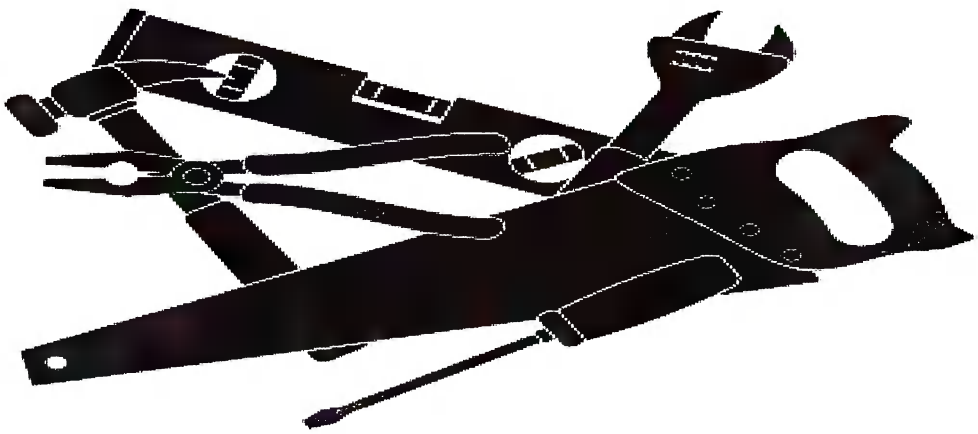
Villages of Kapolei Association

DESIGN REVIEW COMMITTEE RULES



Last Amended April 15, 2024

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DESIGN REVIEW COMMITTEE RULES

I. GENERAL PROVISIONS/ADMINISTRATION

General. These Design Review Committee Rules are subject to the provisions of the Villages of Kapolei Association Declaration of Covenants, Conditions and Restrictions (DCC&R), as amended and/or restated from time to time. To the extent of any conflict, the provisions of the DCC&R shall control.

Meetings. The Design Review Committee will meet at least once each calendar month on such date(s) as shall be determined by the Design Review Committee. Scheduled meeting dates will be posted at the Villages of Kapolei (VOK) Association office. Written applications must be submitted in advance of the meetings. Because of the number of applications considered at each meeting, owners wishing to address the Design Review Committee must make arrangements in advance of the meeting to have their matter placed on the agenda for the meeting.

Records. The Covenant Specialist(s) will maintain a copy of applications submitted and a record of all actions taken on such applications. Actions include approval, approval with modification, disapproval, and disapproval with leave to resubmit application.

II. APPLICATION PROCEDURES

A. REVIEW BY DESIGN REVIEW COMMITTEE

Application to Design Review Committee. Except as provided in Article II, Section E below, landscape and architectural applications shall be submitted to the Design Review Committee for approval. A sample application is attached hereto as Appendix F. All applications must be signed by the owner of the lot in question.

B. APPLICATIONS

1. Landscape-Related Applications. Applications must be submitted for any landscape work in any front yard and in any area that is "Visible from a Neighboring Lot" as that phrase is defined in the DCC&R, or visible from any of the main collector streets. Whether or not designated as such in the DCC&R or in an annexing Declaration, the following streets will be treated as main collector streets for purposes of these rules: Kumuiki Street (Kumu'iki - Village I), Kuloa Avenue (A'eloa - Village II), Oaniani Street (Malanai - Village III), Kekuilani Loop (Kekuilani Palms - Villages IV), Kaiau Avenue (Iwalani - Village V), and Kaiau Avenue (Malu'ohai Village VI).

2. Architectural Related Applications. Article V, Section 5.03 of the DCC&R provides that no owner may construct, reconstruct, refinish, alter, or maintain any improvement upon, under, or above any lot of a private area, or make or create any excavation or fill thereon, or make any change in the natural or existing surface drainage thereof, or install any utility line (wire or conduit) thereon, except in accordance with the Design Review Committee Rules, Article V, Section 5.03 of the DCC&R, and the Design Guidelines. The Design Guidelines are attached to the DCC&R and a copy is attached hereto as Appendix A. Article V, Section 5.03(b) of the DCC&R provides that any owner proposing to construct, reconstruct, refinish or alter any part of the exterior of any improvement Visible from a Neighboring Lot (as that phrase is defined in the DCC&R), or to perform any other work which requires prior written approval of the Design Review Committee, shall apply to the Design Review Committee for approval in the manner provided in that section. Examples of alterations and additions that require Design Review Committee approval include, but are not limited to, structural additions, extensions, or enclosures such as storage sheds and decks; changes in roof color; changes in exterior house colors; fence extensions, fence replacements, retaining walls, and fence relocations; gates of different size or design; dog kennels, runs, confinements, or pens; central system air conditioners; swimming pools, spas, and hot tubs; permanent benches, driveway flooring and visible walkways; window security bars, water features, vents and attic fans; solar water heaters and solar fans; skylights, patio covers, trellis, gazebos, and other unattached structures. Pursuant to Article V, Section 5.03(c) of the DCC&R, no approval of the Design Review Committee shall be required for any interior improvements or alterations, nor shall approval of the Design Review Committee be required for reconstruction or refinishing in accordance with the plans for improvements previously made by Declarant or a Developer (as Declarant and Developer are defined in the DCC&R) or previously approved by the Design Review Committee.

