking structure so they are visible from the street or sidewalk. Where the bicycle parking spaces are not visible from the front entrance, signage indicating the location of the bicycle parking spaces is required.
 - (6) To accommodate technological advances, at the request of an applicant, size, accessibility, and other requirements may be modified at the discretion of the director.



A BILL FOR AN ORDINANCE

- (e) Excluding zoning lots in the preservation, agricultural, country, and residential zoning districts, short-term and long-term bicycle parking spaces will not be required for additional floor area up to 15,000 square feet per zoning lot; provided that application of this subsection may only be used once on the same zoning lot.

Sec. 21-6.50 Parking space dimensions and access.

- (a) Dimensions of parking spaces.
- (1) Standard parking spaces must be at least 18 feet in length and eight feet three inches in width, with parallel spaces at least 22 feet in length.
 - (2) Compact parking spaces must be at least 16 feet in length and seven feet six inches in width, with parallel spaces at least 19 feet in length.
 - (3) All provided parking spaces must be standard-sized parking spaces, except that duplex units, detached dwellings, and multifamily dwellings may have up to 50 percent of the total number of provided parking spaces as compact parking spaces, and accessory dwelling units may satisfy the parking requirement with a compact parking space.
 - (4) Required parking spaces for boat launching ramps must have minimum dimensions of 40 feet in length and 12 feet in width.
 - (5) Motorcycle and moped parking spaces must be at least eight feet in length and four feet in width, and must provide a minimum five-foot wide access way clear of obstructions.
 - (6) Minimum aisle widths for parking bays must be provided in accordance with Table 21-6.4.



A BILL FOR AN ORDINANCE

Table 21-6.4
Parking Aisle Widths

| 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. |

If the parking angle is 90 degrees, the minimum aisle width may be reduced by one foot for every six inches of additional parking space width above the minimum width of eight feet three inches, to a minimum aisle width of 19 feet.

- (7) Ingress and egress aisles must be provided to a street and between parking bays. Driveways leading into a parking area must be a minimum of 12 feet in width, except that driveways for detached dwellings, duplex units, and internal one-way driveways connecting parking aisles must be a minimum of 10 feet in width.
- (b) Arrangement of parking spaces.
 - (1) All parking spaces must be unobstructed; provided that structural support columns may extend a maximum of six inches into the sides of the parking space. A wall is not considered a structural support column.
 - (2) Where five or more parking spaces are provided, the spaces or area must be designed or arranged in a manner so 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 that allows all vehicles to enter the street in a forward manner. Parking spaces must be individually marked. Compact spaces must be labeled "compact only."



A BILL FOR AN ORDINANCE

- (3) All parking spaces must be arranged so that any motor vehicle may be moved without moving another motor vehicle; provided that tandem parking is permissible in any of the following instances:
- (A) Where two or more parking spaces are assigned to a single dwelling unit, or a parking space is assigned to an accessory dwelling unit;
 - (B) Where the parking spaces are used as employee parking; provided that the number of parking spaces allocated for employees must not exceed 25 percent of the total number of provided parking spaces, and employee tandem parking is limited to a configuration where only one vehicle must be moved to provide access to another vehicle;
 - (C) Where all parking is performed by an attendant at all times, and vehicles may be moved within the lot without entering any street, alley, or walkway; or
 - (D) For public assembly facilities and temporary events, where user arrivals and departures are simultaneous, and parking is attendant directed.
- (c) Surface materials. Off-street parking spaces, parking lots, and driveways must be maintained with a dust-free, durable, all-weather surface except in the preservation, agricultural, and country districts, where parking lots and driveways may be surfaced with crushed rock or limestone, or as determined by the director pursuant to Article 2. Suitable dust-free all-weather surfaces may include but are not limited to permeable pavers, including grass-block, or similar systems; provided that the surface is maintained to prevent sediment, dirt, mud, or other debris from being transferred into the right-of-way.

Sec. 21-6.60 Electric vehicle charging stations.

- (a) Equipment mounted on pedestals, lighting posts, bollards, or other devices at electric vehicle charging stations must be designed and located so as to not impede pedestrian, bicycle, or wheelchair movement, or create safety hazards.
- (b) Existing standard-sized parking spaces constructed prior to the effective date of this ordinance may be reduced in size to that of a compact space, if necessary, to accommodate electric vehicle charging equipment.



A BILL FOR AN ORDINANCE

Sec. 21-6.70 Off-site parking and loading.

- (a) Required parking spaces, loading spaces, or bicycle parking spaces may be located off the premises as off-site parking and loading facilities, in compliance with Section 21-2.90 relating to conditional uses. Off-site parking and loading may be used in conjunction with the joint use of parking and loading.
- (b) The distance between the entrance to the parking facility and nearest principal entrance of the establishment must not exceed 2,640 feet (a half-mile) using customary pedestrian routes. Off-site loading facilities must not be separated from the establishment requiring the loading by a street, and must be connected by an improved pedestrian path or sidewalk. The distance between off-site bicycle parking and the nearest principal pedestrian entrance of the establishment requiring the bicycle parking must not exceed 400 feet by customary pedestrian routes.
- (c) When the off-site parking or loading is necessary to meet minimum parking requirements, a written instrument must be recorded in the State of Hawaii bureau of conveyances, or the office of the assistant registrar of the land court of the State of Hawaii, or both, as appropriate, for both the lot containing the principal structure or use and the remote parking lot or structure. The agreement must assure the continued availability of the number of required parking spaces being provided off-site. The agreement must stipulate that if a required parking space is not maintained, or a parking space acceptable to the director is not substituted, the use or the portion of the use that is deficient in the number of required parking spaces must be discontinued. The agreement will be subject to the approval of the department of the corporation counsel as to form and legality.

Sec. 21-6.80 Surface parking site planning.

- (a) Surface parking location and configuration.
 - (1) Setbacks.
 - (A) Surface parking, except that in the residential and country districts, must be set back a minimum of five feet from all side and rear property lines that adjoin lots in the country, residential, apartment, or apartment mixed use zoning districts.
 - (B) Parking and loading are not permitted in any required yards, except as follows:



A BILL FOR AN ORDINANCE

- (i) In the country, agricultural, and residential districts, parking and loading may encroach into the required yards;
 - (ii) For lots that are split zoned and have nonresidential parking, the parking and loading spaces may encroach entirely into the side yard created by the zoning boundary that splits the lot.
- (b) Surface parking lot landscaping and screening. Parked vehicles in surface parking lots must be screened from view from all streets and public spaces.
 - (1) Surface parking lots of five or more parking spaces must provide a minimum five-foot landscape strip adjacent to any adjoining street right-of-way. If wheel stops are provided, parking spaces may overhang the five foot landscape strip (but not the required yard) by three feet (see Figure 21-6.2); provided that hedges and other landscape elements, including planter boxes over six inches in height, are not permitted within the overhang space. This five-foot strip must contain a continuous screening hedge a minimum of 36 inches in height with plantings a maximum of 18 inches on center. A minimum 36-inch-high wall or fence may be placed outside the yard in lieu of a hedge. If a wall or solid fence is erected, either a vine or shrub must be planted at the base of the wall or solid fence on the side fronting the property line. One canopy form tree, a minimum of two-inch caliper, must be planted in the landscape strip for each 50 feet or major fraction of adjacent lineal street frontage.
 - (2) To provide shade in surface parking lots and minimize visibility of paved surfaces, parking lots with more than 10 parking spaces must provide one canopy form tree, a minimum of two-inch caliper, for every six parking spaces or major fraction thereof, or one canopy form tree of six-inch caliper or more for every 12 parking spaces or major fraction thereof (see Figure 21-6.1). Each tree must be located in a planting area or tree well a minimum of nine square feet in area. The minimum width of an area for a tree is three feet. If wheel stops are provided, continuous planting areas with low ground cover, and tree wells with trees centered at the corner of parking spaces may be located within the three-foot overhang space of parking spaces (see Figure 21-6.2). Hedges and other landscape elements, including planter boxes over six inches in height, are not permitted within the overhang space of the parking spaces. Trees must be sited so as to evenly distribute shade throughout the parking lot. As an alternative to the above described planter areas for trees, a tree box



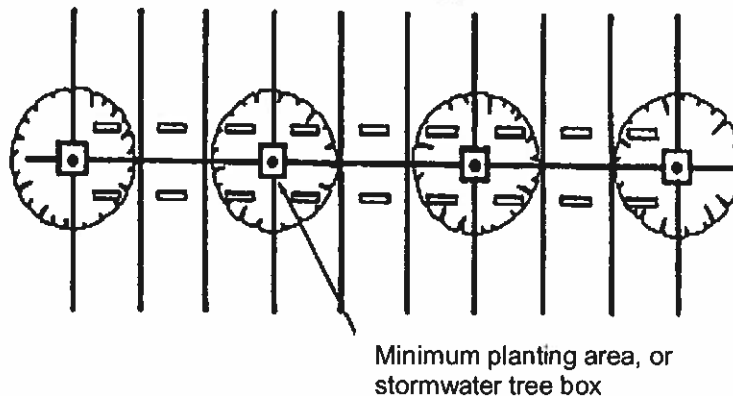
A BILL FOR AN ORDINANCE

specifically designed to treat stormwater runoff may be used on a one-for-one basis in place of the landscaped area. Tree boxes must be approved for compliance with the rules related to stormwater quality.

- (3) All service areas and loading spaces must be screened from adjoining lots in the country, residential, apartment, and apartment mixed use districts by a wall six feet in height.
- (4) All plant material and landscaping must be provided with a permanent irrigation system.

