TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT

THE TRANSIT-ORIENTED DEVELOPMENT PLAN IS MOVING AHEAD!

At the first three Workshops, issues and opportunities concerning the Leeward Community College, Pearl Highlands and Pearlridge station areas were identified, Draft Station Area Alternatives were studied, and Preferred Station Area Plans were developed based on community input.

Workshop 4 will present the Public Review Draft Plan and will include illustrations showing proposed land uses, development opportunities, parks and open spaces. The presentation will also include zoning recommendations and phasing strategies for each of the stations.

Community involvement - the sharing of your ideas and perspectives - is key to the success of the Plan. Please join us!

WEDNESDAY, NOVEMBER 17, 2010
6:30 - 9:00 PM
Pearl Ridge Elementary School

Need more info?
Visit: www.honoluludpp.org/planning
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TRANSIT-ORIENTED DEVELOPMENT PLAN
NEIGHBORHOOD

Three Rail Transit stations are planned in the Aiea and Pearl City areas, bringing exciting opportunities for Transit-Oriented Development (TOD). The TOD plan will focus on the Leeward Community College, Pearl Highlands, and Pearlridge station areas as unique destinations - while improving the overall transportation network of the region.

Needs Community Involvement
Building off of the vision and goals of the Aiea-Pearl City Livable Communities Plan (2004) - to integrate transportation with land use and community design - your ideas and perspectives remain key to the success of this new TOD plan.

A series of workshops will provide opportunities to learn about TOD, share ideas and comment on the project.

A community task force has also been created to advise and assist with the planning process. Its members represent various organizations and interests of the surrounding communities.

Planning Team
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We encourage you to...

Community Workshop 1
Wednesday, October 21, 2009, 6-9 p.m.
Please join us!
This document provides the design guidelines within the Transit-Oriented Development (TOD) Special District.

This document and the Land Use Ordinance are available online at: [http://www.honoluludpp.org/ApplicationsForms/ZoningandLandUsePermits.aspx](http://www.honoluludpp.org/ApplicationsForms/ZoningandLandUsePermits.aspx) or on CD from the Department of Planning and Permitting upon request.

TOD Special District Map: [http://cchnl.maps.arcgis.com/apps/View/index.html?appid=aa96b91514b84695817662567ae48d0](http://cchnl.maps.arcgis.com/apps/View/index.html?appid=aa96b91514b84695817662567ae48d0)


TOD Honolulu: [http://www.honolulu.gov/Tod](http://www.honolulu.gov/Tod)


**KEYWORDS** Transit-Oriented Development + Special District + Guidelines + Honolulu Department of Planning and Permitting
MESSAGE FROM THE MAYOR

ALOHA!

I’m pleased to present the Transit-Oriented Development Special District Design Guidelines. The information in this booklet will guide development around 19 of the 21 stations under the jurisdiction of the City and County of Honolulu.

Transit-Oriented Development, or TOD, is a key component of Honolulu’s rail transit system. TOD gives us an opportunity to design and recreate neighborhoods with ideas and concepts that are driven by the people who live and work in their communities, while at the same time preserving what is best about the public areas we all enjoy.

Of course, not every community is the same. High-rises in the urban core will not work in the rural or suburban areas of Waipahu. However, one thing these guidelines have in common is a vision of more affordable housing, pedestrian- and bike-friendly streets, open space and parks, and a mix of commercial and retail opportunities.

The City is committed to improving the many communities along the rail transit route, and we believe the TOD Special District Design Guidelines are keys to achieving this goal.

Kirk Caldwell
Mayor
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Planned Development-Transit Permit

PD-T Permit 17
Transit-Oriented Development, or TOD, is a pattern of uses and urban design which takes advantage of the convenience and influence of nearby transit stations. TOD neighborhoods are typically dense, mixed use, and thoughtfully designed to facilitate the use of alternative modes of transportation, such as walking, biking, riding the bus, and taking the train. TOD neighborhoods are characterized by their integration into a transportation network and their vibrant and dynamic streetscapes, which attract residents, visitors, workers, and businesses.

Honolulu’s TOD Special District covers a wide area and diverse set of communities, each with their own histories, cultures, and visions of the future. The Department of Planning and Permitting (DPP) has prepared plans, which are based on extensive community input, to reflect the individuality of these communities; likewise, the development of these areas should not be looked at with a “one-size fits all” mentality. The TOD neighborhoods are unique, and will reflect the community. As such, this guide should be a reference used in conjunction with the Land Use Ordinance (LUO) and the Neighborhood TOD Plans.