C. TIME PERIOD FOR REVIEW

1. Sixty (60) Day Review Period. The Design Review Committee will generally act on applications within sixty (60) days of receipt of a completed and signed application. Applications will be date stamped by the VOK Association upon receipt.

   However, a date stamp alone does not start the running of the sixty (60) days. The sixty (60) day period shall commence to run once a signed and completed application has been received at the VOK office.

2. Thirty (30) Day Extension. If the Design Review Committee, for any reason, is unable to act upon an application within sixty (60) days, it may either deny the application or extend the period for an additional thirty (30) days. If the time period is extended, the Design Review Committee shall make a reasonable effort to notify the owner of its decision to extend the time for its response.

3. Procedure Differs Depending Upon Cost of Modification. Exterior improvements costing in excess of $25,000 require the Design Review Committee's approval of both preliminary plans and final plans and specifications. Exterior improvements costing $25,000 or less require the Design Review Committee's approval of final plans and specifications. See Article V, Section 5.03(b) of the DCC&R.

4. Approval Effective for One Year. The Design Review Committee's approval shall be effective for a period of one (1) year. If the owner does not commence the construction within the one (1) year period and thereafter complete the same with reasonable diligence, the approval given shall be deemed revoked. If the owner fails to commence construction within the one (1) year period, the owner shall be required to resubmit final plans and specifications to the Design Review Committee in accordance with the procedure set forth in Article V, Section 5.03(d) of the DCC&R.

5. Inspection upon Completion. Upon completion of construction of approved improvements or other work, an owner is required to give written notice to the Design Review Committee. The Design Review Committee shall inspect the improvements or other work within sixty (60) days unless the time period for inspection is extended. If the Design Review Committee finds that the improvements or other work were not constructed in substantial compliance with the approved plans and specifications, the Design Review Committee shall notify the owner of such noncompliance and require the owner to remedy such noncompliance within sixty (60) days from the date of notice. If the owner fails to remedy the noncompliance within the sixty (60) day period or, in instances in which a longer time is reasonably required, if the owner fails in good faith to commence a remedy within the sixty (60) day period and to thereafter diligently pursue the remedy, the Design Review Committee shall notify the Association of such failure, and the Association may take any reasonable steps to remedy the noncompliance or to restore the lot to its preexisting condition and may assess the owner for all expenses incurred.

D. DESIGN REVIEW COMMITTEE FEES

The Design Review Committee may charge a reasonable fee for reviewing applications as stated in the DCC&R, except that no fee shall be charged to the Association (see Article VI, Section 6.02 of the DCC&R). The fees are nonrefundable.

1. Standard Review Fees. Standard fees will be implemented according to the fee schedule set by the VOK Association's Board of Directors. (See Appendix E.)

2. Special Review Fees. A fee of three hundred fifty dollars ($350.00) will be charged for the special review of applications. This applies to those applications that require review at times other than the regularly scheduled meetings. The fee must be received by the Association at the time the request is made. The fee will cover the costs involved in expediting the review process.

E. REVIEW BY COVENANT SPECIALIST(S)

In certain limited instances, applications may be approved by the Covenant Specialist(s). The Design Review Committee has authorized the Covenant Specialist(s) to approve certain types of alterations and additions provided the alterations and additions comply strictly with the plans, specifications, and/or standards previously adopted and approved by the Design Review Committee for said alterations and additions. These are limited to the following: 1) window tinting; 2) walkways/slabs; 3) window unit air conditioners; 4) split system air conditioning units; 5) gates in existing fences which match said fences in design, color, and material; 6) lighting; 7) lawn sprinklers; 8) clothes lines; 9) installation of screen doors; 10) replacement of grass with other approved grass types; 11) removal or replacement of front yard trees; 12) installation of gutters; and 13) installation of border materials; 14) solar panels

III. SINGLE FAMILY IMPROVEMENTS

A. SINGLE FAMILY IMPROVEMENTS AND DRAWING INFORMATION

1. **Plans and Specifications-** Homeowners must submit two (2) sets or copies of plans and specifications with their applications which fully describe the proposed improvements and describe and identify all exterior materials, finishes, and colors to be used. Incomplete or illegible plans and specifications may be returned to the applicant for re-submittal.

2. **Plot Plan-** A plot or site plan may be required by the Design Review Committee. The plan should be scaled at a minimum of one (1) inch per 20 feet (1 inch=20 feet) and show all easements, the location of all existing and proposed improvements, the property lines, the lot area, set back and contour lines, drainage patterns and proposed drainage plans, the proposed sanitary disposal facilities, the location of all existing trees having a height in excess of six-feet or a trunk measuring six-inches or more in any diameter at ground level and indicating which trees (if any) are to be removed, and the location of all proposed utility installations. The existing and proposed improvements which must be shown include the perimeter of the original residence including all extensions, additions, walkways, slabs, driveway, fences, retaining walls, gates, air conditioning condensers, gas tanks, swimming pools, spas, and equipment.

