

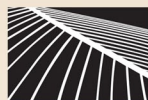
LĪHU'E TOWN CORE URBAN DESIGN PLAN



PREPARED FOR:
PLANNING DEPARTMENT
COUNTY OF KAUA'I



PREPARED BY:



JUNE 2009

A BILL FOR AN ORDINANCE
ESTABLISHING REGULATIONS, PROCEDURES, ZONING AND DEVELOPMENT
PLANS FOR THE LĪHU'E TOWN CORE AREA AND ESTABLISHING EXCEPTIONS,
MODIFICATIONS AND ADDITIONS TO CHAPTER 8 AND CHAPTER 10 OF THE
KAUAI COUNTY CODE 1987

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Findings and Purpose. The Council of the County of Kaua'i finds that the Līhu'e Town Core Urban Design Plan of 2009 was recently completed by the Planning Department in concert with consultants and a community advisory committee.

SECTION 2. Chapter 10 of the Kaua'i County Code 1987, as amended, is hereby amended by adding a new Article to be appropriately inserted and numbered, as follows:

“ARTICLE 5A. LĪHU'E TOWN CORE URBAN DESIGN DISTRICT

Sec. 10-5A.1 Title, Purpose and General Provisions.

(a) This Article shall be known and may be cited as the “Līhu'e Town Core Urban Design District Ordinance”. The purpose of this Article is to:

(1) Implement the intent and purpose of elements within the Kaua'i General Plan Update 2000 regarding the Līhu'e Town Core area, and the Līhu'e Town Core Urban Design Plan of 2009;

(2) Provide more up-to-date design standards from those enumerated in the Līhu'e Development Plan 1976 in recognition of more detailed planning goals and objectives for the Līhu'e Town Core Area;

(3) Establish Special Planning Areas, land uses, development standards and design guidelines to guide and regulate future development;

(4) Protect certain physical characteristics found to be of particular public value, as provided in Kaua'i County Code Section 8-9.6, “Special Planning Areas”; and

(5) Provide for regulations of land use and development practices within the Līhu'e Town Core area.

(b) Nature of the Līhu'e Town Core Urban Design District Ordinance

This Article supplements Chapter 8 and Chapter 10 of the Kaua'i County Code by regulating use and development standards within the Līhu'e Town Core area. This Article also provides the necessary framework and guidelines to direct future development and improvements. Although not controlling, the Līhu'e Town Core Urban Design Plan of 2009 serves as the primary guiding document for the creation of this Article. Further, this Article relies on the following regulatory mechanisms to implement many of the goals envisioned in the Plan:

- (1) Development Standards;
- (2) Design Controls, Standards, Guidelines, and Criteria; and
- (3) Recommendations for future and existing locations of major or critical circulation systems.

Sec. 10-5A.2 Goals and Objectives.

The specific goals and objectives contained in Chapter 2 of the Līhu'e Town Core Urban Design Plan of 2009, including neighborhood-specific design objectives in Chapter 5, are hereby adopted by reference. Copies of the plan are on file at the Planning Department, County of Kaua'i.

Sec. 10-5A.3 Application of Regulations.

(a) Unless otherwise expressly prohibited by law, the provisions of this Article shall apply to all new development located within the Special Planning Areas described herein the Līhu'e Town Core Urban Design Plan of 2009.

(b) The regulations and procedures established in the Comprehensive Zoning Ordinance shall apply within the Special Planning Areas of the Līhu'e Town Core Area, except to the extent that such regulations or procedures are changed or modified by the provisions of this Article. When the provisions of this Article differ with respect to the provisions of Chapter 8 or Chapter 10 of the Kaua'i County Code in force and effect prior to the enactment of this Article, the provisions of this Article shall apply.

Sec. 10-5A.4 Existing Conditions.

(a) This Article does not mandate the immediate modification of structures and uses lawfully in existence upon the enactment of this Article.

(b) The requirements of this Article will not be triggered by routine maintenance not requiring a zoning permit.

(c) Existing Buildings and Structures. Buildings and structures lawfully in existence upon the enactment of this Article that do not conform to the provisions of this Article are subject to the requirements of Kaua'i County Code Section 8-23.1, "Non-

conforming Buildings and Structures". Redevelopment or expansion of the building or structure, where the cost of construction exceeds fifty (50) percent of the building's replacement cost will be considered new development for the purposes of this Article.

(d) Existing Uses. Uses lawfully in existence upon the enactment of this Article that are not consistent with the special planning areas will be allowed to continue on the parcel of record pursuant to Section 8-23.2. Reestablishment of a previously lawful existing use requires a use permit pursuant to Article 8, Chapter 20 of the Kauai County Code.

Sec. 10-5A.5 Definitions

The definitions contained in Section 8-1.5 of the Comprehensive Zoning Ordinance are incorporate herein. When used in this Article, the following words or phrases shall have the meaning given in this Article unless it shall be apparent from the context that a different meaning is intended.

"Build-to Line" means a designated line that runs parallel to the property boundary along which the façade of a building shall be built for the purpose of creating a consistent street edge.

"Encroachment" means private uses of public property, such as signs in or overhanging in the public right-of-way, private landscaping in the public right-of-way, and similar uses.

"Human Scale" means an architectural term that refers to the perceived proportional relationship of a building's size and details to a person walking next to the building.

"Mixed Use" refers to a type of zoning that allows a mixture of residential and other compatible uses in a single building (vertical mixed use) or in multiple buildings (horizontal mixed use) within a particular area, designated by a use district or special planning area.

"Roadway Interface Zone" refers to the transition zone between the vehicular traffic in the roadway and pedestrian activity along the sidewalk. This zone serves to help buffer pedestrians from vehicular traffic and noise associated with the roadway. Street furniture and landscaping, such as street trees, seating areas, newspaper and brochure dispensers, trash receptacles, drinking fountains, street lighting, street signs, parking meters, bus stops, bicycle racks and art work (depending upon the appropriateness and scale) are typically placed within this zone.

"Streetscape" means the appearance of the street formed by the area of a building's façade that is exposed to view from the street.

Sec. 10-5A.6 Special Planning Areas, Designation and Procedures.

(a) Designation of Special Planning Areas “D”, “E”, “F” and “G”. The boundaries of the following neighborhood design districts are hereby adopted as described in Chapter 5 of the Līhu‘e Town Core Urban Design Plan of 2009 and shall be referred to as follows:

(1) Special Planning Area “D”, which shall also be known as the “Rice Street Neighborhood Design District” and be designated as “SPA-D” on zoning maps.

(2) Special Planning Area “E”, which shall also be known as the “Kūhiō Highway Neighborhood Design District” and be designated as “SPA-E” on zoning maps.

(3) Special Planning Area “F”, which shall also be known as the “Akahi, ‘Elua and ‘Umi Streets Neighborhood Design District” and be designated as “SPA-F” on zoning maps.

(4) Special Planning Area “G”, which shall also be known as the “Līhu‘e Civic Center and Community Facilities Neighborhood Design District” and be designated as “SPA-G” on zoning maps.

(b) Designation of Zoning Map. In order to carry out the purpose of this Article, the zoning map ZM-LI 400 of the CZO is hereby amended to incorporate Special Planning Areas “D”, “E”, “F” and “G”.

(c) Relationship of Special Planning Areas to Underlying Use Districts. Special Planning Areas “D”, “E”, “F”, and “G” are intended to serve as “overlay” districts which supplement the underlying use district. The regulations pertaining to use districts underlying these special planning areas remain in force and effect. However, where the requirements of the “Līhu‘e Town Core Urban Design District Ordinance” conflict from the requirements of the underlying use district in force and effect before the enactment of this Article, the requirements of the “Līhu‘e Town Core Urban Design District Ordinance” shall prevail.

Sec. 10-5A.7 Special Planning Area “D” (“SPA-D”), also known as the “Rice Street Neighborhood Design District” – Uses, Standards and Guidelines.

The following exceptions, modifications and additions to the provisions of Chapter 8 and Chapter 10 of the Kaua‘i County Code shall apply to development within SPA-D, also known as the “Rice Street Neighborhood Design District.” This Section shall supersede any conflicting provisions in Chapter 8 and Chapter 10 of the Kaua‘i County Code enacted before the enactment of this Article.

(a) Generally Permitted Uses and Structures in SPA-D:

- (1) Accessory uses and structures
- (2) Art galleries and sales
- (3) Churches and temples
- (4) Clubs, lodges and community centers (private)
- (5) Commercial indoor amusement and recreation facilities
- (6) Convenience store and neighborhood grocery stores with a 20,000-square foot building footprint or smaller
- (7) Home businesses
- (8) Hotels and motels not to exceed RR-10 density
- (9) Household services
- (10) Light manufacturing, such as handicrafts and garment fabrication
- (11) Minor food processing, such as cracked seeds, jellies, candies and ice cream with a 20,000-square foot building footprint or smaller
- (12) Museums, libraries and public services
- (13) Offices and professional buildings
- (14) Parking garages/structures
- (15) Personal services, such as barber and beauty shops, salons, Laundromats, shoe repair shops, etc.
- (16) Public offices and buildings
- (17) Public parks and monuments
- (18) Restaurants and food services
- (19) Retail sales and shops with a 20,000 square foot building footprint or less
- (20) Multiple-family dwellings not to exceed R-20 density
- (21) Single-family dwellings
- (22) Schools and daycare centers.

(b) Uses and structures requiring a use permit in "SPA-D":

- (1) Adult family boarding, group living and care homes
- (2) Animal hospital
- (3) Automobile repair, storage and gasoline sales
- (4) Bars, Nightclubs, and Cabarets
- (5) Botanical and zoological gardens
- (6) Communications facilities
- (7) Construction materials storage
- (8) Convenience stores and neighborhood grocery stores over a 20,000 square foot building footprint
- (9) Food processing and packaging (other than what is permitted above)
- (10) Hotels and motels not to exceed RR-20
- (11) Light manufacturing (other than what is permitted above)
- (12) Outdoor private amusement and recreational facilities
- (13) Public and private utilities and facilities
- (14) Research and development (including laboratory/medical research)

- (15) Retail sales over a 20,000-square foot building footprint
- (16) Warehouse, self-storage facilities
- (17) Any other use or structure which the Planning Director finds to be similar in nature to those listed in this section and appropriate to the district.

