

## Appendix 21-F

### KAKAAKO SPECIAL DESIGN DISTRICT (KSDD)\*

**[\*Editor's Note:** The Kakaako Special Design District (KSDD) has been superseded by the Kakaako Community Development Plan approved by Governor Ariyoshi on February 17, 1982. All development in the KSDD located mauka of Ala Moana Boulevard is now administered by the Hawaii Community Development Authority.

Chapter 21, Zoning (the Comprehensive Zoning Code (CZC)), was repealed by Ordinance No. 86-94 in its entirety except for Article 13B: the Kakaako Special Design District (Ordinance 80-58, as amended). As a result Article 13B has been placed in the new Land Use Ordinance as Appendix 21-F.]

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#### Sec. 21-F.1 Legislative purpose.

The purpose for establishment of the Kakaako special design district is:

- (a) To guide the growth of Kakaako toward a balanced mixture of residential, commercial and industrial uses;
- (b) To create residential environments along with commercial and industrial services which will be compatible with the residential uses;
- (c) To maintain regional commercial and industrial service facilities;
- (d) To relate the development of Kakaako to adjoining area and regional objectives;
- (e) To ensure that there exists public and private developments which will encourage diversification of uses that are sensitive to their physical environment;
- (f) To protect, by means of planning and control, the value of private and public investments within the district and its surrounding communities; and
- (g) To create the criteria which will allow every lot to be developed and become a compatible element in the evolution of the mixed use concept in Kakaako.

(Sec. 21-13B.1, R.O. 1978 (1987 Supp. to 1983 Ed.))

#### Sec. 21-F.2 Establishment of the Kakaako special design district.

In accordance with Article 15 of the comprehensive zoning code, Ordinance No. 4541, as amended, the Kakaako special design district is hereby established. Zoning district classifications for all land parcels shall be repealed by the use precincts contained in this article. Except as otherwise permitted in this article, all land use and development applications shall, as of the effective date of this article, conform to the requirements and provisions of the Kakaako special design district. (Sec. 21-13B.2, R.O. 1978 (1987 Supp. to 1983 Ed.))

#### Sec. 21-F.3 Kakaako special design district boundary.

The Kakaako special design district boundary is delineated on Figure 21-F-1 and attached hereto. Provisions of this article, including procedural requirements for any modification of, additions to, and deletion from any existing use or structure as well as the establishment of any new use or structure, shall apply to all land areas within the Kakaako special design district. (Sec. 21-13B.3, R.O. 1978 (1987 Supp. to 1983 Ed.))

#### Sec. 21-F.4 Land use control system.

The following use precincts are established within the district, the boundaries of which are indicated on the use precinct map marked Figure 21-F-1 and attached hereto.

- (a) Mixed Use Precinct.
  - (1) Legislative Intent. The purpose of the mixed use precinct is to permit a mixture of business, apartment, community and regional commercial service uses in a harmonious relationship.
  - (2) Use Regulations. Within the mixed use precinct, the following uses and structures shall be permitted:
    - (A) Housing and Community Service Uses.
      - (i) Multiple-family dwellings;
      - (ii) Private schools which do not involve the operation of woodwork and/or machine shops, or other similar facilities;
      - (iii) Nursing, convalescent, aged, disabled and handicapped homes;
      - (iv) Child care and senior citizen centers;

