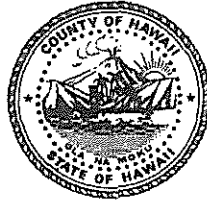


William P. Kenoi  
Mayor



BJ Leithead Todd  
Director

Margaret K. Masunaga  
Deputy Planning Director

## County of Hawai'i

### PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

November 19, 2009

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
121 Waianuenue Avenue  
Hilo, HI 96720

Dear Mr. Lim:

**SUBJECT: PLANNED UNIT DEVELOPMENT PERMIT-(PUD 08-000010)**  
**Applicant & Landowner: Lonomakua Partners, LLC**  
**TMK: 6-9-007:002, 004 & 005, 'Anaeho'omalu, South Kohala, Hawaii**

After reviewing your Planned Unit Development application, the Planning Director hereby approves PUD 08-000010 subject to conditions. This PUD permit allows the development of a hotel and condominium complex on approximately 29.414 acres of land situated within the Waikoloa Beach Resort area. This PUD Permit grants a variance from the maximum building height for a hotel complex, subject to PUD conditions and satisfies and amends certain requirements of "Partial" PUD Permit No. 13, which allowed for the development of a hotel on one of the affected properties to a maximum height of 6 stories or 75 feet and offered certain relief from the minimum parking requirements of the Zoning Code. We apologize for the long delay in issuing this approval and appreciate your extreme patience with us.