(c) Setback and Build-to Line Requirements, Rice Street. The following setbacks and build-to requirements apply only to the portion of Rice Street from Kūhiō Highway to Kāpule Highway:

(1) Front Yards:

a. For the south side of Rice Street, buildings shall be built up to a twelve (12) foot build-to line from the edge of the curb.

b. For the north side of Rice Street, buildings shall be built up to a ten (10) foot build-to line from the edge of the curb.

c. The Director may grant an exemption from the build-to line requirement to allow for variation in the streetscape, provided the setback enhances the pedestrian nature of the streetscape and does not exceed a total of 70 percent of the frontage along Rice Street. Examples include provisions for landscaping, wider sidewalks, plaza areas and outdoor eating and seating areas.

d. Because the existing right-of-way fronting each property varies, all new development shall ensure that a continuous width of at least twelve (12) feet (from the street side edge of the sidewalk curb to the building façade, inclusive of tree wells) is provided on the south side of Rice Street and a similar sidewalk of at least ten (10) feet is provided on the north side of Rice street. Where buildings are set back from the build-to line, these areas shall be paved for ADA accessibility to meet with the sidewalk paving or shall be landscaped and serve a function that promotes pedestrian activity along the street front.

e. Easements shall be required and granted in favor of the County over private property where necessary to maintain a consistent streetscape. The County shall be responsible for the installation and maintenance of sidewalks and tree wells provided within the right-of-way easements. Adjacent landowners are encouraged to work with the County if patterned or special paving materials are desired.

(2) Side Yards:

a. Side yard setbacks are not required for buildings on Rice Street, except where the side yard abuts a public street or a lot in a zoning district which requires a side yard setback. In such cases, the setback

shall be equal to the minimum required for the adjoining or underlying zoning district. New development shall locate buildings at the minimum side yard setback, except in the following instances:

i. Where access to on-site parking at the rear of the building is necessary; or

ii. Where setback area is desired (i.e. for parking or outdoor seating) then the side yard setback along the first fifteen (15) feet of building depth shall be at the minimum setback. The remainder of either side yard shall be increased for the desired use.

(3) Rear Yards. No minimum rear yard setback is required for properties, except where the rear lot abuts a residential property. In this case, the minimum yard setback shall be five (5) feet.

d) Setback and Build-to Requirements, Fairview Commercial Area. The following setbacks and build-to requirements apply to the Fairview Commercial Area as described in Figure 5.3 of the Līhu'e Town Core Urban Design Plan.

(1) Front Yards

a. All new buildings along Kress and Kalena Streets shall be built up to the property line (zero (0) feet from the right-of-way).

b. For the north side of Halenani Street, buildings shall be built up to the property line (zero (0) feet from the right-of-way).

c. For the south side of Halenani Street, buildings shall be built up to a ten (10) foot build-to line from the edge of property line. Easements shall be granted in favor of the County for this ten (10) foot area to allow for parking and sidewalk improvements to be implemented by the County according to the Līhu'e Town Core Urban Design Plan of 2009. The easement and proposed sidewalk improvements will not require demolition of existing buildings and shall be adjusted as necessary. The easement is required for all new development or major renovations.

d. The Director may grant an exemption from the build-to line requirement on Halenani Street to allow for variation in the streetscape provided the setback enhances the pedestrian nature of the streetscape. Examples include provisions for landscaping, wider sidewalks, and outdoor eating and seating areas.

e. For Malama and Hoala Streets, the minimum front yard setback shall be five (5) feet.

(2) Side Yards

a. No side yard setback is required except where the side yard abuts a public street or for a use which requires a side yard setback. In such cases, the setback shall be equal to the minimum required for adjoining or underlying use district. New development shall locate buildings at the minimum side yard setback, except in the following instances:

i. Where access to on-site parking at the rear of the building is necessary; or

ii. Where setback area is desired (i.e. for parking or outdoor seating) then the side yard setback along the first fifteen (15) feet of the building depth shall be at the minimum setback. The remainder of either side yard may be increased for the desired use.

(3) Rear Yards.

a. No minimum rear yard setback is required for properties, except where the rear lot abuts a residential use. Then, the minimum yard setback shall be five (5) feet.

(e) Setback and Build-to Requirements, 'Ewalu Street Commercial Area. The following setbacks and build-to requirements apply to the 'Ewalu Street Commercial Area as described in Figure 5.4 of the Līhu'e Town Core Urban Design Plan.

(1) Front Yards

a. All new buildings along 'Ewalu Street shall be built up to the property line (zero feet from the right-of-way).

b. On 'Umi Street, new buildings shall be built up to a twenty-three (23) foot build-to line from the edge of property line. Easements shall be granted in favor of the County for this twenty-three (23) foot area to allow for perpendicular parking stalls (19 feet) and a four (4) foot wide sidewalk.

c. The Director may grant an exemption from the build-to line requirement to allow for variation in the streetscape, provided the setback enhances the pedestrian nature of the streetscape and does not exceed a total of 70 percent of the building frontage. Examples include provisions for landscaping, wider sidewalks, and outdoor eating and seating areas.

(2) Side Yards

a. No side yard setback is required except where the side yard abuts a public street or for a use which requires a side yard setback. In such cases, the setback shall be equal to the minimum required for the adjoining or underlying use. New development shall locate buildings at the minimum side yard setback, except in the following instances:

i. Where access to on-site parking at the rear of the building is necessary; or

ii. Where setback area is desired (i.e. for parking or outdoor seating) then the side yard setback along the first fifteen (15) feet of the building depth shall be at the minimum setback. The remainder of either side yard may be increased for the desired use.

(3) Rear Yards

a. For properties along Nāwiliwili Gulch, a twenty (20) foot rear yard setback is required. For all other properties, no minimum rear yard setback is required, except where the rear lot abuts a residential use. Then the minimum rear yard setback shall be five (5) feet.

(f) Historic Buildings. Exceptions to all the above setbacks and build-to lines are permitted for the historic buildings within the Rice Street Neighborhood as designated in Figure 5-2 of the Līhu'e Town Core Urban Design Plan of 2009. These buildings will be encouraged to retain their historic character and facades to the maximum extent feasible.

(g) Encroachment.

(1) Canopies, awnings, overhangs, balconies, eaves, signage, and similar permitted elements may encroach into the required right-of-way over the sidewalk, provided that the projection does not intrude into the street travelway or block ADA-accessible sidewalks and meets applicable ground clearance standards.

(2) Retail uses, such as sidewalk cafes and outdoor shopping areas, and temporary retail uses, such as sandwich boards and outdoor shopping displays, which "spill-out" onto the sidewalk are permitted, subject to approval by the Planning Director and County Engineer. Department of Transportation approval is also required for encroachments into a State-owned right-of-way.

(3) Outdoor eating and gathering areas located within the roadway interface zone should be buffered from moving cars through the use of bollards, planters, landscaping, decorative fencing or similar measures. All buffers that

encroach into a public right-of-way are subject to approval by the Planning Director and County Engineer. Department of Transportation approval is also required for encroachments into a State-owned right-of-way.

(h) Enhance the Streetscape to Encourage Pedestrian Activity and Biking.

(1) The entries of new buildings shall directly access and face the sidewalk.

(2) Site planning and building design shall facilitate pedestrian and bicycle access and circulation.

(3) On Rice Street, historical and cultural elements should be incorporated into the design of sidewalk paving, crosswalks, artwork and signage. Wayfinding information should also be incorporated into paving designs of sidewalks.

(4) Improved crosswalks should be provided where recommended in the Lihue Town Core Urban Design Plan of 2009, or other County and State transportation plans.

(5) Buildings located at street corners should help define the intersection by locating a portion of the main building at the corner. Parking, loading and service areas shall not be located at the street corner.

(i) Architectural Context and Compatibility. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) A mix of architectural styles, based on local design traditions, is allowed.

(2) Contextual design should be used to integrate new buildings into the streetscape and neighborhood. The design of new buildings should demonstrate sensitivity to the historical context and the surrounding natural environment.

(3) The adaptive reuse of historic buildings shall be considered.

(j) Building Density and Mass. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) No new building should significantly change the overall scale of the neighborhood.

(2) Human-scale elements, such as windows, doors, and ornamentation, should be used to break up large surfaces. Canopies, overhangs, and balconies should be used to help to reduce the vertical emphasis of buildings.

(3) Large buildings (with facades greater than 64 feet in width) should be broken down by articulating different volumes, window and column definition, and through varying roof and wall planes. These architectural features should be well-proportioned and related to create a satisfactory composition.

(4) Buildings with frontage on public streets, especially Rice Street, should be tightly massed (without large separations between buildings) to maintain façade continuity.

(k) Building Height.

(1) Building heights for new structures shall not exceed 50 feet from finished grade to the highest point of the roof. The Director may waive the building height requirement to allow additional height for sloping roofs if it is determined that the overall height will enhance the streetscape.

(2) The height and front façade of historic buildings should be preserved.

(3) Where taller structures are located adjacent to shorter structures, the contextual scale should be reduced using vertical divisions and stepping the building height or roof lines to provide a transition between the taller structure and shorter structure.

(l) Street-level Activity, Building Facades and Fenestration.

(1) Blank facades along Rice Street are not permitted. Use of awnings, arcades, large articulated windows, porches, balconies, decks, outdoor seating, and other elements to promote the use of the street front, provide places for social interaction, and give buildings a strong street presence should be considered.

(2) Primary entrances to buildings shall be both architecturally and functionally designed to face Rice Street or the main public street. Building entries should be clearly defined, welcoming, and relate to the sidewalk along the street. Doorways may be recessed to enhance circulation and may be highlighted through the use of ornamentation, building massing, and change in roof lines.

(3) The ground level of buildings, including windows, entrances and architectural details, should offer pedestrian interest along sidewalks and paths. Signage and ornamentation are encouraged.

(4) Exterior building materials should have a human scale to help pedestrians relate to the size of the building.

(5) Uses that support pedestrian activity, such as retail and food and drinking establishments, should be located on the ground floor of buildings on Rice Street. These uses shall be oriented to the street and have direct access from sidewalks through storefront entries. Areas for outdoor eating and shopping are encouraged.