**TOD SPECIAL DISTRICT OBJECTIVES**

A. Promote an appropriate mixture and density of activity around the rail transit stations in order to maximize the potential for transit ridership and promote alternative modes of transportation;

B. Allow for more intense and efficient use of land for the mutual reinforcement of public investments and private development;

C. Support transit by ensuring connectivity and convenient access, while limiting conflict between vehicles, pedestrians, bicycles, and transit operations;

D. Provide quality urban design that attracts and encourages pedestrian activity;

E. Provide a high level of streetscape amenities that create a comfortable environment for pedestrians, bicyclists, and other uses, such as walkways, street furniture, street trees, and human-scale architectural features;

F. Promote an appropriate mix of housing types, including affordable and/or rental housing; and

G. Promote high quality, publicly accessible and usable spaces and gathering places.
**WILL I NEED A PERMIT?**

All projects in the TOD Special District are subject to the standards of the Special District. To determine if a permit is needed, consider the scope and impact of the project. Types of projects that may require a Minor Special District Permit include: modifications to the number of parking stalls, major above-grade infrastructure improvements, or streetscape improvements. On the other hand, projects seeking densities or heights beyond the base limits specified in the LUO may require a Major Special District Permit. Many projects are exempt from needing a Special District Permit, but they must still comply with the standards of the Special District. Demolition of structures, streetscape improvements, and projects on lots less than one acre in area may be exempt from a Special District Permit. Refer to the graphic on the following page for a list of other examples of projects. If you are unsure whether or not your project is exempt, consult the LUO or contact the DPP for guidance and a determination.

If your project is within a half-mile of a future rail station, but the Special District has not been adopted yet, you may qualify for an Interim Planned Development-Transit (IPD-T) Permit.

Instructions for processing Minor and Major Special District Permits, the Planned Development-Transit (PD-T) Permit, and the IPD-T Permit can be found on the DPP website. The timeframes for processing these permits are shown on page 4.

More information about permits in the TOD Special District are on page 17 of this guidebook. These guidelines are intended to clarify the intent and vision for the TOD Special District; however, the language of the law and the TOD Special District Zoning Maps are found in Article 9 of the LUO.

**PERMIT TYPES**

**MINOR** – A Minor Special District Permit is for projects that have limited impact on the surrounding community, such as modifications to existing development not along "Key Streets" identified in the LUO, minor deviations from the development standards, or streetscape improvements. Visit the DPP website for the application instructions.

**MAJOR** – A Major Special District Permit is for projects that will have significant impact on the surrounding community, such as major modifications to projects along Key Streets, or projects seeking height and density bonuses through a Planned Development-Transit Permit. Other projects deemed by the DPP Director to have a significant impact may also require a Major Special District Permit. Visit the DPP website for the application instructions.

**PD-T**– A Planned Development-Transit Permit, or Interim PD-T (IPD-T), allows additional height, density, and flexibility to the development standards for “catalytic” projects. These projects will define the areas around them, and should incorporate community benefits commensurate with the bonuses and flexibility being requested. Examples of community benefits include affordable housing, improved connectivity, and/or public open spaces, like parks and plazas. Each community is unique, and it is important to understand that community benefits should be tailored to the neighborhood the project intends to serve. PD-T applications are reviewed by the DPP, and approved by City Council. If the City Council approves the conceptual plans, a Major Special District Permit must be submitted within ten days for final review and approval by the DPP.

**EXEMPT** – No Special District Permit is necessary. If your project adheres to all standards contained in the LUO and TOD Special District, then no Special District Permit is necessary. Compliance with the TOD Special District will be confirmed during building permit review.
### PROJECT CLASSIFICATION

All development in a TOD Special District

#### No Special District Permit Required

- Less than one acre in area
- Meets development standards enumerated in the LUO
- Demolition of structures
- Streetscape improvements that results in no substantial impacts to the TOD Special District
- Certain above-grade infrastructure improvements specified in the LUO
- Below-grade infrastructure improvements
- All emergency and routine repair and maintenance work