- (v) Churches;
  - (vi) Private clubs, lodges, social centers, eleemosynary establishments and athletic clubs;
  - (vii) Public uses; and
  - (viii) Parking lots and parking garages.
- (B) Commercial Uses.
  - (i) Offices, professional clinics, studios and medical laboratories;
  - (ii) Eating and drinking establishments;
  - (iii) Retail establishments including the incidental manufacturing of goods for sale only at retail on the premises;
  - (iv) Banks, savings and loans, escrow and similar financial services;
  - (v) Personal service establishments, including but not limited to barber and beauty shops, shoe repair shops, cleaning, dyeing, laundry, pressing, dressmaking, tailoring and garment repair shops with incidental processing on the premises;
  - (vi) Theaters;
  - (vii) Repair services for radio, television, bicycles, business machines and household appliances other than those with internal combustion engines;
  - (viii) Wholesaling and distribution operations; provided, that such operations do not involve the use of more than 2,000 square feet of floor area for the storage of wares to be sold at wholesale or to be distributed;
  - (ix) Printing, lithographing, publishing, photographic processing or similar uses;
  - (x) Commercial recreation facilities, provided all facilities are totally enclosed in a building;
  - (xi) Radio and television studios, excluding towers;
  - (xii) Building contractors;
  - (xiii) Commercial kennels, provided that all operations are enclosed;
  - (xiv) Automobile service stations, car washes and car rental establishments; provided, that they comply with the following requirements:  
 A solid fence or wall of six feet in height shall be required on the side and rear property lines;  
 The station shall be illuminated so that no unshielded, unreflected or undiffused light source is visible from any public area or private property immediately adjacent thereto;  
 All areas not landscaped shall provide an all weather surface; and  
 No water produced by activities on the lot shall be permitted to fall upon, or drain across, public streets or sidewalks;
  - (xv) Commercial services including pest control services, establishments;
  - (xvi) Public utility installations and substations; provided maintenance facilities shall not be permitted; and provided further, that utilities' substations, other than individual transformers, shall be surrounded by a solid wall except for entrances and exits, or by a fence with a screening hedge not less than six feet in height; and provided also, that transformer vaults for underground utilities and like uses shall require only a landscaped solid screening hedge, except for across opening; and
- (C) Accessory uses.
- (b) Marine Precinct.
  - (1) Legislative Intent. The purpose of the marine precinct is to include only those uses which support the marine activities and facilities of Kewalo Basin.
  - (2) Use Regulations. Within the marine precinct, only the following uses and structures shall be permitted:
    - (A) Commercial marine facilities;
    - (B) Eating and drinking facilities;
    - (C) Retail facilities not including automobile sales;
    - (D) Public uses;
    - (E) Public utility installations and substations conforming to conditions stated in subsection (a)(2)(B)(xvi) of this section; and
    - (F) Accessory uses.
- (c) Waterfront Industrial Precinct.
  - (1) Legislative Intent. The purpose of the waterfront industrial precinct is to reserve such area for port-related activities only and to exclude those areas which are inappropriate to the precinct and which can be appropriately located elsewhere.
  - (2) Use Regulations. Within the waterfront industrial precinct, only the following uses and structures shall be permitted:
    - (A) Waterfront terminal facilities;
    - (B) Wholesale and distribution establishments receiving or shipping materials from waterfront terminal facilities located within the precinct;
    - (C) Public uses;
    - (D) Public utility installations and substations conforming to conditions stated in subsection (a)(2)(B)(xvi) of this section; and
    - (E) Accessory uses.
- (d) Industrial Service Precinct.
  - (1) Legislative Intent. The purpose of the industrial services precinct is to retain and provide convenient industrial services to meet the needs of central Honolulu.
  - (2) Use Regulations. Within the industrial service precinct, all uses and structures permitted in subsection (a)(2)(B) of this section and the following uses and structures shall be permitted, however, unless otherwise required by

this article, automobile service stations, car washes, car rental establishments and public utility installation and substations shall be exempted from fencing, walls and screening hedge requirements, unless required for safety and/or security purposes;

- (A) Repair services, provided all operations are enclosed;
- (B) Manufacturing, except for explosives;
- (C) Lumber and wood manufacturing products;
- (D) Wholesale supplies and distribution;
- (E) Warehouses;
- (F) Trade schools;
- (G) Parking lots and garages;
- (H) Radio/TV broadcasting, excluding towers; and
- (I) Accessory uses.

(e) Public Use Precinct.

- (1) Legislative Intent. The purpose of the public use precinct is to set aside public lands to meet public requirements and the recreation and open space needs of the Kakaako special design district.
- (2) Use Regulations. Public uses and structures, including accessory activities operated by private lessees under supervision of a public agency shall be permitted.

(Sec. 21-13B.4, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.5 Special conditions.**

(a) Mixed Use Precinct.

