ORDINANCE NO. 15 44

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 3, SECTION 25-3-2, ARTICLE 4, SECTION 25-4-59.2, AND ARTICLE 7 OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO THE ESTABLISHMENT OF A SPECIAL DISTRICT TO BE KNOWN AS THE PĀHOA VILLAGE DESIGN DISTRICT TO INCLUDE ADOPTED DESIGN GUIDELINES AND A DESIGN REVIEW COMMITTEE, AND PROVIDING AN EXCEPTION TO OFF-STREET PARKING AND LOADING REQUIREMENTS FOR SAID SPECIAL DISTRICT.

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

SECTION 1. Purpose and Findings. The Council finds that the village of Pāhoā is identified in the Puna Community Development Plan (PCDP) 2008, as amended, as one of three regional town centers intended to provide a wide range of services for the Puna district. The PCDP further identifies Pāhoā as one of two towns in Puna with the greatest potential for designation as a Special Design District and that land uses, design themes and architectural and site design standards for each village/town center will be determined through the preparation of a regional town center or village center plan under an inclusive community based process that involves major stakeholders, including landowners, community representatives, and public agencies.

The Pāhoā Regional Town Center Plan Steering Committee consisting of community leaders and interested stakeholders in the Pāhoā community formed in October 2011 with the idea of developing a growth management plan and design guidelines for Pāhoā Village. This steering committee was recognized as a subcommittee of the Puna CDP Action Committee on February 14, 2012.

The Zoning Code does not adequately provide for growth and development within Pāhoā Village that is consistent with the values and vision of the residents and businesses within the Pāhoā Regional Town Center service area. Most specifically, building design guidelines and/or standards and a process for implementing those guidelines and/or standards are necessary to not only ensure that the sense of place that residents and visitors alike identify with Pāhoā is retained, but also to promote an identity that will be conducive to a healthy, economically viable and sustainable community.

Therefore, the purpose of this ordinance is to establish a special district to be known as the Pāhoā Village Design ("PVD") district, and to provide distinct requirements Off-Street Parking and Loading in the PVD district.

SECTION 2. Chapter 25, article 3, section 25-3-2 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-3-2. Designation of special districts.

The special zoning districts of the County shall consist of the following:

- (1) Kailua Village design commission (article 7, division 1).
- (2) CDH, Downtown Hilo commercial district (article 7, division 2).
- (3) ~~[Geothermal subzone districts]~~ UNV, University district (article 7, division 3).
- (4) PD, Project districts (article 6, division 4).
- (5) APD, Agricultural project districts (article 6, division 5).
- (6) PVD, Pāhoa Village Design district (article 7, division ____).”

SECTION 3. Chapter 25, article 4, division 5, section 25-4-59.2 of the Hawai‘i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-4-59.2. Exceptions to the off-street parking and loading requirements.

The off-street parking and loading requirements of this chapter shall not apply to the following:

- (a) Non-residential uses located within that area in the City of Hilo, bounded by Kinoole Street, Ponahawai Street, and an imaginary straight line extension of Ponahawai Street into Hilo Bay and Wailuku River.
- (b) Dwelling units with a maximum density of one thousand square feet of land area per unit or less, within that area in the City of Hilo, bounded by Kinoole Street, Ponahawai Street, and an imaginary straight line extension of Ponahawai Street into Hilo Bay and Wailuku River.
- (c) That area immediately fronting either side of that portion of the Hawai‘i Belt Highway which runs from the real property designated as tax map key no: 7-9-7-66 to the real property designated as tax map key no: 7-9-9:22, in Kainaliu, North Kona.
- (d) Those lots in the PVD district having a total area of less than seven thousand five hundred square feet and that have frontage on Pāhoa Village Road between Post Office Road and the eastern intersection of Akeakamai Loop and Pāhoa Village Road; provided that any lot created through parcel consolidation does not result in a lot having a total area of seven thousand five hundred square feet or more, or a parcel consolidation and resubdivision that results in the creation of additional building sites after this ordinance takes effect, shall provide off-street parking in accordance with the requirements of this chapter.”

SECTION 4. Chapter 25, article 7 of the Hawai‘i County Code 1983 (2005 Edition), is amended by adding a new division to be appropriately designated and to read as follows:

“Division . PVD, Pāhoa Village Design District.

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

- (a) The PVD (Pāhoa Village Design) district is established to 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 a compact medium density area for 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 the historical architectural theme 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 ʻau-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 ʻau-Pāhoa Road between and inclusive of tax map key numbers: 1-5-07:012 and 1-5-07:080;
- (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;
- (4) Parcels identified by tax map key numbers: 1-5-005:024, 1-5-06:037, 1-5-06:015, 1-5-003:037 and 1-5-03:046; and
- (5) 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:
 - (A) That portion of tax map key no: 1-5-02:020 that is not designated medium density urban in Exhibit A of Ordinance 12-89; and
 - (B) Parcels identified by tax map key numbers: 1-5-01:003 and 1-5-08:001.

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

- (a) The intent of the Pāhoa Village Design Guidelines (hereinafter “design guidelines”) is to 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 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 buildings and structures within the PVD district, except as otherwise specified in section 25-7- (d) below, shall be designed to be consistent with the design guidelines and to be complementary with the existing structures.

Section 25-7- . 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 all new buildings and structures as well as alterations to the exterior of existing buildings and structures within the PVD district.
- (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. Committee membership should reflect a broad cross section of the Pāhoā 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.
- (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.
- (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 ___ 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, Pāhoā 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 of accessory buildings or structures or minor 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 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 doors and windows where the size of the replacement door or window 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 a 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.
- (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.”

SECTION 5. Material to be repealed is bracketed and stricken. Material to be added is underscored. In printing this ordinance, the brackets, bracketed and stricken material, and underscoring need not be included.

SECTION 6. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such 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 to be severable.

SECTION 7. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAI'I

Hilo, Hawai'i
Date of Introduction: March 4, 2015
Date of 1st Reading: March 4, 2015
Date of 2nd Reading: May 6, 2015
Effective Date: May 28, 2015

REFERENCE **Comm.** 1027

OFFICE OF THE COUNTY CLERK
County of Hawai'i
Hilo, Hawai'i

COUNTY CLERK
COUNTY OF HAWAII
RECEIVED
Time 4:18 am By dhj
Date 5-28-15

Introduced By: Zendo Kern (B/R)
Date Introduced: March 4, 2015
First Reading: March 4, 2015
Published: March 14, 2015

REMARKS: _____

Second Reading: May 6, 2015
To Mayor: May 14, 2015
Returned: May 28, 2015
Effective: May 28, 2015
Published: June 6, 2015

REMARKS: March 18, 2015 - Postponed;
April 1, 2015 - Postponed;
April 15, 2015 - Postponed

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter	X			
Wille	X			
	9	0	0	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter			X	
Wille	X			
	8	0	1	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

Approved Disapproved this 28th day
of May, 2015

W. Mark Z
MAYOR, COUNTY OF HAWAII

D. Kern
COUNCIL CHAIRPERSON
J. Wille
COUNTY CLERK

Bill No.: 282 (2012-2014)
Reference: C-1027 / PC-6
Ord No.: 15 44



BILL NO. 283
(DRAFT 2)

ORDINANCE NO. 15 45

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 2, DIVISION 7 AND ARTICLE 6, DIVISION 1 OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO REVIEW OF DEVELOPMENT PROJECTS PROPOSED WITHIN A SPECIAL DISTRICT.

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

SECTION 1. Purpose and Findings. The Council finds that it is both desirable and appropriate for the establishment of a process for the review of development projects within a special district under Article 7 of Chapter 25, HCC, as amended, for consistency with any design guidelines and/or standards adopted by the Council, either by ordinance or resolution, for said special district and that provides local communities with an opportunity to review and comment on the design and compatibility of development projects within their respective communities.

Community Development Plans adopted since 2008, and those yet to be adopted, often identify specific local communities with a rich historical and architectural heritage that residents routinely identify as a defining community characteristic that should be preserved and enhanced. As local communities actively pursue and secure the adoption of guidelines and/or standards devised to foster their sense of identity, now and for future generations, a process allowing for the systematic review of all development projects subject to adopted design guidelines and/or standards becomes necessary.

The purpose of this ordinance is to incorporate a process within Chapter 25 that requires the Planning Director and/or the applicable planning commission to review all development within a special district for consistency with any applicable adopted design guidelines and/or standards, and to establish a process whereby an appropriately recognized local organization(s) may create a local design review committee that shall be routinely provided with the opportunity to review and comment to the Planning Director on applications for plan approval or a planned unit development for consistency with said adopted design guidelines and/or standards.

SECTION 2. Chapter 25, article 2, division 7, section 25-2-71 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-2-71. Applicability; plan approval required.

- (a) Plan approval shall be required prior to the construction or installation of any new structure or development or any addition to an existing structure or development in all districts except in the RS, RA, FA, A and IA districts, and except for the construction of one single-family dwelling and any accessory buildings per lot, unless required elsewhere in this chapter.

- (b) Plan approval shall be required in all districts prior to the change of the following uses in existing buildings:
 - (1) Residential to commercial use;
 - (2) Warehouse and manufacturing to retail use.
- (c) Plan approval shall be required in all applicable districts prior to the construction or establishment of the following improvements and uses:
 - (1) Public uses, structures and buildings and community buildings, as permitted under section 25-4-11.
 - (2) Telecommunication antennas and towers, as permitted under section 25-4-12.
 - (3) Temporary real estate offices and model homes, as permitted under section 25-4-8.
 - (4) Utility substations, as authorized under section 25-4-11.
- (d) Plan approval shall be required in the RA and FA district prior to the construction or installation of any new structure or development, or of any addition to an existing structure or development which is to be used for minor agricultural products processing.
- (e) Plan approval shall be required in the A district prior to the development of any trailer park or major agricultural products processing facility. The director shall determine whether an agricultural products processing facility shall be considered major or minor at the time of building permit review, or earlier at the applicant's request.
- (f) Plan approval may be required as a condition of approval of any use permit, variance, or other action relating to a specific use, in which case the use or development so conditioned may not be established until plan approval has been secured.
- (g) Plan approval shall be required for the establishment of any agricultural tourism activity, as permitted under section 25-4-15(b).
- (h) Plan approval shall be required prior to the construction or installation of any new structure or development, any enlargement of an existing structure or development, or alterations to the exterior appearance of any existing structure or development in any special district established under this chapter for which design guidelines and/or standards have been adopted and as prescribed by the applicable special district requirements, excluding any special district having adopted design guidelines and/or standards established under this chapter prior to adoption of this sub-section.