3. **Floor Plan-** Floor plans may be required. If so, the minimum scale is 1 inch per 8 feet. The floor plan must clearly show both the existing and proposed improvements. Dimensions must be provided for the proposed improvement.

4. **Sections-**Sections may be required. If so, the minimum scale is 1 inch per 8 feet. Sections shall show foundations, construction, the relationship to the adjacent grade, and the height of all existing and proposed rooflines.

5. **Exterior Elevations-** Exterior elevations may be required. If so, the minimum scale is 1 inch per 8 feet. Exterior elevations shall describe all existing and proposed windows, doors, siding, trim, roof material, and unit air conditioning equipment.

6. **Roof Plan-**A roof plan may be required. If so, the minimum scale is 1 inch per 8 feet. The roof plan shall show all existing and proposed ridges, valleys, crickets, skylights, and solar water heater panels.

7. **Samples and Photographs-**Samples or photographs of the materials used in making improvements become property of the Design Review Committee when submitted with applications.

8. **General Procedures for all Modifications-**Please refer to Article V, Section 5.03(b) of the DCC&R for general procedures for applications submitted for all types of modifications. Different procedures apply, depending upon the cost of the proposed modification. A copy of Article V, Section 5.03(b) of the DCC&R is attached as Appendix B.

9. **Specific Information Requirements-** In addition to any other information or documentation required by Article V, Section 5.03 of the DCC&R, the following information, and documentation must be submitted with an application for the following specific alterations and/or additions.

   a. Air Conditioning - Distinctions are made for both split and unit air conditioning systems.

   i. Split Systems - For split system air conditioning, the plot plan must show all existing improvements and proposed condenser equipment. The equipment shall be contained entirely within the existing fenced area of the lot. Floor plans shall indicate the air handling unit locations and the proposed method for concealing pipes and wiring.

   ii. Window Unit Systems - For *window unit systems*, the owner must provide a current plot plan locating the proposed first or second floor unit air conditioning equipment within the existing fenced area of the lot. The plot plan shall show the proposed locations for all unit system equipment and the mounting height above the floor. The plans must include the exterior elevation of the lot and show the location of all proposed unit air conditioners. The plan must show the A/C enclosure on the exterior elevation when applicable. (See Appendix C).

   b. Extensions/Enclosures - Applicants must submit both preliminary and final plans for extensions/enclosures costing in excess of $25,000. Extensions/enclosures costing $25,000 or less require only final plans.

   i. Preliminary Plans-Preliminary plans are required for all extensions/enclosures costing in excess of $25,000. The owner shall submit to the Design Review Committee prior to construction, preliminary plans prepared by a **licensed Hawaii architect** showing the extension/enclosure in detail with dimensions. The preliminary plans shall include, but shall not be limited to, a plot plan, floor plans, roof plans, and exterior elevation plans, and at least one section through the proposed extension or enclosure. The plans must clearly show the relationship of the proposed extension to the existing structure. The preliminary plans must indicate the lot size, existing ground floor footprint area, and the proposed ground floor footprint area of the extension or enclosure. Following approval of the preliminary plans the owner shall submit final plans to the Design Review Committee for approval prior to commencement of any work.

ii. Final Plans and Specifications- Final plans and specifications, in duplicate, are required for all extensions and enclosures. The final plans shall include a plot plan, floor plans, roof plans, exterior elevation plans, construction framing plans, foundation plans, and at least one section. The plans, elevations, and sections must clearly show the connection of the proposed extension to the existing structure. The plans, elevations, and sections must be consistent with the approved preliminary plans. The plans and specifications shall indicate all exterior materials, finishes and colors to be used. The owner shall also indicate his proposed construction schedule. Final plans must be prepared by a licensed Hawaii architect if the construction cost exceeds $25,000. Any revisions to the preliminary plans must be clearly identified on the final plans. If there are no revisions, a statement to that effect must accompany the final plans.

c. Grading- A plot plan showing the extent of the proposed grading is required. Changes to the existing drainage pattern must be clearly shown on the plot plan.

d. Gutters-The application form should indicate the material and color of the gutters/down spouts.

e. Irrigation-A plot plan showing the extent of the irrigation work is required.

f. Landscape-A plot plan showing the extent of the area to be landscaped is required. The common or botanical names of the proposed shrubbery, ground cover, plants, and trees should be labeled on the plan. The location of the proposed planting and any accessories should be clearly defined.

g. Lighting-A plot plan showing the location of the proposed exterior lighting (ground, wall, poll, oeaves mounted) is required. Also required is a description (color, size, output power and material) in the form of a photograph, picture, or brochure of the proposed lighting.

h. Painting-Drawings are not required. However, applicants must submit paint chips and color samples if the proposed color(s) differs from the existing scheme (applicants must indicate existing roofing color and material). Any request to change the color of a fence along a common boundary must be accompanied by a letter from the adjacent lot owner(s) approving the color.