Figure 21-6.1
Permitted Vehicle Overhangs

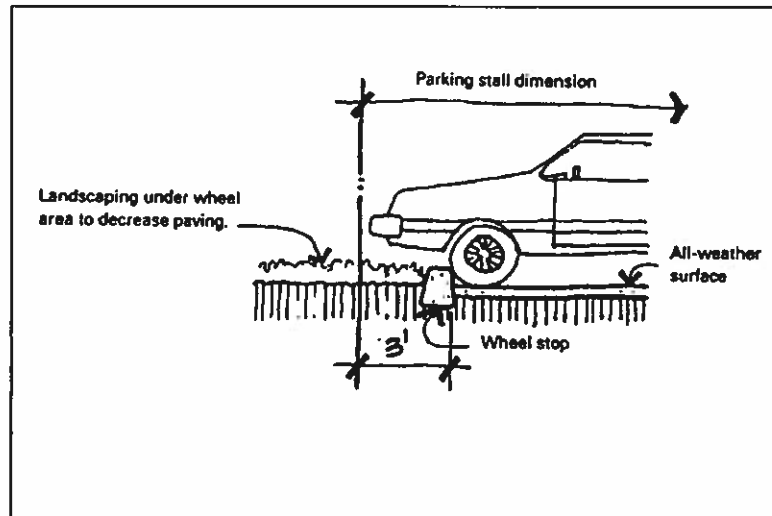
Example: One canopy tree for every six parking spaces.





A BILL FOR AN ORDINANCE

Figure 21-6.2
Permitted Vehicle Overhangs



- (c) Surface parking lot lighting. Lighting or illumination for surface parking lots must be designed or shielded to prevent any direct illumination toward any other zoning lot or street.

Sec. 21-6.90 Structured parking site planning and design standards.

- (a) Structured parking location and configuration.
 - (1) All mechanical equipment on or in structured parking that is visible from a street, right-of-way, or public park, including but not limited to electrical panels, transformers, telecommunication distribution boxes, and backflow preventers must be screened from view. Mechanical equipment necessary for emergency responders, such as fire prevention standpipes, need not be screened.
 - (2) Mechanical parking systems are permitted in parking structures.
 - (3) Illuminated parking areas within the structure and on the roof must be designed or shielded to prevent any direct illumination toward any other zoning lot or street.



A BILL FOR AN ORDINANCE

(b) Landscape screening for parking structures. Parking structures that are adjacent to zoning lots with side or rear setback requirements must meet the following requirements:

- (1) An 18-inch landscaping strip along the abutting property line must be provided, and consist of landscaping a minimum of 42 inches in height; provided that a solid wall 42 inches in height may be substituted for this requirement; and
- (2) A minimum two-inch caliper vertical-form tree must be planted for every 50 linear feet of structured parking building length facing a required yard.

Sec. 21-6.100 Unbundled parking.

Any parking space may be unbundled.

Sec. 21-6.110 Off-street loading requirements.

- (a) Required number of loading spaces. Off-street loading requirements apply to all zoning lots exceeding 7,500 square feet in lot area for the types of uses specified in Table 21-6.5.



A BILL FOR AN ORDINANCE

Table 21-6.5
Required Number of Loading Spaces

| Use or Use Category | Floor Area in Square Feet | Loading Space Requirements |
|---|---|----------------------------|
| A. Retail stores, eating and drinking establishments, shopping centers, wholesale operations, warehousing, business services, personal services, repair, manufacturing, self-storage facilities | 2,000 - 10,000 | 1 |
| | 10,001 - 20,000 | 2 |
| | 20,001 - 40,000 | 3 |
| | 40,001 - 60,000 | 4 |
| | Each additional 50,000 or major fraction thereof | 1 |
| B. Hotels, hospitals or similar institutions, places of public assembly | 5,000 - 10,000 | 1 |
| | 10,001 - 50,000 | 2 |
| | 50,001 - 100,000 | 3 |
| | Each additional 100,000 or major fraction thereof | 1 |
| C. Offices or office buildings | 20,000 - 50,000 | 1 |
| | 50,001 - 100,000 | 2 |
| | Each additional 100,000 or major fraction thereof | 1 |
| D. Multifamily dwellings (units) | 20 - 150 | 1 |
| | 151 - 300 | 2 |
| | Each additional 200 or major fraction thereof | 1 |

(b) Method of calculating the number of required loading spaces.

- (1) If a building is used for more than one use, and the floor area for each use is less than the minimum floor area that would require 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, a minimum of one loading space is required.



A BILL FOR AN ORDINANCE

- (2) Basements devoted to a use having a loading requirement count towards the total floor area for calculating loading requirements.
- (3) When computation of the total required loading spaces for a zoning lot results in a number with a fraction of 0.5 or greater, the number of required loading spaces will be the next highest whole number.
- (c) Special loading requirements. Day care centers and schools have special loading requirements. Day care centers must provide a pickup and drop off area equivalent to four parking spaces pursuant to Section 21-5.180. Schools with more than 25 students must provide a pickup and drop off area equivalent to four parking spaces pursuant to Section 21-5.590(c).

Sec. 21-6.120 Adjustments and exceptions to loading requirements.

- (a) Exceptions to off-street loading requirements. The director may impose special loading requirements in connection with planned development projects, cluster housing, conditional use permits, and projects located within special districts.
- (b) Joint use of loading. Two or more uses on the same or adjacent zoning lots may share a loading area. If the loading area is being jointly used by different property owners, a loading agreement between the owners is required. A jointly used loading agreement must satisfy the requirements of a jointly used parking agreement pursuant to Section 21-6.70.
- (c) Change of use. If there is a change in use, the number of off-street loading spaces required pursuant to Table 21-6.5 for the new use must be provided, except as provided under Section 21-2.140.
- (d) Excluding zoning lots in the preservation, agricultural, country, and residential zoning districts, off-street loading spaces will not be required for additional floor area up to 15,000 square feet per zoning lot; provided that application of this subsection may only be used once on the same zoning lot.

Sec. 21-6.130 Loading space dimensions and access.

- (a) Dimensions of loading spaces.
 - (1) When only one loading space is required, the minimum horizontal dimensions of the space are 19 feet in length and eight feet six inches in width, with a minimum vertical clearance of 10 feet.



A BILL FOR AN ORDINANCE

- (2) When more than one loading space is required, the minimum horizontal dimensions for one-third of the required spaces are 35 feet in length and 12 feet in width, with a minimum vertical clearance of 14 feet. For the remaining required loading spaces, the minimum horizontal dimensions are 19 feet in length and eight feet six inches in width, with a minimum vertical clearance of 10 feet. When computation of the total required loading spaces with the dimensions 35 feet in length by 12 feet in width results in a number with a fraction of 0.5 or greater, the number of required loading spaces will be the next highest whole number.
 - (3) Access to loading spaces must have the same minimum vertical clearance as required for the loading spaces.
- (b) Location and improvement of loading spaces.
- (1) If loading space areas are illuminated, all sources of illumination must be designed or shielded to prevent any direct illumination toward any zoning lot or street.
 - (2) Each required loading space must be identified and must be reserved for loading purposes.
 - (3) All loading spaces and maneuvering areas must be maintained with an all-weather surface.
 - (4) Loading spaces or maneuvering areas are not permitted in any required yard, except in the preservation, agricultural, and country districts. For lots that are split zoned and have nonresidential loading, the loading spaces may encroach entirely into the side yard created by the zoning boundary that splits the lot.
 - (5) The width of loading bays entering buildings must not exceed 25 feet when facing streets, except in the agricultural, country, and industrial districts.
 - (6) Vehicular access to loading areas should be located where it is least likely to impede pedestrian circulation.



A BILL FOR AN ORDINANCE

Sec. 21-6.140 Passenger ride hailing services and deliveries.

- (a) Except in the preservation, agricultural, country, and industrial districts, each zoning lot that is required to have at least two loading spaces must provide one of the following or a combination thereof:
- (1) A driveway sized to accommodate at least two vehicles designed for pickup and drop-off of passengers and deliveries; or
 - (2) One dedicated short-term, standard sized, parking space (ten-minute maximum parking period) for every required loading space for the pickup and drop off of passengers and deliveries. The parking space is subject to all parking setback requirements, and must be located near the entrance to the parking area and accessible to drivers or operators of delivery vehicles. The parking spaces required under this subdivision may count toward the minimum parking requirement.

Sec. 21-6.150 Nonconforming off-street parking and loading.

Parking and loading spaces that do not conform to the standards and requirements of this article should become conforming over time. If a nonconforming parking or loading space is modified to conform to the standards and requirements of this article, or a nonconformity is reduced, the nonconformity may not be reintroduced. Certain nonconformities may be allowed to continue pursuant to Section 21-4.110."

SECTION 4. Section 21-2.140-1, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-2.140-1 Specific circumstances.

The director may approve an adjustment to the requirements of this chapter under the following circumstances[:].

- (a) Carports and ~~[Garages.]~~ garages.
- (1) When located in a residential district, a one-car or two-car carport or garage may encroach into required front ~~[and/or]~~ or side yards, including those in special districts, only under the following conditions:
 - (A) ~~[That no]~~ No other viable alternative site exists relative to the location of an existing dwelling (including additions), legally



A BILL FOR AN ORDINANCE

constructed prior to October 22, 1986, ~~[and/or]~~ or to the topography of the zoning lot; and

- (B) ~~[That the]~~ The landowner must authenticate the nonconformity of the existing dwelling, carport, or garage, if necessary.

Any carport or garage covered by this subsection ~~[shall]~~ must not be converted to or be used for a use other than a carport or garage.

- (2) The maximum horizontal dimensions for the carport or garage ~~[shall]~~ generally must not exceed 20 feet by 20 feet ~~[, except]; provided~~ that the dimensions may be reasonably increased to accommodate an existing retaining wall or similar condition.

- (b) Energy-saving ~~[Rooftop Designs;]~~ rooftop designs. Rooftop designs ~~[which] that~~ incorporate energy-saving features, ~~[such as, but not necessarily]~~ including but not limited to ~~[;]~~ vented ceilings ~~[and]~~ or louvered skylights, may extend above the ~~[governing district]~~ height limit or height setback of the underlying zoning district by not more than five feet ~~[;]~~ provided that:

- (1) The building is not a detached dwelling unit or duplex ~~[;]~~ and
- (2) The proposal ~~[shall be]~~ is subject to design review. The roofing treatment ~~[shall]~~ must be attractive, give deference to surrounding design, and be an integral part of the design scheme of the building.