SECTION 3. Chapter 25, article 2, division 7, section 25-2-73 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-2-73. [Reserved.] Plan approval application and processing requirements for special districts with design guidelines and/or standards.

- (a) In addition to the application requirements for plan approval contained in section 25-2-72, an application for plan approval for the construction, installation, enlargement, or alteration to the exterior appearance of a building or structure that is subject to design guidelines and/or standards adopted by the council for any special district established under article 7 of this chapter shall include:

- (1) Complete and accurate exterior elevations of all facades, drawn at a scale adequate to show clearly the appearance of all proposed buildings and structures;
 - (2) A description of exterior siding, roofing, and finish materials;
 - (3) Exterior door and window specifications;
 - (4) Description, location, and renderings for any exterior signage;
 - (5) A streetscape rendering of the project site and adjacent properties suitable for evaluating the immediate spatial relationships. Photographic images may be substituted provided those images are adequate to serve the same purpose;
 - (6) Other descriptive information as the director finds necessary to determine consistency of the proposed project with the design guidelines and/or standards adopted for the special district in which the project building site is located.
- (b) Within five days of acceptance of an application for plan approval the director shall provide the respective design review committee with a copy of the application and plans along with a request for their review and comments on the consistency of the project with the adopted design guidelines and/or standards.
 - (c) The written recommendations and plans stamped "Reviewed by" with the date and signature of the chair of the respective design review committee affixed shall be submitted to the director within twenty-five calendar days of receipt by the design review committee of the director's request for design review.
 - (d) Except as otherwise provided in this section, the director shall withhold rendering a decision on a plan approval application until having received the written recommendations and stamped and signed plans from the chair of the respective design review committee for the application.
 - (e) By written request to the director, the chair of the respective design review committee may request an extension of time to complete the design review and to submit the recommendations of the design review committee, which the director may grant only with the written approval of the applicant for plan approval.
 - (f) In the event that no design review committee is established, or if the design review committee, for whatever reason, fails to respond within the time limit prescribed in subsection (b), the director shall provide design review against the relevant design guidelines and/or standards as adopted by the council and waive the requirements under subsection (c)."

SECTION 4. Chapter 25, article 2, section 25-2-76 of the Hawai'i County Code 1983

(2005 Edition, as amended), is amended to read as follows:

"Section 25-2-76. Action on plan approval application.

- (a) The director may issue plan approval subject to conditions or changes in the proposal which, in the director's opinion, are necessary to carry out and further the purposes of this chapter and the considerations contained in section 25-2-77.
- (b) The director may only issue plan approval for a telecommunication antenna or tower if the proposed use meets all of the conditions contained in sections 25-2-77 and 25-4-12, and if the applicant provides all verification required under section 25-2-74.

- (c) The director may only issue plan approval for a temporary model home or real estate office if the proposed use meets all of the conditions in section 25-2-77 and 25-4-8.
- (d) The director shall render a decision to either approve or deny a plan approval application, other than for an agricultural tourism facility[;] or any special district with adopted design guidelines and/or standards, within thirty days after acceptance of the application. If the director fails to render a decision within the thirty-day period, the application shall be considered approved without further certification by the director. For an agricultural tourism facility, the department shall conduct a site inspection prior to issuing plan approval within sixty days after acceptance of the application. If the director fails to render a decision within the sixty-day period, the application shall be considered approved without further certification by the director. For any plan approval application within a special district with adopted design guidelines and/or standards, the director shall render a decision to either approve or deny the plan approval application within forty-five days after acceptance of the application. If the director fails to render a decision within the forty-five-day period, the application shall be considered approved without further certification by the director.”

SECTION 5. Chapter 25, article 2, section 25-2-77 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-2-77. Review criteria and conditions of approval.

- (a) In reviewing a plan approval application, the director shall consider the proposed structure, development or use in relation to the surrounding property, improvements, streets, traffic, community characteristics, natural features, and may require conditions or changes to assure:
 - (1) Adequate light and air, and proper siting and arrangements are provided for all structures and improvements;
 - (2) Existing and prospective traffic movements will not be hindered;
 - (3) Proper landscaping is provided that is commensurate with the structure, development or use and its surroundings;
 - (4) Unsightly areas are properly screened or eliminated;
 - (5) Adequate off-street parking is provided to serve the structure, development or use, regardless of the otherwise minimum requirements of this chapter;
 - (6) Access to the parking areas will not create potential accident hazards;
 - (7) Within reasonable limits, any natural and man-made features of community value are preserved; [~~and~~]
 - (8) Dust, noise, and odor impacts are mitigated[;]; and
 - (9) Compliance with any design guidelines or standards adopted by the council.
- (b) The director shall require any conditions or changes in the proposal which, in the director's opinion, are necessary to carry out the purposes of this chapter and the considerations contained in subsection (a) above.”

SECTION 6. Chapter 25, article 6, division 1, section 25-6-3 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-6-3. Application for P.U.D. permit; requirements.

An application for a P.U.D. permit shall be on a form prescribed for this purpose by the director on behalf of the commission and shall be accompanied by:

- (1) A filing fee of \$500.
- (2) A written description of the proposed project, including the following information:
 - (A) A description of the property in sufficient detail to determine the precise location of the property involved;
 - (B) A statement of objectives and reasons for the requested P.U.D. permit, including an analysis of how the request satisfies the standards contained in section 25-6-10;
 - (C) A list of all requested deviations from the requirements of chapter 23 (subdivisions) and chapter 25 (zoning), Hawai'i County Code;
 - (D) A schedule for the timetable of the proposed development; and
 - (E) An analysis of the relationship of the proposed development to the general plan ~~[and any applicable community development plan.]~~, any adopted community development plan, other adopted master plan, and if applicable, any other adopted design guidelines and/or standards affecting the project area.
- (3) Drawings and plans comprising a general development plan covering the entire area of the P.U.D., and providing the following information:
 - (A) Uses, dimensions, and locations of proposed structures;
 - (B) Widths, alignments, and improvements of proposed streets and pedestrian and drainage ways;
 - (C) Any proposed subdivision of property for individual parcel sale;
 - (D) Parking areas;
 - (E) Public areas and uses; and
 - (F) Landscaping and open spaces.
- (4) Architectural drawings for all buildings demonstrating the design and character of the proposed buildings and uses. If the project area is within a district established under article 7 of this chapter for which design guidelines and/or standards have been adopted that are applicable to single-family dwellings, architectural drawings shall be required for all buildings including single-family dwellings.
- (5) A list of the names, addresses and tax map key numbers of all surrounding owners and lessees of property interests in property within the boundaries established by section 25-2-4.
- (6) Any other information or plans required by rules adopted by the commission in accordance with chapter 91, Hawai'i Revised Statutes.”

SECTION 7. Chapter 25, article 6, division 1, section 25-6-7 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-6-7. [Reserved] P.U.D. permit application and processing requirements located within special districts with design guidelines and/or standards.

- (a) In addition to the application requirements for a P.U.D. contained in section 25-6-3, an application for a P.U.D. in any special district established under article 7 of this chapter for which design guidelines or standards have been adopted by the council, excluding any special district having adopted design guidelines and/or standards established under this chapter prior to adoption of this subsection, shall include:
- (1) Complete and accurate exterior elevations of all facades, drawn at a scale adequate to show clearly the appearance of all proposed buildings and structures;
 - (2) A description of exterior siding, roofing, and finish materials;
 - (3) Exterior door and window specifications;
 - (4) Description, location, and renderings for any exterior signage;
 - (5) A streetscape rendering of the project site and adjacent properties suitable for evaluating the immediate spatial relationships. Photographic images may be substituted provided those images are adequate to serve the same purpose;
 - (6) Other descriptive information as the director, on behalf of the commission, finds necessary to determine consistency of the proposed project with the design guidelines and/or standards adopted for the special district in which the project building site is located.
- (b) The P.U.D. application and plans shall be subject to review and comment by the design review committee established under the respective special district section under article 7 for consistency with the adopted design guidelines and/or standards.
- (c) The director, on behalf of the commission shall, within five days of acceptance of a P.U.D. application, provide the respective design review committee with a copy of the application and plans along with a request for their review and comments on the consistency of the project with the adopted design guidelines and/or standards.
- (d) The written recommendations and plans stamped "Reviewed by" with the date and signature of the chair of the respective design review committee affixed shall be submitted to the director, on behalf of the commission within twenty-five calendar days of receipt by the design review committee of the final plans for any partial or full approval of a P.U.D. application as provided in subsections 25-6-6(c) or (d) above.
- (e) Except as otherwise provided in this section, the director shall withhold providing a recommendation to the commission on any partial or full approval of a P.U.D. application until having received the written recommendations and stamped and signed plans from the chair of the respective design review committee for the application.
- (f) By written request to the director on behalf of the commission, the chair of the respective design review committee may request an extension of time to complete the design review and to submit the recommendations of the design review committee, which the director on behalf of the commission may grant only with the written approval of the applicant for P.U.D.
- (g) In the event that no design review committee is established, or if the design review committee, for whatever reason, fails to respond within the time limit prescribed in subsection (d), the director shall provide design review against the relevant design guidelines and/or standards as adopted by the council."

SECTION 8. Chapter 25, article 6, division 1, section 25-6-10 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 25-6-10. Criteria for granting a P.U.D. permit.

A P.U.D. permit may be granted by the commission upon finding that:

- (a) The construction of the project can begin and be completed within a reasonable period of time from the date of full approval.
- (b) The proposed development substantially conforms to the general plan [~~and any applicable community development plan.~~], any adopted community development plan, other adopted master plan, and if applicable, any adopted design guidelines and/or standards affecting the project area.
- (c) Any residential or agricultural development shall constitute an environment of sustained desirability and stability for the district that is in harmony with the character of the surrounding area, that results in an intensity of land use no higher than that otherwise specified for the district, and that maintains the standards of open space at least as high as that otherwise specified for the district in which the development occurs.
- (d) Any commercial development shall not create traffic congestion which exceeds that which would have been produced under conventional development patterns. practices and standards in the district or interfere with any projected public improvements, shall provide for proper entrances and exits along with proper provisions for internal traffic and parking, and be an attractive center which does not adversely impact upon adjacent and surrounding existing or prospective developments.
- (e) Any industrial development shall be in conformity with desirable performance standards and shall constitute an efficient and well organized development with adequate provisions for freight service and necessary storage, and shall not adversely impact upon adjacent and surrounding existing or prospective development.
- (f) The development of a harmonious, integrated whole justifies exceptions, if required, to the normal requirements of this chapter, and the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.”