i. Roof/Attic Accessories-A roof and exterior elevation plan is required. Detailed drawings and product information sheets are needed for accessories such as skylights, solar water heater systems, and attic ventilators. Also required is a description (color and size) in the form of a photograph, picture, or brochure of the proposed item.

j. Screen Doors-The material, color, and location of the door must be indicated on the application. Pictures or brochures may be helpful but are not required.

k. Swimming Pools and Hot Tubs-The location of any proposed swimming pool or hot tub must be shown along with all existing improvements. Associated equipment such as decking must also be shown on the plot plan. The location, base dimensions, and height of accessories such as slides, diving boards, pool covers, and pump equipment must be included. A report from a soil engineer or other expert may be required.

l. Unattached Structures-A plot plan is required showing proposed locations, dimensions, and distance from the property lines of the structure and adjacent property structures is required. Unattached structures include, but are not limited to, storage sheds, dog kennels, gazebos, trellis, and patio verandas.

m. Walkways/Slabs-A plot plan is required. The dimensions of the proposed concrete work, paver tiles, or gravel shall be clearly shown on the plan. The size and shape of stepping-stones shall be stated on the drawings.

n. Walls/Fences/Gates-A plot plan is required showing the location, setbacks, and materials to be used is required. If a retaining wall is proposed, a detailed section must be submitted. Changes to common walls and fences (those situated on or within two (2) feet of property lines) require a letter of approval from the adjacent lot owner(s).

o. Front Yard Retaining Walls-Front yard retaining materials are restricted to CMU and the existing type of fencing or wall that is within a particular village. The location of the front yard retaining walls is governed by the Design Guidelines.

p. Window Tint-A sample of the proposed window tint and brochure with specifications shall be submitted. The solar reflectance value of the window tint must be indicated in the specifications.

q. Window Criteria-Slider windows, bay windows, French windows, awning & casement windows are permitted in each village. The color of windows should be white or black, depending on what the existing color is within a village. A brochure of the proposed window must be submitted with an application for consideration.

r. Solar Water/Photovoltaic System- A roof plan and exterior elevation are required. Additionally, product brochure of the proposed Solar system equipment is required.

s. **Retractable Awning/Roll-up Shade-**A plot plan indicating where awning or roll-up shade will be placed along with a colored brochure or sample of product is required for submittal.

B. SINGLE FAMILY RESIDENCE IMPROVEMENT APPROVAL CRITERIA FOR SPECIFIC ITEMS

The Design Review Committee shall use the following criteria when considering applications for improvements to single family residences:

1. **Air Conditioning Installations-** All air conditioning installation must comply with the Design Review Committee Rules for Air Conditioning Installation (See Appendix C).

2. **Extensions/Enclosures-** The following criteria shall apply to extensions/enclosures:

a. **Drawing Preparation-** In accordance with the DCC&R, applications for improvements exceeding $25,000 must be prepared, stamped, and signed by a licensed Hawaii architect.

b. **Form and Mass-**Extensions and enclosures should be designed so that they do not appear as "additions." Instead, they should look as though they were part of the original design. Roof form, slope, massing, and details must match the original home design for the particular village. Use of roof crickets should be limited. Trellis members should stand on edge, as a solid flat roof appearance is not acceptable. Lath shall not be used horizontally.

c. **Setbacks**-Setbacks and required yards are cited in the ordinances of the City and County of Honolulu. The City and County of Honolulu currently requires the following setbacks:

Village 1— Kumu Iki = R-5 Residential/Cluster

Village 2 — A'eloa = R-3.5 Residential

Village 3 — Malanai = R-3.5 Residential

Village4 —Kekuilani Palms = R-3.5

Residential/POH

Village 5 — Iwalani = R-5 Residential/Cluster

d. **Additional Setbacks-** In accordance with the Design Guidelines, no more than 60% of the lot area between 10 and 20 feet from the front property line may be covered by buildings or enclosed by any fence or wall. Also, no more than 60% of the lot area 10 feet from the front property line may be covered by concrete or paved materials. See Design Guidelines for additional restrictions related to setback requirements.

e. **Lot Coverage**-Lot coverage is calculated as the gross interior square footage plus exterior covered area. Below are areas and spaces, which are included in the lot average calculation: 1) trellis areas: 2) exterior bays alcoves, and indented spaces; 3) areas enclosed on three (3) or more sides which are covered by any portion of the roof other than the required 30-inch minimum eaves; 4) exterior areas contained by any combination of wall surfaces and structural columns or posts; 5) the gross area of unattached structures; and 6) the gross useable areas under second floor lanais and balconies.

f. **Standard Conditions**-The following are several conditions that apply:

i. Exterior materials such as siding, trim details, colors, roofing, windows, and doors for the extensions/enclosures must match existing ones. No used or second-hand building material may be used.
ii. Areas beneath concrete slabs are to be treated for ground termites by a licensed professional. Evidence of treatment must be available when requested by the Covenants Specialist(s).
iii. Any dimensions and setbacks for extensions must be approved by the Design Review Committee.
iv. Eaves must be a minimum of 30 inches.
v. All work must conform to the Kapolei Design Guidelines, the Village of Kapolei DCC&R. and all applicable laws and codes. Building permits from the City & County of Honolulu must be obtained when required.
vi. Owners must submit to the Covenants Specialist a proposed construction schedule (including the start and completion dates).