### **BACKGROUND**

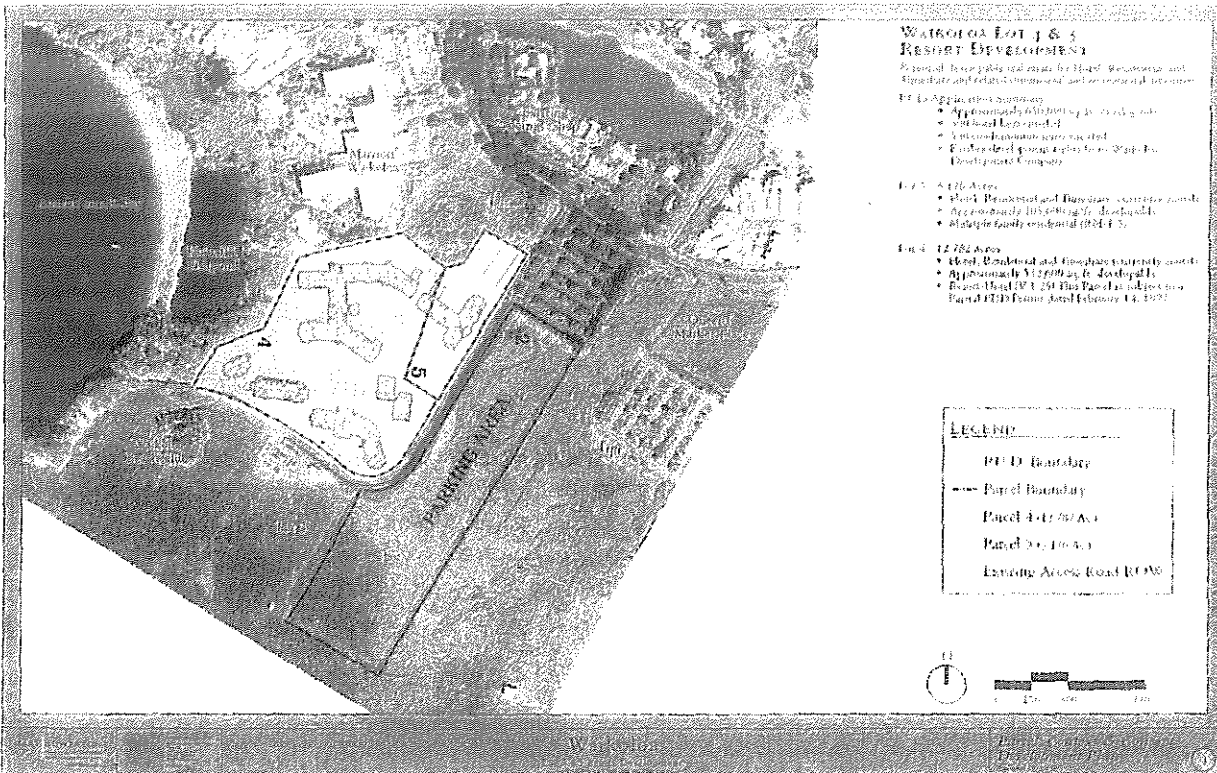
#### **Project Location**

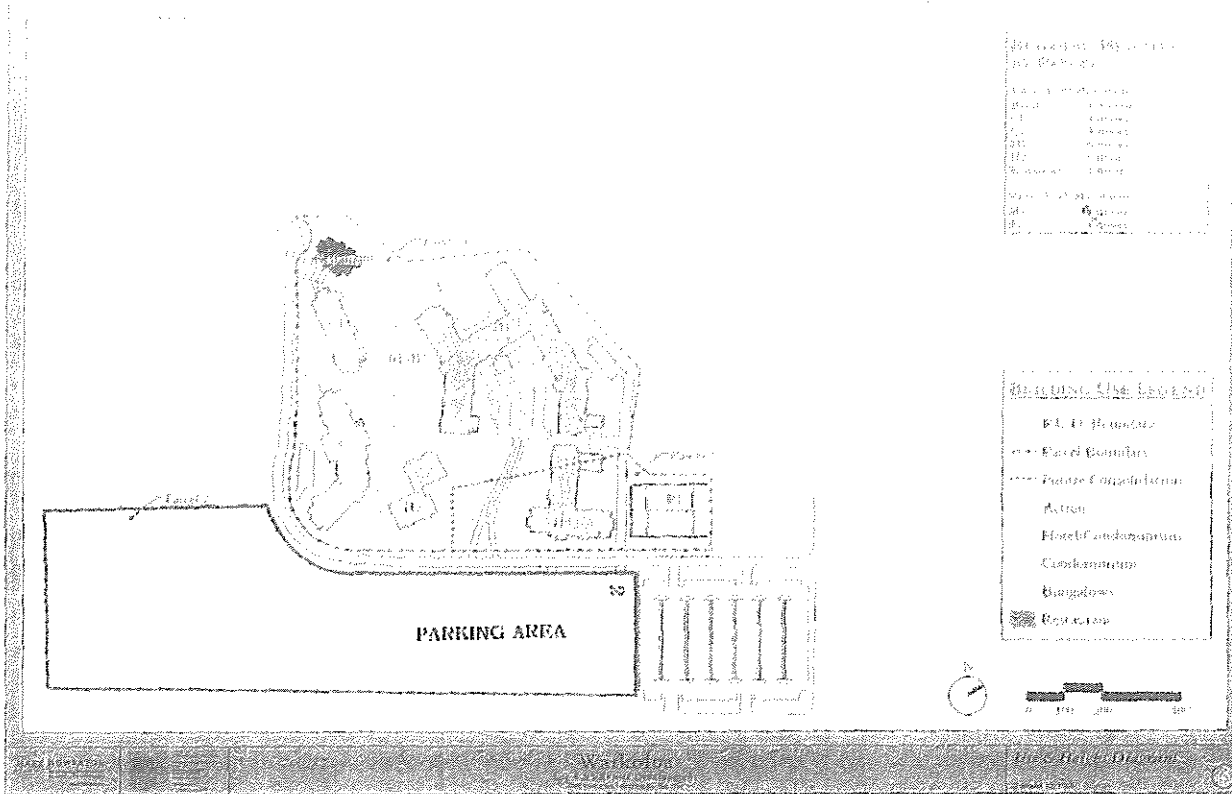
The subject properties are situated within the Waikoloa Beach Resort at 'Anaeho'omalu, South Kohala. The proposed hotel and condominium complex and its associated parking area will be situated upon 3 separate parcels for a combined land area of 29.414 acres. The properties are located immediately adjacent to and south of the Waikoloa Marriott Hotel. The Applicant, Lonomakua Partners, LLC, own all 3 parcels.