(6) Windows, bays and door openings should be proportioned so that verticals dominate horizontals, except for street-level store-front windows, which may be square. Large openings, such as large areas of glass or porches, should be made up of smaller vertically proportioned elements grouped together to create the desired width.

(7) For historic buildings, entrances shall remain in their original location. The Director may grant an exemption from this requirement to allow entrances to be relocated to face the main public street.

(8) Canopies, awnings, or similar building projections that provide shade for pedestrians, are required for all new buildings on Rice Street, and should be considered for other buildings fronting a public street. Building projections should be compatible with the scale and character of the building.

(m) Roofs.

(1) New development shall utilize roof shapes, materials, and colors which are compatible with the existing traditional and historic architectural character of the area. The following roof types are permitted: false front with gable roof, false front with shed roof, false front with flat roof, gabled roofs, hip roofs, hip and gable roofs, and double pitched roofs. With the exception of the false front roof combinations mentioned above, a combination of roof types will be permitted. Flat roofs should have a false front that is appropriately scaled to the neighboring buildings.

(2) Aside from false front buildings, new buildings shall have a pitched roof with a minimum pitch of 3:12.

(3) Roof colors shall be earth tones. Reflective and shiny surfaces are not permitted, except for renewable energy equipment such as solar panels. The Director may grant an exemption from this requirement for energy-saving and

heat mitigation measures if there is no significant adverse impact on nearby properties.

(4) The use of more than one type of roof material is not permitted. The Director may grant an exemption from this requirement for energy-saving and heat mitigation measures if there is no significant adverse impact on nearby properties.

(5) When historic buildings are renovated, the functional and decorative features of roofs should be retained and preserved.

(6) Minimize the visibility of roof-mounted equipment and skylights from public streets and pedestrian connections. Screens shall be consistent with the building's architectural design and finishes.

(n) Building Materials and Color.

(1) Light earth tones, and other colors commonly found in the Līhu'e Town Core, shall be used for new and existing development. Brighter and darker colors may be used for accents, trim, and architectural features (such as canopies, awnings, and doors) that comprise relatively minor portions of the surface.

(2) The colors of all walls and the roof should be compatible, and the color scheme should fit with the contextual character of the surrounding area.

(o) Off-street Parking.

(1) General Parking Requirements.

a. Retail sales and services (grocery stores, drug stores, clothing stores, gift and sundry stores, banks, personal and household services, etc.). One (1) stall per 400 square feet of net floor area.

b. Eating and drinking establishments (restaurants, cafés and bars) and personal services (barber shops and beauty salons). One (1) parking space for each 400 square feet of gross floor area.

c. Offices and office buildings. One (1) parking space for every 400 square feet of net office space including waiting rooms or other spaces used by the public for the transaction of business or services.

d. Churches, sport arenas, auditoriums, theaters, assembly halls. One (1) parking space for each eight (8) seats in principal assembly area.

e. Residential Uses. For single-family detached dwellings: two (2) spaces per unit. For multiple-family and single-family attached dwellings: one and one-half (1.5) spaces per unit. For senior living and group care home facilities: one (1) space per three (3) units.

(2) Shared Parking.

a. Where uses and activities are mixed within the same building, project, or development and do not occur simultaneously (i.e. offices on the ground floor open during daytime hours and residential units on upper floors), parking spaces may be shared. Parking counts shall be determined by the use with the largest parking requirement.

(3) Parking Bonus.

a. The Director may allow a reduction in the parking requirement for commercial uses to one (1) space for every 550 square feet for properties that comply with all of the requirements and guidelines established in this Article.

b. If bicycle parking or storage is provided for any use, the total number of required vehicle parking spaces shall be reduced by 1 parking space for every 5 bicycle parking spaces or storage units provided.

c. The Director may allow a reduction in the parking requirements for commercial uses and multi-family dwellings if a bus or transit stop with a pullout area is provided and built to County Transportation Agency standards (subject to County Transportation Agency approval). The parking requirements shall be one (1) space per 550 square feet of net floor area or net office area for commercial uses and one (1) space per unit for multiple family dwellings.

(4) Design of Off-street Parking Facilities.

a. Off-street parking areas shall be located in the rear of properties and screened from view.

b. Parking lots with five (5) or more spaces should be landscaped with a minimum five (5) foot wide landscape strip adjacent to any adjoining public right-of-way. The landscape strip should be planted with a continuous screening hedge that is at least 42 inches high.

c. Parking lots with more than ten (10) parking spaces require one (1) canopy tree for every ten (10) stalls. Installed trees should be a minimum 25-gallon size. The tree well or planting area for the tree should be no less than nine (9) square feet in area or a minimum three (3)

feet wide in any direction and should be adequately sized for larger canopy trees. For example, monkey pod trees should have a planting strip of at least eight (8) feet. Trees should be sited so as to evenly distribute shade throughout the parking lot.

d. Entrances to parking areas on a parcel shall be located away from intersections and where they do not interrupt the street tree pattern. The number of curb cuts shall also be minimized.

e. Structured parking shall not dominate the street frontage of a building. Parking decks should be located to the rear of buildings and, where feasible, pedestrian-oriented uses, such as retail and office uses or a façade that hides the parking, should be incorporated at street level to reduce the visual impact of parking structures along the road.

f. Parking structures should incorporate landscaping to enhance the visual character of the structure.

g. Vehicular entrances to parking structures should not dominate the street frontage of buildings.

(p) Signage.

(1) Signage shall comply with the County's Outdoor Sign Ordinance (KCC §15-4).

(2) Permitted signs include signs mounted flat against a building façade, a projecting sign, or hanging sign.

(3) The design of signs should be compatible with the architectural style of the building and not dominate the façade.

(4) The name and address of buildings should be clearly visible from the street.

(5) Signs shall be graphically simple and present an appropriate level of detail.

(6) Sign material shall be non-reflective metal or wood, upon which the design shall be carved, sandblasted, or painted.

(7) Flashing, rotating, inflatable, and interior-lit fluorescent plastic signs are not permitted. Signs shall not be located on the roof. Sign lighting should be indirect.

(8) Views into storefront windows shall not be obstructed by oversized product advertisement signage or posters.

(9) Maximum gross area of a sign on a façade shall not exceed ten (10) percent of the façade area.

(10) Projecting signs shall maintain a minimum clear height of eight (8) feet above sidewalks and not extend beyond the roof, overhang, or awning.

(q) Walls and Fences.

(1) Walls and fences fronting a public right-of-way shall have a maximum height of three (3) feet. Fence post caps, finials and pillars may be up to six (6) inches taller. Walls and fences should be compatible with the architecture of the building and the overall style of the area. Chain link fences and unfinished concrete masonry use walls are not permitted along lot frontage, adjacent to public open spaces, or where it is readily visible to the public.

(r) Outdoor Lighting.

(1) Light fixtures shall be appropriately scaled with full-cutoff shielded lights directed downward.

(2) In public gathering areas, appropriate lower level lighting shall be placed near seating areas, crosswalks, driveways, water features, landscaped amenities, and pedestrian pathways.

(3) Light posts with attachments for hanging banners should be considered if existing lighting fixtures are replaced.

(s) Utilities and Screening Utility Equipment.

(1) All utilities, including power lines, cable and telephone lines should be placed in conduits underground. Existing overhead lines should be relocated underground.

(2) Utility equipment, such as utility boxes and meters, shall be located, sized and designed to be as inconspicuous as possible, but also in conformance with applicable electric and utility standards, rules, and codes.

(3) Electrical transformers shall be screened with either plant material or a wall to help conceal them from public view.

(t) Screening Loading Areas.

(1) Loading and unloading areas and outdoor storage/service areas shall be screened from view through the use of building mass, freestanding walls or fences, and/or landscaping. Screening materials should match adjacent buildings.

(2) Dumpsters shall be screened on at least three sides by an opaque fence or wall of sufficient height to block views of the containers. Plant material and/or earth berms should be used for the general screening of trash collection areas from views of main roads, sidewalks and building entrances.

(3) Avoid locating service and loading areas adjacent to residential areas, outdoor eating and gathering areas to minimize noise impacts from delivery and trash trucks.

(u) Nāwiliwili Gulch.

(1) Development along the edge of Nāwiliwili Gulch should not undermine soil stability. Shore up the foundation of existing buildings. Strategies to reduce and mitigate runoff, such as rainwater catchment systems, should be considered.

Sec. 10-5A.8 Special Planning Area “E” (“SPA-E”), also known as the “Kūhiō Highway Neighborhood Mixed Use- Commercial Emphasis Design District Overlay”– Uses, Standards and Guidelines.

The following exceptions, modifications and additions to the provisions of Chapter 8 and Chapter 10 of the Kaua‘i County Code shall apply to development within SPA-E also known as the “Kūhiō Highway Neighborhood Mixed Use- Commercial Emphasis Design District Overlay.” This Section shall supersede any conflicting provisions in Chapter 8 and Chapter 10 of the Kaua‘i County Code enacted before the enactment of this Article.

(a) Generally Permitted Uses and Structures in SPA-E.

- (1) Accessory uses and structures
- (2) Art galleries and sales
- (3) Churches and temples
- (4) Clubs, lodges and community centers (private)
- (5) Commercial indoor amusement and recreation facilities
- (6) Convenience store and neighborhood grocery stores with a 20,000-square foot building footprint or smaller
- (7) Home businesses
- (8) Hotels and motels not to exceed RR-10 density
- (9) Household services
- (10) Light manufacturing, such as handicrafts and garment fabrication
- (11) Minor food processing, such as cracked seeds, jellies, candies and ice cream with a 20,000-square foot building footprint or smaller

- (12) Museums, libraries and public services
- (13) Offices and professional buildings
- (14) Parking garages/structures
- (15) Personal services, such as barber and beauty shops, salons, Laundromats, shoe repair shops, etc.
- (16) Public offices and buildings
- (17) Public parks and monuments
- (18) Restaurants and food services
- (19) Retail sales and shops with a 20,000 square foot building footprint or less
- (20) Multiple-family dwellings not to exceed R-20 density
- (21) Single-family dwellings
- (22) Schools and daycare centers

(b) Uses and structures that require a use permit in SPA-E.