3. **Grading Criteria-** Existing site drainage patterns must be maintained. Surface runoff water shall not be altered from its natural or designed course, nor shall it be redirected in a manner that results in erosion or damage to the lot or any adjoining lot.

4. **Gutter Criteria**-All gutters shall be white or match the existing exterior trim or house color. An exception is copper gutters, which can be approved in a natural state.

5. **Irrigation Criteria**-Irrigation heads shall be directed away from spraying into adjacent properties.

6. Landscaping Criteria-All landscapes must comply with the Residential (Single Family) Landscape Design Guidelines for the Villages of Kapolei Association (See Appendix A).

7. Lighting Criteria- Landscape lighting fixtures shall be mounted at a height not exceeding 18 inches above grade. **Decorative string lighting is not allowed.** Landscape lighting fixtures are generally permitted within front yards along driveways, walkways, and garden planting areas. The fixture style should be simple in shape and design. The fixture color should be black, neutral or earth tone. Manufacturer's brochure and fixture specifications shall be submitted along with the homeowner's application.

1. Exterior lighting, for example floodlights, are permitted with approval from the DRC. All exterior lighting shall be directed away from shining onto adjacent properties. A product brochure shall be submitted along with a detailed plot plan showing color, size, output power and material, in the form of a photograph, or brochure of proposed lighting. Floodlights in the back, front, or side yard shall be angled or have a baffle or a reflector so as not to shine directly into a neighbor's house or yard, shall be motion activated if left on, and shall be controlled with a timer. The following explains guidelines for floodlights:

a. **Illumination of Outdoor Light Fixtures:** Lighting illuminating from an outdoor light fixture shall not be directed into an adjoining property or street. Any fixture that generates a complaint from a neighboring property (verified valid by the Association) shall be redirected, relocated, removed, or concealed as directed by the Villages of Kapolei.
b. **Mounting Exterior Light Fixture:** Exterior light fixtures shall be mounted under the roof eaves unless otherwise approved by the DRC. In the event the light fixture/source cannot be mounted under the roof eaves, the owner shall be required to conceal the fixtures wiring and light source through the use of matching cover.
c. **Replacing Exterior Lights:** Replacing Lighting with the same style of lights as previously approved or previously installed by the developer does not require resubmittal of a new application. However, replacing exterior lights in NOT authorizes where the lights were previously installed without approval.

8. Painting Criteria-Neutral, pastel, and earth colors are generally acceptable, but must be approved by the Design Review Committee. In any case, the proposed paint colors must be compatible with the color scheme of the surrounding homes. No owner shall use any reflective finishes on exterior surfaces (other than non-mirrored glass). Exterior paint shall be either flat or semigloss. No gloss or reflective paint will be permitted on any exterior surfaces. The colors of all exterior surfaces shall contain at least seventy-five percent (75%) white pigment except for accent colors which can cover no more than five percent (5%) of any exterior elevation. Painting common fences situated on property lines requires the approval of the adjacent lot owner(s) if the proposed color differs from the existing one.

9. Screen Door Criteria-Steel, aluminum, and wood doors are acceptable. The allowable colors are white, black, bronze, or match the existing color of a home's front door. Doors that are visible from the street must have a simple pattern.

10. Roof/Attic Attachment Criteria-Attachments may not exceed the height of the roof's ridgeline. No exterior mounted storage tanks are permitted. Attachments must be parallel with the roof and not exceed a height of six (6) inches. Solar panels, skylights, and vent frames must be dark bronze or black in color. No exposed pipes are permitted. Lastly, the reflective value must not exceed twenty (20) percent.

11. Unattached Structures-include but are not limited to, storage sheds, pet shelters, gazebos, trellis and patio verandas. Freestanding covered gazebos and trellis structures which are open on all sides are permitted. Also, freestanding storage structures in rear and some side yards are permitted when they meet setback requirements. **Structures made of metal are not permitted.**

a. **Owner Built Storage Sheds-**are permitted when they meet setback requirements. The roof and paint color must be compatible with the existing structure. Moreover, the roof and siding materials must be of the same composition of the existing structure. Storage sheds installed against the side of the house must fit under the eaves.

b. **Prefabricated Vinyl Storage-Sheds** must be of earth tone color(s) and meet a 5' setback requirement from property line within fenced yard and must be screened from neighboring streets with trees or palms.

c. **Pet Shelters-** The term "pet" as used in these Pet Shelter Guidelines shall mean pets and animals permitted by Article V, Section 5.02 (h) of the DCC&R, the Fair Housing Amendments Act of 1988, and Hawaii Revised Statutes Chapter 515, as amended.