NOV 24 2009

**Land Use Designations**

The subject properties consists of 3 separate parcels (see exhibits below), all of which are situated within the Resort Node by the General Plan and within the State Land Use Urban District, but with each parcel maintaining a different type of zoning designation. Parcel 4, consisting of about 12.8 acres, is the primary hotel and condominium complex site with a zoning of V-1.25 (Resort-Hotel-1,250sf of land area per unit). Parcel 5, at 3.17 acres, lies adjacent to Parcel 4 as part of the hotel & condo complex site with a zoning of RM-1.5 (Multiple Family Residential-1,500sf of land area per unit). The Applicant intends to consolidate both Parcels 4 and 5 to create a single, roughly 16-acre building site. To the south and across of an access road is Parcel 2, a 13.5-acre parcel zoned CV-10 (Village Commercial-10,000sf minimum lot size) that is being considered for partial use as a parking lot in support of the proposed hotel and condo complex. The existing zoning designations for all 3 parcels will support the proposed hotel, condominium and parking uses, as does its designation within a Resort Node by the Hawaii County General Plan.





**“Partial” Planned Unit Development Permit No. 13**

Effective February 14, 1977, the Hawaii County Planning Commission issued “Partial” PUD Permit No. 13 to allow for the development of 4 future hotels on 4 separate sites situated within the Waikoloa Beach Resort, of which one site is Parcel 4. “Partial” PUD Permit No. 13 also allowed each hotel to achieve a maximum height of 6 stories and permit up to 50% of the required parking stalls to be located at a central parking area. Condition No. 2 of “Partial” PUD Permit No. 13 requires that a “full” PUD Permit be issued for each proposed hotel on each respective building site. Note that PUD Permits are now issued administratively and do not require a hearing before the Leeward Planning Commission.

In approving "Partial" PUD Permit No. 13, one of the findings cited by the Planning Commission was:

"That the requested additional height conforms to the computed maximum height limits for the sites under consideration. Under the Planned Unit Development (PUD) provisions for reviewing additional height, four components are applied to the specific site under consideration to determine a building envelope. Three of the components are view planes and the fourth component is an absolute maximum height. The maximum height limits derived from the application of the components to the subject sites have been computed as follows:

- a. 59.2 feet above grade and 72.5 feet above MSL for Lot 4;"

The Planning Commission also found, in part,

"That from an overall visual standpoint, the additional height will not have a significant effect. The additional height will allow more open space to be provided on the sites which will contribute to an overall open character for the proposed development. The setback requirements under the PUD provisions assure that there is adequate open space between sites so that the overall development is not bulky in character. In lieu of the standard side yard setback requirement of 18 feet for a 6-story hotel, proposed hotels will have to be set back from between 56 feet and 12 feet from the side property lines under the PUD provisions."

Finally, Condition No. 4 specifies "That major structures, including the hotel, on hotel Lots 4 and 8 shall be a minimum of 150 feet from Ku'uali'i and Kahapapa fishponds."

"Partial" PUD Permit No. 13 follows in its entirety:

PLANNING COMMISSION  
Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for )  
PARTIAL PLANNED UNIT DEVELOPMENT PERMIT )  
by ) PUD Permit No. 13  
BOISE CASCADE HOME AND LAND CORPORATION )  
in )  
Anaeho'omalu, South Kohala, Hawaii )

PARTIAL PLANNED UNIT DEVELOPMENT PERMIT

The County Planning Commission at a duly held public hearing on February 14, 1977 considered the application of BOISE CASCADE HOME AND LAND CORPORATION for a Partial Planned Unit Development Permit in accordance with Chapter 8 (Zoning Code), Article 23, Hawaii County Code, as amended; to allow the construction of four (4) future hotels on Hotel Sites Nos. 4, 8, 14 and 28x at heights six (6) stories and also to allow up to sixty-five (65) percent of the required parking stalls for these future hotels to be located at a central parking area at Anaeho'omalu, South Kohala, Hawaii, Tax Map Key 6-9-07:17, 21, 26, and 29.

The Commission has found:

1. That the requested additional height conforms to the computed maximum height limits for the sites under consideration. Under the Planned Unit Development (PUD) provisions for reviewing additional height, four components are applied to the specific site under consideration to determine a building envelope. Three of the components are view planes and the fourth component is an absolute maximum height. The maximum height limits derived from the application of the components to the subject sites have been computed as follows:
  - a. 59.2 feet above grade and 72.5 feet above MSL for Lot 4;
  - b. 67.7 feet above grade and 78 feet above MSL for Lot 8;
  - c. 61.2 feet above grade and 63 feet above MSL for Lot 14; and
  - d. 75 feet above grade and 93 feet above MSL for Lot 28.

The requested additional height for each of the sites is consistent with the maximum computed height.