- (1) When multiple family dwellings are integrated with other uses, pedestrian access areas for the residents shall be independent from other uses and shall be designed to enhance the privacy for residents and their guests.
- (2) Where an arcade is used as block frontage guidelines indicated on Figure 21-F 5, shall be followed, provided, that:
  - (A) Only uses listed in subsection (a)(2)(B)(i) through (a)(2)(B)(x) of Section 21-F.4 shall be located adjacent to the arcade along streets on the ground level of any building. At least one-half of the total width of any new or reconstructed building, parallel to and facing such frontage, shall be devoted at the ground floor to entrances, show windows or other displays of such uses.
  - (B) All other permitted uses shall be located either on floors above or below the ground floor or at a distance of not less than 20 feet behind the front of the building at the ground level. No more than one third the width of any lot, parallel to and facing such street, shall be devoted to entrances to such other permitted uses.
- (3) Outdoor entertainment or music, establishments with outdoor ordering or receiving facilities, or outdoor storage of any materials shall not be permitted.
- (4) All loading and unloading areas shall be either enclosed in a building or located on the rear or the side of the building and screened from public view.

(b) Industrial Services Precinct.

- (1) Automobile service stations, car washes, car rental establishments or public utility installations or substations on lots fronting or adjacent to the mixed use precinct, shall comply with the requirements of such facilities in the mixed use precinct.
- (2) Accessory open storage areas, loading and unloading areas for lots fronting or adjacent to the mixed use precinct shall be located either in a building or on the rear or side of buildings and when located on the side shall be screened from public view from adjacent streets.

(c) Density.

- (1) The floor area ratio (FAR) for all uses without multiple family dwellings shall not exceed 2.5.
- (2) The FAR for mixed uses which include multiple family dwellings shall not exceed 3.5, provided a minimum FAR of 1.0 and a maximum of 2.5 is developed as multiple family dwellings.
- (3) The FAR for multiple family dwellings without other uses shall not exceed 2.5.

(d) Heights.

- (1) Permitted maximum heights of buildings and structures within the Kakaako special design district are delineated on Figures 21-F-2 and 21-F-5. All heights shall be measured vertically from the existing ground surface at any point along the perimeter of the building or structure to the roof level.
- (2) Exemption for Certain Architectural Features. Subject to the review and approval of the director of land utilization, exemption from the height regulations may be made for the following architectural features provided they are erected only to such height as is necessary to accomplish the purpose for which they serve, but in no case exceeding 12 feet above the maximum height limits.

The following building elements or features may be exempt; provided, that the director of land utilization finds they do not obstruct any significant views which are to be preserved, protected and enhanced, and are consistent with the intent of the objectives of this article.

  - (A) Necessary mechanical appurtenances of the building on which they are erected, providing they are screened from view;
  - (B) Necessary utilitarian features including stairwell enclosures, ventilators and skylights;
  - (C) Decorative or recreational features, including rooftop gardens, planter boxes, flag poles, parapet walls or ornamental cornices.

(e) Yard Requirements.

- (1) Front yard requirements are shown on Figures 21-F 3 and 21-F 5.
- (2) Side and rear yards are not required except for nonparking structures containing windows or openings adjoining side or rear property lines in which case the minimum side and rear yards shall be 20 feet. In addition to the height and yard regulations stated hereinabove, for any portion of a structure containing windows or openings

above 10 feet in height, additional side and rear yard setbacks equal to one foot for each 10 feet in height or fraction thereof shall be provided; said additional setback shall be a continuous vertical plane beginning at the floor level of the first windows or openings to the top of the structure.

- (f) **Required Open Space.**
- (1) A minimum of 30 percent of each lot, exclusive of required yards and setbacks shall be devoted to open space. This open space may be provided on another lot within a five-minute walking distance of the respective use, preferably in conjunction with other existing open spaces, provided such open space is dedicated in fee and accepted by the city.
  - (2) Where applicable, the open space, exclusive of required yards and setbacks, may be considered as part of the area required for park dedication.
  - (3) Exclusive common space for residents of multiple-family dwellings based upon 110 square feet per dwelling or lodging unit shall be provided in any of the following combinations:
    - (A) All or any portion of the required open space which is located on the project lot and designed for exclusive use of the occupants.
    - (B) Roof top recreation areas at or below 40 feet above ground elevation.
    - (C) Interior recreation rooms within the development.
- (g) **Open Space Treatment.**
- (1) Open space is that portion of a lot which is a required yard or setback area or required open space. Such open space shall be:
    - (A) Open and unobstructed from ground level to the sky;
    - (B) Landscaped and maintained, and shall not be used for loading purposes or storage, or parking of cars;
    - (C) Landscaped with a minimum of 50 percent of the area devoted exclusively to plant material rooted directly in the ground or permanently fixed plant containers.
  - (2) Berms, landforms or underground structures covered with landscape treatment on the roof for which the finished height is four feet or less measured from ground elevation, shall be considered as part of the required open space.
- (h) **Off-street Parking.**
- (1) **Parking Requirements.**
    - (A) Multiple-family dwellings:
 

