

Hawaii Kai Marina Community Association

Marina Boat Dock Jurisdiction

Hawaii Kai Shopping Center
377 Keahole St. D-1C
Honolulu, Hawaii 96825
(808) 396-2469

Private Residence Boat Dock Policy & Guidelines

(updated 06-25-2008)

I. BACKGROUND

The Hawaii Kai Marina (Kuapa Pond) is a private body of water previously owned by the Bernice P. Bishop Estate and originally leased to Kaiser Development Company. Kaiser Development Company basically obtained the lease from Bishop Estates to develop the Marina and also various land areas adjacent to the Marina waterways. Although the Marina was declared a private Marina by the U.S. Supreme Court, it is still subject to appropriate Federal and State laws, rules and regulations.

Kaiser Development Company originally granted a Management Contract to the Hawaii Kai Marina Community Association (HKMCA). This action allowed the HKMCA to manage the Marina, thereby gaining valuable experience before the actual turnover date of deeding the Marina to the HKMCA. The Marina Manager and staff obtained an office space in the Hawaii Kai Shopping Center and were open for business for management of the Hawaii Kai Marina on August 1, 1988. The Management Contract and all the conditions thereto, automatically expired upon the turnover of the Marina Deed to the HKMCA. Bernice P. Bishop Estates conveyed the Marina waterways and associated land area lots to the HKMCA in fee on July 5, 1991.

Kaiser Development Company originally obtained a general permit (No. PODCO 761E) from the Army Corps of Engineers. This permit authorized the construction and installation of boat docks within the Hawaii Kai Marina, subject to the guidelines and other provisions contained in the permit. The general permit was transferred to the HKMCA.

Under the terms of the general permit, each new proposed residential boat dock (or major modification to an existing boat dock) must be approved by the home owners local community association (as appropriate), the HKMCA (Marina Manager), Bishop Estates and the Corps of Engineers. If the dock is to be supported by pilings in the Marina, the plans must also be submitted to the Department of Land and Natural Resources (DLNR) for approval. These permit approvals must be obtained before any boat dock construction, installation and/or major modification is commenced.

Boat docks for commercial shopping centers must be submitted and coordinated by Shopping Center Management.

II. WHAT CONSTITUTES A DOCK

Any boat dock structure installed on the Marina (including a dock structure that hangs over the Marina side of the sea wall), requires approval from the organizations and/or agencies stated in this policy instruction guideline. Boat dock structures include but are not limited to floating docks, fixed docks and cantilever boat docks. The use of tires on boat docks (or seawalls) are not recommended.

Homeowner shore land area property lines typically stop at the outside edge of the Marina seawall. If you desire to construct or install any mooring boat dock structure beyond the vertical outside limit of your seawall, the approval of the HKMCA (and other organizational approvals) as stated above are required.

Boat docks may be designed to float on the Marina, to cantilever out from the residents property or to be supported on piles driven into the Marina. A primary requirement is that the dock be designed so that no horizontal or vertical forces, loads or pressures are transmitted to the Marina wall that could cause the non load bearing seawall to collapse.

III. APPROVALS REQUIRED BEFORE CONSTRUCTION OF YOUR BOAT DOCK

- Your local area Homeowner/Apartment Owner Community Association written approval that your proposed boat dock system is approved (if required) Special Note: Some community associations have indicated a desire to maintain control over boat dock installations in their immediate area of jurisdiction to maintain commonality of size, shape, color, etc... of the boat docks while other community associations do not have such a requirement.
- Shopping center management must submit a copy of their boat dock applications to the HKMCA for record purposes.
- The HKMCA written authorization that your proposed private residential boat dock system is approved. The Marina Manager is authorized by the HKMCA Board of Directors to exercise management control over this administrative process. Note: Three copies of your proposed boat dock drawings and a Corps of Engineers standard boat dock drawings and a Corps of Engineers standard boat dock installation form signed by the legal owner of the waterfront property is required to process your homeowners application by the Marina staff.
- Bishop Estates written authorization that your boat dock plans are approved (if required). Forms will be provided and completed by the Marina staff.
- U.S. Army Corps of Engineers written notice that your boat dock plans are approved. Forms will be provided and completed by the Marina staff (waterfront legal homeowners signature must appear on the form before submission).
- Department of Land and Natural Resources (DLNR): If the boat dock involves piles driven into the Marina, or permanent anchors in the Marina, submit your plans along with a brief cover letter requesting approval to DLNR. Due to the processing fees required and the extensive administrative requirements required by DLNR, any request for a boat dock permit from this agency must be prepared, coordinated and submitted, by the legal homeowner of the waterfront property to DLNR. A copy of your request should be provided to the Marina Staff, Bishop Estates (if required) and the Corps of Engineers.