- (1) Adult family boarding, group living and care homes
- (2) Animal hospital
- (3) Automobile repair, storage and gasoline sales
- (4) Bars, Nightclubs, and Cabarets
- (5) Botanical and zoological gardens
- (6) Communications facilities
- (7) Construction materials and storage
- (8) Convenience stores and neighborhood grocery stores over a 20,000 square foot building footprint
- (9) Food processing and packaging (other than what is permitted above)
- (10) Hotels and motels not to exceed RR-20
- (11) Light manufacturing (other than what is permitted above)
- (12) Outdoor private amusement and recreational facilities
- (13) Public and private utilities and facilities
- (14) Research and development (including laboratory/medical research)
- (15) Retail sales over a 20,000-square foot building footprint
- (16) Warehouse, self-storage facilities
- (17) Any other use or structure which the Planning Director finds to be similar in nature to those listed in this section and appropriate to the district.

(c) Setback and Build-to Line Requirements, Kūhiō Highway. The following setbacks and build-to requirements apply only to the portion of Kūhiō Highway located within SPA-E.

(1) Front Yards.

- a. For the makai side of Kūhiō Highway, new buildings shall be built up to a twelve (12) foot build-to line from the edge of the curb.

b. For the mauka side of Kūhiō Highway, new buildings shall be built up to a twenty (20) foot build-to line from the edge of the curb.

c. The Director may grant an exemption from the build-to line requirement to allow for variation in the streetscape, provided the setback enhances the pedestrian nature of the streetscape and does not exceed a total of 30 percent of the frontage along Kūhiō Highway. Examples include provisions for landscaping, wider sidewalks, plaza areas and outdoor eating and seating areas.

d. Because the existing right-of-way fronting each property varies, all new buildings shall ensure that a continuous width of at least twelve (12) feet (from the street side edge of the sidewalk curb to the building façade, inclusive of tree wells) is provided on the south side of Kūhiō Highway and a similar sidewalk of at least twenty (20) feet shall be provided on the mauka side of Kūhiō Highway. Where buildings are set back from the build-to line, these areas shall be paved for ADA accessibility to meet with the sidewalk paving or shall be landscaped and serve a function that promotes pedestrian activity along the street front.

e. Easements shall be granted in favor of the County over private property where necessary to maintain a consistent streetscape. The County will be responsible for the installation and maintenance of sidewalks and tree wells provided within the right-of-way easements. Adjacent landowners are encouraged to work with the County if patterned or special paving materials are desired.

(2) Side Yards:

a. Side yard setbacks are not required for buildings on Kūhiō Highway, except where the side yard abuts a public street or a lot in a zoning district which requires a side yard setback. In such cases, the setback shall be equal to the minimum required for the adjoining or underlying zoning district. New development shall locate buildings at the minimum side yard setback, except in the following instances:

i. Where access to on-site parking at the rear of the building is necessary; or

ii. Where setback area is desired (i.e. for parking or outdoor seating) then the side yard setback along the first fifteen (15) feet of building depth shall be at the minimum setback. The remainder of either side yard shall be increased for the desired use.

(3) Rear Yards: No minimum rear yard setback is required for properties, except where the rear lot abuts a residential property. In this case, the minimum yard setback shall be five (5) feet.

(d) Encroachment (for build-to lines and setbacks).

(1) Canopies, awnings, overhangs, balconies, eaves, signage, and similar permitted elements may encroach into the required right-of-way over the sidewalk, provided that the projection does not intrude into the street travelway or block ADA-accessible sidewalks and meets applicable ground clearance standards.

(2) Retail uses, such as sidewalk cafes and outdoor shopping areas, and temporary retail uses, such as sandwich boards and outdoor shopping displays, which "spill-out" onto the sidewalk are permitted, subject to approval by the Planning Director and County Engineer. Department of Transportation approval is also required for encroachments into a State-owned right-of-way.

(3) Outdoor eating and gathering areas located within the roadway interface zone should be buffered from moving cars through the use of bollards, planters, landscaping, decorative fencing or similar measures. All buffers that encroach into a public right-of-way are subject to approval by the Planning Director and County Engineer. Department of Transportation approval is also required for encroachments into a State-owned right-of-way.

(e) Enhance the Streetscape to Encourage Pedestrian Activity and Biking

(1) The entries of new buildings shall directly access and face the sidewalk.

(2) Site planning and building design shall facilitate pedestrian and bicycle access and circulation.

(3) On Kūhiō Highway, historical and cultural elements should be incorporated into the design of sidewalk paving, crosswalks, artwork and signage. Wayfinding information should also be incorporated into paving designs.

(4) Improved crosswalks should be provided where recommended in the Līhu'e Town Core Urban Design Plan, or other County and State transportation plans.

(5) Buildings located at street corners should help define the intersection by locating a portion of the main building at the corner. Parking, loading and service areas shall not be located at the street corner.

(f) Architectural Context and Compatibility. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) A mix of architectural styles, based on local design traditions, is allowed.

(2) Contextual design should be used to integrate new buildings into the streetscape and neighborhood. The design of new buildings should demonstrate sensitivity to the historical context and surrounding natural conditions.

(3) The adaptive reuse of historic buildings shall be considered.

(g) Building Density and Mass. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) No new building should significantly change the overall scale of the neighborhood.

(2) Building facades for mixed-use and commercial buildings should employ the classic tri-part layering with a base, body, and roof for each building. At the base, the building should be pedestrian scaled, friendly, and inviting. The body should express the building's function and the roof should create an interesting line. Taller buildings should be created by adding height in the middle tier.

(3) Human-scale elements, such as windows, doors, and ornamentation should be used to break up large surfaces. Canopies, overhangs, and balconies should be used to help to reduce the vertical emphasis of buildings.

(4) Large buildings (with facades greater than 64 feet in width) should be broken down by articulating different volumes, window and column definition, and through varying roof and wall planes. These architectural features should be well-proportioned and related to create a satisfactory composition.

(h) Building Height.

(1) Building heights for new structures shall not exceed 50 feet from finished grade to the highest point of the roof. The Director may waive the building height requirement to allow additional height for sloping roofs, if it is determined that the overall building height will enhance the streetscape.

(2) The height and front façade of historic buildings should be preserved.

(3) Where taller structures are located adjacent to shorter structures the contextual scale should be reduced using vertical divisions and stepping the building height or roof lines to provide a transition between the taller structure and shorter structure.

(i) Street-level Activity, Building Facades and Fenestration.

(1) Blank facades along Kūhiō Highway are not permitted. Use of awnings, arcades, large articulated windows, porches, balconies, decks, outdoor seating and other elements to promote the use of the street front, provide places for social interaction, and give buildings a strong street presence should be considered.

(2) Primary entrances to buildings shall be both architecturally and functionally designed to face Kūhiō Highway or the main public street. Building entries should be clearly defined, welcoming, and relate to the sidewalk along the street. Doorways may be recessed to enhance circulation and highlighted through the use of ornamentation, building massing, and change in roof lines.

(3) Exterior building materials should have a human scale to help pedestrians relate to the size of the building.

(4) Uses that support pedestrian activity, such as retail and food and drinking establishments, should be located on the ground floor of buildings on Kūhiō Highway. These uses shall be oriented to the street and have direct access from sidewalks through storefront entries. Areas for outdoor eating and shopping are encouraged.

(5) Buildings located at street corners should be designed to address the corner and engage the interest of drivers, pedestrians and bicyclists at the intersection.

(6) Windows, bays and door openings should be proportioned so that verticals dominate horizontals, except for street level store front windows, which may be square. Large openings, such as large areas of glass or porches, should be made up of smaller vertically proportioned elements grouped together to create the desired width.

(7) For historic buildings, entrances shall remain in their original location. The Director may grant an exemption from this requirement to allow entrances to be relocated to face the main public street.

(8) Canopies, awnings, or similar building projections that provide shade for pedestrians, are required for all new buildings on Kūhiō Highway, and should be considered for other buildings fronting a public street. Building projections should be compatible with the scale and character of the building.

(j) Roofs.

(1) New development or major renovation shall utilize roof shapes, materials, and colors which are compatible with the existing traditional and historic architectural character of the area. The following roof types are permitted: false front with gable roof, false front with shed roof, false front with flat roof, gabled roofs, hip roofs, hip and gable roofs, and double pitched roofs. With the exception of the false front roof combinations mentioned above, a combination of roof types will be permitted. Flat roofs should have a false front that is appropriately scaled to the neighboring buildings.

(2) Aside from false front buildings, new buildings shall have a pitched roof with a minimum pitch of 3:12.

(3) Roof colors shall be earth tones. Reflective and shiny surfaces are not permitted, except for renewable energy equipment such as solar panels. The Director may grant an exemption from this requirement for energy-saving and heat mitigation measures if there is no significant adverse impact on nearby properties.

(4) The use of more than one type of roof material is not permitted. The Director may grant an exemption from this requirement for energy-saving and heat mitigation measures if there is no significant adverse impact on nearby properties.

(5) Roofs on historic buildings should be preserved or restored. When existing historic buildings are renovated, the functional and decorative features of the roof should be retained and preserved.

(6) Minimize the visibility of roof-mounted equipment and skylights from public streets and pedestrian connections. Screens shall be consistent with the building architectural design and finishes.

(k) Building Materials and Color.

(1) Light earth tones, and other colors commonly found in the Līhu'e Town Core, shall be used for new and existing development. Brighter and darker colors may be used for accents, trim, and architectural features (such as canopies, awnings, and doors) that comprise relatively minor portions of the surface.

(2) The colors of all walls and the roof should be compatible, and the color scheme should fit with the contextual character of the surrounding area.

(l) Off-street Parking.

