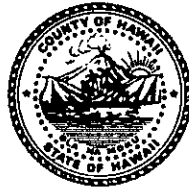


COUNTY OF HAWAI'I



STATE OF HAWAI'I

BILL NO. 125

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 7, DIVISION 4, OF THE HAWAI'I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO THE PĀHOA VILLAGE DESIGN DISTRICT.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:

SECTION 1. Chapter 25, article 7, division 4, section 25-7-40, of the Hawai'i County Code 1983 (2016 Edition, as amended) is amended to read as follows:

"Section 25-7-40. Purpose and applicability; boundaries.

- (a) The PVD (Pāhoa Village Design) District is established to ~~[reinforce]~~:
 - (1) ~~Reinforce~~ and promote Pāhoa's role as a regional town center while retaining its rural village feel and identity~~[- The purpose of the regional town center is to serve as]~~;
 - (2) Support a diversity of land uses consistent with a compact medium density area [for], including retail shopping, administrative and professional activities, cultural and artistic activities, other supportive business activities, and a mix of residential uses, capable of serving both village residents and the ever more populous surrounding subdivisions[- Further, the PVD district seeks to preserve]; and
 - (3) Preserve the historical Hawai'i plantation architectural [theme] style that has come to symbolize Pāhoa's unique sense of place and identity[- through the implementation of design guidelines within the PVD district].
- (b) The PVD district, as used in this chapter, means the area ~~[delineated on the map as provided in the Pāhoa Village Design Guidelines (hereinafter "design guidelines") and further]~~ described as:
 - (1) All parcels having frontage on Pāhoa Village Road from the Pāhoa Village Road and Kea'au-Pāhoa Road intersection and the Pāhoa Village Road and Pāhoa-Kalapana Road intersection;
 - (2) All parcels having frontage on Post Office Road between Pāhoa Bypass Road and Pāhoa Village Road;
 - (3) All parcels having frontage on the west side of Kea'au-Pāhoa Road between and inclusive of tax map key numbers: 1-5-007:012 and 1-5-007:080;
 - (4) All parcels having frontage on Kahakai Boulevard, including any extensions of Kahakai Boulevard up to the parcel identified by tax map key number 1-5-008:001, west of Pāhoa Bypass Road;
 - (5) Parcels identified by tax map key numbers: 1-5-005:024, 1-5-006:037, 1-5-006:015, 1-5-003:037 and 1-5-003:046; and

- (6) All parcels any part of which are designated medium density urban in Exhibit A of Ordinance No. 12-89 amending the general plan land use pattern allocation guide (LUPAG) map, ~~[with the following exclusions:]~~ except:
 - (A) That portion of tax map key no: 1-5-002:020 ~~[that is]~~ not designated medium density urban in Exhibit A of Ordinance No. 12-89; and
 - (B) Parcels identified by tax map key numbers: 1-5-001:003 and 1-5-008:001.”

SECTION 2. Chapter 25, article 7, division 4, section 25-7-41, of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended to read as follows:

“Section 25-7-41. Design guidelines; intent; adoption; applicability.

- (a) ~~[The intent of the Pāhoa Village Design Guidelines (hereinafter “design guidelines”) is to]~~ Any design guidelines applicable to the PVD district:
 - (1) Shall be known and may be cited as the “Pāhoa Village Design Guidelines”;
 - (2) Shall be adopted and subject to amendment by resolution; and
 - (3) Shall articulate primary architectural features and building design characteristics that have historically been identified as the Hawai‘i plantation architectural style or theme.
- (b) ~~[Design guidelines may be adopted by resolution or as standards by ordinance and shall be administered by the director]~~ The director shall administer, implement, and enforce the Pāhoa Village Design Guidelines after giving due consideration to the recommendations of the Pāhoa design review committee [having been established in accordance with section 25-2-72 of this chapter].
- (c) ~~[While no specific minimum number of the architectural features in the design guidelines shall be required for any proposed project, all]~~ All buildings and structures, including renovations or alterations to existing ones, within the PVD district~~[, except as otherwise specified in section 25-7-42(d) below,]~~ shall be designed [to be] in a manner consistent with the [design guidelines and to be complementary with the existing structures.] Pāhoa Village Design Guidelines.”

SECTION 3. Chapter 25, article 7, division 4, section 25-7-42, of the Hawai‘i County Code 1983 (2016 Edition, as amended) is amended to read as follows:

“Section 25-7-42. Pāhoa design review committee; purpose; procedures.