- (c) Flag ~~[Lot Access Width;]~~ lot access width. Where unusual terrain or existing development does not allow the required access drive, the director may ~~[(i)]~~ adjust:

- (1) Adjust the minimum access width to no less than 10 feet, and ~~[(ii)] allow~~
- (2) Allow more than dual access to an access drive ~~[;]~~ provided that the following criteria are met:

~~[(1)]~~ (A) The appropriate government agencies do not object to the proposal;

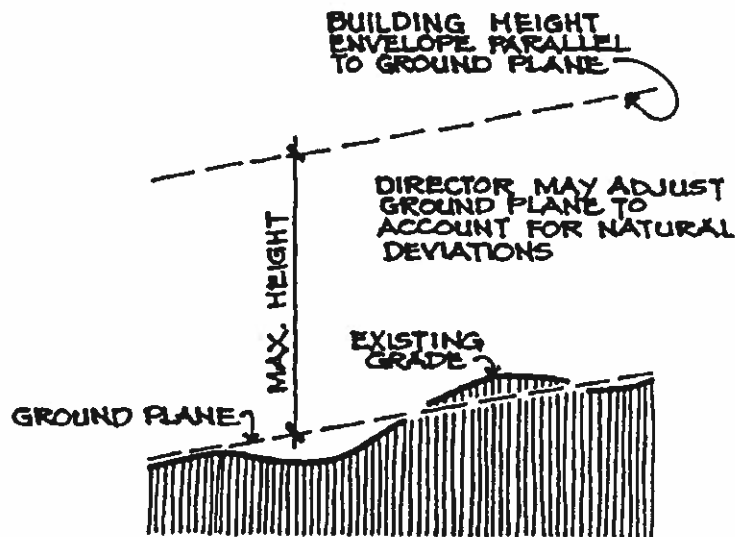
~~[(2)]~~ (B) No more than ~~[3]~~ three flag stems or access drives are located adjacent to one another, the access ~~[drive(s)]~~ drives do not serve more than ~~[5]~~ five dwelling units, and the combined access drive pavement width does not exceed 32 feet; and



A BILL FOR AN ORDINANCE

- ~~[(3) When]~~ **(C)** If more than dual access to a flag ~~[stem(s)]~~ stem or access ~~[drive(s)]~~ drive is proposed, the design results in one common driveway and one curb cut to serve all lots adjoining the flag stem(s).
- (d) Grade ~~[Irregularities.]~~ irregularities. Where unusual natural deviations occur in grade, the director may adjust the building height envelope to permit reasonable building design. An adjustment ~~[shall]~~ may be made only in accordance with the intent of the pertinent district regulations (See Figure 21-2.2).

Figure 21-2.2
ZONING ADJUSTMENT:
GRADE IRREGULARITIES



- (e) Lanai ~~[Enclosures.]~~ enclosures. Lanais, which are a part of buildings constructed on or before October 22, 1986 ~~[which]~~, that have reached the maximum permitted floor area, may be enclosed if they meet all of the following criteria:
- (1) The enclosure meets a unified design scheme approved by either the condominium association or the building owner, whichever is applicable;



A BILL FOR AN ORDINANCE

- (2) Other lanais in the building have been similarly enclosed; and
- (3) Lanais ~~[which]~~ that have already been enclosed have been done so legally.

~~[(f)] Loading Requirements—Joint Use. The director may adjust the number of loading spaces to 50 percent of the required number when such spaces are to be jointly used by two or more uses on the same zoning lot; provided that:~~

- ~~(1) Each use has access to the loading zone without crossing driveways, public streets or sidewalks;~~
- ~~(2) All joint loading spaces are in reasonable proximity to the uses they serve, and can be jointly used without disrupting other activities on the lot; and~~
- ~~(3) The adjustment shall not be used to reduce the loading available for any single use below the minimum required for that use.]~~

~~(g)](f) Loading [Requirements—Low-rise Multifamily Dwellings.] requirements—Low-rise multifamily dwellings. The director may adjust or waive the loading requirement for low-rise multifamily dwellings, provided that:~~

- (1) The project consists of more than one building;
- (2) Buildings do not exceed three stories; and
- (3) There is sufficient uncovered parking and aisle or turnaround space to accommodate occasional use for loading.

~~[(h)](g) Off-street [Parking and Loading Requirements—Upon Change in Use.] parking and loading requirements upon change in use.~~

- (1) Change in ~~[Use on Zoning Lot With Conforming Parking and Loading.] use on zoning lot with conforming parking and loading.~~ Notwithstanding Article 6, if there is a change in use on a zoning lot, with no increase in floor area, which would otherwise require the addition of no more than three parking spaces ~~[and/or]~~ or no more than one loading space, then the director may adjust the number of additional parking or loading spaces required~~[-on]~~, subject to the following conditions:

- (A) There are no reasonable means of providing the additional parking ~~[and/or]~~ or loading spaces ~~[which]~~ that would otherwise be required,



A BILL FOR AN ORDINANCE

including but not limited to joint use of parking facilities and off-site parking facilities;

- (B) There was no previous change in use on the zoning lot to a use with higher parking or loading ~~[standard]~~ standards during the five-year period immediately preceding the change in use;
 - (C) There was no previous grant of an adjustment from parking and loading requirements on the zoning lot pursuant to this subdivision; and
 - (D) The parking and loading ~~[shall]~~ will thereafter be deemed to be nonconforming.
- (2) Change in ~~[Use on Zoning Lot with Nonconforming Parking and Loading.]~~ use on zoning lot with nonconforming parking and loading. Notwithstanding Section 21-4.110(e)(1), if there is a change in use on a zoning lot, with no increase in floor area, which would otherwise require the addition of no more than three parking spaces ~~[and/or]~~ or no more than one loading space, nonconforming parking and loading may be continued, with no additional parking or loading spaces being required~~[-en]; subject to~~ the following conditions:
- (A) There are no reasonable means of providing the additional parking ~~[and/or]~~ or loading spaces ~~[which]~~ that would otherwise be required, including but not limited to joint use of parking facilities and off-site parking facilities;
 - (B) There was no previous change in use on the zoning lot to a use with a higher parking or loading standard during the five-year period immediately preceding the change in use; and
 - (C) There was no previous grant of an adjustment from parking and loading requirements on the zoning lot pursuant to this subdivision or subdivision (1).

~~[(h)](h)~~ Rebuilding or ~~[Expansion of a Nonconforming Ohana Dwelling.]~~ expansion of a nonconforming ohana dwelling. Nonconforming ohana dwellings may be altered, enlarged, repaired, or rebuilt ~~[under]; provided that all of~~ the following conditions~~[(all must apply)];~~ are satisfied.

- (1) The ohana dwelling is a nonconforming structure or dwelling unit. An ohana dwelling will be deemed nonconforming when ~~[an "ohana"]~~ the



A BILL FOR AN ORDINANCE

building permit for an ohana dwelling was issued, and any of the following circumstances ~~[applies]~~ apply:

- (A) The ohana dwelling is no longer in an ohana-eligible area pursuant to Section 21-2.110-3;
 - (B) The ohana dwelling unit is occupied by persons who are not related by blood, marriage, or adoption to the family residing in the ~~[first]~~ primary dwelling, and the building permit for the ohana dwelling was issued prior to September 10, 1992 ~~[(the effective date of Ordinance 92-101, which established the family occupancy requirement)]~~;
 - (C) A declaration of condominium property regime or declaration of horizontal property regime was filed with either the State of Hawaii bureau of conveyances ~~[of the State of Hawaii]~~ or the State of Hawaii land court ~~[of the State of Hawaii]~~ on or before December 31, 1988; or
 - (D) The ohana dwelling was legally established, but is no longer allowed pursuant to Section 21-8.20(c)(2) and (3).
- (2) The building area of the ohana dwelling in combination with the building area of the primary dwelling does not exceed the current maximum building area development standard for the underlying zoning district.
 - (3) The ohana dwelling complies with all other development standards for the underlying zoning district, including off-street parking standards.
 - (4) Unless the ohana dwelling was lawfully established prior to December 31, 1988, the ~~[owner or]~~ owners shall comply with Section 21-8.20(c)(8) prior to ~~[approval]~~ the issuance of any building permit.

~~[(f)]~~(i) Receive-only ~~[Antenna Height:]~~ antenna height. Receive-only antennas may exceed the ~~[governing]~~ applicable zoning district height limit ~~[under]~~, subject to the following conditions:

- (1) The zoning lot is not located in a residential district where utility lines are predominantly located underground; ~~[and]~~
- (2) The applicant shall provide evidence to the director that adequate reception by the antenna, for the purposes for which the antenna is designed, cannot be provided anywhere on the zoning lot at or below



A BILL FOR AN ORDINANCE

the applicable zoning district height limit, and the antenna ~~[shall]~~ must not extend above a height greater than what is shown by the evidence provided to the director to be necessary to provide adequate reception~~;~~ and; provided that in no case ~~[shall]~~ may the antenna extend more than 10 feet above the ~~[governing]~~ applicable zoning district height limit; ~~[or]~~ and

- (3) A receive-only antenna may be placed on top of an existing structure ~~[where the height of the structure]~~ that is nonconforming~~;~~ in height; provided that the antenna ~~[shall]~~ must not extend above the height of the structure by more than 10 feet.

~~[(k)]~~(i) Residential ~~[Height.]~~ height. The director may adjust the second plane of the building height envelope up to a maximum of 35 feet~~[-only under]~~, subject to the following conditions:

- (1) The ~~[lot has a]~~ slope of the lot is greater than 40 percent;
- (2) There is no ~~[either]~~ reasonable development alternative without an increase in the height envelope; and
- (3) The lot ~~[shall]~~ must be limited to dwelling use.