(1) General Parking Requirements.

a. Retail sales and services (grocery stores, drug stores, clothing stores, gift and sundry stores, banks, personal and household services, etc.). One (1) space per 400 square feet of net floor area.

b. Eating and drinking establishments (restaurants, cafés and bars) and personal services (barber shops and beauty salons). One (1) parking space for each 400 square feet of gross floor area.

c. Offices and office buildings. One (1) parking space for every 400 square feet of net office space including waiting rooms or other spaces used by the public for the transaction of business or services.

d. Churches, sport arenas, auditoriums, theaters, assembly halls. One (1) parking space for each eight (8) seats in principal assembly area.

e. Residential Uses. For single-family detached dwellings: two (2) spaces per unit. For multiple-family and single-family attached dwellings: one and one-half (1.5) spaces per unit. For senior living and group care home facilities: one (1) space per three (3) units.

(2) Shared Parking. Where uses and activities are mixed within the same building, project, or development and do not occur simultaneously (i.e. offices on the ground floor open during daytime hours and residential units on upper floors), parking spaces may be shared. Parking counts shall be determined by the use with the largest parking requirement.

(3) Parking Bonus.

a. The Director may allow a reduction in the parking requirement for commercial uses to one (1) space for every 550 square feet for properties that comply with all of the requirements and guidelines established in this Article.

b. If bicycle parking or storage is provided for any use, the total number of required vehicle parking spaces shall be reduced by 1 parking space for every 5 bicycle parking spaces or storage units provided.

c. The Director may allow a reduction in the parking requirement for commercial uses and multi-family dwellings if a bus or transit stop with a pullout area is provided and built to County Transportation Agency standards (subject to County Transportation Agency approval), the parking requirement shall be one (1) space per 550

square feet of net floor area or net office area for commercial uses and one (1) space per unit for multiple family dwellings.

(4) Design of Off-street Parking Facilities.

a. Off-street parking areas shall be located in the rear of properties and screened from view.

b. Parking lots with five (5) or more spaces should be landscaped with a minimum five (5) foot wide landscape strip adjacent to any adjoining public right-of-way. The landscape strip should be planted with a continuous screening hedge of at least 42 inches high.

c. Parking lots with more than ten (10) parking spaces require one (1) canopy tree for every ten (10) spaces. Installed trees should be a minimum 25-gallon size. The tree well or planting area for the tree should be no less than nine (9) square feet in area or a minimum three (3) feet wide in any direction and should be adequately sized for larger canopy trees. For example, monkey pod trees should have a planting strip of at least eight (8) feet. Trees should be sited to evenly distribute shade throughout the parking lot.

d. Entrances to parking areas on a parcel shall be located away from intersections and where they do not interrupt the street tree pattern. The number of curb cuts shall also be minimized.

e. Structured parking shall not dominate the street frontage of a building. The parking decks should be located to the rear of buildings and where feasible, pedestrian-oriented uses, such as retail and office uses, or a façade that hides the parking, should be incorporated at street level to reduce the visual impact of parking structures along the road.

f. Parking structures should incorporate landscaping to enhance the visual character of the structure.

g. Vehicular entrances to parking structures should not dominate the street frontage of buildings.

(m) Signage.

(1) Signage shall comply with the County's Outdoor Sign Ordinance (KCC 15-4).

(2) Permitted signs include signs mounted flat against a building façade, a projecting sign, or hanging sign.

(3) The design of signs should be compatible with the architectural style of the building and not dominate the façade.

(4) Where multiple business inhabit a building along Kūhiō Highway, a business directory shall be provided and contain information on business establishment names and locations, pedestrian linkages and historic buildings. The directory should be compatible with street furnishings located nearby.

(5) The name and address of buildings should be clearly visible from the street.

(6) Signs shall be graphically simple and present an appropriate level of detail.

(7) Sign material shall be non-reflective metal or wood, upon which the design shall be carved, sandblasted, or painted.

(8) Flashing, rotating, inflatable, and interior-lit fluorescent plastic signs are not permitted. Signs shall not be located on the roof. Sign lighting should be indirect.

(9) Views into storefront windows shall not be obstructed by oversized product advertisement signage or posters.

(10) Maximum gross area of a sign on a façade shall not exceed ten (10) percent of the façade area.

(11) Projecting signs shall maintain a minimum clear height of eight (8) feet above sidewalks and not extend beyond the roof, overhang, or awning.

(n) Walls and Fences.

(1) Walls and fences fronting a public right-of-way shall have a maximum height of three (3) feet. Fence post caps, finials and pillars may be up to six (6) inches taller. Walls and fences should be compatible with the architecture of the building and the overall style of the area. Chain link fences and unfinished concrete masonry unit walls are not permitted along lot frontage, adjacent to public open spaces, or where it is readily visible to the public.

(o) Outdoor Lighting.

(1) In parking areas, light fixtures should be scaled to the pedestrian as well as the automobile with fully-shielded lights directed downward. The recommended height for light fixtures is no more than thirty (30) feet. Pedestrian-scaled light fixtures shall create a uniform illumination level for security without harsh light or glare.

(2) Accent lighting for water features, landscaping, pedestrian pathways, and other amenities shall be directed downward and fully-shielded.

(3) Floodlighting of buildings is prohibited.

(p) Utilities and Screening Utility Equipment.

(1) All utilities, including power lines, cable and telephone lines, should be placed in conduits underground. Existing overhead lines should be relocated underground.

(2) Utility equipment, such as utility boxes and meters, shall be located, sized and designed to be as inconspicuous as possible, but also in conformance with applicable electric and utility standards, rules, and codes.

(3) Electrical transformers shall be screened with either plant material or a wall to help conceal them from public view.

(q) Screening Loading Areas

(1) Loading and unloading areas and outdoor storage and service areas shall be screened from view through the use of building mass, freestanding walls or fences, and/or landscaping. Screening materials should match adjacent buildings.

(2) Dumpsters shall be screened on at least three sides by an opaque fence or wall of sufficient height to block views of the containers. Plant material and/or earth berms should be used for general screening of the trash collection areas from views of main roads, sidewalks and building entrances.

(3) Avoid locating service and loading areas adjacent to residential areas, outdoor eating and gathering areas to minimize noise impacts from delivery and trash trucks.

Sec. 10-5A.9 Special Planning Area “F” (“SPA-F”), also known as the “‘Akahi, ‘Elua and ‘Umi Streets Neighborhood Design District”— Uses, Standards and Guidelines.

The following exceptions, modifications and additions to the provisions of Chapter 8 and Chapter 10 of the Kaua‘i County Code shall only apply to development SPA-F also known as the “‘Akahi, ‘Elua and ‘Umi Streets Neighborhood Design District.” This Section shall supersede any conflicting provisions in Chapter 8 and Chapter 10 of the Kaua‘i County Code enacted before the enactment of this Article. All the following uses, standards and guidelines shall only apply to development located on ‘Akahi and ‘Elua Streets within SPA-F:

(a) Generally Permitted Uses and Structures within SPA-F.

- (1) Accessory uses and structures
- (2) Art galleries and sales
- (3) Churches and temples
- (4) Clubs, lodges and community centers (private)
- (5) Commercial indoor amusement and recreation facilities
- (6) Convenience store and neighborhood grocery stores under 10,000-square feet of building footprint for 'Akahi Street only.
- (7) Home businesses
- (8) Household services
- (9) Light manufacturing, such as handicrafts and garment fabrication
- (10) Minor food processing, such as cracked seeds, jellies, candies and ice cream under a 10,000-square foot building
- (11) Museums, libraries and public services
- (12) Offices and professional buildings
- (13) Parking garages/structures
- (14) Personal services, such as barber and beauty shops, salons, laundromats, shoe repair shops, etc.
- (15) Public offices and buildings
- (16) Public parks and monuments
- (17) Restaurants and food services
- (18) Retail sales and shops: Under 1,000 square feet of net area; or under a 10,000 square foot building footprint or less for 'Akahi Street only
- (19) Multiple-family dwellings not to exceed R-10 density
- (20) Single-family dwellings
- (21) Schools and daycare centers

(b) The following uses require a use permit.

- (1) Adult family boarding, group living and care homes
- (2) Animal hospital
- (3) Communications facilities
- (4) Convenience stores and neighborhood grocery stores over 10,000 square feet but under 20,000 square feet of building footprint for 'Akahi Street.
- (5) Convenience stores and neighborhood grocery stores under 10,000 square feet of building footprint for 'Elua Street.
- (6) Hotels and motels not to exceed RR-10 density
- (7) Public and private utilities and facilities
- (8) Research and development (including laboratory/medical research)
- (9) Retail sales and shops:
- (10) For 'Elua Street, up to a 10,000-square foot building footprint
 - a. For 'Akahi Street, up to a 20,000-square foot building footprint
 - b. Multiple-family dwellings, not to exceed R-20 density

(11) Any other use or structure which the Planning Director finds to be similar in nature to those listed in this section and appropriate to the district.

(c) Setback requirements.

(1) Front Yards. The minimum front yards setback for all structures is twenty-five (25) feet.

(2) Side Yards. The minimum side yard setback is five (5) feet for one-story buildings and ten (10) feet for two-story buildings or half the height of the tallest exterior wall plate.

(3) Rear Yards. The minimum rear yard setback is ten (10) feet.

(d) Encroachment.

(1) For primary buildings with a minimum front yard setback of twenty-five (25) feet, inhabitable projections (such as porches, balconies, and decks) may encroach into the required front setback up to a maximum of six (6) feet.

(2) Eaves may extend an additional three (3) feet within the six (6) foot encroachment that is permitted for porches, balconies and decks.

(3) Projections such as porches, balconies and decks, including eaves, may encroach into the required rear yard setback up to a maximum of four (4) feet.

(e) Enhance the Streetscape to Encourage Pedestrian Activity. The following shall apply to all new development within SPA-F.

(1) The design of new sidewalks, tree wells, and on-street parking shall be consistent with Sections 4.2 and 4.65 of the Lihue Town Core Urban Design Plan of 2009.

(2) Pedestrian connections to Kūhiō Highway from 'Akahi Street should be provided as shown in the Pedestrian Circulation Plan of the Līhu'e Town Core Urban Design Plan of 2009. These pedestrian easements shall be at least ten (10) feet in width with a five (5) foot paved path and shall be lighted and landscaped with good visibility.

(3) Site planning and building design shall facilitate pedestrian and bicycle access and circulation.

(4) Creative designs, wayfinding tools, and historical elements should be incorporated into the sidewalk and crosswalk paving.