#### Minor Special District Permit Required

- Major modifications, additions, or new construction on sites one acre or more in size that are not located along Key Streets
- Modifications to the following standards:
  - Yards and setbacks
  - Street façade and building placement
  - Building orientation and entrances
  - Building transparency
  - Number of parking stalls
  - Location of above-ground surface parking
  - Location of service areas and loading spaces
  - Bicycle parking
  - Commercial use density in the apartment mixed use districts
  - Additional commercial density in the apartment mixed use districts
  - Reconfiguration of sidewalk area
  - Streetscape improvements if the project results in substantial impacts to the TOD Special District
- Major above-grade infrastructure improvements not covered elsewhere
- Residential units in the IMX-1 District

#### Major Special District Permit Required

- Major modifications, additions, or new construction on sites one acre or more in size that are located along Key Streets. Or if the project is not located along Key Streets but the Director determines that the project may result in substantial impact
- Projects seeking densities or heights and modifications to other development standards beyond the base limits specified in the LUO
- Modifications to FAR of up to 3.5 and/or bonus height not exceeding the lesser of 50% of the total bonus height, or 50 feet. All other projects seeking densities or heights beyond the base limits specified in Sections 21-9.100-8(a)(1)(A) and 21-9.100-8(a)(1)(D) are PD-T, or IPD-T.
INTRODUCTION

PERMIT PROCESSES AND TIMEFRAME

MINOR SPECIAL DISTRICT PERMIT

- Application Incomplete: Revise, Resubmit
- Submit SD App.
- App. Incomplete
- Director Review - Decision Due
- App. Complete
- 10 Working Days

MAJOR SPECIAL DISTRICT PERMIT

- Application Incomplete: Revise, Resubmit
- Present to NB
- Pre-app Mtg. with DPP
- Submit SD App.
- App. Complete
- DPP & Agency Review
- Public Hearing
- Director Review - Decision Due
- 10 Working Days

PD-T/MAJOR SPECIAL DISTRICT PERMIT

- Application Incomplete: Revise, Resubmit
- Conceptual Plan Disapproved by Resolution
- Pre-Application
- Present to NB
- Pre-app Mtg. with DPP
- Submit PD-T App.
- App. Incomplete
- DPP & Agency Review
- Public Hearing
- Director Review/Submit Report & Recommendation to City Council
- City Council Review Conceptual Plans Approved by Resolution
- Submit SD (major) App.
- Director Review Detailed Plans-Decision Due
- 10 Working Days
- 0 21 60 80 140 185

LEGEND

App. = Application
DPP = Department of Planning and Permitting
Mtg. = Meeting
NB = Neighborhood Board
PD-T = Planned Development-Transit*
SD = Special District

*Timeline also applies to IPD-T

Transit-Oriented Development Special District 4
DISTRICT GUIDELINES

The following guidelines are intended to be simple, straightforward, and purposeful, and promotes landowners and developers to enhance existing developments and create opportunities for infill development.

BUILDING PLACEMENT AND DESIGN

General

Near and parallel to the street  — New buildings must be placed close to the street to help create a sense of enclosure and belonging for pedestrians. The façade must be parallel to the street to create a more consistent and pedestrian-oriented frontage across properties. When lots have irregular property lines, the building façade must be parallel to the street. Maximum front yard setbacks for all business districts, and all districts along Key Streets (identified on the TOD Special District maps and discussed on pages 7-9) ensure that entire blocks are pedestrian oriented. Buildings on corner lots along Key Streets, where pedestrians often congregate at crosswalks, must be within 30 feet of the corner to further promote the pedestrian experience across the TOD corridor See the figures to the left.

Mixed-use  — Mixing commercial, office, and residential uses is highly encouraged both vertically and horizontally to create a vibrant community with easy access to housing, jobs, stores, and services. Lower floors of multi-level projects must be reserved for active uses, while the upper floors must be used for offices or dwellings to ensure 24/7 living, convenient access to a variety of uses, eyes on the street, and vibrant communities.

Active and inviting façades  — Ground floor uses must be active, inviting pedestrians to glance inside and enter. Each establishment must have at least one street-facing entrance, and an entrance must be placed at least every 50 feet of the building façade along a street. Sixty percent of the building façade along a street must be windows, doors, or openings between 2.5 and 7 feet above the level of the sidewalk. Blank walls are discouraged, and must not extend for more than 25 feet horizontally.

Yards and Setbacks

Properly designed yards and consistent setbacks greatly improve the pedestrian experience in the TOD Special District by smoothly and attractively transitioning the public realm into private spaces, while providing comfort and direction for those walking by. Yards, which are open spaces required to provide light and air access on a property, can be designed to connect or distinguish the public and private realm. The setback is the line established for each zoning district that runs from and parallel to the property line. Consistent façade setbacks create a sense of enclosure and predictability for pedestrians. Purposefully...
Transit-Oriented Development Special District
designed yards can provide visual relief with landscape elements, or physical relief with street furniture for sitting.