Floor Area of Unit	Required Parking Per Unit
600 square feet or less	1
More than 600 but less than 800 square feet	1 1/4
800 square feet and over	1 1/2
    - (B) Churches and theaters: One space per every five fixed seats;
    - (C) Nursing, convalescent, aged, disabled and handicapped homes: One space per four patient beds, dwelling units or lodging units;
    - (D) Public school: One space per classroom;
    - (E) All other uses listed in the mixed use and marine precincts: One space per 400 square feet of floor area;
    - (F) Industrial service precinct uses listed in Section 21-F.4(d)(2)(A) through (d)(2)(H): One space per 800 square feet of floor area;
    - (G) Waterfront industrial precinct uses: One space per 1,000 square feet of floor area.
  - (2) **Off-site Provisions.**
    - (A) Except for multiple-family dwellings, permits for off site and joint use parking facilities may be granted under comprehensive zoning code Sections 21-2.67, 21-2.68 and 21-2.69.
- (i) **Signs.**
- (1) In connection with any permitted use, only one wall or marquee fascia identification sign of one square foot per one linear foot of the building frontage not directly illuminated, nor illuminated from within the sign structure and not exceeding 24 square feet in area shall be permitted per street front for each ground floor establishment having one or more principal pedestrian entrances to the building; provided, that if all buildings on the street frontage are set back a minimum of 25 feet from the property line, one ground identification sign, not directly illuminated, nor illuminated from within the sign structure and not exceeding 12 square feet in area, shall also be permitted for each principal pedestrian entrance side. Such ground signs shall not be located closer than 10 feet to any property line. In lieu of one of the above signs, one garden sign may be permitted.
  - (2) Wherever the comprehensive zoning code sign regulation for a specific use is more restrictive than the above regulation, the sign dimensions and location shall comply with the comprehensive zoning code regulation for the specific use.
- (j) **Architectural Criteria.**
- (1) The orientation range of the long axis of buildings above 40 feet in height expressed in azimuth degrees from north shall be within zero to 60. The width of the building measured perpendicular to the long axis shall not exceed 100 feet, nor shall the length of the building parallel to the axis exceed 200 feet.
  - (2) Street frontage first floor elevation shall not deviate more than 18 inches from the adjacent curb elevation unless modified by the director of land utilization because of unusual design considerations.
  - (3) Ground floor establishments shall provide clear glass when glass is used as a ground floor facade.
  - (4) All rooftop mechanical appurtenances, stairwells and elevator enclosures, ventilators and air conditioning equipment shall be screened from view by architectural and/or landscape treatments.