(f) Architectural Context and Compatibility. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) The adaptive re-use of the historic cottage-style buildings is preferred over the demolition and construction of a new building.

(2) Architectural styles should focus on preserving and reinforcing the small-scale, plantation-style cottage house characteristics of the existing 1930s to 1940s houses on 'Akahi and 'Elua Streets. Buildings are typically single-story wooden structures elevated on pier and post supports. The support structure is screened with stone or wooden slats, and features a lattice design. Front entries are typically stepped up but variations or secondary entries may be used to allow for ADA accessibility.

(g) Building Density and Mass. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) New development should respect and maintain the building mass and design of existing small-scale plantation-style cottage houses that have architectural elements such as front porches, bays, and rear, detached garages. Multiple smaller buildings are preferred over one massive structure.

(2) Human-scale elements, such as windows, doors, and ornamentation, should be used to break up large surfaces.

(3) Minimize large volumes through the use of varying roof and wall planes and canopies and balconies to reduce the vertical emphasis of buildings.

(h) Building Height.

(1) Building heights for new structures shall not be more than two (2) stories in height or exceed thirty (30) feet from finished grade to the highest point on the roof. The Director may grant an exemption from the building height requirement to allow additional height for sloping roofs, if the overall building height will relate to the surrounding neighborhood. It is preferable to locate one-story structures closer to the public street and step taller, two-story structures towards the back of the lot.

(2) Secondary detached structures, such as garages, will be permitted and shall have a height of ten (10) feet. Additional height may be allowed for a sloping roof, subject to approval of the Planning Director. Additional dwelling units shall be located at the back of the lot with the main building taking prominence at the front of the lot.

(3) The height and front façade of historic buildings should be preserved.

(4) The height and the scale of new buildings or major renovations should be compatible with adjacent residences.

(i) Building Materials, Facades and Fenestration.

(1) Blank facades along public streets are not permitted. The design of facades should be compatible with the historic 1930-40s residences and the traditional small town residential character of Līhu'e with regard to scale, detailing, and materials.

(2) Primary entrances and porches should be designed with the residential scale and architectural style of the neighborhood. They should be designed and incorporated into the front façade of the building and connect to sidewalks. Front entries are typically stepped but may include ramps for ADA accessibility.

(3) Doors at the main entry should be single or French (double) doors with half to full glazing. Sidelights are also acceptable.

(4) Windows should be double or single-hung and may have articulated panes/grilles. Windows should be oriented vertically and paired or tripled to scale appropriately with the size of the wall.

(5) Exterior wall materials shall consist of wood (or materials that are manufactured to look like wood) and may include stone detailing at the foundations or entry. Wood siding shall be painted and mounted consistently in a horizontal or vertical direction and detailed with trim and accents to create interest.

(6) For historic buildings, original building materials shall not be covered up with finish materials that mask the original building material or that will significantly alter the appearance or character of the historic buildings.

(j) Roofs.

(1) Roofs on historic buildings should be preserved or restored.

(2) New development or major renovations shall utilize roof shapes, materials, and colors which are compatible with the existing traditional and historic architectural character of the area. The following roof types are permitted: hip roofs, gables roofs, and double-pitched hip roofs (Dikey roofs). A combination of roof types is permitted. Minimum pitch shall be 3:12.

(3) Roof colors shall be earth tones. Reflective and shiny surfaces are not permitted, except for renewable energy equipment such as solar panels. The Director may grant an exemption from this requirement for energy-saving and

heat mitigation measures if there is no significant adverse impact on nearby properties.

(4) Minimize the visibility of roof-mounted equipment and skylights from public streets and pedestrian connections.

(k) Building Color. Light earth tones, and other colors commonly found in the Līhu'e Town Core, shall be used for new and existing development. Brighter and darker colors may be used for accents, trim, and architectural features (such as canopies, awnings, and doors) that comprise relatively minor portions of the surface.

(l) Off-street Parking.

(1) General Parking Requirements:

a. Commercial Uses (offices, retail sales and services). One (1) space per 400 square feet of net floor area.

b. Residential Uses. Two (2) spaces per single-family dwelling unit. For multiple-family and single-family attached dwellings: one and one-half (1.5) spaces per unit. One (1) space for granny flats and additional dwelling units with two (2) bedrooms or less.

(2) Shared Parking. For commercial/residential mixed use buildings, shared parking will be permitted, with the offices, retail sales and services portion of the building requiring one (1) stall per 400 square feet of gross floor area occupied, and one (1) space per dwelling unit for the residential portion of the building.

(3) Parking Bonus:

a. The Director may allow a reduction in the parking requirement for commercial uses to one (1) space for every 550 square feet for properties that comply with all of the requirements and guidelines established in this Article.

b. If bicycle parking or storage is provided for any use, the total number of required vehicle parking spaces shall be reduced by 1 parking space for every 5 bicycle parking spaces or storage units provided.

c. The Director may allow a reduction in the parking requirement for commercial uses and multi-family dwellings if a bus or transit stop with a pullout area is provided and built to County Transportation Agency standards (subject to County Transportation Agency approval). The parking requirements shall be one (1) space per

550 square feet of net floor area or net office area for commercial uses and one (1) space per unit for multiple family dwellings.

(m) Design of Off-street Parking Facilities.

(1) Off-street parking areas shall be located in the rear of properties. If located on the side yard of a property, they shall be screened from view to the maximum extent feasible. Parking in front yards is highly discouraged but may be allowed for overflow parking. Regular parking areas should not be located along the public street.

(2) Parking lots with five (5) or more spaces should be landscaped with a minimum five (5) foot wide landscape strip adjacent to any adjoining public right-of-way. The landscape strip should be planted with a continuous screening hedge of at least 42 inches high.

(3) Parking lots with more than ten (10) parking stalls shall require one (1) canopy tree for every ten (10) stalls. Installed trees should be a minimum 25-gallon size. The tree well or planting area for the tree should be no less than nine (9) square feet in area or a minimum three (3) feet wide in any direction and should be adequately sized for larger canopy trees. For example, monkey pod trees should have a planting strip of at least eight feet. Trees should be sited so as to evenly distribute shade throughout the parking lot.

(n) Signage.

(1) Signage in this neighborhood shall be compatible with the residential character of the streetscape and comply with the County's Outdoor Sign Ordinance (KCC 15-4).

(2) Signs shall hang at entryways or be mounted flat against the front of the building façade. Small roadside signs are permitted on mailbox posts or mounted separately so long as they do not obstruct pedestrian paths or vehicle access.

(3) The design of signs should be compatible with the architectural style of the building and not dominate the façade.

(4) Signs shall be graphically simple and present an appropriate level of detail.

(5) Sign material shall be wood (or a wood substitute), upon which the design shall be carved, sandblasted, or painted. Other sign materials (such as neon) are not permitted.

(6) Flashing, rotating, inflatable, or lighted signs are not permitted. Sign colors shall be compatible with building color.

(7) Views into windows shall not be obstructed by oversized produce advertisement signage or posters.

(8) Maximize gross area of a sign on a façade shall not exceed five (5) percent of the front façade area.

(o) Walls, Hedges and Front-yard Landscaping.

(1) Low hedges and garden walls are recommended for front yards along 'Akahi and 'Elua Streets. Hedges are preferred over walls for 'Elua Street.

(2) Existing hedges should be maintained. New hedges and garden walls along the front property boundary shall have a maximum height of three (3) feet. Corners and support posts/pillars may be six (6) inches taller.

(3) Wall material shall be of natural materials (such as stone or wood) without abrupt material changes on the same wall.

(4) Chain link fences are not allowed along lot frontage, adjacent to public open spaces, or where it is readily visible to the public.

(p) Outdoor Lighting.

(1) Excessive outdoor lighting and floodlighting is not permitted. Only areas that need to be lit for safety purposes should have outdoor lighting. If businesses do not remain open after dark, general outdoor lighting should not be provided.

(2) If outdoor lighting is required, fixtures should be scaled to the pedestrian with fully-shielded lights that are directed downward to minimize impact to Kaua'i's shearwaters and other native birds. Outdoor lights should be on a timer or have light sensors and have automatic shut-off capabilities for the hours between 10:00 PM and 5:00 AM.

(q) Utilities and Screening Utility Equipment.

(1) All utilities, including power lines, cable and telephone lines should be placed in conduits underground. Existing overhead lines should be relocated underground.

(2) Utility equipment, such as utility boxes and meters, shall be located, sized and designed to be as inconspicuous as possible, but also in conformance with applicable electric and utility standards, rules, and codes.

(3) Electrical transformers shall be screened with either plant material or a wall to help conceal them from public view.

(r) Screening Loading Areas.

(1) Loading and unloading areas and outdoor storage/service areas shall be screened from view through the use of building mass, freestanding walls or fences, and/or landscaping. Screening materials should match adjacent buildings.

(2) Dumpsters shall be screened on at least three sides by an opaque fence or wall of sufficient height to block views of the containers. Plant material and/or earth berms should be used for general screening of the trash collection areas from views of main roads, sidewalks and building entrances.

(3) Avoid locating service and loading areas adjacent to residential areas, outdoor eating and gathering areas to minimize noise impacts from delivery and trash trucks.

Sec. 10-5A.10 Special Planning Area “G” (“SPA-G”), also known as the “Līhu‘e Civic Center and Community Facilities Neighborhood Design District.”– Uses, Standards and Guidelines.

The following exceptions, modifications and additions to the provisions of Chapter 8 and Chapter 10 of the Kaua‘i County Code shall apply to development within Special Planning Area “G”, also known as the “Līhu‘e Civic Center and Community Facilities Neighborhood Design District.” This Section shall supersede any conflicting provisions in Chapter 8 and Chapter 10 of the Kaua‘i County Code enacted before the enactment of this Article.

(a) Generally Permitted Uses and Structures in SPA-G.

- (1) Accessory uses and structures
- (2) Churches and temples
- (3) Gymnasiums and recreational facilities
- (4) Museums, libraries and public services
- (5) Parking garages and structures
- (6) Public offices and buildings
- (7) Public parks and monuments
- (8) Restaurants and food services under 1,000 square feet of net area.
- (9) Retail sales under 1,000 square feet of net area.
- (10) Schools and daycare centers

(b) Uses and structures that require a use permit in SPA-G.