2. That from an overall visual standpoint, the additional height will not have a significant effect. The additional height will allow more open space to be provided on the sites which will contribute to an overall open character for the proposed development. The setback requirements under the PUD provisions assure that there is adequate open space between sites so that the overall development is not bulky in character. In lieu of the standard side yard setback requirement of 18 feet for a 6-story hotel, proposed hotels will have to be set back from between 56 feet and 129 feet from the side property lines

under the PUD provisions. The setback requirements further assure that visual corridors both in the area under consideration and from off-site will be maintained. The maximum computed height limits under the PUD provisions for the sites are 14.2, 16.2, 22.7, and 30 feet more than the 45-foot height limit of the V-1.25 zoned district. Unlike the standard zoned district height limits, the maximum height limits under the PUD provisions are limited to the elevation above mean sea level as well as the height above finished grade. The standard height limit of the zoned district is only limited by the number of feet above grade and can result in more conspicuous height than when view planes are taken into consideration to determine allowable height. By allowing the additional computed height under the PUD provisions, structural sprawl and ground coverage can be reduced and view planes are assured. The visual conspicuousness of structures can also be alleviated through landscape screening and the use of color.

3. That the provision of a portion of the parking requirement off-site will further enhance the open character of the proposed development and will not be detrimental to the public welfare. By providing a central hotel parking facility to house a portion of the required parking substantial area on each site can be devoted to open space and landscaping than would otherwise be available. In addition, the additional area allows for design flexibility on each site. The petitioner's requests are not intended to circumvent the parking requirement. All of the required parking spaces will still be provided, but the location of them will be varied. The petitioner also intends to provide transportation service between the proposed central parking facility and the various sites.

Based on the above, it is determined that approval of the subject request for a Partial PUD permit will not be inconsistent with the spirit and intent of the Zoning Code and will contribute to an overall integrated design of the proposed resort development.

Therefore, the Commission hereby grants to the petitioner a Partial Planned Unit Development Permit to allow the construction of four (4) future hotels on Hotel Sites Nos. 4, 8, 14 and 28x at heights of six (6) stories and also to allow up to fifty (50) percent of the required parking stalls for these future hotels to be located at a central hotel parking area at Anaeho'omaluu, South Kohala, Hawaii, pursuant to the authority vested in it by Article 23 of the said Code, subject to the following conditions:

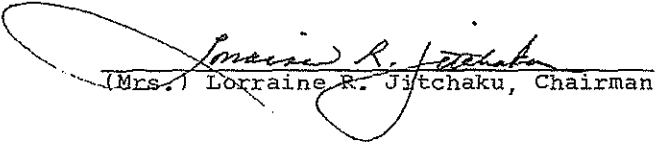
1. That the proposed structures shall not exceed 6 stories and the following maximum heights:
  - a. 59.2 feet above grade and 72.5 feet above mean sea level on Lot 4;
  - b. 67.7 feet above grade and 78 feet above mean sea level on Lot 8;
  - c. 61.2 feet above grade and 63 feet above mean sea level on Lot 14; and
  - d. 75 feet above grade and 93 feet above mean sea level on Lot 28.
2. That construction shall not commence on any of the lots until full Planned Unit Development Permits have been granted.

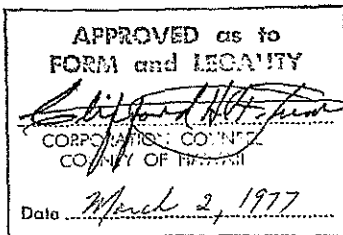
3. That the petitioner/representative(s) shall submit an overall design plan for the proposed hotel developments to the Planning Director for review and approval prior to filing of applications for full Planned Unit Development Permits on any of the lots. Said plan shall address but not be limited to a range of design themes, including landscaping, which will serve to integrate the entire resort development; the connectivity of various lots and related resort uses through pedestrian and vehicular links; the siting of structures on the various sites; the establishment of view corridors; and the provision of a second central hotel parking facility at the northern end of the proposed development.
4. That major structures, including the hotel, on hotel Lots 4 and 8 shall be a minimum of 150 feet from Ku'uali'i and Kahapapa fishponds.
5. That the effective date of approval of the Partial PUD permit shall be contingent upon the approval of the change of zone request.
6. That all other applicable rules and regulations including the plan approval process shall be complied with.

Should these conditions not be met, the Partial Planned Unit Development Permit may be deemed null and void by the Planning Commission.