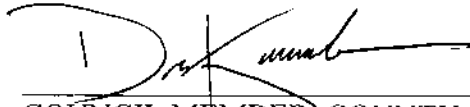
SECTION 9. Material to be repealed is bracketed and stricken. Material to be added is underscored. In printing this ordinance, the brackets, bracketed and stricken material, and underscoring need not be included.

SECTION 10. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such 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 to be severable.

SECTION 11. This ordinance shall take effect upon its approval.

INTRODUCED BY:



COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawai'i

Date of Introduction: March 4, 2015
Date of 1st Reading: March 4, 2015
Date of 2nd Reading: May 6, 2015
Effective Date: May 28, 2015

REFERENCE Comm. 259.3

OFFICE OF THE COUNTY CLERK
 County of Hawai'i
 Hilo, Hawai'i

COUNTY CLERK
 COUNTY OF HAWAII
 RECEIVED
 Time 4:18 p.m. By ds
 Date 5-28-15

Introduced By: Zendo Kern (B/R)
 Date Introduced: March 4, 2015
 First Reading: March 4, 2015
 Published: March 14, 2015

REMARKS: _____

Second Reading: May 6, 2015
 To Mayor: May 14, 2015
 Returned: May 28, 2015
 Effective: May 28, 2015
 Published: June 6, 2015

REMARKS: March 18, 2015 - Postponed;
April 1, 2015 - Postponed;
April 15, 2015 - Amended to Draft 2
and Postponed

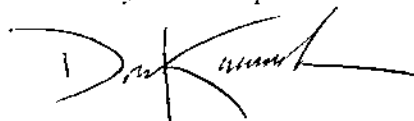
ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter	X			
Wille	X			
	9	0	0	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter			X	
Wille	X			
	8	0	1	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

Approved Disapproved this 28 day
 of May, 20 15


 MAYOR, COUNTY OF HAWAII



COUNCIL CHAIRPERSON

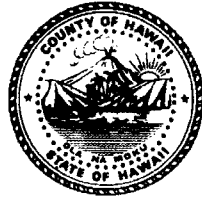

 COUNTY CLERK

Bill No.: 283 (Draft 2) (2012-2014)

Reference: C-259.3 /PC-7

Ord No.: 15 45

COUNTY OF HAWAI‘I



STATE OF HAWAI‘I

RESOLUTION NO. 454 14

A RESOLUTION TO ADOPT THE PĀHOA VILLAGE DESIGN GUIDELINES DATED OCTOBER 2013.

WHEREAS, the Hawai‘i State Constitution, Article IX, Section 6, Management of Population Growth, states: "The State and its political subdivisions, as provided by general law, shall plan and manage the growth of the population to protect and preserve the public health and welfare; except that each political subdivision, as provided by general law, may plan and manage the growth of its population in a more restrictive manner than the State"; and

WHEREAS, the Hawai‘i County Charter, section 3-15, from which the General Plan emerged as a major policy document, states, in part: "The county council shall adopt by ordinance a general plan which shall set forth the council's policy for long-range comprehensive physical development of the county. It shall contain a statement of development objectives, standards and principles with respect to the most desirable use of land within the county for residential, recreational, agricultural, commercial, industrial and other purposes ... and such other matters as may, in the council's judgment, be beneficial to the social, economic, and governmental conditions and trends and shall be designed to assure the coordinated development of the county and to promote the general welfare and prosperity of its people... No public improvement or project, or subdivision or zoning ordinance, shall be initiated or adopted unless the same conforms to and implements the general plan"; and

WHEREAS, the Hawai‘i County General Plan, Section 15.1. Community Development Plans, states, in part: "The Community Development Plans are intended to be the forum for community input into managing growth and coordinating the delivery of government services to the community. The Community Development Plans will translate the broad General Plan statements to specific actions as they apply to specific geographical areas"; and

WHEREAS, pursuant to the provisions of the General Plan to ensure responsible growth and preserve the public health and welfare, the Puna Community Development Plan, as amended, was adopted by Ordinance No. 08-116, effective September 10, 2008; and

WHEREAS, the Puna Community Development Plan identifies Pāhoa as a Regional Town Center with historic development patterns that define a unique "sense of place" and as a strong candidate for Special Design District designation; and

WHEREAS, the Puna Community Development Plan calls for the preparation of a Regional Town Center plan through an inclusive community based process that involves major stakeholders, including landowners, community representatives, and public agencies; and

WHEREAS, Pāhoa, being geographically situated near the center of the most rapidly growing portion of the Puna District, is the principle point of access to goods and services for residents and visitors alike; and

WHEREAS, Pāhoa has experienced extensive and persistent commercial development and redevelopment activity as well as multiple applications for up-zoning over the past 10 years with little or no ability to address inadequate infrastructure needs or to preserve its unique “sense of place”; and

WHEREAS, Resolution No. 313-12 called for a delay on new up-zonings in the Pāhoa Regional Town Center planning area until a Pāhoa Regional Town Center Plan is adopted or June 30, 2013, whichever shall occur first; and

WHEREAS, Resolution No. 313-12 was adopted by the Council to allow the community, through a legitimate, deliberate and inclusive community based planning process, to define how best to solve existing problems, to allocate space for new growth, and to preserve its historical heritage; and

WHEREAS, a Pāhoa Regional Town Center Plan Steering Committee consisting of community leaders and interested stakeholders formed in October 2011 to begin a process for developing a growth management plan with design guidelines for Pāhoa Village; and

WHEREAS, the Pāhoa Regional Town Center Plan Steering Committee has initiated an effective outreach program to gather public input through facilitated community meetings and an extensive public survey in order to define a community vision and to determine a methodology for well-planned future growth and community direction in Pāhoa; and

WHEREAS, the Pāhoa Regional Town Center Plan Steering Committee and the Puna Community Development Plan Action Committee, in collaboration with the Planning Department, have prepared and submitted legislation to amend Chapter 25 (Zoning Code) of the Hawai‘i County Code 1983 (2005 Edition, as amended) to establish a Pāhoa Village Design (PVD) district; and

WHEREAS, the Pāhoa Regional Town Center Plan Steering Committee, in collaboration with the Planning Department, has geographically defined the PVD district.

WHEREAS, the Pāhoa Regional Town Center Plan Steering Committee has, in collaboration with the Planning Department, prepared architectural design guidelines that identify the underlying design principles that define Pāhoa’s unique history and architectural character, and establish architectural design guidelines to preserve and enhance the “*sense of place*” that residents and visitors alike identify with Pāhoa; and

WHEREAS, the Mayor, the Planning Department, the County Council, and the Pāhoa community are committed to the Regional Town Center Plan process as a guiding principle for responsible smart-growth planning and community direction in Pāhoa; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I, that the Pāhoia Village Design Guidelines, attached herein as Exhibit 1, as prepared by the Pāhoia Regional Town Center Plan Steering Committee in collaboration with the Planning Department and dated October 2013, is hereby adopted to guide the architectural design and siting of buildings and structures within the Pāhoia Village Design district.

BE IT FUTHER RESOLVED, that the Planning Director, in collaboration with the Puna Community Development Plan Action Committee, shall be authorized to make non-substantive amendments to the Pāhoia Village Design Guidelines without the approval of the County Council, provided that any such amendments shall be forwarded to the County Council within 30 days of adoption by the Planning Director.

BE IT FINALLY RESOLVED, that the County Clerk shall forward copies of this Resolution to: the Honorable William P. Kenoi, Mayor of the County of Hawai'i; the directors of the departments of Planning, Parks and Recreation, Public Works, and Environmental Management; Molly Stebbins, Corporation Counsel; Margaret Masunaga, Deputy Corporation Counsel for the Windward Planning Commission; William Brilhante, Deputy Corporation Counsel for the Planning Department and Puna CDP Action Committee; the Pāhoia Regional Town Center Steering Committee; and the Puna Community Development Plan Action Committee.

Dated at Kona , Hawai'i, this 18th day of July , 2014.

INTRODUCED BY:



 COUNCIL MEMBER, COUNTY OF HAWAI'I

B/R

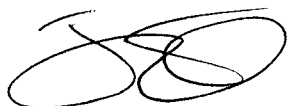
COUNTY COUNCIL
 County of Hawai'i
 Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on July 18, 2014 .

ATTEST:



COUNTY CLERK



CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
EOFF	X			
FORD	X			
ILAGAN	X			
KANUHA	X			
KERN	X			
ONISHI	X			
POINDEXTER	X			
WILLE	X			
YOSHIMOTO	X			
	9	0	0	0

Reference: C-920/PC-68

RESOLUTION NO. 454 14

Pāhoa Village Design Guidelines

October 2013



“**Place** is more than just a location on a map. A sense of place is a unique collection of qualities and characteristics – visual, cultural, social, and environmental – that provide meaning to a location. Sense of place is what makes one city or town different from another, but sense of place is also what makes our physical surroundings worth caring about.”ⁱ

Exhibit 1

Pāhoa Village Design Guidelines

Prepared for the County of Hawai‘i

Planning Department

October 2013

These design guidelines were prepared by the citizen volunteers of the Pāhoa Regional Town Center Plan Steering Committee under the direction and guidance of the Puna Community Development Plan Action Committee and the Hawai‘i County Planning Department.

Pāhoa Regional Town Center Steering Committee	Puna Community Development Plan Action Committee	
2013-14	2013	2014
Gilbert Aguinaldo	June Conant	June Conant
Kaleo Francisco	Sharon Daun	Sharon Daun
Madie Greene	Farris Etterlee	Farris Etterlee
Mark Hinshaw, Chair	Madie Greene	Leila Kealoha
Russell Jones	Keikialoha Kekipi	Susan Osborne
Charlie Maas, Principle Author	Patti Pinto, Chair	Patti Pinto, Chair
Jon Olson	Oshi Simsarian	Oshi Simsarian, V-Chair
Oshi Simsarian	René Siracusa	René Siracusa
Dan Taylor	Dan Taylor, Vice-chair	Elmer Solis
Elmer Solis		
Former Steering Committee Members and Contributing Volunteers		
Cynthia Albers	René Siracusa	David Wright
Joanna Norton	Robin Stetson	

Hawai‘i County Planning Department

Duane Kanuha, Director

Larry Brown, Planner

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Summary of Purpose

The Pāhoa Regional Town Center Steering Committee and Design Working Group have attempted to embrace this proposition of “Place” in part by utilizing the unique characteristics of Pāhoa and present this collection of guidelines to create a positive village design environment for daily life and commerce. These guidelines attempt to identify the underlying design principles that define Pāhoa’s unique historic and architectural character. The design guidelines are intended to help preserve Pāhoa’s historic character, allow for new development that compliments and is comparable to Pāhoa’s historical character and improve the streetscape to make Pāhoa a more pedestrian friendly environment.

