

Castle & Cooke Resorts, LLC  
Design Rules  
For

DEPARTMENT OF HAWAIIAN HOME LANDS  
LĀNA‘I RESIDENCE LOTS

June 25, 2007

Introduction

The Island of Lāna‘i is a uniquely beautiful place, with expansive open space, seemingly endless views, gentle volcanic slopes, and plantation-style dwellings. So that residents, future residence and future generations can live and enjoy this magnificent place to live, Castle & Cooke Resorts, LLC believes that this Island should be respected and uniformly cared for. The intent of Design Rules is to preserve, protect and enhance the character of the natural and cultural setting by mitigating the visual impacts of improvements and establishing reasonable restrictions on building style.

Design Philosophy

Construction and improvements should be consistent with the “plantation-style” theme. Guided by an island-influenced plantation character, this theme is intended to promote and protect the cultural heritage and natural features of the area, employing design elements and materials appropriate to this unique island.

DESIGN RULES

Castle & Cooke Resorts, LCC dedicated the land upon which Lāna‘i Residence Lots (Project) has been developed to the Department of Hawaiian Home Lands, State of Hawaii (DHHL), on the condition that any improvements constructed on the land be similar in design, quality and density to existing affordable housing developments, such as the Lāna‘i Plantation Homes developed by Castle & Cooke Resorts, LLC. DHHL is responsible for providing copies of current Design Rules to its Lessees and all persons or entities involved in the design and construction of improvements within the Project, and for ensuring that all actions and improvement by such persons to Castle & Cooke Resorts, LLC’s Design Rules.

1. Plans. All plans and specifications must conform to all applicable building codes and standards, be prepared by an architect licensed in the State of Hawaii, and include the following:

- (a) Plot plan: show property line dimensions, metes and bounds property location, setbacks, existing topography and proposed alterations to existing grade.
- (b) Floor plan: show the floor layout and sizes of various rooms in detail, required windows and size for the rooms and use or occupancy of all parts of the building.
- (c) Elevations: show exterior materials and finishes, height of exterior walls and roofs, opening locations and sizes.
- (d) Cross-section: show the existing and proposed finish grade, the depth of foundation or footings, height of ceiling, roof and other pertinent information.
- (e) Color samples: provide swatches and/or material samples of colors proposed for exterior building elements.
- (f) Other details identifying all building elements proposed to be used to construct structure.

2. Dwellings and Structures.

- (a) No building or other improvement shall be erected, altered, added to, placed or permitted to remain on, under or above any lot unless approved by Castle & Cooke Resorts, LLC in writing as to use, location, architectural design, materials and appearance.
- (b) Each lot shall contain only one (1) detached residential dwelling, and any such dwelling shall contain at least five hundred (500) square feet of enclosed living area (exclusive of open or screen porches, terraces and garages). Accessory dwellings are not allowed.
- (c) Height limitations shall conform to the Maui County Code, Section 19.08, "Residential Districts".
- (d) Without limiting the generality of Subparagraph 2(a) above concerning the requirement for Castle & Cooke Resorts, LLC's approval:
  - i. Earthwork and Drainage:
    - a. The grade of each lot shall not be materially altered from the grade (as approved by the Castle & Cooke Resorts, LLC.) shown on DHHL construction plans.
    - b. All floor elevations shall be subject to written approval by the Castle & Cooke Resorts, LLC.

- c. No change in grade, whether filling or otherwise, shall be made which will have an adverse effect on drainage of any lot or the drainage of any adjacent lots.
- ii. Garages and Carports: Attached or detached garages and carports, for a maximum of two (2) automobiles, complying with the design criteria of the dwelling are permitted.
- iii. Accessory Structures: Structures in which the use is customary and incidental to residential use are permitted, provided that such structures are situated in the rear yard and comply with the design criteria of the dwelling.
- iv. Foundations: Dwellings shall be built on “post-and-pier” foundations. Garages, carports and accessory structures may be built on slab-on-grade foundations. Castle & Cooke Resorts, LCC may in its sole discretion grant exceptions to this requirement to permit “slab on grade” or other types of construction in cases where it has established by Lessee that: (a) Lessee has a documented disability requiring special access to the dwelling; (b) that the strict application, operation or enforcement of these Design Rules would result in practical difficulty or unnecessary hardship to the Lessee; (c) that safety to life, limb, and property will not be jeopardized, and (d) that the granting of a variance would not be injurious to the adjoining lots and the buildings thereon, would not create additional fire hazards and would not alter the essential character of the neighborhood or be contrary to the purposes of these Design Rules.
- v. Exterior Walls: Exterior wall may be finished with the following: board and batten, HardiBoard™ - vertical design; Sierra and Smooth or Cedarmill or similar cementitious panel product and T1-11 plywood siding. Asbestos or asphaltic shingles, metal siding, exterior finish systems (EFS or “stucco”) and horizontal siding, inclusive of HardiePlank, Cementitious horizontal lap product or equals are prohibited. Concrete masonry units (CMU or “hollow tile”), is prohibited except where skim coated with plaster or cement wash.
- vi. Windows: Sliding, single and double hung windows are permitted.
- vii. Roofing:
  - a. Metal corrugated roofing shall be used. Asphaltic or composition and metal shingle roofing is prohibited.

- b. No flat roofs (less than 4:12 pitch) shall be permitted on any building.
  - c. Roofs over outdoor areas or lanais shall be constructed of the same material as the main residence.
  - d. Screened roofs may be used over pools and lanais.
- viii. **Fencing.** Except as otherwise provided for herein, all fencing must be made of wood or vinyl. Chain Link fencing is only allowed: (i) along the rear of the property; and (ii) along the sides of the property up to the front setback line. All Chain Link fencing along the rear or permitted side portions of the Property shall have a maximum height of six (6) feet and must be concealed with hedges or shrubs. All fencing permitted along the front of the property shall have a maximum height of four (4) feet. Hollow tile walls are expressly prohibited.
- ix. **Miscellaneous Provisions:**
- a. All materials used in the construction of any dwelling shall be new, durable products.
  - b. Additions to any dwelling must be compatible in appearance to the existing dwelling
  - c. All heating and plumbing vents, with the exception of chimneys, shall be painted the same color as the roof.
  - d. All chimneys shall be finished with materials consistent with the design criteria of the dwelling and approved by the Castle & Cooke Resorts, LLC in writing.
  - e. No reflective finishes shall be used on exterior surfaces (other than glazing and the surfaces of hardware fixtures) and the colors of all exterior surfaces shall be shades of natural earth tones and otherwise in keeping with the colors characteristic of dwellings in Lanai Plantation Homes.”