Improvements to the setback area between the property line and the building façade are required for structures within 15 feet of the property line with commercial or industrial uses on the ground floor. Improvements may include hardscape, landscaping, and pedestrian amenities, such as outdoor dining, benches, and publicly accessible seating, shade trees, portable planters, trash and recycling bins, recharging stations for electronic devices, Wi-Fi service, bicycle facilities, or merchandising displays. For ground-floor residential uses, covered porches, stoops, or lanais are allowed in the front yard. It is encouraged that front yards be paved as an extension of the sidewalk, and landscaping be located near the street curb to act as a buffer between vehicles and pedestrians.

Yard and setback requirements can be modified through a Special District Permit. Refer to the Required Yards Table on this page for the yard requirements.

Photos above are examples of improvements within the setback area that do not obstruct pedestrian access.

REQUIRED YARDS TABLE

<table>
<thead>
<tr>
<th>Required Yards</th>
<th>B-2 and BMX-3 Districts</th>
<th>Apartment and Apartment Mixed Use Districts</th>
<th>Industrial and Industrial Mixed Use Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Front Setback</td>
<td>All Streets</td>
<td>5¹</td>
<td></td>
</tr>
<tr>
<td>Maximum Front Setback</td>
<td>Key Streets</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Non-Key Street</td>
<td>10</td>
<td>N/A</td>
</tr>
</tbody>
</table>

¹ Front yard may be reduced, pursuant to requirements in Article 9 of the L.U.O.
Maximum Setbacks — Consistent setbacks help create a sense of order and enclosure for pedestrians, enhancing the public experience. A building set back too far from the sidewalk or street creates a "missing tooth" in an otherwise predictable frontage. If a setback is too deep, pedestrians walking by do not interact with the façade, but rather, are confronted with a void. To avoid this and to encourage consistency, some lots have a maximum setback from the street-adjacent property line.

The maximum setback in Business, Business Mixed-Use, Industrial, and Industrial Mixed-Use Districts is 10 feet. The maximum setback along Key Streets in Apartment and Apartment Mixed-Use Districts is 15 feet. On lots with less than 100 linear feet of frontage, a minimum of 75 percent of the building must be located between the maximum and minimum setbacks. On lots with more than 100 linear feet of frontage, that minimum is 65 percent. Setback areas, particularly within business districts, must be developed with a combination of hardscape and landscape elements designed to improve the pedestrian experience. The Neighborhood TOD Plans may specify a desired width for sidewalks along certain streets, but, at a minimum, a five-foot-wide sidewalk, clear of items that impede pedestrian movement, must be provided within the TOD Special District. If street trees are not provided in the right-of-way, trees and landscaping may be placed along the property line to buffer pedestrians from automobiles and encourage pedestrians to walk closer to storefronts.
Key Streets

Key Streets are streets within the TOD Special District that are in the direct vicinity of the rail station. Projects along Key Streets must follow special development standards aimed at developing the most vital areas to facilitate walkable, vibrant, and economically active streets. These standards support modal shifts towards active mobility in TOD areas. Key Streets are identified for each station area in Article 9 of the LUO.

Ground Floor Uses — Active ground floor uses help create an interesting and inviting streetscape for pedestrians and transit riders. Active ground floor uses are defined as uses that encourage pedestrian movements and provide a stimulating ground floor for the building. Examples include retail, restaurants, personal services, lobbies, art galleries, and similar uses. See examples on the left.

Transparency — Transparent windows along active frontages create interesting façades, and improve the pedestrian experience. At least 60 percent of the building façade between 2.5 and 7 feet above grade on certain lots must be openings, such as doors or windows, to invite those passing by to glance into the building. Furthermore, blank walls without openings cannot extend more than 25 feet. See the examples on this page.

Signs and window displays may be placed within the building frontage. Flashing signs, such as video monitors, holographic displays, and electronic programmable message signs are not permitted.

Photographs above are examples of active ground floor uses, including retail, restaurants, personal services, lobbies, and art galleries.

The above diagram shows the transparency requirement for all streets.
Entrances – Doors and windows clearly demarcate the public and private realm. Access to entrances must not be a barrier for pedestrians. Building designs must prioritize pedestrians by providing convenient access to commercial spaces and residential lobbies along pedestrian routes. Primary building entrances must face the street or a public place, and in buildings with multiple establishments, there must be at least one entrance per 50 feet of façade.