~~[(+)]~~(k) Retaining ~~[Walls.]~~ walls. The director may adjust the maximum height of ~~[the]~~ a retaining wall ~~[on a]~~ upon finding that additional height is necessary because of safety, topography, subdivision design, or lot arrangement ~~[and]~~; provided that the aesthetic impact of the wall would not be adverse to the neighborhood and community as viewed from any street. The director may impose reasonable conditions when granting this additional height, such as ~~[type of materials and colors]~~ material used, color, landscaping, terracing, setbacks, and offsets, as may be necessary to maintain the general character of the area.

~~[(m)]~~(l) Rooftop ~~[Height Exemption.]~~ height exemption. Rooftop structures ~~[which]~~ that principally house elevator machinery and air conditioning equipment may extend above the ~~[governing]~~ applicable zoning district height limit for structures or portions of structures~~[-provided they meet the following conditions:]~~; provided that all of the following conditions are satisfied:

- (1) If the elevator cab opens on the roof, machinery ~~[may]~~ must not be placed above the elevator housing;
- (2) The highest point of the rooftop structures ~~[shall]~~ must not exceed five feet above the highest point of the equipment structures. Rooftop structures



A BILL FOR AN ORDINANCE

principally housing elevator machinery or air conditioning equipment ~~[which was]~~ that were installed under a building permit issued before February 9, 1993, ~~[shall]~~ will be permitted even if they exceed the 18-foot limit of Section 21-4.60(c)(1) so long as they do not exceed five feet above the highest point of the equipment structure;

- (3) ~~[The building is not located in a special district.]~~ If the building is located in a special district, the special district requirements ~~[shall]~~ will prevail;
- (4) The proposed rooftop structures ~~[shall]~~ will be subject to design review. The design ~~[shall]~~ must be attractive, give deference to surrounding design, and be an integral part of the design scheme of the building; and
- (5) Areas proposed to be covered by the rooftop structure will not be counted as floor area~~[-]~~; provided that they are not used for any purpose ~~[except]~~ other than for covering rooftop machinery. Areas used for purposes other than reasonable aesthetic treatment ~~[shall]~~ will be counted as floor area.

~~[(n)]~~(m) Sign ~~[Master Plan.]~~ master plan. A sign master plan is a voluntary, optional alternative to the strict sign regulations of this chapter, intended to encourage some flexibility in order to achieve good design (including compatibility and creativity), consistency, continuity, and administrative efficiency in the utilization of signs within eligible sites. Under this alternative, and subject to the provisions of this subsection, the director may approve a sign master plan that permits the exceptions to the sign regulations of this chapter set forth in subdivision (2).

- (1) Eligibility. Developments with three or more principal uses on a zoning lot, other than one-family or two-family detached dwellings or duplex units, ~~[shall be]~~ are eligible for consideration of a zoning adjustment for a sign master plan. An applicant must have the authority to impose the sign master plan on all developments on the zoning lot.
- (2) Flexibility. The following exceptions to the sign regulations of this chapter may be permitted pursuant to an approved sign master plan.
 - (A) Physical ~~[Characteristics.]~~ characteristics. The maximum number of permitted signs, sign area, and the height and physical dimensions of individual signs, may be modified; provided that:
 - (i) No sign ~~[shall]~~ may exceed any applicable standard relating to height or dimension by more than 20 percent;



A BILL FOR AN ORDINANCE

- (ii) The total permitted sign area for signs ~~[which]~~ that are part of a sign master plan ~~[shall]~~ may not be increased by more than 20 percent beyond ~~[that otherwise]~~ the total sign area permitted by the underlying sign regulations for the site; and
 - (iii) The total number of signs ~~[which]~~ that are part of a sign master plan ~~[shall]~~ may not exceed 20 percent of the total number of signs ~~[otherwise]~~ permitted by the underlying sign regulations for the site; provided that when computation of the maximum number of permitted signs results in a fractional number, the number of allowable signs ~~[shall]~~ will be the next highest whole number.
- (B) Sign ~~[Types.]~~ types. The types of business signs permitted for ground floor establishments may include hanging, marquee fascia, projecting, roof, and wall signs.
- (i) When marquee fascia signs are ~~[to be utilized]~~ used, the signs may be displayed above the face of the marquee~~[-]~~; provided that the signs ~~[shall]~~ must not exceed a height of more than 36 inches above the marquee face.
 - (ii) When wall signs are ~~[to be utilized]~~ used, signs displayed as individual lettering placed against a building wall are encouraged.
- (C) Sign ~~[Illumination.]~~ illumination.
- (i) Where direct illumination is not otherwise permitted by the underlying sign regulations for the site, sign copy ~~[and/or]~~ or graphic elements of business ~~[and/or]~~ or identification signs for ground floor establishments may be directly illuminated~~[-]~~; provided that any remaining sign area ~~[shall]~~ must be completely opaque and not illuminated.
 - (ii) Signs for second floor establishments may be indirectly illuminated.
- (D) Sign ~~[Location.]~~ location. An appropriate, consistent pattern for the placement of regulated signs within the project site ~~[shall]~~ must be approved in the sign master plan~~[-]~~; provided that all signs ~~[shall]~~ must be located on the building containing the identified



A BILL FOR AN ORDINANCE

establishment, and no ground sign ~~[shall]~~ may be located within a required yard except as may be permitted by this chapter.

- (E) The standards and requirements for directional signs, information signs, and parking lot traffic control signs may be established by the director, as appropriate.
- (3) Sign ~~[Master Plan Approvals.]~~ master plan approvals. The director may approve a sign master plan only upon a finding that, in addition to the criteria set forth in Section 21-2.140-2, the following criteria have been ~~[met]~~ satisfied:
 - (A) The proposed sign master plan will accomplish the intent of this subsection;
 - (B) The size and placement of each sign will be proportional to and visually balanced with the building facade of the side of the building upon which it is maintained;
 - (C) All signs regulated by this chapter and maintained upon the site will feature the consistent application of not less than one of the following design elements: materials, letter style, color, shape, or theme; and
 - (D) ~~[In all respects not]~~ Except as may be adjusted by the sign master plan, all signs regulated by this chapter and maintained upon the site ~~[will]~~ must conform to the provisions of this chapter.

The director may impose appropriate conditions and additional controls ~~[as may be appropriate]~~ on the approval of a sign master plan.

- (4) Implementation.
 - (A) The director shall maintain a copy of the approved sign master plan for each project to facilitate the expedited processing of sign permits for that project. The director shall review each sign permit application for an individual sign within an affected project for its conformity to the approved sign master plan. Upon determining that the sign permit application conforms to the approved sign master plan, the director shall issue the sign permit for the sign.
 - (B) Except as otherwise provided in this paragraph ~~[(B)]~~, no sign ~~[shall]~~ may be maintained upon a site subject to an approved sign



A BILL FOR AN ORDINANCE

master plan unless the sign conforms to the sign master plan. If a site has existing signs ~~[which]~~ that will not conform to the approved sign master plan, the master plan ~~[shall]~~ must specify a reasonable time period, as approved by the director, for conversion of all existing signs to the design scheme set forth in the approved master plan~~[-]~~; provided that in no event ~~[shall]~~ may the time period for full conformance exceed one year from the date ~~[of approval of]~~ the sign master plan is approved.

~~[(e)]~~(n) Conversion of accessory structures. An existing, legally established~~[-]~~ accessory structure constructed prior to September 14, 2015, in the country or residential district may be converted to an accessory dwelling unit and allowed to exceed the maximum floor area established by Section 21-5.720(c)(1) ~~[and/or]~~ or be exempted from the off-street parking requirement established by Section 21-5.720(c)(4) and contained in Table 21-6.1, subject to the following conditions:

- (1) ~~[Provided the]~~ The director ~~[finds]~~ must find that viable constraints do not allow the reduction of the floor area of the existing accessory structure~~[-]~~; and
- (2) ~~[Provided that the]~~ The director ~~[finds]~~ must find that no feasible alternative off-street parking site exists due to the placement of the structure on, ~~[and/or]~~ or the topography of, the zoning lot."

SECTION 5. Table 21-3, Revised Ordinances of Honolulu 1990, as amended by SECTION 6 of Ordinance 19-18 ("Master Use Table"), is amended by amending the "Transportation and Parking" category to revise the "Joint use of parking facilities" and "Off-site parking facilities" entries to read as follows:



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE **20-41**

BILL **2 (2020), CD1, FD2**

A BILL FOR AN ORDINANCE

**"TABLE 21-3
MASTER USE TABLE**

In the event of any conflict between the text of this Chapter and the following table, the text of the Chapter shall control. The following table is not intended to cover the Waikiki Special District; please refer to Table 21-9.6(A).

KEY: Ac = Special accessory use subject to standards in Article 5
Cm = Conditional Use Permit-minor subject to standards in Article 5; no public hearing required (see Article 2 for exceptions)
C = Conditional Use Permit-major subject to standards in Article 5; public hearing required
P = Permitted use
P/c = Permitted use subject to standards in Article 5
PRU= Plan Review Use

| ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | |
|--|-----|------|------|-----------------|-----------------|-------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| USES (<u>Note</u> : Certain uses are defined in Article 10.) | P-2 | AG-1 | AG-2 | Country | R-20, R-10 | R-7.5, R-5, R-3.5 | | | | | | | | | | | | | | | |
| | | | | | | | A-1 | A-2 | A-3 | AMX-1 | AMX-2 | AMX-3 | Resort | B-1 | B-2 | BMX-3 | BMX-4 | I-1 | I-2 | I-3 | IMX-1 |
| Transportation and Parking | | | | | | | | | | | | | | | | | | | | | |
| Joint use of parking <u>and</u> <u>loading</u> facilities | | | | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P | <u>P/c</u> P |
| Off-site parking <u>and</u> <u>loading</u> facilities | | | | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm | Cm |

SECTION 6. Section 21-3.80-1, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-3.80-1 Apartment district uses and development standards.

- (a) Within the apartment districts, permitted uses and structures ~~[shall be]~~ are as ~~[enumerated]~~ set forth in Table 21-3.
- (b) Within the apartment districts, development standards ~~[shall be]~~ are as ~~[enumerated]~~ set forth in Table 21-3.3.
- (c) Additional ~~[Development Standards.]~~ development standards.
 - (1) Except for necessary access drives and walkways, all yards ~~[shall]~~ must be landscaped.