- (1) Clubs, lodges and community centers (private)
- (2) Communication facilities

(3) Convenience stores and neighborhood grocery stores under 10,000 square feet.

(4) Outdoor private amusement and recreational facilities.

(5) Public and private utilities and facilities

(6) Any other use or structure which the Planning Director finds to be similar in nature to those listed in this section and appropriate to the district.

(c) Setback Requirements:

(1) Front Yards. The minimum side yard setback is ten (10) feet for one-story buildings and fifteen feet for two-story buildings, or half (0.5) the height of the tallest exterior wall plate.

(2) Side Yards. The minimum side yard setback is ten (10) feet for one-story buildings and fifteen (15) feet for two-story buildings or half (0.5) the height of the tallest exterior wall plate.

(3) Rear Yards. The minimum rear yard setback is ten (10) feet.

(d) Encroachment. Building projections (such as eaves) may encroach into the required front, rear and side yard setback up to a maximum depth of four (4) feet. Projections that encroach into the required setbacks shall not be a large or integral part of the overall building mass.

(e) Views. Structures should be oriented to minimize intrusion into views of Wai'ale'ale, Hā'upu, and Kālepa.

(f) Enhance the Streetscape to Encourage Pedestrian Activity and Biking.

(1) Site planning and building design shall facilitate pedestrian and bicycle access and circulation throughout the property. An interconnected network of pedestrian pathways should connect with the sidewalks surrounding the Civic Center and Community Facilities Neighborhood and provide pedestrian access to all buildings within the neighborhood.

(2) ADA-accessible sidewalks should be provided throughout the area.

(3) Trees should be planted along streets, and be consistent with the street tree planting theme in Sections 4.2.6 and 4.6.5 of the Līhu'e Town Core Urban Design Plan of 2009.

(4) Improved crosswalks should be provided where recommended in the Līhu'e Town Core Urban Design Plan of 2009, or other County and State transportation plans.

(5) The design of the pedestrian circulation system should strive to create a sequence of events and an interconnection of "places", rather than be simply a means to get from one building to another.

(6) Pedestrian pathways should be designed to visually communicate their role within the pedestrian network. For example, primary paths should be distinguished from secondary paths.

(7) Adequate widths should be provided to handle the expected type and volume of traffic.

(8) Pedestrian pathways and open spaces should have amenities such as landscaping, street furniture, benches, bicycle racks, trash receptacles, water fountains, information signage/kiosks, lighting, public art, and civic monuments. Section 4.2.3 of the Līhu'e Town Core Urban Design Plan of 2009 provides more detailed guidelines on suitable amenities for pedestrians.

(9) The alignment of pedestrian pathways should capitalize on visual amenities along the route, including views of civic buildings, open spaces, and other significant view elements.

(10) Pedestrian security shall be considered in the design of the pedestrian network, through the use of security lighting, and by considering visual control and potential hiding places.

(11) Pedestrian pathways should be constructed using durable, non-slip materials. Contrasting and patterned paving materials, including signature designs or motifs, are encouraged.

(12) Buildings and open spaces should provide seating opportunities through the use of ledges, steps, corners, and walls, as well as moveable chairs and benches.

(g) Plazas, Courtyards and Open Space.

(1) Plazas, courtyards and open spaces should create a hierarchy of open spaces and be connected by the pedestrian circulation network. The potential volume of pedestrian activity, including the use of the space as a venue for community events, should also be considered.

(2) Plazas, courtyards, and open spaces should provide seating amenities for both employees and visitors of the Civic Center.

(3) The design of open spaces should consider the microclimate, including wind intensity, sun angles, precipitation and landscaping.

(4) The design of plazas, courtyards, and open spaces should complement the design of adjacent buildings.

(5) Public spaces shall meet ADA-accessibility standards.

(6) Views of prominent topographical, cultural and landscape features should be considered in the design of open spaces.

(7) Plazas, courtyards, and open spaces should be buffered from roads, service areas and parking lots to minimize visual impact, noise and air pollution.

(h) Architectural Context and Compatibility. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) New buildings should be compatible with the existing historic buildings and landmarks within the neighborhood. New architectural styles may be appropriate if scaled and sited to respect the historic buildings, view planes and significant landscaping.

(2) The adaptive reuse of historic buildings is encouraged as an effective sustainable building practice.

(i) Building Density and Mass. The following guidelines shall be considered as tools to help achieve the design goals of the neighborhood:

(1) No new building should significantly change the overall scale of buildings in Civic Center, particularly the historic buildings.

(2) Civic buildings may be designed to be of a grander scale. However, human-scale elements, such as windows, doors and ornamentation, should be used to break-up large surfaces.

(3) Large buildings (with facades greater than 64 feet in width) should be broken down by means of the articulation of separate volumes. These should be well-proportioned and related to create a satisfactory composition.

(j) Building Height.

(1) Building heights for new structures shall not be more than two (2) stories in height or exceed 30 feet from finished grade to the highest point on the roof. The Director may waive the building height requirement to allow additional height for sloping roofs.

(2) The height and front façade of historic buildings should be preserved.

(3) The height and the scale of new buildings should be compatible with adjacent buildings.

(k) Street –level activity, Building Facades and Fenestration.

(1) Blank facades along public streets are not permitted.

(2) The design of facades should be compatible with the historic character of the neighborhood. Façade elements common to the neighborhood include recessed window openings, recessed entries, exposed columns, arcades, balconies, and decorative building elements reinforced by repetition of fenestration and strong horizontal lines expressed by a combination of fenestrations, openings, wall edges and decorations. New development shall be contextual to these elements, incorporating and employing these elements to visually relate new buildings to adjacent facades of historic buildings.

(3) Recessed entries, arcades, balconies and windows also serve to define and give importance to major entrances, offer protection from the weather and visually welcome people to the public buildings. Building entries should be clearly defined, welcoming and connect to ADA-accessible sidewalks.

(4) Buildings located at street corners should be designed to address the corner, to engage the interest of drivers, pedestrians and bicyclists at the intersection.

(5) Use ornamentation, such as building trim, on windows and door openings to enhance a building's design statement with details that add interest to the building. Ornamentation can also help to develop a human scale for the buildings.

(l) Roofs.

(1) Roofs on historic buildings should be preserved or restored.

(2) New buildings may utilize a wide range of roof shapes, materials, and colors given the existing range of traditional and historic architectural character of the area.

(3) Roof colors shall be earth tones. Reflective and shiny surfaces are not permitted, except for renewable energy equipment such as solar panels. The Director may grant an exemption from this requirement for energy-saving and heat mitigation measures if there is no significant adverse impact on nearby properties.

(4) The use of more than one type of roof material is not permitted. The Director may grant an exemption from this requirement for energy-saving

and heat mitigation measures if there is no significant adverse impact on nearby properties.

(5) Roof-mounted equipment shall be screened from view in all directions to a distance of 1,000 feet. Screens shall be consistent with the building architectural design and finishes.

(m) Building Materials and Color.

(1) For historic buildings, original building materials shall not be covered up with finish materials that will significantly alter the building's appearance or character.

(2) Building materials shall be in keeping with the historic buildings in the district. A consistent type of finish material shall be used on all walls of a building. Wall finishes shall consist of concrete, stone, or plaster as deemed appropriate contextually. Reflective or opaque glass and glass films are not desirable, since they reduce visual interest and are not in keeping with the character of the Civic Center.

(3) Building colors should be selected to harmonize with existing historic building. Colors and surfaces which predominate include white walls, warm earth tones, natural stone and cast concrete. The use of shiny metal or reflective surfaces, including reflective paints and slick, plastic-like surfaces should be avoided.

(4) If the use of metal surfaces is required, they should be used minimally with dark, matte finishes. Copper and brass are permitted surfaces for accents, such as gutters and trim. Any glass surfaces should be recessed and clear, or of light tints.

(n) Off-street Parking.

(1) General Parking Requirements.

a. Retail sales and services, eating and drinking establishments (including: restaurants and coffee shops). One (1) parking space for each two hundred (200) square feet of net floor space.

b. Offices and office buildings. One (1) parking space for every two hundred (200) square feet of net office space and waiting rooms of other spaces used by the public for the transaction of business or services.

c. Churches, sport arenas, auditoriums, theaters, assembly halls. One (1) parking space for each eight (8) seats in principal assembly area.

(2) Parking Bonus

a. The Director may allow a reduction in the parking requirement for commercial uses to one (1) space for every 550 square feet for properties that comply with all of the requirements and guidelines established in this Article.

b. If bicycle parking or storage is provided for any use, the total number of required vehicle parking spaces shall be reduced by 1 parking space for every 5 bicycle parking spaces or storage units provided.

c. The Director may allow a reduction in the parking requirement for commercial uses and multi-family dwellings if a bus or transit stop with a pullout area is provided and built to County Transportation Agency standards (subject to County Transportation Agency approval). The parking requirement shall be one (1) space per 550 square feet of net floor area or net office area for commercial uses and one (1) space per unit for multiple family dwellings.

(3) Design of Off-street Parking Facilities

a. Off-street parking areas shall be located in the rear of properties and screened from view.

b. Parking lots with five (5) or more spaces should be landscaped with a minimum (five 5) foot wide landscape strip adjacent to any adjoining public right-of-way. The landscape strip should be planted with a continuous screening hedge of at least 42 inches high.

c. Parking lots with more than ten (10) parking spaces require one (1) canopy tree for every ten (10) spaces. Installed trees should be a minimum 25-gallon size. The tree well or planting area for the tree should be no less than nine (9) square feet in area or a minimum three (3) feet wide in any direction and should be adequately sized for larger canopy trees. For example, monkey pod trees should have a planting strip of at least eight (8) feet. Trees should be sited to evenly distribute shade throughout the parking lot.

d. Parking structures should not dominate the street frontage. They should be located below grade or in the interior of the lot and be screened from view by: 1) wrapping the structure with inhabitable spaces or a façade that hides the parking, 2) planting of canopy and tall vertical-form trees, or 3) planters with climbing, or cascading vines or flowering shrubs along parking level railings to soften the appearance of a parking

structure. Trellises and planting material should be used to help mitigate the visual impact of rooftop parking. .

e. Underground parking with street-level landscaping would be an appropriate way to hide parking and mitigating the visual impact of a parking structure and open up more space for public use.

f. Entrances to parking areas on a parcel shall be located where they do not interrupt the street tree pattern and where the width and number of curb cuts are minimized.

g. Vehicular entrances to parking structures should not dominate the street frontage.