Buildings that prioritize automobiles often have no presence on the street. They literally turn away from the public realm to provide access to automobile passengers parked in their lot. Nothing disincentivizes pedestrians like the visual reminder that cars are more important than people. Vehicular drop-off areas are discouraged from being placed along the front of a building by the primary entrance.

The diagram shows an example of building entrances.

The photo above is a good example of building entrances because the entrances face the street or public space and the entrances are close together.

The photo above is an example of a building entrance that will become nonconforming because the parking lot is located between the primary entrance and the sidewalk and street.
PARKING AND LOADING
As the TOD Special District develops and rail transit and new bus routes become operational, the need for parking spaces will wane. Reducing or eliminating the visual, environmental, and economic impacts of parking lots and structures within the TOD Special District is of the utmost importance. Use of alternative modes of transportation, such as walking, biking, and public transportation, will outpace and replace private vehicle trips in TOD areas. Rapidly developing technologies are fundamentally changing the relationship we have to private vehicles and transportation, and reducing the need for what may become an excessive volume of private vehicle parking.

Parking and loading requirements in the TOD Special District are eliminated or greatly reduced to encourage creative use of the property, reduce development costs, and encourage alternative transportation. Pedestrians, bicyclists, and transit riders should be the design priority, and reducing parking is a way to encourage these modes of transportation. There is no parking required for non-residential uses.

Parking Placement
Parking shall be located at least 40 feet from a street, and must be behind the main building. Parking lot placement can be adjusted through a Special District Permit if the request is adequately justified.

MINIMUM OFF-STREET PARKING REQUIREMENT TABLE

<table>
<thead>
<tr>
<th>Floor Area of Unit</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>300 sq. ft. or less</td>
<td>0</td>
</tr>
<tr>
<td>301 - 600 sq. ft.</td>
<td>0.5</td>
</tr>
<tr>
<td>601 - 800 sq. ft.</td>
<td>0.75</td>
</tr>
<tr>
<td>Over 800 sq. ft.</td>
<td>1</td>
</tr>
</tbody>
</table>
Structured Parking and Podiums
When parking is provided, applicants may consider and are encouraged to build structured parking to reduce the impact of space-consuming surface parking lots in TOD areas. However, podiums can have a negative effect on pedestrian environments if not properly designed. Projects in TOD areas with structured parking must consider the following in order to create a better and more pleasant TOD environment:

A. The number of spaces and vehicular entrances and exits must be limited to the minimum required to avoid unnecessary curb cuts along property frontages.

B. When feasible, structured parking must be underground.

C. When parking is provided in a podium, the podium must be lined with habitable spaces, like dwellings, shops, or offices, along streets or where visible to the public. If a podium is not primarily lined with habitable spaces, it must be entirely screened with either a green wall or an architecturally integrated false façade or screen.

D. Parking podiums must be built with standard ceiling heights and level floors, when possible, to facilitate future conversion to habitable spaces.

Above are photos of parking structures with exterior walls that are visually interesting and contribute to a comfortable pedestrian environment. The photo to the left shows a parking podium that is lined with apartments and retail.
**Bike Parking**

Both short- and long-term bicycle parking must be provided whenever new floor area is provided. Short-term bicycle parking must be placed in a visible area and within a close proximity to an entrance, while long-term bicycle parking must be placed within a structure. Similar to providing access for other forms of transportation, barriers, such as inconvenient bike parking, should be minimized to encourage their use. Bike parking must not interfere with pedestrian movement or Americans with Disabilities Act (ADA) accessibility, as stated in the Honolulu Complete Streets Design Manual (CSDM). Refer to the CSDM for additional guidance on bike parking and bike corrals. A link to the CSDM can be found here.