History of Pāhoa

It is believed that the general area of Pāhoa was first developed around the mid 1880’s. Prior to that, it was a lush tropical lowland rainforest. This tropical rain forest and its by-products provided an environment that facilitated the first wave of immigration. The immigrants required housing and services, and this catalyst was the beginning of development of the town of Pāhoa.

The first Sugar Plantation in the area was started in 1900 as the Puna Sugar Company and later became the Ola’a Sugar Company, which outlasted all others, ending its operations in 1984. In what is now the center of Pāhoa Town the first lumber mill was erected in 1907 and was named the Mahogany Lumber Company, which stayed in business until 1918. The company supplied all the timber for the town’s construction needs as well as exporting over millions of railroad ties for the construction of the various railroads in the Southwestern United States and the Sugar Plantation railroads in Hawai‘i.

The majority of the early residents were Japanese immigrants who came to Hawaii on a 3 year worker’s contract. Those few who decided to stay after their 3 year contract expired and had managed to save enough money, built simple wood houses on stilts with wide lanais, gabled style, metal clad roofs and redwood catchment systems located at the back of the lot. The rest of the immigrants lived in 6 Camps provided by the lumber mill. Virtually all the buildings along the main town road in the early 1900’s housed some type of business offering from shoe repair to hotel lodging.

There was very little private land ownership in the early years as the majority of the land was owned by the Roman Catholic Mission, the lumber mill and the Territory of Hawai‘i, so most of the land being utilized for private residential and commercial purposes was leased. When land ownership finally became available in the late 1930’s the lots were very small to several acres and haphazardly laid out as there was no such thing as land planning. Electrical power did not come to Pāhoa until 1938 and domestic water in 1962.ⁱⁱ

What you need to know

The Pāhoa Design Guidelines apply to all renovations and new developments within the Pāhoa Village Design (PVD) district (see Figure 1) for which a building permit is required except as noted in Sec. 25.7.(_) (d) of the Zoning Code. Pāhoa features a diversity of architectural styles from various periods of history. These guidelines focus on the dominant plantation architectural style or theme that has come to define Pāhoa in the eyes of its residents and those in the surrounding subdivisions. The long term goals are to maintain Pāhoa's architectural heritage while allowing for new development that is compatible to our goal of preserving and enhancing the Pāhoa sense of place. To meet these goals, the guidelines propose:

- Renovation of buildings should perpetuate Pāhoa's architectural heritage.
- The design of new buildings shall incorporate a sufficient number of the design elements discussed in these guidelines to contribute to the desired architectural theme and to blend comfortably with the existing structures.
- A reasonable degree of interpretation of traditional building styles that provides for both aesthetic and functional goals.
- The exact replication of historic buildings is not encouraged or appropriate.

How to get design approval

The Pāhoa Village Design Guidelines are not intended to be prohibitively restrictive, but instead to provide architects, developers and owners with ideas that encourage creative, functional and economically advantageous design options for existing and new buildings within the PVD district.

The application and plans for any Plan Approval, Planned Unit Development (P.U.D.) under the Hawai'i County Zoning Code or a building permit for any other building or structure for which Plan Approval is not required, shall be subject to review and comment by the Pāhoa Design Review Committee (PDRC) prior to approval by the Planning Director as prescribed in Chapter 25, HCC. Applicants are encouraged to consult with the Pāhoa Design Review Committee prior to submitting any such application(s) to the Planning Department for clarification and guidance on design elements appropriate for the proposed project. In addition to the application requirements for plan approval contained in section 25-2-72 and for a P.U.D. contained in section 25-6-3 of the Zoning Code, the plans for any project submitted for review by the PDRC shall include the following:

- (1) Complete and accurate exterior elevations of all facades, drawn at a scale adequate to show clearly the appearance of all proposed buildings and structures;
- (2) Description of exterior siding, roofing and finish materials;
- (3) Exterior door and window specifications;
- (4) Description, location and renderings for any exterior signage;

- (5) A streetscape rendering of the project site and adjacent properties suitable for evaluating the immediate spatial relationships. Photographic images may be substituted where they are able to serve the same purpose;
- (6) Other descriptive information as the director or the PDRC finds necessary to determine consistency of the proposed project with the design and architectural guidelines adopted for the special district in which the project building site is located.

Existing Character

Most of Pāhoa's older commercial and residential buildings are characterized as "plantation style" and are typical of buildings commonly seen in small towns and villages throughout Hawai'i. Vernacular plantation-style building features vary, but generally share the following characteristics:

- *Building height:* usually two stories in height, or some one-story structures with false-fronts nearly as high as two-story buildings.
- *Setback:* no setback from property lines and the sidewalk.
- *Roof form:* gable, shed, or flat roof, often behind a false front.
- *Roof materials:* typically corrugated metal, sometimes tarpaper; later composition shingles were used.
- *Walls:* single-wall construction primarily of vertical tongue-and-groove board, board and batten or horizontal boards.
- *Storefront:* Small, irregular and varied.
- *Entries:* Often flush with the front wall, occasionally recessed to provide shade and shelter for pedestrians.
- *Doors:* Wood and wood-with-glass doors featuring multiple panels, raised panels, or glazing and panels.
- *Windows:* Multiple-light and wood framed, with wood sashes and mullions, double-hung windows double hung windows featuring transoms.

Character defining features of plantation-style commercial architecture:

False-front facade: Hawai'i's plantation-style commercial architecture typically featured a false front because building materials were quite expensive in relation to the labor costs. Architectural ornamentation was often limited to the building's facade and resulted in numerous variations of the false front.

Canopy: Canopies across the main façade are a character-defining feature in plantation style commercial structures. Most canopies were shed roofs covered with corrugated metal. A few of Pāhoa's canopies were hipped with shingles. Most canopies were supported by brackets underneath and/or rods above; posts were sometimes used to support canopies in turn-of-the-century structures. Historically, some of Pāhoa's two-story edifices had wood-framed balconies, which also functioned as canopies. Canopies and balconies provide the shade and weather protection important in a pedestrian-friendly

environment. Unfortunately, many canopies have been removed from Pāhoa's historic buildings due to deterioration or the requirements of modern building codes.

Cornice: Often used in plantation-style commercial architecture, cornices were sometimes ornamented with rather elaborate brackets, while others were quite simple in detail. Cornices and brackets were an easy way to decorate a building during an age when craftsmen were easy to find, but building materials were not.

Attic Vent: Louvered attic vents were a prominent, distinctive feature of plantation architecture, often appearing in a variety of geometric shapes, including round, square, rectangular, semi-circular, and rectangular with a gable-shaped peak.

Kick plate: Older plantation-style buildings often included an architectural feature known as a "kick plate." Kick plates are wood panels located beneath the windows and approximately 18" above the foundation. Many of Pāhoa's plantation-style buildings have been inappropriately remodeled with large plate-glass windows that replaced both the historic windows and kick plates.

Character defining features of plantation-style residential architecture:

Most of Pāhoa's older residential buildings are characterized as "plantation style" and are typical of older houses throughout Hawai'i. "Plantation-style" features vary, but generally share the following elements:

- **Building height:** Usually one story.
- **Foundation:** Post and pier
- **Roof form:** Gable, hipped, and gable over hip.
- **Roof materials:** Corrugated metal, wood shakes; in recent decades, many were reroofed with composition shingles.
- **Walls:** Single-wall, vertical-board construction. A prominent feature on plantation style houses is a girt, a horizontal band that wraps around a vertical board house, in essence serving as a girdle that holds the boards together.
- **Eaves:** Open, overhanging eaves with exposed rafters.
- **Doors:** Wood with glass doors or French doors with sidelights.
- **Windows:** Wood-framed, double-hung windows, sliding sash windows, casement windows or more elaborate windows, with diamond or rectangular-patterned panes.
- **Attic Vent:** Louvered attic vents in a variety of geometric shapes, including round, square, rectangular, semi-circular, and rectangular with a gable-shaped peak.
- **Lanais:** Covered with a shed or gable roof often highlighting the entrance; some ran the full width of the house. A simple or decorative balustrade added to the lanai.

Design Guideline Goals

- Pāhoa Village is primarily a high density urban core with small scale building design of historic character.
- The Pāhoa streetscape reflects a pedestrian oriented environment with automobile traffic and related amenities being accommodated as a secondary albeit necessary feature.
- Commercial activity is seamlessly integrated with residential uses.
- Commercial operations are at street level with residential or low volume commercial and office spaces on upper floors.
- Where applicable, passageways and courtyards link nearby streets and parking areas.
- Street trees, planter boxes and other appropriate landscaping is common throughout Pāhoa Village Design District further enhancing its sense of place.