A BILL FOR AN ORDINANCE

~~[(2)]~~ ~~Optional Yard. In the A-2 and A-3 districts, parking lots and garages may extend to side and rear property lines, provided the following requirements are met:~~

~~(A) An area or areas of open space equivalent to the area to be used for parking or accessory use structures are provided elsewhere on the zoning lot. This open space shall be maintained in landscaping, except for drives or walkways necessary for access to adjacent streets. Parking may overhang the open space up to three feet if wheel stops are installed. A minimum of 50 percent of the open space shall be contiguous to the street frontage abutting the zoning lot;~~

~~(B) Any parking floor in the 10 feet adjacent to the property line shall not be more than four feet above existing grade; and~~

~~(C) Landscaping required under Section 21-4.70 is provided and maintained.~~

~~(3)](2)~~ Height [Setbacks.] setbacks. In the A-2 and A-3 districts, for any portion of a structure over 40 feet in height, additional side and rear setbacks ~~[shall] must~~ be provided~~[-; for] as follows:~~

~~(A) For each 10 feet of additional height or portion thereof, an additional one-foot setback [shall] must~~ be provided~~[-The]; and~~

~~(B) The additional setback [shall] pursuant to paragraph (A) must~~ be a continuous plane from the top of the structure to the height of 40 feet above grade (see Figure 21-3.3)."

SECTION 7. Section 21-3.90-1, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-3.90-1 Apartment mixed use district uses and development standards.

(a) Within ~~the~~ apartment mixed use districts, all uses and structures ~~[shall be] are~~ as ~~[enumerated] set forth~~ in Table 21-3.

(b) Within the apartment mixed use districts, development standards ~~[shall be] are~~ as ~~[enumerated] set forth~~ in Table 21-3.3.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 20 - 41
BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

- (c) Additional [~~Development Standards.~~] development standards.
- (1) Except for necessary access drives and walkways, all yards must be landscaped.
- ~~[(2) Optional Yard Siting. In the AMX-2 and AMX-3 districts, parking lots and garages may extend to side and rear property lines, provided the following requirements are met:~~
- ~~(A) An area or areas of open space equivalent to the area to be used for parking or accessory use structures are provided elsewhere on the zoning lot. This open space must be maintained in landscaping, except for drives or walkways necessary for access to adjacent streets. Parking may overhang the open space up to three feet if wheel stops are installed. A minimum of 50 percent of the open space must be contiguous to the street frontage abutting the zoning lot;~~
- ~~(B) Any parking floor in the 10 feet adjacent to the property line must not be more than four feet above existing grade; and~~
- ~~(C) Landscaping required under Section 21-4.70 is provided and maintained.~~
- ~~[(3)](2) Height [~~Setbacks.~~] setbacks. In the AMX-2 and AMX-3 districts, for any portion of a structure over 40 feet in height, additional side and rear setbacks must be provided as follows:~~
- (A) For each 10 feet of additional height or portion thereof, an additional one-foot setback must be provided; and
- (B) The additional setback must be a continuous plane from the top of the structure to the height of 40 feet above grade (see Figure 21-3.3).
- ~~[(4)](3) Commercial [~~Use Density and Location.~~] use density and location.~~
- (A) The floor area of any use marked with a superscript under Table 21-3, either occurring as a single use on a zoning lot or in combination with other uses, [~~cannot~~] must not exceed the FAR as



A BILL FOR AN ORDINANCE

provided under Table 21-3.3, and such floor area will be counted as part of the total FAR allowed.

- (B) Where ~~[these]~~ commercial uses are integrated with dwelling uses, pedestrian access to the dwellings must be physically, mechanically, or technologically independent from other uses and must be designed to enhance privacy for residents and their guests. No floor above the ground floor may be used for both dwelling and commercial purposes."

SECTION 8. Section 21-4.30, Revised Ordinances of Honolulu 1990 ("Yards and street setbacks"), is amended by amending subsection (d) to read as follows:

- "(d) Parking and loading ~~[shall not be]~~ are not allowed in any required yard, except ~~[parking and loading in front and side yards in agricultural, country and residential districts; and as provided under Section 21-6.70, which allows parking spaces to overlap required front and side yards by three feet if wheel stops are installed, and Section 21-6.130(f) which allows loading if replacement open space is provided]~~ as provided in Article 6."

SECTION 9. Section 21-4.70, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-4.70 Landscaping and screening.

Parking lots, automobile service stations, ~~[service and loading spaces,]~~ trash enclosures, utility substations, and rooftop machinery ~~[shall]~~ must be landscaped or screened in all zoning districts as ~~[follows:]~~ set forth below.

- ~~[(a) Parking lots of five or more spaces and automobile service stations shall provide a minimum five foot landscape strip adjacent to any adjoining street right-of-way. This five foot strip shall contain a continuous screening hedge not less than 36 inches in height with plantings no more than 18 inches on center. If the landscape strip is wider than five feet, the hedge may be placed elsewhere in the strip. A minimum 36-inch high wall or fence may be placed behind the setback line in lieu of a hedge. If a wall or solid fence is erected, either a vine or shrub shall be planted at the base of the wall or solid fence on the side fronting the property line. One canopy form tree a minimum of two-inch caliper shall be planted in the landscape strip for each 50 feet or major fraction of adjacent lineal street frontage.~~

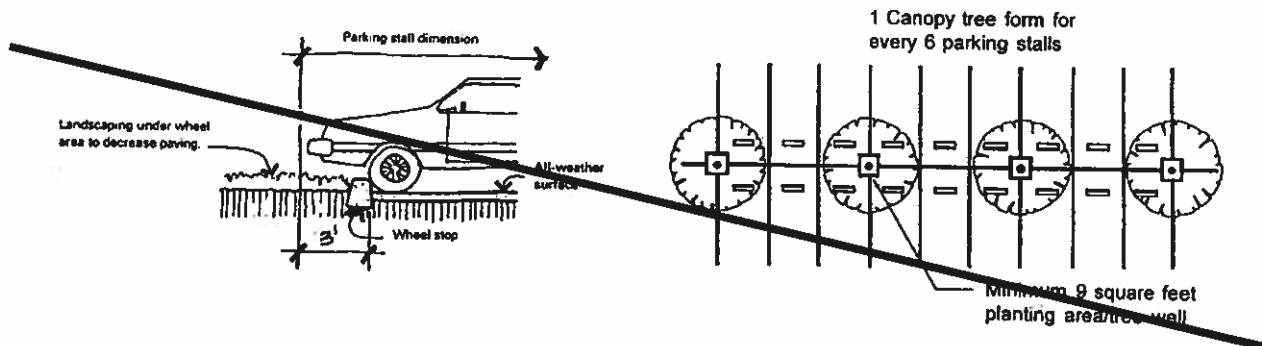


A BILL FOR AN ORDINANCE

- (b) ~~To provide shade in open parking lots and minimize visibility of paved surfaces, parking lots with more than 10 parking stalls shall provide one canopy form tree a minimum of two inch caliper for every six parking stalls or major fraction thereof, or one canopy form tree of six inch caliper or more for every 12 parking stalls or major fraction thereof. Each tree shall be located in a planting area and/or tree well no less than nine square feet in area. If wheel stops are provided, continuous planting areas with low ground cover, and tree wells with trees centered at the corner of parking stalls may be located within the three foot overhang space of parking stalls. Hedges and other landscape elements, including planter boxes over six inches in height, are not permitted within the overhang space of the parking stalls. Trees shall be sited so as to evenly distribute shade throughout the parking lot (see Figure 21-4.4).~~

~~Figure 21-4.4~~

~~PARKING LOT LANDSCAPING~~



- (c) ~~Parking structures with open or partially open perimeter walls which are adjacent to zoning lots with side or rear yard requirements shall meet the following requirements:~~
- (1) ~~An 18 inch landscaping strip along the abutting property line shall be provided. This strip shall consist of landscaping a minimum of 42 inches in height. A solid wall 42 inches in height may be substituted for this requirement.~~
 - (2) ~~A minimum two inch caliper tree shall be planted for every 50 linear feet of building length, abutting a required yard.~~



A BILL FOR AN ORDINANCE

~~(3) Each parking deck along the abutting property line shall have a perimeter wall at least two feet in height to screen vehicular lights otherwise cast onto adjacent property.]~~

(a) Parking lots and structures must be landscaped as required in Article 6.

~~[(d)](b)~~ All outdoor trash storage areas, except those for one-family or two-family dwelling use, ~~[shall]~~ must be screened on a minimum of three sides by a wall or hedge at least six feet in height. The wall ~~[shall]~~ must be painted, surfaced, or otherwise treated to blend with the development it serves. All trash storage areas must be curbed or graded to prevent runoff from reaching storm drains or surface water.

~~[(e)]~~ All service areas and loading spaces shall be screened from adjoining lots in country, residential, apartment and apartment mixed use districts by a wall six feet in height.

~~[(f)](c)~~ Within the country, residential, apartment, apartment mixed use, and resort districts, utility substations, other than individual transformers, ~~[shall]~~ must be enclosed by a solid wall or a fence with a screening hedge a minimum of five feet in height, except for necessary openings for access. Transformer vaults for underground utilities and similar uses ~~[shall]~~ must be enclosed by a landscape hedge, except for access openings.

~~[(g)](d)~~ All plant material and landscaping ~~[shall]~~ must be provided with a permanent irrigation system.

~~[(h)](e)~~ All rooftop machinery and equipment, except for solar panels, antennas, plumbing vent pipes, ventilators, and guardrails, ~~[shall]~~ must be screened from view from all directions, including from above[.]; provided that screening from above ~~[shall not be]~~ is not required for any machinery or equipment whose function would be impaired by ~~[such]~~ the screening. Rooftop machinery and equipment in the strictly industrial districts and on structures or portions of structures less than 150 feet in height ~~[shall]~~ will be exempt from this subsection."