Mail your proposed boat dock request to:

**Director
State of Hawaii
Dept of Land & Natural Resources
P. O. Box 621
Honolulu, Hawaii 96809**

For more information phone 587-0377. If the dock is a floating or cantilevered dock

which does not involve any pile driving construction in the Marina, this procedure may be omitted.

V. WHAT TO SUBMIT AND HOW TO PROCESS DOCK CONSTRUCTION PLANS

Submit three sets of construction plans for the boat dock to the Hawaii Kai Marina Managers staff prior to construction. Plans shall indicate as a minimum the following information:

- A) Complete name of legal owner of the waterfront residence where the boat dock will be installed.
- B) Tax Map Key identification of waterfront residence.
- C) Proposed location of the dock (boat dock drawing relative to your own legal property and that of your adjacent neighbors property lines and/or structures).
- D) Horizontal distance that the boat dock will extend into the Marina from your Marina seawall.
- E) Type of boat dock proposed (cantilever, floating, fixed on pilings, etc.) Include dimensions (size of dock, etc...).
- F) Boat dock anchoring system and/or connection system to shore.
- G) Construction materials to be used for your boat dock installation.
- H) Paint colors to be used on your boat dock.

The Marina Manager will conduct a review of your boat dock proposal to determine if the plans are in compliance with the Marina Boat Dock Construction Policy Guidelines. If the boat dock plans are satisfactory, he will submit your boat dock proposal and plans thereto, to the appropriate agencies for their review and approval. Each agency will inform the legal owner of the boat dock of their respective actions and requirements for the proposed boat dock installation.

All approvals and/or permits from the above cited agencies must be received before any construction on your proposed boat dock can be implemented.

V. DESIGN GUIDELINES / STANDARDS

• USE

Any boat dock structure within the Marina shall be solely for the mooring of watercraft. Boat docks will not be used to extend or increase the residents use of his lot and/or living unit (i.e., lanais, gazebos, etc...).

• SIZE AND LOCATION :

A) **Single Family Homes:** The maximum length of your boat dock that is constructed parallel to your seawall cannot normally extend closer than (5) five feet from your side lot property line. "YOUR BOAT DOCK AND YOUR BOAT MOORED TO YOUR BOAT DOCK MUST BE WITHIN THE

MOORING RESTRICTION AREAS INDICATED IN THE MARINA RULES AND REGULATIONS." Whenever possible, we recommend that your dock be nearly centered on your property. This action provides a boating safety margin for maneuvering your boat(s) to and from your boat dock and also for your adjacent neighbors who may have a boat and boat dock.

B) Multi-family Homes: Regulations may vary depending on where your condominium or town home community property is located. If your condominium or town home community association desires to control (or establish commonality) of the boat docks installed on the Marina directly adjacent to their respective seawall areas, the Marina Association will normally defer to these associations relative to placement, size, shape, color and general style of boat docks proposed by their respective homeowners. Your proposed boat dock installation must be approved by your condominium or town home association, as appropriate, prior to submission to the Marina Manager.

C) Commercial Shopping Centers: Regulations vary depending upon the location of the Shopping Center on the Marina. Contact Shopping Center Management for details on specific commercial boat dock construction.

D) General: No boat shall be moored to a dock in such a way that it extends into the private area of a neighbors mooring zone (when the lot line or property line is projected into the Marina) or in the case of a condominium or town home area, when the limited common area is projected into the Marina. Boats moored to boat docks shall be moored in a safe seamanship manner. The excessive overhanging of boats moored to any boat dock that creates an unsafe mooring is prohibited.

• **BOAT DOCK SHORE ANCHORING SYSTEM :**

Several anchoring methods have been approved, however, under no circumstance should a floating dock be anchored directly to the Marina wall. A free rolling gangway must be anchored to a cement pad or similar device that is located behind the Marina wall. A few common designs are as follows:

A) Stand-off arms to a cement type "dead man". Each "dead man" unless installed at a 45 degree incline, must be at least 4 feet behind the Marina wall. Steel angle pipe or similar device connected to a "dead man" may rest on top of the Marina wall but should not be affixed to it that could cause horizontal or vertical stress that could collapse the seawall.