- (5) Parking structures shall have a minimum 10-foot landscape strip along adjacent streets; rooftop parking shall be substantially screened from oblique as well as overhead views by landscaping or architectural features, such as trellises in combination with landscaping.
- (k) Circulation Criteria.
  - (1) The approval of the directors of land utilization and transportation services is required on plans for the addition to, or deletion, modification or alteration of existing streets shown on the district ordinance Figure 21-F-3.
  - (2) Public or private midblock pedestrian and/or bicycle circulation paths shall be created and maintained in conjunction with development projects. These circulation paths shall be lighted and have a minimum width of 12 feet, accessible to the public at all times.
- (l) Landscaping.
  - (1) Trees and street landscaping for all streets shall be provided by all new development applicants in accordance with Figures 21-F-4 and 21-F-5 of this appendix and the following list:
    - (A) Major street system tree species and spacing:
      - (i) South King Street: Rainbow Shower 25 feet on center (o/c) maximum;
      - (ii) Kapiolani Boulevard: Monkeypod 80 feet o/c maximum;
      - (iii) Queen Street to Auahi Street: Royal Poinciana and Coconut palm. Two Rainbow and three Coconut palms per 100 feet of street frontage;
      - (iv) Pohukaina Street: Madagascar Olive 25 feet o/c maximum;
      - (v) Ala Moana Boulevard: Monkeypod and Coconut palm. Three Coconut palms and one Monkeypod per 100 feet of street frontage;
      - (vi) Punchbowl Street: Monkeypod 80 feet o/c maximum;
      - (vii) South Street: Autograph 25 feet o/c maximum;
      - (viii) Cooke Street: Yellow Poinciana 25 feet o/c maximum;
      - (ix) Ward Avenue: Native Wiliwili 60 feet o/c maximum;
      - (x) Kamakee Street: Jack-in-the-Box 25 feet o/c maximum;
      - (xi) Pensacola: Royal Poinciana 50 feet o/c maximum;
      - (xii) Piikoi Street: Monkeypod 80 feet o/c maximum.
    - (B) Local street system tree species shall be subject to the approval of the director of land utilization in consultation with the director of parks and recreation. The maximum spacing shall be 30 feet on center.
    - (C) Street trees shall be a minimum three-inch caliper except palms which shall have a minimum trunk height of 15 feet.
    - (D) On the major street system, the area between the curb and a sidewalk shall be landscaped, except for necessary walks and drives, and provided with an irrigation system. Planting in these areas shall not exceed 30 inches in height and shall be grass only where adjacent curbside parking is permitted.
    - (E) Where landscaping is required between the sidewalk and building, at least 25 percent of the area shall include plant material 36 inches or higher.
  - (2) Sidewalk materials shall conform to the city and county standards for a minimum of 75 percent of the required sidewalk area. The total sidewalk pattern and the material of the 25 percent area shall be subject to the approval of the director of land utilization. Upon the recommendations of the director and chief engineer of the department of public works, exceptions to the city and county standard paving may be made if the texture and color closely approximate the standard material and finish.
  - (3) Any tree six inches or greater in trunk diameter shall not be removed with the following exceptions:
    - (A) The tree is not predominately visible from any street, park or other public viewing area.
    - (B) There are no alternatives to removal to achieve appropriate development on the site.
    - (C) The tree is a hazard to public safety or welfare.
    - (D) The tree is dead.
  - (4) Replacement of Trees.
    - (A) Any tree removed which is predominately visible from any street, park or other public viewing area shall be replaced by a tree of minimum three-inch caliper.
    - (B) Where possible, trees proposed for removal shall be relocated to another area of the project site.
- (m) Off-street Loading. Off-street loading shall comply with the comprehensive zoning code for similar uses.
- (n) Uses and Activities Permitted in Yards. No business activity of any kind, including advertising, promotion, solicitation, merchandising or distribution of commercial handbills, or structures or any other use or activity, except newspaper sales and distribution shall be located or carried out within any required yard, street or street setback area except those areas occupied by enclosed nonconforming buildings.
- (o) Utilities. Public utility companies shall place utility lines underground within the district. The director of land utilization may modify this requirement for an electric distribution or transmission system in excess of 15 kilovolts when it is satisfactorily justified that the alternative will equally achieve the intent and objectives of the district.
- (p) Subdivision. No parcel shall be subdivided into lots of less than 10,000 square feet with a minimum lot width of 50 feet. Consolidation of lots, regardless of the cumulative size, in conformity with the subdivision regulations shall be permitted.
- (q) Temporary Uses. Carnivals, circuses and fairs of not exceeding three days shall be permitted in all precincts.
- (r) Nonconforming Uses.
  - (1) Nonconforming Expansion or Replacement. A new temporary structure or a minor expansion to or replacement of a portion of a structure for a nonconforming use is permitted, provided such expansion or replacement would not substantially prolong the nonconforming use. However, once 25 percent of the land area within a block is in compliance with the precinct requirements then nonconforming uses in the remainder of the block shall not be permitted to expand or be replaced.
  - (2) Nonconforming Use Reestablishment. A nonconforming use located within the Kakaako special design district may be incorporated in a conforming development provided that the applicant shall submit a compatibility

analysis indicating to the satisfaction of the director the nonconforming use would have no more adverse impact upon the development project or the adjacent areas than permitted uses in the precinct. The analysis would include such consideration as operational characteristics of the use, noise, odor, hours of operation, traffic generation and other pertinent data unique to the proposal. Such uses would be considered as part of the nondwelling uses within the project.