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**BICYCLE PARKING REQUIREMENT TABLE**

<table>
<thead>
<tr>
<th></th>
<th><strong>Short-Term Bicycle Parking</strong></th>
<th><strong>Long-Term Bicycle Parking</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Non-Residential Uses</strong></td>
<td>1 space per 2,000 sq. ft. of floor area or portion thereof OR 1 space per 10 vehicle spaces or portion thereof, whichever is greater</td>
<td>1 space per 12,000 sq. ft. of floor area or portion thereof OR 1 space per 30 vehicle spaces or portion thereof, whichever is greater</td>
</tr>
<tr>
<td><strong>Residential Uses</strong></td>
<td>1 space for up to per 10 units AND thereafter 1 space for every 10 units or portion thereof</td>
<td>1 space per 2 dwellings or lodging units</td>
</tr>
</tbody>
</table>

The diagram above and the photo below show proper placement of bicycle parking. The photo to the right shows excellent placement of short-term bicycle parking racks.
**MULTI-MODAL DESIGN**

**Relationship to Transit**
Projects in the TOD Special District must support mass transit by providing a mix of uses, prioritizing access for alternative modes of transportation, and incorporating design features meant to foster pedestrian activity. Active ground floor uses and residential uses above the ground floor create on-site activity 24 hours per day. Regular entrances, transparent windows, convenient bicycle parking, and wayfinding signs prioritize alternative transportation options over private vehicle use. Appropriate scale, texture, and amenities, such as seating and public art or sculpture, reward users of alternative modes of transportation with a pleasant and thoughtfully designed environment.

**Pedestrian Paths and Walkways**
Pedestrian paths and sidewalks should create safe and direct on-site connections to buildings, pedestrian amenities, parking, and public sidewalks. Integrated, delineated, and well lit pedestrian paths create a safe and efficient pedestrian experience and encourage walking. Through-project and mid-block connections are highly encouraged.

**STREETSCAPE ELEMENTS**
Projects are highly encouraged to use streetscape elements, such as those identified below including, public clocks, shaded seating, bicycle parking, and pedestrian lighting to help enrich the space and TOD Neighborhood.

Above is a diagram showing proper placement of pedestrian paths and walkways.
Photos above are examples of front yard and sidewalk design when grade changes are required. The diagram illustrates the alternative sidewalk design.

SIDEWALK DESIGN

Wide Sidewalks
Ideal sidewalk widths are often identified in the applicable Neighborhood TOD Plan. Projects must extend the sidewalk to this width or provide a sidewalk on private property equal to that width. Generally, sidewalks in the TOD areas must have a clear pedestrian path no less than five-feet wide, however, in many cases, a wider sidewalk is necessary to accommodate higher traffic volumes, street furniture, shade trees, bicycle parking, and other amenities necessary to support healthy pedestrian environments.

Grade Change
Grade changes within the project site to meet flood regulations or address sea level rise issues may be required and should always be considered. When this occurs, the sidewalk and the front yard design must generally be consistent with the TOD Plan and comply with the Americans with Disability Act. Extensions of the sidewalk must gradually slope toward the curb so they are safe for pedestrian use. When larger grade changes are required, appropriate design elements, such as landscaping, stairs, and ramps must be incorporated. The sidewalk should be kept as a continuous public realm with a grade change or terracing/landscaping design treatment that meets ADA Standards. The sidewalk design must not hamper pedestrian circulation.

Street Trees
Note that street trees are required where Street Tree Plans exist. Street trees should be of the variety that has a canopy to create shade. When street trees are not feasible, awnings along the frontage are encouraged.

Refer to the Honolulu CSDM for additional guidance on sidewalk design and street tree guidelines. A link to the CSDM can be found here.
NONCONFORMITIES

Nonconforming Structure
A nonconforming structure is a structure that was legally built, but does not meet the current regulations. An example might be a structure that is built too far from the property line along a Key Street. Nonconforming structures can be expanded in any way that meets the current regulations. If a nonconforming structure is destroyed by any means beyond 90 percent of the replacement cost of the nonconforming structure, it may not be replaced unless it can comply with the current regulations.

Nonconforming Uses
Nonconforming uses looking to take advantage of the extra flexibility allowed in the TOD Special District must be nonconforming due to the zone change associated with the TOD Special District or because of the new TOD Special District standards. The Applicant or owner must prove the nonconforming status.

Nonconforming Site Development
When a zoning lot with structures or uses comply with the underlying zoning district standards, but does not conform with all the standards of the TOD Special District, such as building location, yard and setback requirements, street facades, building orientation and entrances, parking lot design and location, and bicycle parking, then it would be considered nonconforming site development.

Refer to LUO Section 21-9.100-8(d) for more information on nonconformities.
READING THE MAP

The zoning districts are labeled on the zoning maps. Refer to Article 9 of the LUO for the zoning maps. The districts are identified by a specific color and marked on the map (e.g., A-2, IMX-1, BMX-3).

The maximum height limit is listed below the zoning district label. In certain areas, additional height, or a height bonus, is allowed in exchange for community benefits through a PD-T Permit. The bonus height limits are identified on the maps in parenthesis, i.e., (90').