B) Diagonal cables (stainless steel) with fixed gangway. The gangway should be firmly attached to both dock and shore to act as standoff. Diagonal steel cables should be attached to the dock and secured tautly to a "dead man" at least four feet behind the Marina wall.

C) Dock on Piles - concrete or heavily creosoted wooden piles with hardwood or galvanized steel collars attached to the dock are permitted.

In all cases, the anchoring method must be engineered to handle adequately the size and weight of each individual dock. Engineering calculations may require independent review.

• **GENERAL DESIGN REQUIREMENTS AND AESTHETICS :**

We must all strive to maintain our Marina as an attractive area. Therefore, your boat dock should be aesthetically pleasing to the eye. The following are some general design boat dock requirements:

A.) Boat docks should be designed so that there is no wood in continuous contact with the water.

B.) Boat docks should have a fascia or "skirt" around the perimeter. The fascia is to present a uniform and aesthetically pleasing appearance to the eye by covering or obscuring the flotation system and structural framing of the dock.

C.) Railings will be permitted provided they are well designed and attractive and are primarily constructed for safety.

D.) No roofs or covered structures will be allowed.

E.) No rubber tires are to be used as boat fendering devices.

• **PAINTING/COLORS**

All plans for docks should include an indication of the color scheme planned.

A.) Docks should generally conform to the color of the adjacent buildings or be painted white. Decks may be covered with indoor/outdoor carpeting pending approval of the color and/or design.

B.) The fascia of the dock should be painted white or installed with a white bumper rail so that boaters using the Marina at night can easily see your boat dock.

VI. MATERIALS

A. FLOTATION

1.) Plastic, steel or metal flotation barrels are not permitted. Inexpensive round plastic barrels have likewise proven to give boat dock owners constant maintenance/repair problems over time.

2.) Effective 1/1/09, all dock contractors and HKMCA members will be required to use approved drum type tubs for the flotation material for the construction of new boat docks.

B. STRUCTURAL FRAMING AND LUMBER

1.) Wolmanized Douglas fir or cedar is recommended for framework and decking. Sizing of materials is dependent on size of dock design, however, material must be sufficient to withstand rocking and twisting by wave action.

2.) Redwood is not recommended as it tends to sliver when wet.

3.) Waterproof Glu-lam Decks are acceptable.

4.) Marine grade plywood may be used for decks if the structural framing is adequately designed to support the plywood.

5.) Electrical connections between your property and docks are not permitted unless accomplished by a licensed electrician to insure safety of installation.

• **C. HARDWARE AND METAL FITTINGS**

All hardware and metal fittings should be stainless steel, double hot dip galvanized, or painted with two coats of red lead, or galvocon.

D. PAINTING : Only exterior grade paints should be used.

E. MAINTENANCE-ENFORCEMENT OF REGULATIONS

It is mandatory that all boat docks be properly maintained. Flotation devices that have deteriorated to the point of having lost their intended purpose must be replaced, repaired or removed. It is the intent of the HKMCA that all boat docks and their components maintain their original aesthetics. Boat docks must, therefore, be periodically painted and repaired to enhance our property values and the esthetic value of our Marina.

VII. DISCLAIMER

While it is our opinion that complying with the above requirements will benefit all of our Marina residents with respect to durability of docks and safety of navigation, it should be clearly understood that HKMCA does not guarantee or warrant the effectiveness of the above procedures and will not be responsible for any claims, damages or injury allegedly arising out of or in connection with compliance or failure to comply with these standards.

The location of every boat dock in our Marina will be subjected to variables of wind, tidal action, and various boat types, sizes, and shapes, moored to the dock. Each boat dock design should be carefully constructed to meet your individual boat owner requirements and constructed accordingly within the basic Guidelines of this policy directive.

**APPROVED BY:
HAWAII KAI MARINA COMMUNITY ASSOCIATION
BOARD OF DIRECTORS**

**SUBMITTED BY:
MARINA MANAGER**

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- 2) **Diagonal cables with fixed gangway** - The gangway should be firmly attached to both dock and shore to act as standoff. Diagonal steel cables should be attached

to the dock and secured tautly to the "dead man" at least four feet behind the Marina wall.

3) **Dock on Piles** - Concrete or heavily creosoted wooden piles with hardwood or galvanized steel collars attached to the dock are permitted.

4) **Counter weighted anchor cables** - This method of anchoring will be considered if there is sufficient water depth and lot width to make it feasible.

5) **Cantilever Boat Dock** - This type of boat dock is used frequently in the areas of the Marina where the waterways are narrow in width.

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