The effective date of this permit shall be from February 14, 1977.

Dated at Hilo, Hawaii this 4th day of March 1977.

  
(Mrs.) Lorraine R. Jitichaku, Chairman



### **Purpose for Requested PUD Permit**

As indicated above, "Partial" PUD Permit No. 13 was issued to allow for certain exceptions to the development of a hotel on Parcel 4 only. The Applicant has filed this PUD Permit application to accomplish the following:

1. Satisfy the requirements of Condition No. 2 of "Partial" PUD Permit No. 13 that specifies that a "full" PUD Permit be issued prior to commencing construction of the proposed hotel;
2. To confirm the construction of a 6-story hotel complex on Parcel 4 as approved by the issuance of "Partial" PUD Permit No. 13;
3. Allow for the construction of a hotel on the adjoining Parcel 5 to a maximum height of 6 stories, as permitted by "Partial" PUD Permit No. 13 on the adjoining Parcel 4; and
4. Allow for 50% of the required on-site parking for the proposed hotel and condominium complex on both Parcels 4 and 5 to be situated at a centrally located parking facility or on a portion of Parcel 2.

### **Compatibility with Neighboring Uses**

The subject properties are situated within the Waikoloa Beach Resort, adjacent to the Waikoloa Marriott Hotel and within a very short walking distance of the Kings Shops and Queen's Marketplace retail complexes. Ku'uali'i Fishpond and 'Anaeho'omalu Bay are situated immediately south of the subject properties. These properties are situated within an area that has been extensively developed as a complete resort community consisting of hotels, condominiums, retail shops, and recreational facilities.

Approval of this PUD Permit will "confirm" the construction of a 6-story hotel complex on the original Parcel 4 that was issued "Partial" PUD Permit No. 13 in 1977 and to allow for a portion of this hotel complex to be built upon the adjoining Parcel 5, a parcel that was never a part of the original "Partial" PUD Permit No. 13.

### **PROJECT OBJECTIVES AND DESCRIPTION**

According to the Applicant, the proposed hotel and condominium complex will consist of the following elements:

1. Hotel – The 300-unit hotel complex will be spread out across both Parcel 4 and 5 with 3 separate hotel complexes, each of which will be 6 stories or a maximum of 75 feet in height. This is in lieu of the maximum 45-foot height limit established by the Zoning Code.



2. Condominium – “Partial” PUD Permit No. 13 and this current application provided height exceptions to the hotel component only. Therefore, the proposed 500-unit condominium complex will comply with the maximum height limit of 45 feet. The condominium complex, which will consist of two separate structures, will be situated only within Parcel 4.
3. Parking Lot – to allow for up to 50% of the project’s required parking stall allocation to be located at an off-site, central parking area as approved by “Partial” PUD Permit No. 13 or within the nearby Parcel 2, which is owned by the Applicant. Conceptual calculations indicate approximately 653 parking stalls required to accommodate the proposed hotel/condominium and commercial uses within the project. Approval of this PUD Permit will allow for no more than 326 stalls to be located off-site.

Depending upon market conditions, the Applicant projects that construction of the hotel complex and a portion of the Phase I condominium units will commence within five (5) years from the date of this PUD Permit. Completion of construction of the hotel complex and the Phase I and Phase II condominium units will be within five (5) years after the commencement of construction of these structures.

#### AGENCIES' REVIEW

1. The Department of Environmental Management memorandum dated February 12, 2009.  
  
The Department of Environmental Management indicated that commercial operations, State and Federal agencies, religious entities and non-profit organizations may not use transfer stations for disposal. Aggregates and any other construction/demolition waste should be responsibly reused to its fullest extent. Ample and equal room should be provided for rubbish and recycling. Greenwaste may be transported to the greenwaste sites located at the Kailua and Hilo transfer stations, or other suitable diversion programs. Submit solid waste management plan prepared in accordance with DEM guidelines.
2. The Department of Public Works memorandum dated February 23, 2009 states:  
  
“Buildings shall conform to all requirements of code and statutes pertaining to building construction”
3. The Hawaii County Police Department memorandum dated February 23, 2009 states:  
  
“Staff reviewed the above-indicated application and recommends the developer include an additional traffic lane in each direction on Waikoloa Beach Drive to ease traffic movement.”
4. State of Hawaii-Department of Health (DOH) memorandum dated February 11, 2009:

“The Health Department found no environmental health concerns with regulatory implications in the submittals.”