General Design Recommendations

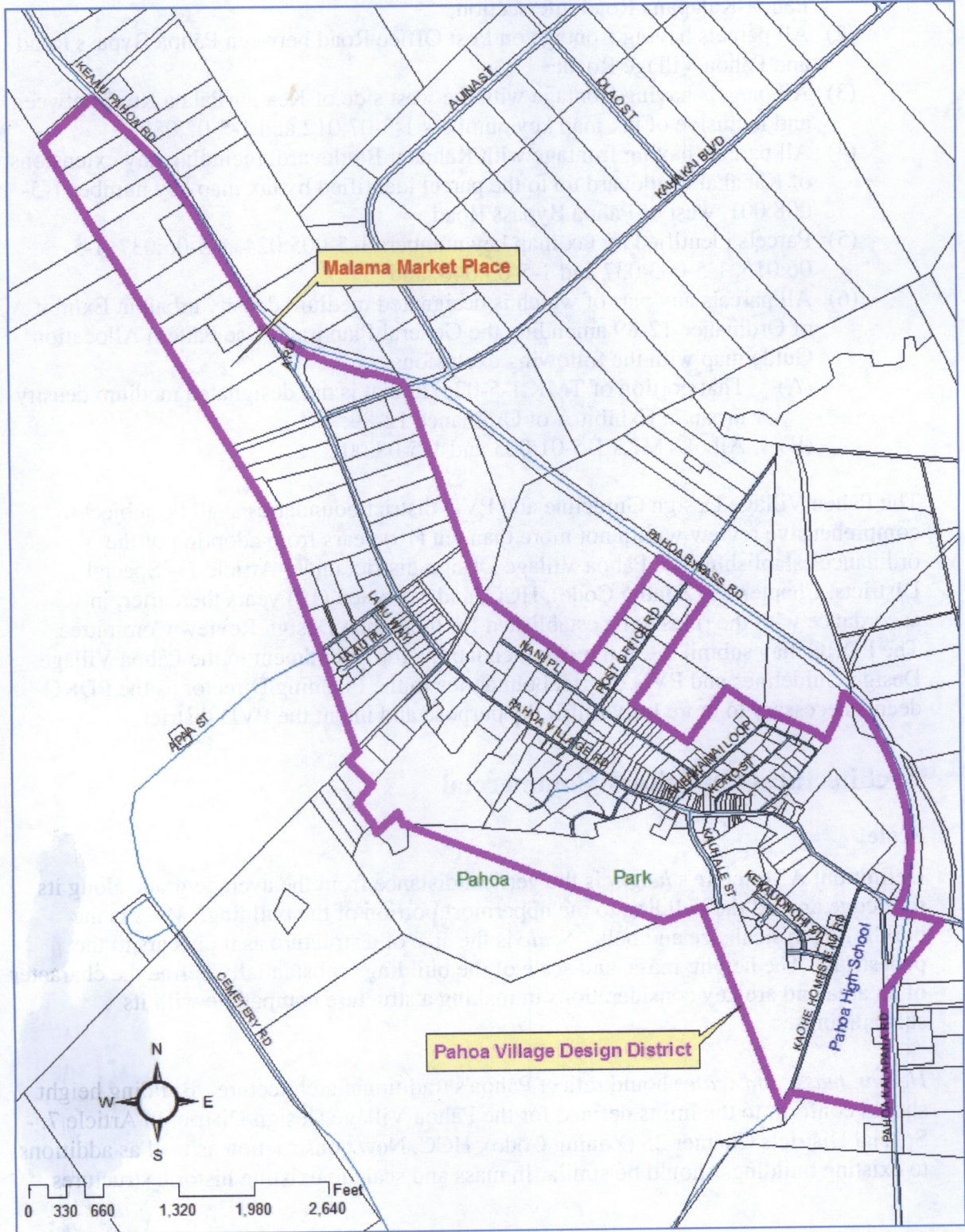
To the extent reasonably feasible the following features should be incorporated into each new construction and building renovation project within the PVD district.

Features to Enhance

- Traditional downtown small scale, being predominantly low-rise and pedestrian-friendly.
- Automobiles and associated amenities should be accommodated as secondary to overall aesthetic appeal and pedestrian oriented priorities.
- Contribute to the variety of small storefront architectural styles from various eras in Pāhoa's history. Details on historic buildings should be replicated or preserved, including traditional canopies, false-front parapets, attic vents, cornices, windows, doors, and other architectural elements.
- Pockets of landscaping and greenery, especially in the commercial blocks.
- Passageways and courtyards between buildings, which link nearby streets to parking areas.
- The mass and scale of new buildings should complement, not overwhelm, Pāhoa's traditional, small-scale architecture.
- Canopies are *highly recommended* as means to keep Pāhoa pedestrian friendly. Canopies should be replaced and/or restored on Pāhoa's historic structures.
- Landscape all parking lots that have street frontage. Plantings should be of size and caliber to screen automobiles from pedestrian sight lines upon completion. Efforts should be made to include Native Hawaiian Flora whenever possible.
- Improve and/or maintain neglected and vacant lots.
- Plant street trees where feasible.
- Improve sidewalks to adequate ADA compliant widths; build new sidewalks where necessary, especially in areas where sidewalks are not continuous.
- Utility lines should be located underground from the border of the lot line to the connection of the building.

Pāhoa Village Design District

Figure 1: Pāhoa Village Design District



The Pāhoia Village Design district is the area shown in Figure 1 and described as:

- (1) All parcels having frontage on Pāhoia Village Road from the Pāhoia Village Road and Kea‘au-Pāhoia Road intersection and the Pāhoia Village Road and Pāhoia-Kalapana Road intersection;
- (2) All parcels having frontage on Post Office Road between Pāhoia Bypass Road and Pāhoia Village Road;
- (3) All parcels having frontage with the west side of Kea‘au-Pāhoia Road between and inclusive of tax map key numbers 1-5-07:012 and 1-5-07:080;
- (4) All parcels having frontage with Kahakai Boulevard, including any extensions of Kahakai Boulevard up to the parcel identified by tax map key number 1-5-008:001, west of Pāhoia Bypass Road
- (5) Parcels identified by tax map key numbers 1-5-005:024, 1-5-06:037, 1-5-06:015, 1-5-003:037 and 1-5-03:046; and
- (6) All parcels any part of which is designated medium density urban in Exhibit A of Ordinance 12-89 amending the General Plan Land Use Pattern Allocation Guide map with the following exclusions:
 - (A) That portion of TMK 1-5-02:020 that is not designated medium density urban in Exhibit A of Ordinance 12-89;
 - (B) All of TMKs 1-5-01:003 and 1-5-08:001.

The Pāhoia Village Design Guideline and PVD district boundaries shall be subject to comprehensive review within not more than ten (10) years from adoption of the ordinance establishing the Pāhoia Village Design district under Article 7 – Special Districts, Chapter 25 (Zoning Code), HCC, and every ten (10) years thereafter, in accordance with the rules to be established for the Pāhoia Design Review Committee. The PDRC may submit interim recommendations for amendment to the Pāhoia Village Design Guidelines and PVD district boundaries to the Planning Director as the PDRC deems necessary to more fully fulfill the purpose and intent the PVD district.

Architectural Guidelines-Commercial

Scale

Definition: A structure's *height* is the vertical distance from the average grade along its roof edge around the building to the uppermost portion of the building. *Mass* is the building's physical size and bulk. *Scale* is the size of a structure as it appears to the pedestrian. The height, mass, and scale of the buildings substantially define the character of an area and are key considerations in making a structure compatible with its surroundings.

Height, mass, and scale should reflect Pāhoia's traditional architecture. Building height should conform to the limits defined for the Pāhoia Village Design District in Article 7. - Special Districts Chapter 25 (Zoning Code), HCC. New construction as well as additions to existing buildings should be similar in mass and scale to existing historic structures.

When a new building is sited adjacent to an existing building(s) or structure(s), the new building facade should be *no more than one story higher* than the adjacent building(s) or structure(s).



Building should appear similar in height to traditional existing structures

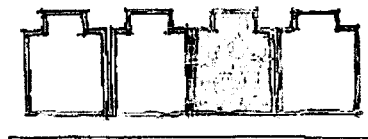
- The scale of a neighborhood takes precedence over the scale of an individual structure.
- The prevalent pedestrian scale of Pāhoa should be maintained.
- Canopies are strongly recommended to reduce a structure's vertical emphasis and encourage a pedestrian environment.
- The contextual scale of large, new buildings should be reduced by using vertical divisions and stepped roof lines or other architectural features that provide a more compatible appearance.
- Windows, doors, and other architectural details should be used to reduce the apparent mass of larger structures.
- The mass and facades of large new buildings should be divided into several, smaller "storefront" to reduce the building's apparent scale

Setback

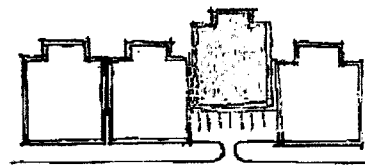
Definition: The distance between the building and a reference line, usually a sidewalk or property- line is the setback.

The lack of a setback is a character-defining feature of Pāhoa's traditional streetscape. It creates a solid architectural edge that defines and unifies the street. Pāhoa's architectural character is compromised when vacant lots and parking areas interrupt the continuous wall of buildings.

Setbacks



Yes

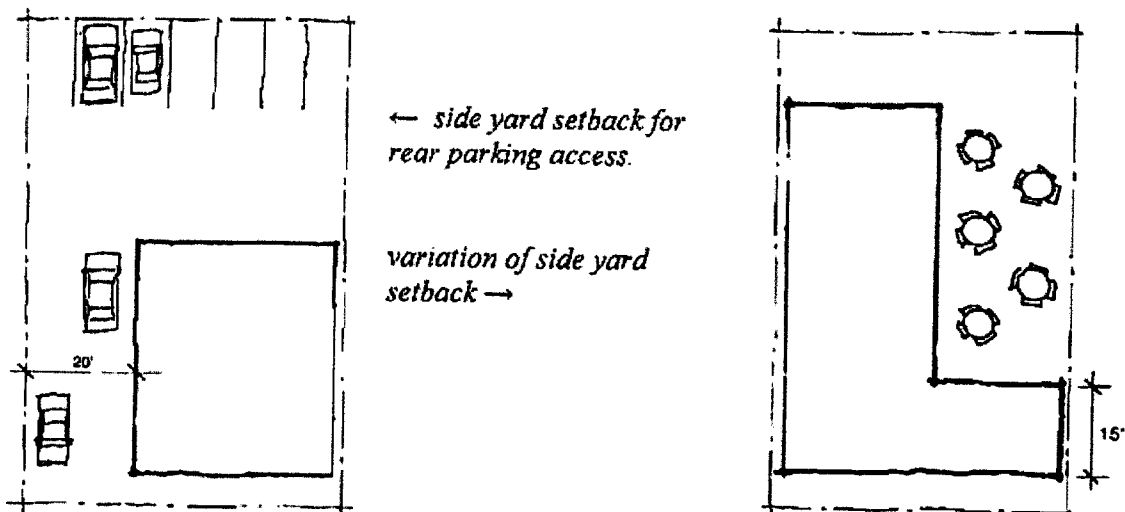


No

Except for single-family dwellings, building fronts should abut the sidewalk on any street frontage. Canopies, awnings and balconies should not be used in establishing setbacks for reference points.