ZONING DISTRICTS

- P-2 General Preservation
- AG-1 Restricted Agricultural
- AG-2 General Agricultural
- C Country
- R-20 Residential
- R-10 Residential
- R-7.5 Residential
- R-5 Residential
- R-3.5 Residential
- A-1 Low Density Apartment
- A-2 Medium Density Apartment
- A-3 High Density Apartment
- AMX-1 Low Density Apartment Mixed Use
- AMX-2 Medium Density Apartment Mixed Use
- AMX-3 High Density Apartment Mixed Use
- Resort
- B-1 Neighborhood Business
- B-2 Community Business
- BMX-3 Community Business Mixed Use
- BMX-3B Kapiolani Mixed Use
- BMX-4 Central Business Mixed Use
- I-1 Limited Industrial
- I-2 Intensive Industrial
- I-3 Waterfront Industrial
- IMX-1 Industrial Commercial Mixed Use

READING THE ZONING MAP

ZONING

The station areas that have been adopted by City Council are identified by a solid blue boundary line and the station areas that have not yet been adopted are identified by a blue dashed boundary line.

Once you have found your parcel on the map and determined what zoning district it is in, check the LUO for permitted uses and development standards for that district. Click here for the LUO. See Master Use Table 21-3 and TOD Special District for permitted uses.

Many parcels in the TOD Special District are allowed to combine dwellings, retail, offices, and even light industrial uses on a single site. Mixing uses, both vertically and horizontally within a site, is highly encouraged to promote vibrant and dense communities where people can live close to where they work, shop, and recreate. Generally, the ground floor must be retail or some other active use, and the floors above can be office and/or dwelling space.

Parcels in the following districts are allowed a combination of both dwelling and commercial (or some industrial) uses:

1. Apartment Mixed Use District: A maximum of 0.3-0.6 FAR* can be commercial, or modified through a Major or PD-T Permit.
2. Industrial Mixed Use District: In addition to industrial uses, parcels in this District may also have a variety of commercial uses, and up to 10 dwelling units with a Minor Special District Permit.
3. Business Mixed Use District: Commercial, office, and other business or multi-family uses are permitted.

*FAR, or Floor Area Ratio, is the ratio of Floor Area in a development to the zoning lot area. For example, if the Lot Area is 10,000 square feet, and the maximum FAR is 0.6, a project can have up to 6,000 square feet of Floor Area.
KEY STREETS

Key Streets identified within the TOD Special District are vital to facilitate walkable, lively, economically dynamic neighborhoods. Certain development standards only apply to parcels fronting Key Streets, which will need to accommodate regular flows of transit riders walking to and from the stations.

HEIGHT

The maximum height for a zoning lot is determined by the underlying zoning, and is shown on the zoning map if it is in the B-2, BMX-3, BMX-4, A-2, A-3, AMX-2, or AMX-3 Districts. The number shown on the map is the maximum height, and the parenthetical number is the height that can be achieved through a Special District Permit.

DENSITY (FAR)

Similarly, maximum density (FAR) is determined by the underlying zoning district and the size of the zoning lot. Maximum density is enumerated in the LUO. In the TOD Special District, the density may be increased with a Special District Permit.

MAXIMUM FLOOR AREA RATIO (FAR)

<table>
<thead>
<tr>
<th></th>
<th>B-2 and BMX-3 Districts</th>
<th>Apartment and Apartment Mixed Use Districts</th>
<th>Industrial and Industrial Mixed Use Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base FAR</td>
<td>2.5</td>
<td>Refer to LUO Table 21-3.3</td>
<td>Refer to LUO Table 21-3.5</td>
</tr>
<tr>
<td>Maximum FAR (with Major Special District Permit)</td>
<td>3.5</td>
<td>1.2 x Base FAR</td>
<td>1.2 x Base FAR</td>
</tr>
<tr>
<td>Maximum FAR with PD-T Permit</td>
<td>7.0</td>
<td>2.0 x Base FAR</td>
<td>2.0 x Base FAR</td>
</tr>
</tbody>
</table>
PLANNED DEVELOPMENT-TRANSIT PERMIT

PD-T PERMIT

The PD-T (or IPD-T) Permit provides opportunities for creative, catalytic redevelopment projects within the TOD Special District that would not be possible under a strict adherence to the development standards of the LUO. Qualifying projects must demonstrably exhibit attributes that are capable of promoting highly effective transit-enhanced neighborhoods, including diverse employment opportunities, an appropriate mix of housing types, support for multi-modal circulation, and well-designed publicly accessible and usable spaces. A Major Special District Permit must be submitted after City Council approves the conceptual plans of the PD-T project by resolution.