- (s) Joint Precinct Development. Where a development is within more than one precinct, the allocation of uses shall be in proportion to that which is permitted within each precinct. The location of such uses within the development need not comply with the precinct boundaries.
  - (t) Joint Parcel Development. A single project may consist of several parcels, either adjoining or separated by a street. Such projects will be reviewed as a total project in terms of permitted density and uses. All parcels involved shall be bound by the conditions and plans of the approved project.
- (Sec. 21-13B.5, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.6 Project eligibility.**

- (a) Prior to the processing of a building permit or project approval, except for applications relating to demolitions, signs and such interior and exterior repairs or alterations not involving a change or intensification of the existing use, a property owner or developer shall obtain an approval of project eligibility from the director of land utilization. Said approval shall not be issued except upon a finding by the director that all necessary infrastructure facilities for the area are congruent with the proposed development.
- (b) Infrastructure facilities shall include but not be limited to streets, pedestrian and bicycle circulation, sanitary sewers, drainage and water. The director of land utilization shall approve the project's eligibility upon a finding that:
  - (1) Off-site infrastructure facilities for the project are in place and adequate, or are proposed with firm construction schedules to be installed to coincide with the construction schedule of the project;
  - (2) Subsequent development of necessary infrastructure facilities in the area will not disrupt the normal operation of completed projects; and
  - (3) The proposed development does not involve temporary connections to facilities which are programmed to be replaced within six years from the date of application for a building permit.
- (c) In determining project eligibility, the director of land utilization shall consult with the applicable governmental agencies.
- (d) No application for building permit shall be considered prior to obtaining an approval from the director of land utilization as to the project's eligibility to proceed.

(Sec. 21-13B.6, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.7 Project classification.**

- (a) Significant Projects. Projects involving demolitions and exterior repairs or alterations which adversely change the character or visual appearance of a structure or site on the Hawaii register of historic places and the national register of historic places shall be considered as significant projects.
- (b) Nonsignificant Projects. The following projects shall be considered as nonsignificant:
  - (1) Nonconforming expansion or replacement of uses and structures;
  - (2) Reestablishment of a nonconforming use;
  - (3) Joint precinct and joint parcel developments;
  - (4) Projects containing multiple-family dwellings;
  - (5) Projects in industrial services precinct abutting or fronting on mixed use precinct;
  - (6) All projects within the public use precinct.
- (c) Exempt. The following projects shall be exempted from the requirement to obtain a development conformance certificate:
  - (1) Demolitions, except for structures and sites on the Hawaii register of historic places and the national register of historic places;
  - (2) All interior repairs or alterations;
  - (3) All exterior repairs or alterations except for those which conflict with the objectives of this article;
  - (4) Signs; and
  - (5) All other projects not classified as significant or nonsignificant.

(Sec. 21-13B.7, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.8 Applicability of regulations.**

All developments within the district shall comply with those comprehensive zoning code provisions not superseded or modified by this article. (Sec. 21-13B.8, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.9 Application procedures.**

All applications for structures and uses within the Kakaako special design district shall comply with Section 21-13.8, application procedure, of the comprehensive zoning code. (Sec. 21-13B.9, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.10 Certificate of occupancy.**

No certificate of occupancy shall be issued for any development within the district until it is determined by the director of land utilization that all of the conditions, specifications and requirements of this article have been met. (Sec. 21-13B.10, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.11 Violations -- Penalty.**

- (a) The city may maintain an action for an injunction to restrain any violation of the provisions of this article and may take any other lawful action to prevent or remedy any violation.

- (b) Any person violating any provision of this article shall upon conviction, be punished by a fine not exceeding \$1,000.00 or by imprisonment. The continuance of any such violation after conviction shall be deemed a new offense for each day of such continuance.

(Sec. 21-13B.11, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.12 Expiration of the development conformance certificate.**

The development conformance certificate shall be null and void upon applicant's failure to secure building permits within two years of the date of issuance of the certificate. (Sec. 21-13B.12, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.13 Exhibits.**

The following are figures used in this appendix:

- (a) Figure 21-F 1 -- Use Precincts.
- (b) Figure 21-F 2 -- Height Limits.
- (c) Figure 21-F 3 -- Circulation.
- (d) Figure 21-F 4 -- Street Trees.
- (e) Figure 21-F 5 -- Street Frontage Design Criteria.

(Sec. 21-13B.13, R.O. 1978 (1987 Supp. to 1983 Ed.))

**Sec. 21-F.14 Severability.**

Each of the provisions of this article shall be severable and if any provisions shall be determined to be invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall not be affected thereby but shall remain in full force and effect. (Sec. 21-13B.14, R.O. 1978 (1987 Supp. to 1983 Ed.))