Canopies, awnings, balconies, eaves, signage and other similar elements may project to within 12 inches of the roadway edge of the public sidewalk. Building frontages may be setback from the front sidewalk where the setback area is to allow for business patron oriented uses such as outdoor dining patios or pedestrian public rest areas. Buildings shall not be setback from front sidewalks to accommodate parking or other automobile related amenities.

While a streetscape with a continuous building frontage is generally preferred, buildings may be sited not more than a total of 20 feet from the side property line(s) to accommodate driveway access and egress to parking at the rear of the building, pedestrian passageways to rear parking lots or for mid-block throughways, outdoor patio dining areas, or other appropriate outdoor commercial activities by the existing commercial enterprise.



Roofs

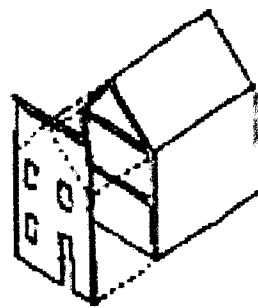
In addition to protection from the elements, a roof and its form influence a structure's architectural character. The predominant roof forms in Pāhoa's older buildings are a shed or gable roof behind a false front.

- When renovating existing buildings, the functional and decorative features of the original roof, including the shape, material, color and pattern should be preserved.
- New developments should utilize roof shapes, materials and colors that are compatible with Pāhoa's traditional architectural character.
- Avoid changing the historic configuration of a roof by adding new features such as dormers, vents or skylights that would be visible from the street or sidewalk.

- Flat or shed roofs should have a false front that is appropriately scaled for the building. Wood frame or stucco finishes should be used for textural details.
- When using formed metal for roofing panels, corrugated metal shapes (rather than standing seam metal) should be installed.
- Mechanical equipment should be shielded from view. Solar collectors, skylights, and other non-historical hardware should not be visible from the street or sidewalk.

Facades

Definition: A façade is the principle exterior face of a building, the architectural front, which is usually distinguished from other faces by elaboration of architectural details.



False front Gable



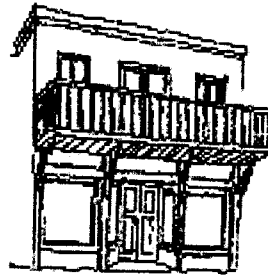
False Front
Shed

- Façade design should be compatible with the traditional architectural character of Pāhoa and other buildings in the immediate vicinity.
- New buildings with end gable roof forms and false fronts are encouraged.
- Canopies and or balconies should extend across the entire building front wherever possible and appropriate.
- Historical architectural elements such as attic/roof vents, paneled kick plates and window transoms are highly recommended for new structures.
- Recessed store fronts are encouraged.
- The bottom of glass windows should be at least 18” above the sidewalk level.
- Symmetrical storefront designs are encouraged.
- Architectural details should be incorporated to add interest to and break down the scale of monolithic walls.
- New buildings with a façade over 50 feet wide should use vertical divisions in the facades to create appearances of separate store fronts.
- Utility and mechanical structure should be located away from public view.

Canopies

Definition: a canopy is a roof structure that projects from a building to protect pedestrians, doors, windows and other openings from the elements. Canopies and Balconies are a defining characteristic in Pāhoa’s plantation-style architecture. Canopies

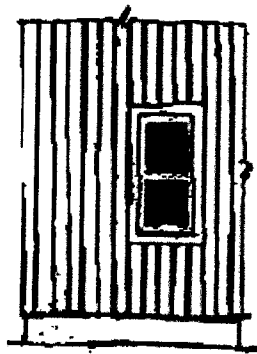
enhance the streetscape, help identify store fronts and protect pedestrians from the sun and rain.



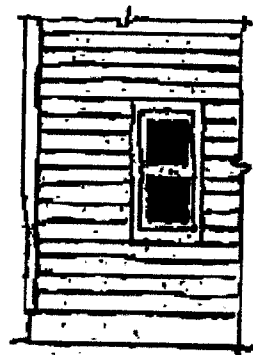
- Original canopies on historic structure should not be removed.
- Canopies and balconies are strongly encouraged along street frontage for all new developments, redevelopments and renovation projects.
- Canopy or balcony design should respect the scale of the surrounding environment.
- Canopies may be pitched or flat.
- Canopies should be supported by metal rods or chains above and wood brackets beneath. Canopies should not be supported by posts within public walkways.
- Canopies should be permanent in nature.
- A second story balcony may function as a canopy
- All balconies should have open balustrades.

Walls and Wall Finish

Wall finish materials not only serve a functional purpose, but can be also used to enhance a building's design. Traditional walls were tongue and groove boards and to a lesser extent board and batten. The following guidelines are primarily directed at street facing exterior walls and need not necessarily be applied to rear and side facing walls not visible from a street or sidewalk.



Vertical



Horizontal



Synthetic
(not recommended)

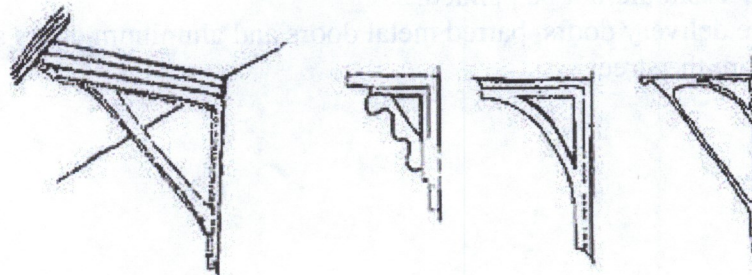
- Original wall materials should be repaired or restored in kind.
- Original historical building materials should not be covered with other finish materials, including, but not limited to: aluminum, vinyl, plastic, asphalt sheets or shingles, brick veneers or plywood unless such materials reasonably replicate the original historical look of the building.
- Wall finishes should be compatible with the existing character of the buildings in Pāhoa.
- Walls of buildings should have a consistent finish.
- Wood siding should be consistent in a horizontal or vertical direction
- Walls of exposed concrete block or plywood siding (T1-11) should not be used
- Plywood may be used on new construction only if battens are used to create board and batten look.
- Composite siding like Hardy plank and board may be used as long as it has a distinctive wood grain look.

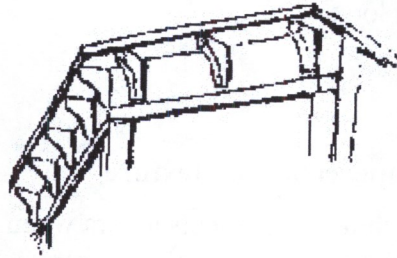
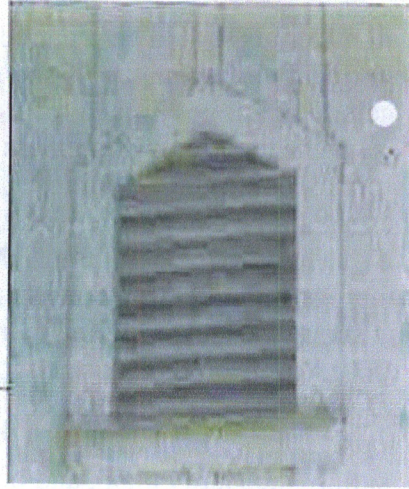
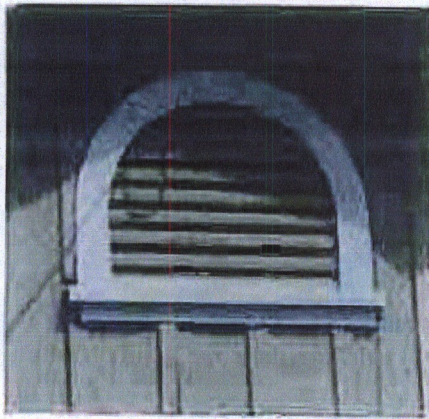
Architectural Details

The decorative details of shape, color and texture

Traditional plantation style architecture reflects an era when building materials were expensive and labor costs were low. Because of this architectural ornamentation and details were limited to the buildings main façade.

- Architectural details should be simple and not overly ornate.
- Original architectural details should be preserved on any buildings being rehabilitated.
- Ornamentation from the Plantation era should be incorporated into new construction, including vents, canopies, false fronts, cornices, brackets, transoms, kick plates, doors and windows.
- Details should be well integrated with the design and not appear as “add ons” or after thoughts.
- Design motifs should reflect meaningful symbols or forms from the surrounding environment.
- Trim and pattern relief should be used to break up the monotony on large long structures.
- New construction should not be overly cluttered with ornamentation detail.

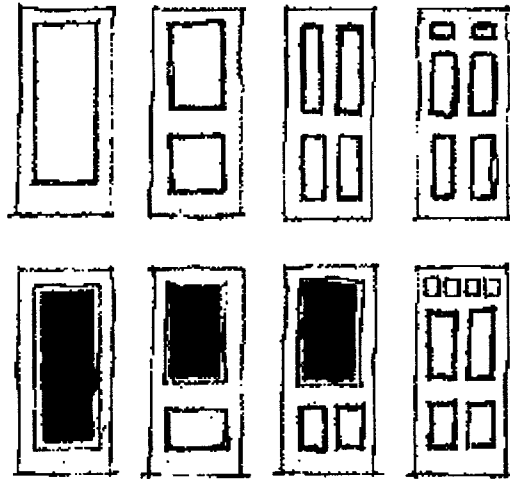




Doors

Doors are often one of the first items to be replaced when a building is modernized. Flush mounted wood doors or aluminum framed glass are typical of modernization.

- The use of wood doors and frames is preferred. Doors should have featured multiple panels or panels and glazing.
- Whenever possible maintain original door styles and hardware in its original opening wherever possible, especially on the primary façade.
- Door frames of aluminum and vinyl must simulate natural grain materials or be trimmed so as to minimize their non-traditional appearance.
- For new construction and renovation of existing buildings, doors should be compatible with the existing traditional styles.
- Glazing in storefront doors should be proportionate to store front windows.
- Glass panels should not be painted.
- Large size delivery doors, barred metal doors and aluminum doors should not be visible from the street.



Color

Exterior color is one of the most important aspects of a building. Color is also one of the simplest architectural details to change and can be an excellent method to quickly enhance a building's appearance and streetscape.