1. Pet shelter must be in compliance with the DCC&R. All pet shelters require DRC approval. Applications for pet shelters shall show the design, structure, roof materials, finish, and color. Plot plans shall show easements, setbacks, contour lines, sections, elevations, and surface drainage patterns. No work shall commence until the DRC has given written approval. There shall be no change in the existing or natural surface drainage patterns of the property. No installation of any utility line (wire or conduit) is permitted except in compliance with the Design Guidelines and with written approval of the DRC (see section 5.03). All improvements shall be compatible with the general plan of the Villages of Kapolei and not unreasonably interfere with the light and or air to an adjacent home or lot.

2. Pet shelters shall be located within the fenced yard and outside of all setbacks and easements. Pet Shelters shall not interfere with existing surface drainage patterns. Pet Shelters shall be placed in locations where they are not a.) visible from a street or b.) visible from a Neighboring Lot (as that phrase is defined in the DCC&R), otherwise shall be screened with vegetation.

3. The maximum height of a pet shelter shall not exceed six fee (6') or the height of any privacy fence in or surrounding the yard in which the pet shelter is located, whichever is lower. Exceptions maybe made in the sole discretion of the DRC, where the pet shelter is screened or otherwise hidden from view in a manner approved by the DRC so that it is not Visible from a Neighboring Lot (as that phrase is defined in the DCC&R) or visible from a street. All improvements shall adhere to the DCC&R and conform to the requirements of the City & County of Honolulu Department of Building & Permitting.

12. Walkways/Slab Criteria-There are four (4) categories: general concrete work, walkways, and slabs; driveways, and finishes and coverings.

a. **General Concrete Work.** Concrete work in front yards is limited to the area between the garage door face and front property line. No fences, walls, or structures of any kind may be placed within ten (10) feet of the front property line. No more than 60 percent of this area may be covered by driveways, walkways, and other impervious surfaces. Existing drainage patterns must be maintained. Surface runoff or the water drainage course may not be altered from its natural or designed path. Additionally, the runoff or course may not be redirected in a manner that results in erosion or damage to the lot or any adjoining lot(s). Areas beneath the concrete work must be treated for ground termites by a licensed professional. Evidence of treatment must be submitted with the application. Concrete work inside yards should not be closer than one (1) foot from the property line. Also, concrete work cannot be closer than two (2) feet to any property line where a zero (0) lot line structure occurs. The only exception permitted is when concrete slabs are used to abut CMU walls. The dimensions of concrete work shall not be changed without the approval of the Design Review Committee. Homeowners are encouraged to place tree wells within large concrete slab areas. This particularly applies in rear or back yards.

b. **Walkway Slabs**-Criteria for walkways and slabs differ for front-loaded, rear-loaded, and cluster lots.

i. **Front-Loaded Lots**-Any walkway consisting of gravel, concrete, or other paving material that wraps around a garage or house and is perpendicular to a driveway or another walkway is limited to a maximum of 3 feet and 6 inches in width. Wider walkways may be approved only if they are designed to match an existing adjacent walkway. Walkways from the sidewalk to the front entry of a house, which are parallel to the driveway, are permitted only if they are separated by a two (2) foot-wide grass planting strip.

ii. **Rear-Loaded Lots**-Any walkway consisting of gravel, concrete, or other paving material shall not extend beyond the 3 feet 6 inch maximum as described in the previous paragraph. Walkways in rear-loaded lots are generally located outside of the fenced area within the front yard.

iii. **Cluster Lots**- Concrete walkways outside of fenced areas are limited to a maximum of 3 feet 6 inches as in front and rear-loaded lots. Gravel areas will generally follow the same guideline except when proposed variances are considered because of the peculiar widths of existing gravel areas.

c. **Driveways**-The widening of driveways is permitted; (1) an extension of up to three 3 feet on one side only; or (2) an extension of 2 feet on each side of the driveway. The widening of a driveway is not permitted for homes that are situated in a "Cluster Driveway" and/or "Common Driveway".

d. **Finishes and Coverings**-The painting of concrete driveways and walkways in front yards is permitted when earth- colored tones approved by the Design Review Committee are used. Examples of earth-colored tones are beige and tan. Tile, slate, marble, and other types of finish material are allowed for front walkways and porches, but not for driveways. Colors such as beige, gray, and black are acceptable. Green Astroturf is not permitted as a finish material for concrete surfaces within front yard areas. However, it is limited to use only within the areas under covered porches.