SECTION 10. Section 21-4.110, Revised Ordinances of Honolulu 1990 ("Nonconformities"), is amended by amending subsections (d) and (e) to read as follows:



A BILL FOR AN ORDINANCE

- "(d) Nonconforming ~~[Dwelling Units.]~~ dwelling units. With the exception of ohana dwelling units, which are subject to the provisions of Section ~~[21-2.140-1(i).]~~ 21-2.140-1(h). nonconforming dwelling units are subject to the following provisions:
- (1) A nonconforming dwelling unit may be altered, enlarged, repaired, extended, or moved, provided that all other provisions of this chapter are met[-];
 - (2) If a nonconforming dwelling unit is destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, it ~~[cannot]~~ may not be reconstructed[-]; and
 - (3) When detached dwellings constructed on a zoning lot prior to January 1, 1950, exceed the maximum number of dwelling units currently permitted, they will be deemed nonconforming dwelling units.
- (e) Nonconforming ~~[Parking and Loading.]~~ parking and loading. Nonconforming parking and loading may be continued, subject to the following provisions:
- (1) If there is a change in use to a use with a higher parking or loading standard, the new use ~~[shall]~~ must meet the off-street parking and loading requirements established in Article 6[-];
 - (2) Any use that adds floor area ~~[shall]~~ must provide off street parking and loading for the addition as required by Article 6. Expansion of an individual dwelling unit that results in a total floor area of no more than 2,500 square feet ~~[shall]~~ will be exempt from this requirement[-];
 - (3) ~~[(A)]~~ When nonconforming parking or loading is reconfigured, the reconfiguration ~~[shall]~~ must meet current requirements for arrangement of parking spaces, dimensions, aisles, and, if applicable, ratio of compact to standard ~~[stalls.]~~ spaces, except as provided in ~~[paragraph (B).]~~ subdivision (4). If, as a result of the reconfiguration, the number of spaces is increased by five or more, landscaping ~~[shall]~~ must be provided as required in ~~[Section 21-4.70 based on the number of added stalls, not on the entire parking area.]~~ Sections 21-6.80 and 21-6.90; and
- ~~[(B)]~~ (4) Parking lots and other uses and structures with an approved parking plan on file with the department prior to ~~[the effective date of this ordinance.]~~ May 10, 1999, and which include compact parking spaces as



A BILL FOR AN ORDINANCE

approved in the plan, may retain up to the existing number of compact spaces when parking is reconfigured."

SECTION 11. Section 21-5.40, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-5.40 Amusement facilities—Outdoor.

- (a) Traffic lanes ~~[shall]~~ must be provided for adequate ingress and egress to and from the project in accordance with the specifications and approvals of the state department of transportation.
- ~~[(b)]~~ Off-street parking or storage lanes for waiting patrons of a drive-in theater shall be available to accommodate not less than 30 percent of the vehicular capacity of the theater. However, if at least six entrance lanes are provided, each with a ticket dispenser, then the amount may be reduced to 10 percent of the vehicular capacity.
- ~~[(e)]~~(b) All structures and major activity areas ~~[shall]~~ must be set back a minimum of 25 feet from adjoining lots in the country, residential, apartment, or apartment mixed use ~~[districts. This]~~ district. The director may waive this requirement ~~[may be waived by the director]~~ if topography makes ~~[such a]~~ the buffer unnecessary. Additional protection may be required along property lines through the use of landscaping, berms ~~[and/or]~~, or solid walls.
- ~~[(d)]~~(c) For motorized outdoor amusement facilities, additional noise mitigation measures may be required."

SECTION 12. Section 21-5.390, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-5.390 Joint use of parking and loading facilities.

- ~~[(a)]~~ Joint use of private off-street parking facilities in satisfaction of appropriate portions of off-street parking or loading area requirements may be allowed, provided the requirements of the following subsections are met.
- ~~[(b)]~~ The distance of the entrance to the parking or loading facility from the nearest principal entrance of the establishment or establishments involved in such joint use cannot exceed 400 feet by normal pedestrian routes.



A BILL FOR AN ORDINANCE

- ~~(c) — The amount of off-street parking or loading area that may be credited against the requirements for the use or uses involved cannot exceed the number of spaces reasonably anticipated to be available during differing periods of peak demand.~~
- ~~(d) — All parties involved with a joint parking or loading facility shall execute a written agreement assuring continued availability of the number of spaces at the periods indicated, and file a certified copy with the department. In these cases, no change in use or new construction will be permitted if the change increases the requirements for off-street parking or loading area space unless the required additional space is provided. The agreement will be subject to the approval of the corporation counsel.~~
- ~~(e) — When joint parking or loading facilities serving eating or drinking establishments adjoin a zoning lot in a residential, apartment, or apartment mixed use district, the director shall require a solid fence or wall six feet in height to be erected and maintained on the common property line. The director may modify the requirements of this subsection if warranted by topography.]~~
- (a) Requirements for the joint use of parking and loading facilities are set forth in Article 6.
- (b) A conditional use permit, minor, is required for off-site joint use of parking and loading facilities."

SECTION 13. Section 21-5.480, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 21-5.480 Off-site vehicular and bicycle parking, or loading facilities.

- ~~[(a) — The distance of the entrance to the vehicular parking facility from the nearest principal entrance of the establishment or establishments involved cannot exceed 400 feet by customary pedestrian routes. The distance of the entrance to the bicycle parking facility from the nearest principal entrance of the establishment or establishments involved cannot exceed 200 feet by customary pedestrian routes.~~
- (b) — If the off-site vehicular or bicycle parking is necessary to meet minimum parking requirements, a written agreement assuring continued availability of the number of spaces indicated must be drawn and executed, and a certified copy of the agreement must be filed with the director. The agreement must stipulate that if such space is not maintained, or space acceptable to the director substituted, the use, or such portion of the use as is deficient in number of parking spaces, must be discontinued. The agreement will be subject to the approval of the corporation counsel.



A BILL FOR AN ORDINANCE

~~(e) In the apartment, apartment mixed use, and resort zoning districts, there is no minimum lot area, width or depth for off-site vehicular or bicycle parking facilities.]~~

(a) Requirements for off-site facilities for vehicular parking, loading areas, and bicycle parking are as set forth in Article 6.

(b) A conditional use permit, minor, is required for off-site facilities for vehicular parking, loading areas, and bicycle parking."

SECTION 14. Section 21-9.60-7, Revised Ordinances of Honolulu 1990 ("Mauka precinct development standards"), is amended by amending subsection (d) to read as follows:

"(d) Permitted ~~[Uses. (1)]~~ uses. In addition to required entryways, ground level spaces should be used for uses ~~[which]~~ that contribute to a vital streetscape. Appropriate uses include ~~[retail-commercial]~~ but are not limited to commercial retail and light manufacturing.

~~[(2) Parking may be located on any level within a block's interior.]"~~

SECTION 15. Section 21-9.60-9, Revised Ordinances of Honolulu 1990 ("Historic core precinct development standards"), is amended by amending subsections (e) and (f) to read as follows:

~~"[(e) Parking Exemption. Dwelling units within the 40-foot height limit shall be exempt from off-street parking requirements.~~

~~(f)]~~(e) Design ~~[Guidelines.]~~ guidelines. All street facades ~~[shall]~~ must meet the requirements of Section 21-9.60-12~~[, street facade guidelines]."~~

SECTION 16. Section 21-9.60-11, Revised Ordinances of Honolulu 1990 ("Historic core precinct development standards"), is amended by amending subsection (d) to read as follows:

"(d) Permitted ~~[Uses.]~~ uses.

(1) In addition to required entryways, ground level spaces should be used for uses ~~[which]~~ that contribute to a vital streetscape. Appropriate uses include but are not limited to commercial retail ~~[shops]~~, community centers, and light manufacturing. Lower levels other than the ground level should be used for residential, office, or ~~[other]~~ commercial uses.



A BILL FOR AN ORDINANCE

- (2) Parking may be located on any level within a block's interior and fronting Nimitz Highway. "

SECTION 17. Section 21-9.80-4, Revised Ordinances of Honolulu 1990 ("General requirements and design controls"), is amended by:

1. Amending subsection (c) to read as follows:

"(c) Design [~~Guidelines.~~] guidelines.

- (1) General [~~Guidelines.~~] guidelines. All structures, open spaces, landscape elements, and other improvements within the district must conform to the guidelines [~~specified on the~~] for urban design controls [~~marked~~] specified in Exhibit 21-9.15 [~~set out at the end of this article.~~]; the design standards [~~contained in~~] of this section; and other design guidelines [~~promulgated~~] adopted by the director to further define and implement these guidelines and standards.
- (2) Yards. Yard requirements will be as [~~enumerated~~] provided under the development standards for the [~~appropriate~~] underlying zoning precinct under Table 21-9.6(B).
- (3) Car [~~Rental Establishments.~~] rental establishments. Car rental establishments must comply with the following requirements:
- (A) [~~A minimum side~~] Side and rear [~~yard~~] yards must be a minimum of five feet [~~will be required~~]; with a solid fence or wall at least six feet in height on the property line [~~with~~], and the required yard substantially landscaped with planting and maintained[-];
- (B) The car rental establishment must be illuminated so that no unshielded, unreflected, or undiffused light source is visible from any public area or private property immediately adjacent to the establishment[-];
- (C) All areas not landscaped must be provided with an all-weather surface[-]; and
- (D) No water produced by activities on the zoning lot [~~will be permitted to~~] may fall upon or drain across public streets or sidewalks.