- Dark green, brownish red, white, beige, gray is typical of plantation style coloration.
- Contrasting complimentary colors should be used for accents, trims and architectural details that comprise relative minor portions of the building's façade. Side and rear walls should be painted in the same colors as the building's main façade.
- While bright and vibrant color schemes have long been a feature in Pāhoa's architectural history and continue to be acceptable, fluorescent colors should not be used on any structure.

Signs

Signs are an important element of the Pāhoa Village Design district, providing information and identifying businesses, but also adding interest and a visual variety to the streetscape. While sign diversity is encouraged, individual signs must be compatible with the overall character of Pāhoa and the adjacent structures. All signs must conform to Chapter 3 (Sign Code), HCC.

Landscape Planting

- All landscaping for buildings requiring Plan Approval shall conform to Rule 17, Planning Department Rules of Practice and Procedure.
- Landscaping should be used to enhance and compliment the architecture of adjacent buildings, but should not hide a building.
- Landscaping should be used to encourage pedestrian circulation by providing visual variety, color and shade.
- Parking lots should be screened by hedges, walls or fences from public view at ground level. Parking areas should have landscaping between parking isles to reduce the visual impact of a "sea of cars" or empty parking surface.

Walls and Fences

Walls and Fences provide enclosure, definition and privacy, but can also serve to compliment a structures architectural feature.

- Fence and wall materials should be compatible with a building's architecture and the overall character of the area.
- Walls and fences along a public right-of-way and/or front yard should have a maximum height of 3 feet. Corners and intermediate posts and pillars may be six inches taller.
- Chain link fences are not permitted along lot frontage, adjacent to public open space, or in any area readily visible to the public unless landscaping is provided to screen 100% of the chain link fence from public view from the street or sidewalk.
- Side and rear yard walls and/or fences that are readily visible to the public should utilize landscaping to screen any portion visible to the public.

Parking

- On-site parking should be located at the rear of a building in order to minimize negative visual impacts.
- Avoid parking areas at the sides of buildings that separate building facades on the adjacent lots.
- Parking areas should be screened from the street with landscaping, walls, and/or fences.
- Parking entrances should be designed to minimize interruptions in street tree patterns and the number of curb cuts.
- Rooftop parking should be screened from public view by architectural features such as false fronts.

Architectural Guidelines – Residential

Setbacks

Historically, residential buildings were set back from the sidewalk or street and featured a front yard. In addition to a main house, some lots also included second (ohana) dwellings as well as smaller secondary structures such as cottages, garages, carports and storage sheds.

Building Form, Height and Scale

New homes should respect and maintain the building mass and form of Pāhoa's traditionally small forms. Typical houses were one story and featured a simple rectangular geometric shape.

- No structure should sharply contrast with the overall scale of the neighborhood.
- The height of all new or enlarged dwellings shall be consistent with the Hawai'i County code.

Roofs

New homes should utilize roof shapes, materials and colors that are compatible with the existing traditional architecture of Pāhoa Town.

- Gable, hipped and gable-on hip roofs were traditional forms. Hawaiian hipped roofs with flared eaves are also evident in Pāhoa and are considered appropriate for new residential construction.
- Many plantation-style homes had tongue and groove corrugated roofs. Traditional roof materials also include wood shakes and asphalt.
- Roof colors should be of earth tones. Reflective surfaces and shiny or bright colors should be avoided.
- Mechanical equipment, including, but not limited to, solar panels, satellite dish antennas and their supporting hardware should be installed so as not to be visible from the street or sidewalk.

Walls

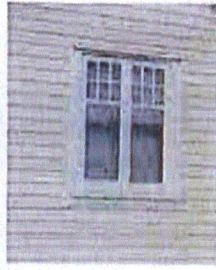
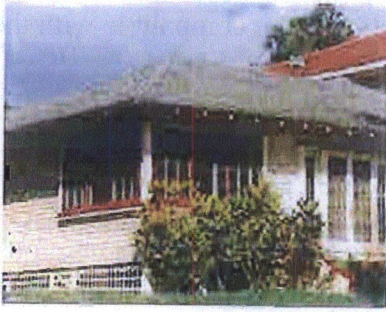
Wall finishes should be compatible with the traditional character of existing buildings in the Design District.

- Builders and homeowners are encouraged to construct houses with traditional materials including vertical board, board and batten or horizontal board. Imitation wood materials such as “Hardy Plank or board” or its equivalent that substantially mimic traditional wood materials are acceptable.
- Girts, a horizontal band encircling a house at mid-wall, were a common feature and can be used as a distinctive plantation-style detail.
- To preserve the integrity of Pāhoa’s historic homes, as defined by Chapter 6E-2, HRS, original building materials should not be covered with finish materials such as aluminum, vinyl, plastic, asphalt sheets or shingles, brick veneers, plywood sheets. Imitation wood materials such as “Hardy Plank or board” or its equivalent are acceptable.

Windows

The windows in the traditional plantation style homes served a functional purpose, and have become a character-defining feature.

- The predominant window style was wood framed, double hung windows, often with multiple-lights.
- Wood framed, multiple panes, sliding sash windows were also quite common.
- Wood framed casement windows were also used.
- Homes of more upscale design had more elaborate windows with diamond or rectangular-patterned lights.
- Aluminum is not only inappropriate, but impractical in a humid tropical climate. If synthetic materials are used they must have some type of simulated wood grain pattern or be trimmed so as to minimize their non-traditional appearance.



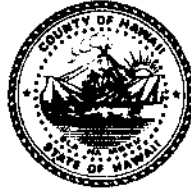
Doors

Doors, like windows, were often a key element in the design aesthetic of plantation-style homes.

- Solid core wood doors or wood doors with simple windows are appropriate.
- True divided multiple-light French doors with or without true divided multiple-light sidelights are appropriate.
- Simple outside screen doors are appropriate.
- Simple vinyl or aluminum doors are not appropriate, however; if these materials are used they must have some type of simulated wood grain pattern or trimmed so as to minimize their non-traditional appearance.

ⁱ Urban Land Institute – Ed McMahon

ⁱⁱ Historical reference - Pāhoa Yesterday-Hiroo Sato, 2002

BILL NO. 291ORDINANCE NO. 15 46

AN ORDINANCE AMENDING CHAPTER 3 OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO REGULATION OF SIGNS IN THE PĀHOA VILLAGE DESIGN DISTRICT.

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

SECTION 1. Purpose and Findings. The Council finds that Pāhoā Village is identified in the Puna Community Development Plan (PCDP) 2008, as amended, as one of three regional town centers intended to provide a wide range of services for the Puna district. The PCDP further identifies Pāhoā as one of two towns in Puna with the greatest potential for designation as a Special Design District and that land uses, design themes and architectural and site design standards for each village/town center will be determined through the preparation of each regional town center or village center plan under an inclusive community based process that involves major stakeholders, including landowners, community representatives, and public agencies.

The purpose of this ordinance is to establish standards for signage within the Pāhoā Village Design (PVD) district that are consistent with the plantation architectural theme as well as the rural village feel that residents identify with Pāhoā. It is further envisioned that building design and signage standards that identify a Pāhoā brand will be conducive to creating a healthy, economically vital and sustainable community.

SECTION 2. Chapter 3, article 1, division 5, section 3-18 of the Hawai'i County Code 1983 (2005 Edition, as amended), is amended to read as follows:

“Section 3-18. Action on permit application.

- (a) Upon receiving an application for a sign permit, submitted pursuant to this chapter, the director shall:
 - (1) Review the permit application for completeness; and
 - (2) If the application is deficient, identify and notify the applicant of the deficiencies;
or
 - (3) If the application is complete, process the application.
- (b) Within sixty days of receiving a complete application for a sign permit, and unless the applicant has provided written consent for a time extension, the director shall either:
 - (1) Issue the sign permit in writing, if:
 - (A) After an examination of the plans, specifications, and other data, the director finds that the sign(s) that is the subject of the application conforms in every respect with the requirements of this chapter and all applicable Count, State, or Federal laws or regulations;

- (B) The application has been reviewed and approved by the electrical inspector, if required pursuant to section 3-15;
 - (C) The application has been reviewed by the [~~Kailua Village~~] applicable design commission[;] or committee, if required [~~under article 2;~~] by this chapter; and
 - (D) Applicable sign permit fees have been received; or
- (2) Reject the sign permit in writing, if the sign that is the subject of the application fails in any way to conform with the requirements of this chapter.
- (c) In case of a rejection, the director shall:
- (1) Specify in writing the section or sections of this chapter with which the application is inconsistent; and
 - (2) Provide the applicant with information about any applicable variance or appeal processes contained in this chapter or otherwise permitted by law.”

SECTION 3. As applicable exclusively to Section 2 of this ordinance: Material to be repealed is bracketed and stricken; material to be added is underscored. In printing this ordinance, the brackets, bracketed and stricken material, and underscoring need not be included.

SECTION 4. Chapter 3 of the Hawai‘i County Code 1983 (2005 Edition, as amended), is amended by adding a new article to be appropriately designated and to read as follows:

“Article . Pāhoa Village Signs.

Division 1. General Provisions.

Section 3-__ . Purpose; applicability.

Pāhoa is recognized as a special design district of the County. Unquestionably, signs have a legitimate place in Pāhoa if they are thoughtfully designed and appropriate to their surroundings. Many elements of good sign design can serve well to further express community identity and values through preservation of the architectural theme of the community, which for Pāhoa, is the plantation country village atmosphere cherished by residents and visitors alike. The primary purpose of a sign is to promote the identity, goods and services, or activities on the property through visual communication. While laws can regulate the size, placement, number, design, and aesthetics of signs, it is recognized that reasonable minds may differ as to how sign control can best be accomplished. The Pāhoa design review committee, as established in chapter 25, article 7 of this Code, (hereinafter “committee”), through the planning department, has a shared responsibility for sign review within the Pāhoa Village district. The provisions of this article shall be utilized by the committee and cooperating agencies in evaluating all sign permit requests within the Pāhoa Village district.

Unless otherwise provided for in this article, all sections of article 1 of this chapter shall apply to the Pāhoa Village district. However, certain other aspects of signage are applied specifically to this district in addition to those in article 1.

Section 3-___. Boundaries.

This article shall apply to the Pāhoa Village district. For purposes of this article, the boundaries of this district shall be as delineated in chapter 25, article 7, division ___, section 25-7-___ of this Code.

Section 3-___. Permit required.

Except as otherwise provided in this chapter, no person, firm, or agency may display, install, construct, erect, alter, relocate, reconstruct, or cause to be displayed, installed, constructed, erected, altered, relocated, or reconstructed any sign within the Pāhoa Village district without first having obtained a sign permit in accordance with this chapter and article.