13. Fences/Gates/Walls Criteria

a. **Fences** -Proposed fences alongside private alleys or common driveways that enclose rear or side yards must consider visibility (line of sight) from the driveway. A 3=x 3=, 45-degree angled portion of fence is recommended at the intersection of the alley and the driveway. Front yard fences or walls are governed by the Design Guidelines. The Design Guidelines provide, in part, with respect to single family detached dwellings: 1) no fences, walls or structures of any kind may be placed within 10 feet of the front property line, and no more than 60% of this area may be covered by driveways, walkways and other impervious surfaces; 2) between 10 and 20 feet of the front property line, no more than 60% of the area shall be covered by any building or enclosed by any fence or wall. Applicants must also be aware that no more than two (2) adjacent fences can follow the same configuration. The fences must be of opaque material and must also remain consistent with the original design of the individual villages. The relocation of fences inside yards of corner lots will be considered on a case-by-case basis. Changes to common fences situated on property lines require the written approval of the adjacent lot owner(s). Lastly, PVC type of fencing may be used as a replacement provided, they are white or match the existing color and style of fencing.

b. **Gates**-Gates constructed for existing fences must match the appearance of the fence. Gates constructed for CMU walls can be a PVC solid fencing design. Fencing must be white or grey in color.

c. **Walls**-As with fences, changes to common walls situated on property lines requires the written approval of the adjacent lot owner(s). Split-face CMU walls built in accordance with the Villages of Kapolei Resolution Relating to the Replacement of Current Fences with Split Tile Block is permitted, provided the approval of the Design Review Committee shall be first obtained.

d. **Front Yard Retaining Walls**-Front yard retaining walls are subject to the requirements of the Design Guidelines and are restricted to CMU and fencing materials that have been approved by the Design Review Committee for that particular village.

14. Window Tint Criteria- Non-reflective tinting, bronze or gray must be installed by a licensed professional. A maximum of 20% solar reflectance is permissible.

15. Swimming Pool/Hot Tub Criteria-Care must be taken to ensure that the design and location of swimming pools and/or hot tubs do not adversely affect other lots. Swimming pools, hot tubs, and all related equipment should be visually screened. The City and County code does not allow for swimming pools, hot tubs, and/or related equipment that exceed 30 inches in height from the grade. In addition, the height of the equipment and accessories shall not extend above the property's wall or fence.

16. Clothesline Criteria-Clotheslines shall be located within fenced areas and shall not be Visible from a Neighboring Lot (as that phrase is defined in the DCC&R). In addition to the foregoing, the top of the clotheslines must be lower than the height of the fence or wall.

17. Security Bar Criteria-Fixed security bars are permitted at the exterior fenestration of a residence. However, they must be within fenced areas and not readily visible from a public or private street. Moreover, decorative wood lattice must be secured over the bars. Please note that security bars, which are fully contained within the residence's interior, do not require Design Review Committee approval. Security bars fronting the street exterior to the garage are not permitted.

> **a. Security Cameras-** Security Cameras with or without floodlights are permitted but require approval from the Design Review Committee. A product brochure shall be submitted along with a detailed plot plan showing where the camera (s) shall be mounted and where the view will be directed. Cameras shall be directed into the street areas but shall not directly view into any opposite or adjacent houses or yards. (see /Villages of Kapolei exterior Lighting guidelines addendum)

18. Flag Poles, Holders, and Bracket- Flag poles cannot exceed 76 inches in length and shall not exceed 2 inches in diameter. All flags' poles must be placed in a flag holder and/or bracket which must be placed on a porch pillar, porch railing or garage wall in an incline position. No flag, flagpole, holder, nor bracket may protrude beyond the garden zone area. Flag poles will be limited to two (2) per lot.

19. Garage Overhead Door Replacement- The garage overhead doors within the Villages of Kapolei should be of aluminum or wood material. The replacement of an existing overhead door may be replaced, provided the design of the existing door is maintained. Overhead doors with windowpanes are permitted, provided they match the structures window design. Garage overhead doors should be painted to match the homes existing color scheme. A change to the original garage overhead door requires Design Committee approval.

20. Antenna/Satellite Dish-Antennas designed to receive direct broadcast satellite services, including direct-to-home satellite services, 1.2 meters or less in diameter; or Antenna's designed to receive video programming services via multipoint distribution services, including multichannel distribution services, otherwise known as "wireless cable," services 1.2 meters or less in diameter or diagonal measurement; or Antennas designed to receive over-the-air television broadcast signals. Antenna and/or Satellite dish must be placed within a fenced yard in the least obtrusive location which would allow the reception of acceptable quality signal.

21. Solar Water/Photovoltaic System-All panels cannot exceed the height of the roof's ridge line. No exterior mounted storage tanks permitted. All panels must be parallel with the roof and cannot exceed six inches above shingles or roof tiles. Solar panels must be bronze, black, or aluminum framed. All exposed pipes on house walls must be covered with molding and painted to match the house wall color.

22. Retractable Awning-All retractable awnings must be set back two feet from the property line and must match the color scheme of each village. All retractable awnings must be placed over a sliding glass door or on the rear of a house within the fenced yard. The awning fabric must have a 5-year manufacturer's warranty from fading, mildew, rot, and atmospheric chemicals. All retractable awnings must be powder-coated aluminum and steel. DRC approval is required.

23. Roll-up Shade-Roll-up shade shall be mounted to the eaves of a front porch, eaves of a covered patio and mounted to the eaves above the sliding glass door. **No bamboo, metal or wooden roll-up shades are permitted.** All shade materials must have a 5-year manufacturer's warranty from fading, mildew, rot., exposure to sunlight and atmospheric chemicals. DRC approval is required. Only beige and gray tones are allowed.