Flexibility
Through a PD-T Permit, flexibility can be provided for height, height setbacks, yards, open space, landscaping, streetscape elements, parking and loading, and signage when the project incorporates demonstrable, contributions to the community, supports transit ridership, and exemplifies the vision, policies, and goals of the TOD Special District.

Bonuses
Height and density bonuses can be achieved when community benefits are provided. Examples of community benefits include affordable housing, streetscape improvements, and public gathering spaces.

The graphic above shows a project that received flexibility for height and height setbacks through the IPD-T Permit. The pink building envelope was the proposed TOD Plan setback at the time the application was submitted. The areas in white encroached into that proposed setback. Community benefits were proposed in exchange for the flexibility to allow this encroachment. When neighborhood improvements are provided by the developer, such as plazas (below) and connectivity improvements (right), height and density bonuses, or flexibility in the development standards can be achieved.
Community Benefits

When seeking additional height or density above the underlying maximum, or flexibility to the TOD Special District development standards, Applicants will be required to provide demonstrable community benefits to justify the bonuses. Community benefits, often thought of as a “benefits package,” are elements of a project designed to mitigate adverse impacts on properties and areas within the TOD Special District.

The examples of community benefits below are in no way exhaustive, nor should a community benefit in one location be weighted the same as the same benefit in another location. Typical community benefits include:

1. Affordable Housing – Affordable housing units must be provided at levels that exceed the minimum required to count as a community benefit. Units should be similar in size and type (number of bedrooms) to other units in the project. The affordable component should include an appropriate mix of unit types, affordability ranges, and/or a mix of for sale and for rent units in order to maximize the benefit to the community. Refer to Ordinance No. 18-10 for the City’s Affordable Housing Requirement for more information.

2. Public Spaces – Plazas, arcades, parks, and other publicly accessible open spaces or arcades must be a minimum of 2,000 square feet in area to qualify as a community benefit. They should also be no less than 20 feet in width. Ideally, the public space in a TOD area should include a robust assortment of furniture and public amenities to create a comfortable and desirable environment. Shade trees, tables, drinking fountains, public restrooms, clocks, sitting walls, water features, a mix of hardscape and landscaped areas, free wi-fi or charging stations, dog play areas, and bicycle parking can all attract users to the public space.

3. Circulation Improvements – When circulation improvements beyond those required to mitigate the impact of the project are proposed, they can be considered a community benefit. Examples include dedicated space on-site for bike-share and car-share, construction and maintenance of a new bus stop, through-project pedestrian paths and easements, contributions to bicycle facilities, and connections for public vehicles (bus and emergency vehicles).

4. Community Facilities – Community facilities come in many types and sizes, and should directly reflect the specific needs of the immediate area. Community facilities must be made available to the public, and not just residents of the Project. Examples of community facilities include public schools, museums, public safety offices (such as police station), meeting rooms, and community centers.

5. Major Infrastructure Improvements – All Projects are responsible for establishing sufficient infrastructure to support their development; however, when major and regional improvements are proposed, they can be considered community benefits. Examples could include major road reconstruction and realignment; and funds towards the completion of nearby rail stations, parks, sewer upgrades, or stormwater collection improvements.
Proportionality
The proposed community benefits should be proportional, or commensurate, to the bonuses or flexibility being requested. When applying for a Major Special District Permit or PD-T, the application must include detailed information about the value of the additional density, height, and code flexibility being requested.

Mitigation
In addition to providing community benefits for a specific community, projects should also mitigate the impacts on infrastructure and the environment in the areas surrounding the site. Substantial increases in pedestrian or bicycle traffic must be supported through designs that improve the multi-modal experience. Increases in impermeable surfaces could be mitigated with on-site stormwater storage. Other examples include "wrapping" or placing green walls on parking podium facades, tower separation to mitigate viewplane impacts, and intersection improvements to mitigate anticipated traffic, both pedestrian and vehicular.

Photos above are examples of specific project impact mitigation, such as green walls and multi-modal circulation improvements.
This document is the design guidelines for development within the Transit-Oriented Development Special District. For more detailed information, visit our website:

http://www.honoluludpp.org/

http://www.honolulu.gov/tod

Information is subject to change.

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