(o) Signage.

(1) Outdoor signs shall comply with the County's Outdoor Sign Ordinance (KCC §15-4).

(2) The use of a consistent signage style and graphics for all public facilities is encouraged to give this district a coordinated appearance. Signage style should also distinguish it from other non-governmental uses in the district. Special plaques and signage for historic buildings and landmarks should also be unique, consistent and easily recognizable.

(3) In developing a consistent signage style and graphics, the design of signs shall consider: 1) historical precedents and elements specific to Līhu'e, 2) appropriate scale of signage for the neighborhood, 3) appropriate locations for signage, 4) compatible signage material, and 5) visibility of the sign from the street.

(4) Signs shall be graphically simply and present an appropriate level of detail.

(5) Flashing, rotating, inflatable, neon and roof-mounted signs are not permitted. Sign colors should be compatible with building colors and a Līhu'e signature motif or color scheme. Sign lighting shall be indirect, down-lit and fully-shielded. Interior-lit fluorescent signs are not permitted.

(p) Walls and Fences.

(1) Walls and fences fronting a public right-of-way shall have a maximum height of three (3) feet. Fence post caps, finials and pillars may be up to six (6) inches taller.

(2) The design of walls and fences shall be coordinated for the neighborhood. Chain link fences and unfinished concrete masonry walls are not permitted along lot frontage, adjacent to public streets or open spaces, or where it is readily visible to the public.

(q) Outdoor Lighting.

(1) All lighting fixtures shall be fully-shielded and directed downward. They should create a uniform illumination level for security without harsh light or creating glare.

(2) All lighting not needed for safety purposes shall be on a timer with motion sensors and automatic shut-off controls.

(3) In parking areas, light fixtures should be scaled to the pedestrian as well as the automobile.

(4) In public gathering areas, appropriate lower level lighting shall be placed near seating areas, crosswalks, driveways, water features, landscaped amenities, pedestrian pathways.

(5) Floodlighting buildings is prohibited.

(r) Utilities and Screening Utility Equipment.

(1) All utilities, including power lines, cable and telephone lines should be placed in conduits underground. Existing overhead lines should be relocated underground.

(2) Utility equipment shall be located, sized and designed to be as inconspicuous as possible, but also in conformance with applicable electric and utility standards, rules, and codes.

(3) Electrical transformers should be screened with either plant material or a wall to help conceal them from public view.

(s) Screening Loading Areas.

(1) Loading and unloading areas and outdoor storage and service areas shall be screened from view through the use of building mass, garden walls or fences, and/or landscaping. Screening materials should match adjacent buildings.

(2) Dumpsters shall be screened on at least three (3) sides by an opaque fence or wall of sufficient height to block views of the containers. Plant

material and/or earth berms should be used for general screening of the trash collection areas from views of main roads, sidewalks and building entrances.

(3) Avoid locating service and loading areas adjacent to Rice, Hardy and 'Umi Streets. If no other location is possible, screen the view of the loading area with a fence or wall fronted with landscaping.

Sec. 10-5A.11 Implementation of the Līhu'e Town Core Urban Design Plan.

The Planning Department shall develop an outreach program to work with existing community organizations and interested individuals to implement the Līhu'e Town Core Urban Design Plan 2009 and shall report on the progress made towards implementation to the Planning Commission on an annual basis."

SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or application of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 4. This ordinance shall take effect upon approval.

Introduced by:

/s/ JAY FURFARO
(By request)

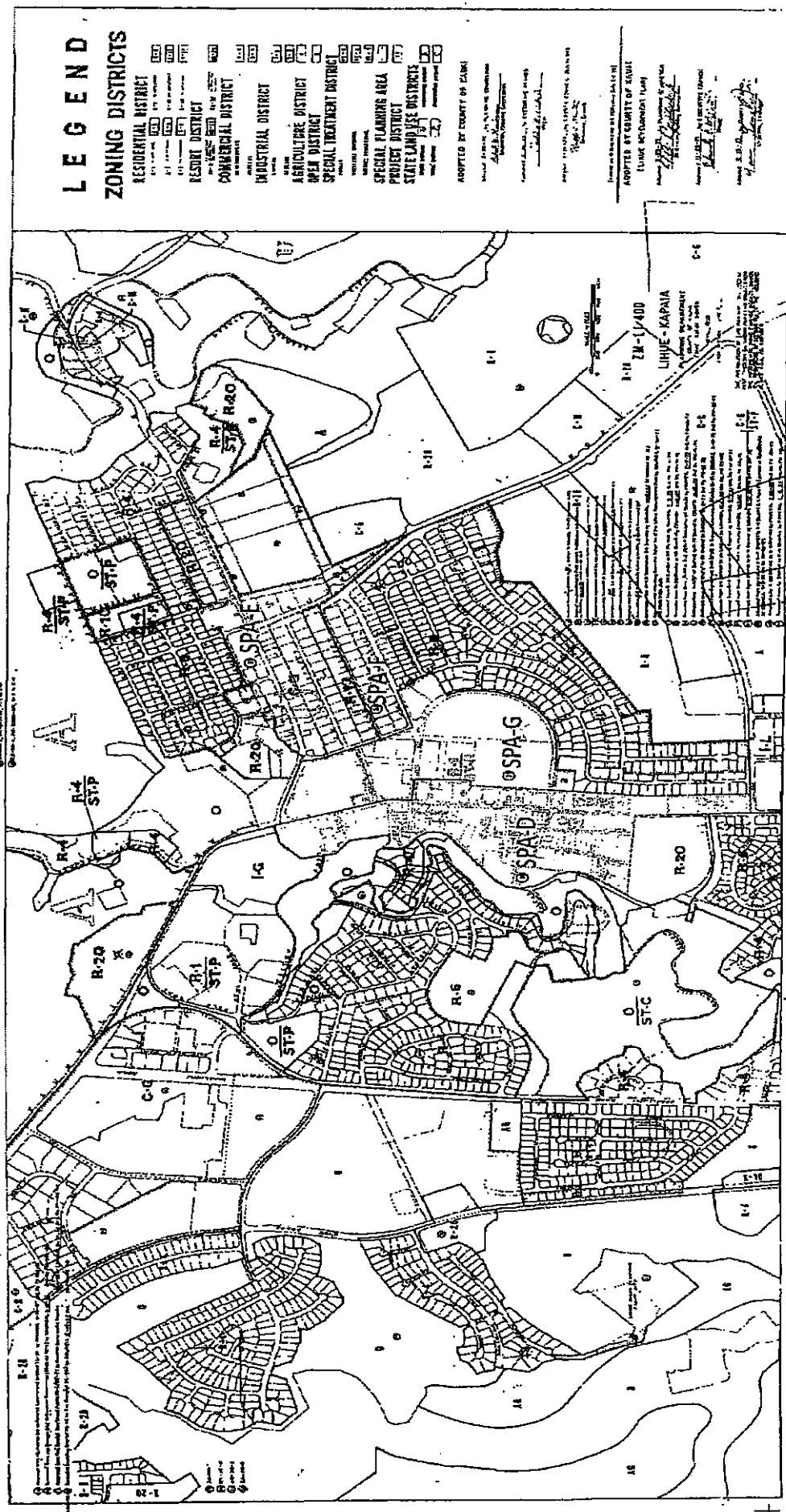
Date of Introduction:

January 6, 2010

Līhu'e, Kaua'i, Hawai'i

V:\CS OFFICE FILES\BILLS\2010\Bill No. 2342 Draft 2, LTCUDP apprvd 3-3-2010 with map.doc(jft)

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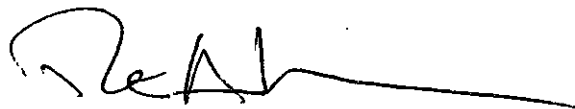
- 12-2010-04, 12-1-12, "New Street Neighborhood Design District Overlay"
- 12-2010-04, 12-1-12, "2nd/3rd Highway Neighborhood Design District Overlay"
- 12-2010-04, 12-1-12, "Alaska Road and Land Street Neighborhood Design District"
- 12-2010-04, 12-1-12, "Town Center and Community Neighborhood Design District Overlay"

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2342, Draft 2, which was adopted on second and final reading by the Council of the County of Kauai at its meeting held on March 3, 2010, by the following vote:

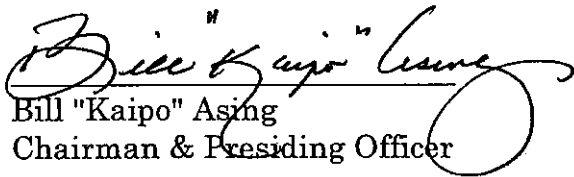
FOR ADOPTION: Bynum, Chang, Furfaro, Kaneshiro, Kawahara, Asing	TOTAL – 6,
AGAINST ADOPTION: None	TOTAL – 0,
EXCUSED & NOT VOTING: None	TOTAL – 0
RECUSED & NOT VOTING: Kawakami	TOTAL – 1.

Līhu'e, Hawai'i
March 4, 2010



Peter A. Nakamura
County Clerk, County of Kaua'i

ATTEST:

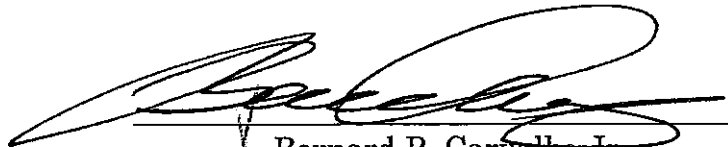


Bill "Kaipo" Asing
Chairman & Presiding Officer

DATE OF TRANSMITTAL TO MAYOR:

March 8, 2010

Approved this 12 day of
March, 2010.



Bernard P. Carvalho Jr.
Mayor
County of Kaua'i