IV. MULTI-FAMILY RESIDENTIAL IMPROVEMENTS

Owners of multi-family structures or units in multi-family structures and sub-associations are required to obtain the approval of the Design Review Committee before making any exterior alterations, additions, or improvements. The application procedure shall be as set forth in Article II above and in Article V, Section 5.03 of the DCC&R.

The approval by the Design Review Committee shall not serve to relieve the sub-association or its members from its/their obligations or responsibilities under the governing instruments of the sub-association. Approval by the Design Review Committee of any exterior alteration, addition, or improvement by a sub-association or an owner in a sub-association shall not constitute any representation by the Design Review Committee that such alteration or addition is authorized under the sub-association governing instruments. The Design Review Committee may condition its approval of any such application on the sub-association or owner providing it with verification that the proposed improvement complies with the sub-association governing instruments.

The Design Guidelines set forth specific requirements related to multi-family residential lots. The Design Guidelines provide, in part:

A. SETBACKS AND COVERAGE

Setbacks shall conform to City and County standards for low density multi-family housing. In addition, the following requirements shall be met:

1. No fences, walls or structures of any kind may be placed within 10 feet of a property line fronting an internal residential roadway although berms will be permissible to screen open parking areas.

2. Between 10 and 20 feet of a property line fronting an internal residential roadway, no more than 60% of the area shall be covered by any building or enclosed by any fence or wall.

3. A minimum 25-foot setback shall be provided where multi-family structures front on an exterior "backbone" roadway. This entire setback area shall be unobstructed with walls, fences, or other structures.

B. PARKING

1. Open parking will be permitted for multi-family units. The parking ratio shall be 1.75 stalls per unit.

2. No parking will be permitted in the 25-foot setback area fronting on exterior "backbone" roadways.

C. BUILDING HEIGHTS AND ELEVATIONS

Building heights shall not exceed City and County standards for low density multi-family housing. In addition, the following guidelines should be observed:

1. Where multi-family parcels abut single-family home sites, single story elements are recommended, and in no case should upstairs windows or decks view directly into adjacent single-family windows or private yard areas.

2. Front elevations should utilize projections and recesses wherever possible to create a varied street frontage.

3. Structures with elevations facing exterior "backbone" roadways should be designed to look like large "manor" homes.

D. EXTERIOR WALL MATERIALS AND COLORS

1. All exterior wall materials shall have non-reflective, textured surfaces (except glass, although no mirrored glass will be permitted) and be compatible with the materials used in the single-family homes in the same village.

2. All exterior colors shall contain at least 75% white pigment except for accent colors which can cover no more than 5% of any exterior elevation. Colors should be compatible with the single-family homes in the same village.

E. ROOF PITCHES, MATERIALS AND COLORS

1. At least 80% of each building's roof which is visible from the street or adjoining properties must have slopes between 4:12 and 6:12 to match the slopes of adjacent single-family detached units. Both gable and hip roofs may be utilized, but mansard and other extreme roof styles are prohibited.

2. A minimum of 30-inch eaves are required over all wall openings (excluding vents).

3. Visible roof areas must be of non-reflective colors which are compatible with adjacent single-family units unless otherwise approved.

4. Roof materials shall be consistent throughout a village area.

F. FENCES AND WALLS

1. All side and rear yards abutting single-family residential units must be enclosed with six-foot-high walls or fences.

2. All walls and fences must be constructed of opaque materials (no chain-link fences) which are compatible in design and color with the multi-family and adjacent single-family structures.

G. LANDSCAPING STANDARDS/GUIDELINES

1. All yards must be landscaped and provided with irrigation systems including automatic controllers.

2. All parking lots shall be landscaped with one canopy tree per 5 parking stalls. Parking lots fronting internal residential roadways or adjacent properties shall be screened with berms and/or hedges.

The foregoing requirements must be followed with respect to any exterior alterations, additions, or improvements to a multifamily structure or a unit in a multi-family structure. The same criteria used in Article IV above shall apply with respect to exterior alterations, additions, or improvements to multi-family structures or units in multi-family structures, except to the extent that the criteria conflicts with the requirements stated above or otherwise stated in the Design Guidelines.

V. COTENANCY AREAS

Improvements, excavation, and other work made to or in any cotenancy area shall be made or performed in accordance with the applicable provisions of these Design Committee Rules, the DCC&R, including, but not limited to Article V, Section 5.06, and the Design Guidelines.

V. COMMON AREA IMPROVEMENTS

Improvements, excavation, and other work to or in any Common Area shall be made or performed in accordance with the applicable provisions of these Design Committee Rules, the DCC&R, including, but not limited to Article V, Section 5.05, and the Design Guidelines.

VI. MISCELLANEOUS

Approval by the Design Review Committee does not in any way indicate any opinion of structural quality, safety, or soundness of the design by the committee as a whole or any one of its individual professionals and/or non-professional members.