5. The Hawaii County Fire Department (COH-HFD) memorandum is dated February 19, 2009 and is attached to this permit report.
6. Comments from Surrounding Property Owners or Public.

No other agency comments were received. No written objections to the variance application were received from surrounding property owners or public.

### **ALTERNATIVES/SPECIAL AND UNUSUAL CIRCUMSTANCES**

In 1997, the Hawaii County Planning Commission issued “Partial” PUD Permit No. 13 to allow for the development of 4 hotels on 4 separate sites situated within the Waikoloa Beach Resort, of which one site is Parcel 4. “Partial” PUD Permit No. 13 also allowed each hotel to achieve a maximum height of 6 stories and permit up to 65% of the required parking stalls to be located at a central parking area. Parcel 4 remains the last of the 4 hotel sites to be developed and permitted to have hotel structures up to 6 stories in height. These other hotel sites include the 3 hotel towers within the Hilton Waikoloa Village complex and the Waikoloa Beach Marriott Resort and Spa. The Marriott is situated immediately adjacent to north of the project site.

The requested PUD Permit will confirm the construction of the proposed 6-story hotel complex on Parcel 4, and also allow a portion of the hotel complex to also be situated on the adjoining Parcel 5, a parcel that was never included as part of “Partial” PUD Permit No. 13. The site plan clearly supports the inclusion of Parcel 5 due to its proximity to Parcel 4 and the adjoining access road. This would promote a better site development plan instead of attempting to conform the hotel complex with the irregular configuration of Parcel 4 alone.

Finally, in approving “Partial” PUD Permit No. 13, the Planning Commission found that “By allowing the additional computed height under the PUD provisions, structural sprawl and ground coverage can be reduced and view planes are assured. The visual conspicuousness of structures can also be alleviated through landscape screening and the use of color.” These supporting statements still hold true after more than 30 years.

### **VARIANCES**

In view of the background report, the following variances, as detailed below, from Hawaii County Code (HCC) Chapter 25, Zoning, are hereby approved subject to conditions.

**CHAPTER 25, HCC – Zoning**

And, the following variance(s) from **Chapter 25, Zoning**, are hereby approved

1. **Section 25-4-20(a). Height; general rules.** “No building or structure hereafter erected shall exceed the established zoning district height limit, except as hereinafter permitted or otherwise regulated.” To allow the construction of the main hotel complex only to a maximum height of 75 feet or 6 stories, in lieu of the maximum height limit of 45 feet permitted within the Resort-Hotel (§25-5-93,HCC) and Multiple Family Residential (§25-5-33, HCC) zoned districts affected Parcels 4 and 5, respectively.
2. **Chapter 25, Article 4, Division 5 regarding Off-Street Parking and Loading.** Allow for up to 50% of the required off-street parking for the proposed hotel and condominium complex on both Parcels 4 and 5 to be situated at a centrally located parking facility within the Waikoloa Beach Resort complex or on a portion of nearby Parcel 2. This is in lieu of the minimum requirement that all required off-street parking be situated upon the same project site as the use for which the parking was calculated.

In view of above, the following variance(s) from **Chapter 25, Zoning**, are hereby approved subject to conditions of approval as further detailed below.

Pursuant to the background information and findings, specific variances requested by the Applicant will not be materially detrimental to the public's welfare and will not cause substantial adverse impact to the area's character and to adjoining properties.

**FINDINGS**

The following findings are made in accordance with Section 25-6-10 (Criteria for granting a PUD):

- 1) **The construction of the project shall begin within a reasonable period of time from the date of full approval and shall be completed within a reasonable period of time.**

Depending upon market conditions, the Applicant projects that construction of the hotel complex and a portion of the Phase I condominium units will commence within five (5) years from the date of this PUD Permit. Completion of construction of the hotel complex and the Phase I and Phase II condominium units will be within five (5) years after the commencement of construction of these structures.

- 2) **The proposed development substantially conforms to the General Plan.**

The project site is situated within the Waikoloa Beach Resort complex, which maintains a designated of “Resort Node” by the General Plan’s Land Use Pattern Allocation Guide

(LUPAG) map. These "Resort Node" areas include a mix of visitor-related uses such as hotels, condominium-hotels (condominiums developed and/or operated as hotels), single family and multiple family residential units, golf courses and other typical resort recreational facilities, resort commercial complexes and other support services. Only Major Resort Areas are identified as Resort Nodes on the LUPAG Map. The 'Anaeho'omalu ahupua'a, which includes all of the Waikoloa Beach Resort, is designated a Major Resort Area by the General Plan and that portion situated makai of the Queen Ka'ahumanu Highway is designated as a "Resort Node".

