

ACT 119

H. B. NO. 1337

A Bill for an Act Relating to the Development of Urban Design Plans for Each County.

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

SECTION 1. Findings and purpose. The legislature finds that the urban 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 Act is to provide for the development of urban design plans for each county to facilitate quality design in future development and construction, both public and private.

SECTION 2. Urban design plans. Each county shall prepare one or more urban design plans to cover all areas designated for urban design review

in the county. The preparation of the design plan 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 rights-of-way. Man-made 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.

SECTION 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 department of planning and economic development of the State of Hawaii. Each county, through its chief executive, may designate the county agency most appropriate to carry out the purposes of this Act. Citizen participation shall be encouraged during the preparation and implementation of urban design plans.

SECTION 4. Funding. Appropriate state and federal funds, as available, may be used to match county funds to prepare the urban design plans.

SECTION 5. Effective date. This Act shall take effect on July 1, 1973 and the first annual progress report shall be due in September 1974.

(Approved May 17, 1973.)