A BILL FOR AN ORDINANCE

- (4) Utility [~~Installations.~~] installations. Except for antennas, utility installations must be designed and installed in an aesthetic manner so as to hide or screen wires and equipment completely from view, including views from above; provided that any antenna located at a height of 40 feet or less from existing grade should take full advantage of stealth technologies in order to be adequately screened from view at ground level without adversely affecting operational capabilities.
- (5) Building [~~Materials.~~] materials. Selection and use of building materials should contribute to a Hawaiian sense of place through the use of subdued and natural materials, such as plaster finishes, textured concrete, stone, wood, and limited use of color-coated metal. Freestanding walls and fences should be composed of moss rock, stucco-finished masonry, or architectural concrete whenever possible. Colors and finishes should be characterized as being absorptive rather than reflective. The use of shiny metal or reflective surfaces, including paints and smooth or plastic-like surfaces, should be avoided.
- (6) Building [~~Scale, Features and Articulation.~~] scale, features, and articulation. Project designs should provide a human scale at ground level. Buildings composed of stepped forms are preferred. Articulated facades are encouraged to break up building bulk. Use of the following building features is encouraged: sunshades; canopies; eaves; lanais; hip-form roofs for low-rise, freestanding buildings; recessed windows; projecting eyebrows; and architectural elements that promote a Hawaiian sense of place.
- (7) Exterior [~~Building Colors.~~] building colors. Project colors should contribute to a tropical resort destination. They should complement or blend with surrounding colors, rather than call attention to the structure. Principal colors, particularly for high-rise towers, should be of neutral tones with more vibrant colors relegated to accent work. Highly reflective colors are not permitted.
- (8) Ground [~~Level Features~~] level features.
- (A) Within a development, attention should be given to pedestrian-oriented ground level features. A close indoor-outdoor relationship should be promoted. Design priority should include the visual links through a development connecting the sidewalk and other public areas with on-site open spaces, mountains, and the ocean.



A BILL FOR AN ORDINANCE

- (B) Building facades at the ground level along open spaces and major streets (including Kalakaua Avenue, Kuhio Avenue, Kapahulu Avenue, Ala Wai Boulevard, and Ala Moana Boulevard) must be devoted to open lobbies, arcade entrances, ~~[and]~~ display windows, and ~~[to]~~ permitted outdoor dining ~~[where it is permitted]~~ areas.
- (C) Where commercial uses are located at ground level, other than as required by paragraph (B), at least one-half of the total length of the building facade along streets must be devoted to open lobbies, arcade entrances, display windows, and permitted outdoor dining ~~[where permitted]~~ areas.
- (D) The street facades of ground level hotel lobbies should include wide, open entryways. Ventilation in these lobbies should primarily depend on natural air circulation.
- (E) Where buildings are situated between a street and the shoreline, or between a street and open spaces, ground level lobbies, arcades, and pedestrian ways should be provided to create visual links between the street and the shoreline or open space.
- (F) Where blank walls ~~[must]~~ necessarily front a street or open space, they must be screened with heavy landscaping or appropriately articulated exterior surfaces.
- (G) ~~[Ground]~~ Effective December 1, 2025, ground level parking facilities should not be located along any street, park, beachfront, public sidewalk, or pedestrian way. Where the site plan precludes any other location, the garage may front these areas ~~[provided]~~ if landscaping is provided for screening. Principal landscaping must include trees, and secondary landscape elements may include tall hedges and earth berms.
- (H) For purposes of the Waikiki special district, an "open lobby" means a ground-floor lobby that is not enclosed along the entire length of at least two of its sides or 50 percent of its perimeter, whichever is greater, and that provides adequate breezeways and views to interior or prominent open spaces, intersecting streets, gateways, or significant pedestrian ways.
- (9) Outdoor ~~[Lighting.]~~ lighting. Outdoor lighting must be subdued or shielded so as to prevent glare and light spillage onto surrounding properties and



A BILL FOR AN ORDINANCE

public rights-of-way. Outdoor lighting ~~[cannot]~~ must not be used to attract attention to structures, uses, or activities; provided~~[, however,]~~ that indirect illumination that is integrated with the architectural design of a building may be allowed when it is utilized to highlight and accentuate exterior building facades, and architectural or ground level features. Rotating, revolving, moving, flashing, ~~[and]~~ or flickering lights ~~[cannot]~~ must not be visible to the public, except lighting installed by a public agency for traffic safety purposes or temporary lighting related to holiday displays."

2. Amending subsection (h) to read as follows:

"(h) Parking. [Off-street parking shall be provided in accordance with Article 6 and Table 21-6.3. Notwithstanding the foregoing, ground floor and basement uses, other than dwelling uses, and retail establishments and eating establishments on lots less than 10,000 square feet in area, in the Waikiki special district shall be exempt from off-street parking requirements.] Off-street parking must be provided in accordance with Article 6, unless otherwise noted in this section."

SECTION 18. Section 21-9.100-5, Revised Ordinances of Honolulu 1990 ("Interim planned development-transit (IPD-T) projects"), is amended by amending subsection (d) to read as follows:

"(d) Site [Development and Design Standards.] development and design standards. The standards set forth ~~[by]~~ in this subsection are general requirements for IPD-T projects. When, in the subdivisions below, the standards are stated to be subject to modification or reduction, the modification or reduction must be for the purpose of accomplishing a project design consistent with the goals and objectives of Section 21-9.100-4 and this subsection. ~~[Also,]~~ In addition, pursuant to subsection ~~[b,]~~ (b), the modification or reduction in the following standards must be commensurate with the contributions provided in the project plan, and the project must be generally consistent with the draft or approved neighborhood TOD plan for the area, unless otherwise specified below.

(1) Density.

(A) The maximum floor area ratio (FAR) may be up to twice that allowed by the underlying zoning district or 7.5, whichever is lower; provided that where a draft or approved neighborhood TOD plan identifies greater density for the site, a project on that site must be consistent with the specified density contained in the plan and may be considered for that density;



A BILL FOR AN ORDINANCE

- (B) For public housing projects as defined in Section 21-9.100-5, the FAR ~~[cannot]~~ may not exceed 7.5; provided that if the maximum FAR under the draft or approved neighborhood TOD plan is greater than 7.5, then the ~~[draft or approved TOD]~~ FAR specified in the plan will prevail; and
 - (C) For lots in the B-2, BMX-3, BMX-4, and IMX-1 districts, the maximum increase will apply in addition to any eligible density bonuses for the underlying zoning district; that is, the increase will apply to the zoning lot plus any applicable floor area bonuses.
- (2) Height.
- (A) For project sites where there is no draft neighborhood TOD plan, the maximum building height may be up to twice that allowed by the underlying zoning district, or 450 feet, whichever is lower; and
 - (B) Where there is a draft or approved neighborhood TOD plan, the maximum height ~~[cannot]~~ may not exceed the maximum height specified in the plan; provided that where existing height limits exceed those in the ~~[plans]~~ plan, the existing height limit will prevail.
 - (C) For public housing projects as defined in Section 21-9.100-5, the maximum building height may be up to 400 feet unless the maximum height specified in the draft or approved neighborhood TOD plan is higher, in which case the maximum height specified in the [TOD] plan will prevail.
- (3) Transitional height or street setbacks may be modified where adjacent uses and street character will not be adversely affected.
- (4) Buildable ~~[Area-]~~ area. Yards and the maximum building area must be as specified by the approved conceptual project plan; provided that building placement will not cause adverse noise, privacy, or wind effects to adjacent uses, and street character will not be adversely affected.
- (5) Open ~~[Space-]~~ space.
- (A) Project open space will be as specified in the approved conceptual project plan, with a preference for publicly accessible, highly usable parks and gathering spaces rather than buffering or unusable landscaped areas.



A BILL FOR AN ORDINANCE

- (B) Where appropriate, usable open space may be:
- (i) Transferred to another accessible site within the vicinity of the project that will be utilized as a public park, plaza, or gathering place for the affected community; or
 - (ii) Provided in the form of connections or improvements, or both, to nearby open spaces, pedestrian ways, or trails, ~~[such as, but not necessarily]~~ including but not limited to streetscape and intersection improvements, pedestrian walkways or bridges, arcades, or promenades;
- or both subparagraphs (i) and (ii).
- (6) Landscaping and screening standards will be as specified in the approved conceptual project plan and project landscaping must include adjacent rights-of-way. Streetscape landscaping, including street trees or planting strips, should be provided near the edge of the street, rather than adjacent to the building, unless infeasible.
- (7) Parking and loading standards are as follows:
- (A) The number of parking and loading spaces ~~[provided will be as specified in the approved conceptual project plan;]~~ must be provided in accordance with Article 6;
 - (B) Service areas and loading spaces must be located at the side or rear of the site, unless the size and configuration of the lot renders this infeasible;
 - (C) Vehicular access must be provided from an existing access or driveway, or from a secondary street whenever possible and placed in the location least likely to impede pedestrian circulation; and
 - (D) The provision of car sharing programs and vehicle charging stations is encouraged.
- (8) Bicycle parking must be accommodated on the project site~~[-subject to the following:]~~



A BILL FOR AN ORDINANCE

- ~~(A) The number of bicycle parking spaces provided will be as specified in the approved conceptual project plan;~~
 - ~~(B) Long term bicycle parking must be provided for residents of on-site dwelling units in the form of enclosed bicycle lockers or easily accessible, secure and covered bicycled storage;~~
 - ~~(C) Bicycle parking within enclosed parking structures must be located as close as is feasible to an entrance of the facility so that it is visible from the street or sidewalk. The provision of the fenced and gated area for secure bicycle parking within the structure is encouraged;~~
 - ~~(D) Each bicycle parking space must be a minimum of 15 inches in width and six feet in length, with at least five feet of clearance between bicycle and vehicle parking spaces. Each bicycle must be easily reached and movable without moving another bicycle; and~~
 - ~~(E) The provision of space for bicycle sharing stations is encouraged either on the exterior of the building or within a parking structure, provided the area is visible and accessible from the street.] in accordance with Article 6.~~
- (9) Signs.
- (A) Sign standards and requirements will be as specified in the approved conceptual project plan. The sign standards and requirements may deviate from the strict sign regulations of this chapter; provided that the flexibility is used to achieve good design, compatibility, creativity, consistency, and continuity in the utilization of signs on a pedestrian scale;
 - (B) All projects must include appropriate measures to accommodate TOD-related way-finding signage that will be considered "public signs" for purposes of Article 7; and
 - (C) Where signage is not otherwise specified by the approved conceptual plan for the project, the project signage must comply with the underlying sign regulations of this chapter."