- 3) The proposed development shall constitute an environment of sustained desirability and stability, shall be in harmony with the character of the surrounding neighborhood and shall result in an intensity of land utilization no higher than, and standards of open space at least as high as permitted or as otherwise specified for the district in which this development occurs.**

In approving "Partial" PUD Permit No. 13, the Planning Commission found that "By allowing the additional computed height under the PUD provisions, structural sprawl and ground coverage can be reduced and view planes are assured. The visual conspicuousness of structures can also be alleviated through landscape screening and the use of color." These supporting words still hold true after more than 30 years. The Hilton Waikoloa and the Waikoloa Beach Marriott Resort & Spa hotels were constructed to 6 stories in overall height, which do not intrude significantly into the surrounding viewplanes or create a significant amount of visual mass. The zoning for these properties would have limited these hotels to no more than 45 feet, which basically means nothing more than a 3-story hotel, with each hotel footprint being doubled to maintain the exiting hotel room count. The Waikoloa Beach Resort, when viewed from the Queen Ka'ahumanu Highway, is quite flat. In order to preserve viewplane corridors, it is preferable to allow for greater structural heights rather than forcing a larger building footprint that would block more visual corridors to the shoreline.

- 4) The development of a harmonious, integrated whole justifies exceptions, if required, to the normal requirements of the Zoning and Subdivision Codes, and that the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.**

As discussed above, it is preferable to allow for greater structural heights rather than a larger building footprint. The Zoning Code applies a "one-size fits all" standard. While a 45-foot height limit may be acceptable for structures along Ali'i Drive due to its pedestrian-oriented configuration, it is not appropriate in the Waikoloa Beach Resort, where the distance of the project site from the Queen Ka'ahumanu Highway would mitigate the structural mass of the proposed hotel complex while preserving as much visual shoreline corridor as possible. The adjoining Waikoloa Beach Marriott Resort & Spa and the Hilton Waikoloa Village hotels, both of which have hotel complexes up to 6 stories in height, supports this concept. This

project site represents the last of the original 4 hotel sites that were approved for this height variance. The distance from the highway and the extensive use of landscaping within the Waikoloa Beach Resort effectively mitigates the visual massing of these hotel complexes.

#### **DETERMINATION-VARIANCE CONDITIONS**

The Planning Director approves the Planned Unit Development (PUD) Permit No. 08-000010 subject to the following conditions:

1. Permit Runs with the Land. The applicant, its successors or assigns shall be responsible for complying with all of the stated conditions of approval.
2. That the proposed hotel structure shall not exceed 6 stories and a maximum height of 59.2 feet above grade and 72.5 feet above mean sea level, as depicted on Exhibit 5 to "Partial" PUD Permit No. 13
3. That major structures, including the hotel, condominium and commercial structures, shall be situated a minimum of 150 feet from the Ku'uali'i and Kahapapa fishponds.
4. Depending upon market conditions, the Applicant projects that commencement of construction of the hotel complexes and some of the Phase I condominium units will be within five (5) years from the date of issuance of the PUD Permit, with completion within (5) years after the commencement of construction of the hotel complexes and some of the Phase I condominium units. This PUD Permit is granted with a condition that the 300-unit hotel complex, which is one of the primary components of this PUD Permit, be completed no later than December 31, 2015.
5. The Applicant shall comply with all other applicable rules, regulations and requirements of affected governmental agencies.
6. If the Applicant should require an extension of time, the applicant may request for time extension pursuant to Section 25-6-14, HCC (Time extensions and amendments).

Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate the nullification of the Planned Unit Development Permit

Thank you for your understanding and patience during our review.

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
Page 14  
November 19, 2009

Should you have any questions regarding the PUD or PUD conditions, please feel free to contact Daryn Arai of this office at 961-8142.

