

ACT 21

H.B. NO. 16

A Bill for an Act Relating to Regional Design Plans.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The title to Chapter 57, Hawaii Revised Statutes, is amended to read as follows:

**“URBAN AND REGIONAL DESIGN”**

SECTION 2. Chapter 57, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 57-1 Findings and purpose.** The legislature finds that the environment in the State has deteriorated; resort development is often scattered; the visual impact of new development is often ill considered; historic sites are often infringed upon; buildings of significant architectural, cultural or historic value are disappearing; and injudicious development mars the scenic landscape which is Hawaii’s priceless asset. The purpose of this chapter is to provide for the development of urban and regional design plans for each county to facilitate quality design in future development and construction, both public and private. As used in this chapter the term “regional” may encompass or exclude urban areas.

**Sec. 57-2 Urban and regional design plans.** Each county shall prepare one or more urban and regional design plans to cover all areas designated for urban and regional design review in the county. The preparation of the design plans for each design area shall consider the following plan elements and design control measures:

- (1) The land uses permitted by the general plan and zoning;
- (2) Pedestrian and vehicular circulation systems;
- (3) Necessary and desirable public and private community facilities;
- (4) Historic sites, significant natural land and water features, and views and vistas which must be protected and enhanced;
- (5) Basic concepts of environmental character, including architectural character, by the following design controls:
  - (A) Height limitations should bear a relationship to the natural land features and views which are to be protected under the plan. Structure heights should not compete with natural land forms nor should buildings interrupt those views which should be available to other property owners or the public at large.

- (B) Density controls should govern the number of hotel and dwelling units to prevent excessive concentrations of people which would alter the intended character and integrity of resort and historical areas.
- (C) Maximum land and building coverage ratios should be developed to provide adequate open space around all structures and to allow for necessary ancillary uses related to the main use of the premises. Sufficient public or private green space should be provided to avoid the character of a "concrete jungle".
- (D) Buildings and structures should be restrained from encroaching upon the shoreline and other designated land forms as well as street and road right-of-way. Manmade features on the land should not be in conflict with natural formations along the shoreline.
- (E) Basic building materials and colors should reflect the historical, cultural and natural setting of the area. Structures, natural land forms, and plant material should blend as a unified design.
- (F) Signs should be regulated with respect to location, size, color, lighting, and message. Signs should be treated as an integral unit in a design so as to be attractive and an accepted composition element.

**Sec. 57-3 Implementation of design plans.** Each county shall develop appropriate methods of implementing its design plans. It may program the design plan into a series of actions or projects with assigned priorities that will reflect a systematic method for ultimate design plan accomplishment. Each county shall submit an annual progress report in September of each year to the office of the governor and the legislature. Each county, through its chief executive, may designate the county agency most appropriate to carry out the purposes of this chapter. Citizen participation shall be encouraged during the preparation and implementation of urban and regional design plans.

**Sec. 57-4 Funding.** Appropriate state and federal funds, as available, may be used to match county funds to prepare the urban and regional design plants."

**SECTION 3.** There is appropriated out of the general revenues of the State of Hawaii, the sum of \$125,000 for fiscal year 1977-78 for the purposes of this Act.

The sum appropriated shall be expended by the department of planning and economic development.

**SECTION 4.** Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

**SECTION 5.** This Act shall take effect upon its approval.

(Approved July 5, 1977.)

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\*Edited accordingly.