A BILL FOR AN ORDINANCE

SECTION 19. Section 21-9.100-8, Revised Ordinances of Honolulu 1990 ("General requirements and development standards"), is amended by amending subsection (c) to read as follows:

"(c) Vehicle [~~Parking, Loading, and Bicycle Parking.~~] parking, loading, and bicycle parking.

~~[(1) Number and location of off-street parking spaces.~~

~~(A) There are no minimum parking requirements for non-residential uses.~~

~~(B) The minimum parking requirement for residential dwelling units is as follows:~~

| Off-Street Parking Requirements for Dwelling or Lodging Units | |
|---|-------------|
| Floor area of unit | Requirement |
| 300 sq. ft. or less | 0 |
| 301 — 600 sq. ft. | 0.5 |
| 601 — 800 sq. ft. | 0.75 |
| Over 800 sq. ft. | 1 |

~~(C) The parking requirements may be reduced through a special district permit where the following conclusions can be made:~~

- ~~(i) The application demonstrates how the anticipated transportation demand of the future residents and users of the project site will be accommodated; and~~
- ~~(ii) A parking and transportation demand analysis demonstrates that a modification of the parking requirements will not be detrimental to the surrounding neighborhood. The analysis must include: (1) an inventory of all on- and off-street parking spaces within the vicinity of the project site; (2) a survey of current and anticipated parking space utilization; and (3) a survey of the current and anticipated use of other modes of transportation. The analysis should also consider strategies such as shared parking agreements, bicycle facilities, bicycle sharing stations, car sharing, and improved pedestrian mobility.]~~



A BILL FOR AN ORDINANCE

~~[(2) At-grade]~~ (1) Effective December 1, 2025, at-grade parking spaces and parking on the ground floor of any structure ~~[cannot]~~ must not be located within 40 feet of any front property line. See Figures 21-9.8 and 21-9.9. Exceptions may be granted with the approval of a special district permit if the director ~~[finds]~~ determines that:

- (A) Buildings are built as close as possible to the public sidewalk; and
- (B) The site is small and constrained such that underground, structured, and surface parking located more than 40 feet from the street frontage ~~[cannot]~~ could not be accommodated.

~~[(3)]~~ (2) Service areas and loading spaces must be located at the side or rear of the site. This requirement may be modified through a special district permit if the director ~~[finds]~~ determines that the size and configuration of the lot make such a requirement infeasible.

~~[(4)]~~ (3) Vehicular access must be provided from a secondary street wherever possible and located where it is least likely to impede pedestrian circulation, as approved by the appropriate agencies.

~~[(5)]~~ (4) The ground floor of parking structures on all streets must be designed and used for active ground floor activities within 40 feet of the front property line.

~~[(6)] Bicycle Parking.~~

- ~~(A) A covered, single-story, stand-alone bicycle parking structure will not be considered floor area for the purposes of FAR calculation.~~
- ~~(B) Bicycle parking within enclosed parking structures must be located as close as is feasible to an entrance of the facility so that it is visible from the street or sidewalk. Where the bicycle parking is not visible from the front entrance, signage indicating the location of bicycle parking must be utilized. The provision of a fenced and gated area for secure bicycle parking within the structure is encouraged.~~
- ~~(C) The bicycle parking standards in Section 21-6.150 may be modified through a special district permit if the director finds that there is adequate bicycle parking in the immediate vicinity, including, but not limited to, public bicycle parking in the right-of-way or private~~



A BILL FOR AN ORDINANCE

~~bicycle parking on nearby lots, if such parking is both perpetually accessible to the users of the project location, and designed in such a way that pedestrians and cyclists can easily recognize the availability of the bicycle parking.]"~~

SECTION 20. Section 21-10.1, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended to add definitions of "Bicycle sharing," "Car sharing," "Car sharing spaces," "Electric ready," "Mechanical parking system," "Shared parking," and "Unbundled parking" to read as follows:

"Bicycle sharing" refers to nonrental bicycles that are shared by multiple users at one location, typically for short trips by employees, guests, or residents of a multifamily dwelling. Bicycle sharing may also refer to bicycles offered for rent with designated docking stations, but does not include bicycle sharing offices or onsite staff.

"Car sharing" is a form of vehicle rental whereby users rent a car for short periods of time. The owners of the cars may be a company, an association, or an individual. Offices intended to attract or register customers are not permitted as an accessory use to car sharing. Car sharing facilities with an office or administrative services are considered as automobile rentals.

"Car sharing spaces" means parking spaces dedicated for use by car sharing vehicles.

"Electric ready" describes a parking space that is prepared in advance for future use as an electrical charging station for electric vehicles. To be electric ready, electrical conduits must be in place with lines to the electrical supply of the structure. The actual wiring and installation of charging equipment or receptacles may occur at a future date when demand for electrical charging stations arises.

"Mechanical parking system" means a mechanism with vertical or horizontal transport capability that provides for automobile storage or retrieval, and refers to systems that are either manually operated, such as a mechanism that lifts and lowers one or more cars within one parking space, or autonomously operated, such as a multi-level robotic garage, sometimes referred to as automated parking systems or APS.

"Shared parking" means a technique involving the joint use of parking used to reduce parking requirements in mixed use developments or facilities. Peak parking demand times for proposed or existing uses are calculated, and a reduction of parking space requirements is justified when the peak parking demand times occur at different times of the day.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 20 - 41

BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

"Unbundled parking" means that the cost to rent, lease, or purchase a dwelling or commercial space is separate from the cost to rent, lease, purchase, or otherwise use parking spaces."

SECTION 21. In SECTIONS 3 through 20 of this ordinance, ordinance material to be repealed is bracketed or stricken and new ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring. In SECTION 3 of this ordinance, the Revisor of Ordinances shall, pursuant to the Revisor's authority under ROH Section 1-16.3(b)(1), replace the phrase "effective date of this ordinance" with its actual effective date.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 20 - 41

BILL 2 (2020), CD1, FD2

A BILL FOR AN ORDINANCE

SECTION 22. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ikaika Anderson (br)

DATE OF INTRODUCTION:

January 16, 2020
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:


Deputy Corporation Counsel

DUANE W.H. PANG

APPROVED this 23rd day of December, 20 20.


Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE **20-41**

BILL 2 (2020), CD1, FD2

Introduced: 01/16/20 By: IKAICA ANDERSON – BY REQUEST Committee: ZONING, PLANNING AND HOUSING

Title: A BILL FOR AN ORDINANCE RELATING TO OFF-STREET PARKING AND LOADING.

Voting Legend: * = Aye w/Reservations

| | | |
|----------|------------------------------|---|
| 01/29/20 | COUNCIL | BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON ZONING, PLANNING AND HOUSING. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS. 1 ABSENT: MENOR. |
| 02/27/20 | ZONING, PLANNING AND HOUSING | CR-100 – EXTENSION OF TIME REPORTED OUT OF COMMITTEE FOR ADOPTION. 3 AYES: ELEFANTE, KOBAYASHI, MENOR. 2 EXCUSED: MANAHAN, WATERS. |
| 03/18/20 | COUNCIL | CR-100 ADOPTED. 7 AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS. 2 ABSENT: ELEFANTE, MENOR. |
| 05/21/20 | ZONING, PLANNING AND HOUSING | BILL POSTPONED IN COMMITTEE. 4 AYES: ELEFANTE, KOBAYASHI, MENOR, WATERS. 1 EXCUSED: MANAHAN. |
| 05/22/20 | PUBLISH | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER. |
| 08/21/20 | PUBLISH | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER. |
| 08/27/20 | ZONING, PLANNING AND HOUSING | CR-206 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM. 4 AYES: ELEFANTE, KOBAYASHI, MENOR, WATERS. 1 EXCUSED: MANAHAN. |
| 09/02/20 | COUNCIL | CANCELLED NOTE: EFFECTIVE SEPTEMBER 23, 2020, COUNCILMEMBER IKAICA ANDERSON, REPRESENTING COUNCIL DISTRICT III, RESIGNED FROM OFFICE. [Refer to Communication <u>CC-256(20)</u>] NOTE: THE APPOINTMENT OF ALAN KEKOA TEXEIRA TO FILL A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR COUNCIL DISTRICT III WAS APPROVED ON WEDNESDAY, SEPTEMBER 23, 2020. (refer to <u>RES20-236, FD1</u>) <u>CC-269(20)</u> KOBAYASHI - COUNCIL STANDING COMMITTEE ASSIGNMENTS. |
| 10/07/20 | COUNCIL | D-586 APPROVED. 9 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS. |
| 10/30/20 | PUBLISH | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER. |

| | | |
|----------|--------------------------------------|---|
| 11/10/20 | SPECIAL COUNCIL/PUBLIC HEARING | <p>AMENDED TO FD1 (OCS2020-1129/11/9/2020 3:08 PM).</p> <p>8 AYE: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, TEXEIRA, TSUNEYOSHI, WATERS.</p> <p>1 ABSENT: PINE.</p> <p>CR-206 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON ZONING, PLANNING AND HOUSING.</p> <p>8 AYE: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, TEXEIRA, TSUNEYOSHI, WATERS.</p> <p>1 ABSENT: PINE.</p> |
| 11/19/20 | ZONING, PLANNING AND HOUSING | <p>CR-310 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.</p> <p>5 AYES: ELEFANTE, MANAHAN, MENOR, TEXEIRA, WATERS.</p> |
| 12/09/20 | COUNCIL | <p>NOTE: POSTED FD2 NOT CONSIDERED.</p> <p>AMENDED TO PROPOSED FD2 (OCS2020-1284/12/4/2020 1:00 PM).</p> <p>9 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS.</p> <p>CR-310 ADOPTED AND BILL 2 (2020) CD1, FD2 PASSED THIRD READING.</p> <p>9 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS.</p> |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.



GLEN I. TAKAHASHI, CITY CLERK



ANN KOBAYASHI, CHAIR AND PRESIDING OFFICER