Sincerely,



BJ LEITHEAD TODD  
Planning Director

DSA:mad

O:\PUD Permits\2008\PUD-08-000010LonomakuaWaikoloa\PUD-08-000010LonomakuaWaikoloa.doc

xc: Department of Public Works-Bldg. Division (Hilo/Kona)  
Department of Public Works-Eng. Division (Hilo/Kona)  
West Hawaii Planning Office  
PUD Permit No. 13

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
Page 15  
November 19, 2009

William P. Kenoi  
Mayor

PLANNING DEPARTMENT  
COUNTY OF HAWAII

2009 FEB 24 PM 3:40



Darryl J. Oliveira  
Fire Chief

Glen P. I. Honda  
Deputy Fire Chief

## County of Hawai'i

### FIRE DEPARTMENT

25 Aupuni Street • Suite 103 • Hilo, Hawai'i 96720  
(808) 981-8394 • Fax (808) 981-2037

February 19, 2009

**TO:** BJ LEITHEAD TODD, ACTING DEPUTY PLANNING DIRECTOR  
**FROM:** DARRYL OLIVEIRA, FIRE CHIEF  
**SUBJECT:** PLANNED UNIT DEVELOPMENT APPLICATION (PUD 08-000010)  
AGENT: CARLSMITH BALL LLP  
APPLICANT: LONOMAKUA PARTNERS LLC  
OWNER: LONOMAKUA PARTNERS LLC  
PROPOSED: WAIKOLOA BEACH RESORT (PHASE I)  
TAX MAP KEY: 6-9-007-002, 004, AND 005

In regards to the above-mentioned Planned Unit Development application, the following shall be in accordance:

Fire apparatus access roads shall be in accordance with UFC Section 10.207:

#### "Fire Apparatus Access Roads

"Sec. 10.207. (a) General. Fire apparatus access roads shall be provided and maintained in accordance with the provisions of this section.

"(b) Where Required. Fire apparatus access roads shall be required for every building hereafter constructed when any portion of an exterior wall of the first story is located more than 150 feet from fire department vehicle access as measured by an unobstructed route around the exterior of the building.

"EXCEPTIONS: 1. When buildings are completely protected with an approved automatic fire sprinkler system, the provisions of this section may be modified.

"2. When access roadways cannot be installed due to topography, waterways, nonnegotiable grades or other similar conditions, the chief may require additional fire protection as specified in Section 10.301 (b).

"3. When there are not more than two Group R, Division 3 or Group M Occupancies, the requirements of this section may be modified, provided, in the opinion of the chief, fire-fighting or rescue operations would not be impaired.

"More than one fire apparatus road may be required when it is determined by the chief that access by a single road may be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

"For high-piled combustible storage, see Section 81.109.

"(c) Width. The unobstructed width of a fire apparatus access road shall meet the requirements of the appropriate county jurisdiction.

Hawai'i County is an Equal Opportunity Provider and Employer.

050468



BJ Leithead Todd  
Page 2  
February 18, 2009

"(d) **Vertical Clearance.** Fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches.

"**EXCEPTION:** Upon approval vertical clearance may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance.

"(e) **Permissible Modifications.** Vertical clearances or widths required by this section may be increased when, in the opinion of the chief, vertical clearances or widths are not adequate to provide fire apparatus access.

"(f) **Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities." (20 tons)

"(g) **Turning Radius.** The turning radius of a fire apparatus access road shall be as approved by the chief." (45 feet)

"(h) **Turnarounds.** All dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

"(i) **Bridges.** When a bridge is required to be used as access under this section, it shall be constructed and maintained in accordance with the applicable sections of the Building Code and using designed live loading sufficient to carry the imposed loads of fire apparatus.

"(j) **Grade.** The gradient for a fire apparatus access road shall not exceed the maximum approved by the chief." (15%)

"(k) **Obstruction.** The required width of any fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under this section shall be maintained at all times.

"(l) **Signs.** When required by the fire chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both."

Water supply shall be in accordance with UFC Section 10.301(c):

"(c) **Water Supply.** An approved water supply capable of supplying required fire flow for fire protection shall be provided to all premises upon which buildings or portions of buildings are hereafter constructed, in accordance with the respective county water requirements. There shall be provided, when required by the chief, on-site fire hydrants and mains capable of supplying the required fire flow.

"Water supply may consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

"The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be protected as set forth by the respective county water requirements. All hydrants shall be accessible to the fire department apparatus by roadways meeting the requirements of Section 10.207.

  
DARRYL OLIVEIRA  
Fire Chief

GN:lk