- (a) The purpose of the Pāhoa design review committee ~~[(hereinafter “committee”)]~~ is to provide ~~[an opportunity for local review and comment, for consistency with the design guidelines, on plans for]~~ local oversight and ensure that all [new] buildings and [structures as well as alterations to the exterior of existing buildings and structures] exterior alterations within the PVD district[-] comply with the Pāhoa Village Design Guidelines.
- (b) ~~[Upon request from the director, the Puna Community Development Plan Action Committee (PCDP AC) shall identify and recommend one or more appropriate Pāhoa-based community organizations that will be responsible for establishing the~~

committee and providing any necessary administrative support that may be required.] The Puna community development plan action committee shall invite one or more appropriate Pāhoa-based community organizations to form and provide administrative support for the Pāhoa design review committee. Committee membership should reflect a broad ~~[cross-section]~~ cross-section of the Pāhoa regional town center ~~[service area and, to the extent reasonably possible, shall include representation from the construction industry, local businesses, and architecture and design professionals.], with efforts to include professionals from the construction, small business, architecture and design industries. The Puna community development plan action committee shall verify and affirm the participation of each supporting organization and member of the committee every two years.~~

- (c) ~~[The director shall provide the committee with an opportunity to conduct an architectural and design review, for consistency with the design guidelines, of all applications for plan approval, P.U.D. or sign permit, except as provided for in subsection (d) below.] The committee shall review and submit recommendations on all applications for plan approval, a P.U.D. permit, or a sign permit in accordance with section 25-2-73, section 25-6-7, or chapter 3, article 3, of this Code, respectively.~~

~~[(1) The committee shall complete its review of any application for plan approval and submit its written recommendations along with the reviewed plans stamped "Reviewed by" with the date and signature of the committee chair to the director within twenty-five calendar days of receipt of such application from the director.~~

~~(2) The committee shall complete its review of any application for a P.U.D. and submit its written recommendations along with the reviewed plans stamped "Reviewed by" with the date and signature of the committee chair to the director within twenty-five calendar days of receipt of any plans for partial or final full approval from the director.~~

~~(3) The committee shall review and submit its written recommendations on applications for sign permits as provided in chapter 3, article 3 of this Code.~~

~~(4) Committee recommendations to the director shall be consistent with the provisions of the County Charter, general plan, Puna community development plan, Pāhoa Village Design Guidelines, zoning and other related ordinances and any master plan adopted for the PVD district.~~

- (d) The director may waive the requirement for architectural and design review by the committee when the proposed improvements will clearly have little or no visual impact on ~~[the preservation or promotion of]~~ the Hawai'i plantation architectural theme, including, but not limited to:

(1) ~~[The construction or installation]~~ Construction of accessory buildings or structures or minor exterior alterations to the exterior of any existing building or structure that is not visible from any street frontage of the building site;

(2) ~~[The addition or replacement]~~ Additions or replacements of accessory features such as flag poles, roof gutters and downspouts, railings and fencing of similar size, style and material or that more closely conforms to the design guidelines;

- (3) Painting or repainting of the exterior of any building, structure or accessory feature that is consistent with the design guidelines; or
- (4) ~~[The replacement of existing]~~ Replacement of doors and windows [where the size of the replacement door or window], provided that the new size is within ten percent of the size of the original [door or window].
- (e) ~~[In order to assist applicants with designing projects that satisfactorily conform to the design guidelines, the committee shall also develop process for and be available to provide preliminary review of conceptual plans prior to formal submittal of detailed plans and an application for a building permit, plan approval, P.U.D. or sign permit.]~~ Upon request of prospective applicants, the committee shall provide preliminary review and comments on draft or conceptual plans prior to submittal of an application to the director.
- (f) ~~[The committee shall conduct a comprehensive review of the design guidelines and PVD district boundaries and submit its recommendations for amendments to the design guidelines and PVD district boundaries to the PCDP AC within ten years following adoption of the design guidelines, and every ten years thereafter. The committee may prepare and submit to the PCDP AC recommendations for interim amendments to the design guidelines and PVD district boundaries as it deems necessary.]~~ The Pāhoa design review committee or the Puna community development plan action committee shall consult with one another before recommending any amendments to the PVD Guidelines or the PVD district boundaries. Any proposed amendments, along with the recommendations of both committees, shall be forwarded through the director to the council for its consideration, subject to the authority of the director under section 25-2-43 in the case of any PVD district boundary amendment.
- (g) Once every ten years, the Puna community development plan action committee shall invite all current and former organizations and members of the design review committee to review the Pāhoa Village Design Guidelines and the PVD district boundaries and submit recommendations thereon. Any recommendation accepted by the Puna community development plan action committee shall proceed as provided in subsection (f)."

SECTION 4. Material to be repealed is bracketed and stricken. New material is underscored. In printing this ordinance, the brackets, bracketed and stricken material, and underscoring need not be included.

SECTION 5. Severability. If any provision of this ordinance, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall take effect upon its approval.

INTRODUCED BY:

to be

COUNCIL MEMBER, COUNTY OF HAWAII

_____, Hawai'i
Date of Introduction:
Date of 1st Reading:
Date of 2nd Reading:
Effective Date:

REFERENCE Comm. 709