Section 3-___. Permit application; contents.

- (a) To obtain a sign permit, the applicant shall file an application on forms furnished by the director.
- (b) The application shall include information required by section 3-16 and, in addition:
 - (1) A graphic, colored illustration of the proposed sign, drawn to scale and reflecting all letters and the style and size of lettering;
 - (2) A description or sample of any type of material to be used for the sign and its background, and a description of the method of any lighting;
 - (3) A plot plan illustrating the location of the building or site and the location of the proposed sign; and
 - (4) Any other information the director or committee may require.

Section 3-___. Design committee review; failure to review.

- (a) Each completed sign permit application, together with all accompanying information shall be forwarded promptly by the director through the County planning director to the committee for its review and comments for consistency with the Pāhoa Village Design Guidelines (hereinafter “design guidelines”).
- (b) Within twenty-five calendar days after receipt of the completed application from the planning director, the committee shall provide its written recommendation(s) to the director via the planning director. If a recommendation is not received within the allotted period, the director shall act on the request in accordance with section 3-18 or 3-23, as the case may be. The director may grant a time extension to the committee or planning director only upon the written consent of the applicant.

Section 3-___. Guidelines for review.

The committee and the director, when reviewing an application under this article, shall consider the following guidelines, as well as those found in the design guidelines. In the event a conflict exists between any requirement of this chapter and the design guidelines, the more restrictive or specific requirement shall prevail:

- (1) Fitting each sign to its surroundings shall be a prime consideration. A sign shall complement the building it identifies and contribute to Pāhoa’s historical architectural character as described in the design guidelines. Signs shall be a planned feature, reflecting the architectural scale, design, and color of the building or structure. It should be graphically simple and present an appropriate level of detail without appearing cluttered.

- (2) Commercial establishments shall have no more than two signs per street frontage of a building and may include a hanging/projecting sign and a wall/window sign.
- (3) The shape of the sign should aesthetically and functionally emphasize the message and not compete with the architecture of the building.
- (4) Subtleness, proportion, and design shall be emphasized in sign copy and lettering.
- (5) When an illuminated sign is used, the light intensity, color illumination, and the careful screening of the light source shall be considered.
- (6) A freestanding sign should offer an opportunity for landscaping treatment at its base.
- (7) The use of any material which is compatible to the village atmosphere of Pāhoa is encouraged. Primary consideration should be given to wood or non-reflective metal, on which a design can be carved, sand blasted, or painted.
- (8) The use of any natural or earth tone color that is not gaudy or clashing is encouraged.

Section 3-__. **Action on permit application.**

- (a) The director shall consider the committee's recommendation(s) when processing a sign permit application.
- (b) If the director, after considering the committee's recommendation(s), finds that the proposed sign is in compliance with this article and chapter and any other applicable county, state or federal law or regulation, a sign permit shall be issued by the department.

Section 3-__. **Variances.**

A variance may be granted in accordance with article 1, division 6 of this chapter.

Section 3-__. **Design committee review of variances.**

- (a) Prior to final decision-making on a variance application, the director shall transmit a copy of the variance application through the County planning director to the committee for its review and recommendation.
- (b) Within twenty-five calendar days after receipt of the completed variance application from the planning director, the committee shall provide its written recommendation(s) to the director via the planning director. If a recommendation is not received within the allotted period, the director shall act on the request in accordance with division 6 of this chapter. The director may grant a time extension to the committee or planning director only upon the written consent of the applicant.

Division 2. Permissible Signs.

Section 3-__. **Sign area/size and lettering size.**

- (a) Unless otherwise provided, the maximum permitted surface area/size of any sign oriented to any public street, park, other public place or pedestrian way shall be:
 - (1) Directory sign.
 - (A) If the lot frontage is up to thirty lineal feet, a directory sign may not exceed twelve square feet, except that no wall directory sign may exceed the lesser of twelve square feet or fifteen percent of the wall area on which it is located.
 - (B) If the lot frontage is greater than thirty lineal feet, a directory sign may not exceed twenty-two square feet, except that no wall directory sign may exceed the

lesser of twenty-two square feet or fifteen percent of the wall area on which it is located.

- (C) A directory sign, either wall or ground sign, shall not exceed sixteen square feet in the Pāhoa Village district.
- (2) Ground sign.
 - (A) If lot frontage is up to thirty lineal feet, a ground sign shall not exceed twelve square feet for any building or portion of a building under separate management or control and not exceed six feet in elevation from the ground.
 - (B) If lot frontage is greater than thirty lineal feet, a ground sign shall not exceed twenty-two square feet for any building or portion of a building under separate management or control and not exceed eleven feet in elevation from the ground.
 - (3) Marquee sign.
 - (A) A sign attached to the underside of a Marquee (hanging sign) for each business conducted on the premises shall not exceed nine square feet in area, and the lower edges must be at least seven and one-half feet above the ground.
 - (B) A sign attached to or otherwise displayed upon the face of the marquee shall not exceed a total sign area of twenty-two square feet or fifteen percent of the marquee area on which it is displayed, whichever is less.
 - (4) Projecting sign.

A projecting sign for each business conducted on the premises, stating the name and the nature of the business, shall only be allowed on an exterior wall without an overhang and shall not exceed sixteen square feet.
 - (5) Wall sign.
 - (A) If lot frontage is up to thirty lineal feet, a wall sign shall not exceed fifteen percent of the total exposed area of the wall, associated with the business on which the sign is displayed, or twelve square feet, whichever is less. A sign on the face of the building for each business conducted on the premises shall not exceed fifteen percent of the area of the face of the building actually occupied by the business, or twelve square feet, whichever is less.
 - (B) If lot frontage is greater than thirty lineal feet, a wall sign shall not exceed fifteen percent of the total exposed area of the wall, associated with the business for which the sign is displayed, or twenty-two square feet, whichever is less. A sign on the face of the building for each business conducted on the premises shall not exceed fifteen percent of the area of the face of the building actually occupied by the business or twenty-two square feet, whichever is less.
 - (C) The total area of any wall covered by signage shall not exceed fifteen percent of the total area of the wall on which it is located, whether used by single or multiple businesses.
 - (6) Window signs and painted window signs.

For any business, one window sign fronting any street is allowed and shall cover no more than five percent of the total combined area of windows on the respective street frontage or ten square feet, whichever is less.
- (b) In any case, the total area allowed shall not exceed twelve square feet for any sign not fronting a public street or vehicular access or for any sign located within the Pāhoa Village district.

Section 3-___. Sign elevation.

Maximum sign elevation, measured from the finished ground elevation to the top of the sign, shall be as follows:

- (1) A directory wall sign shall not exceed nine feet in elevation.
- (2) The elevation of a ground sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of either the existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. A ground sign shall not exceed six feet in elevation. Any lettering or symbols shall not be higher than five and one-half feet from the finished elevation.
- (3) A projecting sign may be placed no less than seven feet above ground, and may extend into no more than one-third of the width of any public area or pedestrian way, or four feet, whichever is less.
- (4) The top edge of a wall sign shall not exceed the top of the roof line of the building on which the sign is attached.
- (5) A window sign shall not exceed five and one-half feet in height.

Section 3-___. Number of signs.

- (a) Only two signs for any commercial business for any street or vehicular access on which a building has its primary entrance shall be permitted.
- (b) In a multi-building complex, a directory sign for the complex may be allowed which shall not count as the one sign allowed for the building frontage.

Section 3-___. Prohibited signs.

In addition to the signs prohibited in section 3-7, the following types of signs are also prohibited in the Pāhoā Village district:

- (1) Any sign or display which is constructed primarily of materials with a shiny, slick, or reflective surface such as fiberglass or acrylic plastic;
- (2) Any sign which is displayed on any roof or mansard roof, or when attached to a building extends above the lowest edge of any portion of the roof or mansard roof;
- (3) Any sign which has a vertical clearance of less than nine feet or projects, extends, or is otherwise displayed over or above any public street, park, other public places or pedestrian way, except as may be permitted by section 3-62 or chapter 22;
- (4) Any sign for product advertising when visible to the general public. A sign containing only the name of a business is not a sign for product advertising;
- (5) Any mechanical sign, graphic design or decorative element that functions through animation, revolvment, up, down, sideways or any other similar movement, including but not limited to, any spinning device, light bulb border, flashing or mobile illumination; and
- (6) Any sign which is flashing, blinking, rotating or inflatable.

Section 3-___. Exempt signs (signs allowed without permits).

In addition to the exempt signs allowed in section 3-8, the following signs are exempt in the Pāhoā Village district, with the restrictions stated in section 3-8:

- (1) One temporary informational sign or poster for a temporary event, no larger than eight square feet, and posted for a period no longer than thirty days in a calendar year; and
- (2) Reasonable application upon the glass surface of a door or window of lettering or decals giving the address, hours of operation, entrance or exit information, professional or security affiliations or memberships, credit cards which are accepted, or other similar information.”

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such 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 to be severable.

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

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAI'I

 Hilo , Hawai'i
Date of Introduction: March 4, 2015
Date of 1st Reading: March 4, 2015
Date of 2nd Reading: May 6, 2015
Effective Date: May 28, 2015

REFERENCE Comm. 1044

OFFICE OF THE COUNTY CLERK
County of Hawai'i
Hilo, Hawai'i

COUNTY CLERK
COUNTY OF HAWAII
RECEIVED
Time 4:18 p.m. By dy
Date 5-28-15

Introduced By: Zendo Kern (B/R)
Date Introduced: March 4, 2015
First Reading: March 4, 2015
Published: March 14, 2015

REMARKS: _____

Second Reading: May 6, 2015
To Mayor: May 14, 2015
Returned: May 28, 2015
Effective: May 28, 2015
Published: June 6, 2015

REMARKS: March 18, 2015 - Postponed;
April 1, 2015 - Postponed;
April 15, 2015 - Postponed

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter	X			
Wille	X			
	9	0	0	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter			X	
Wille	X			
	8	0	1	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

~~Approved~~ Disapproved this 28th day
of May, 20 15.

W. Kern
MAYOR, COUNTY OF HAWAII

[Signature]
COUNCIL CHAIRPERSON
[Signature]
COUNTY CLERK

Bill No.: 291 (2012-2014)
Reference: C-1044 / PC-8
Ord No.: 15 46