



Princeville *at Hanalei* Community Association

PRINCEVILLE AT HANAIEI

COMMUNITY DESIGN
COMMITTEE

ARCHITECTURAL RULES

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Supersedes All Previous Issues

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1 INTRODUCTION

1.1 General

Princeville is a beautiful community located in a uniquely spectacular setting. It is also a place where residents care about the quality of the architecture and surrounding landscape. The Protective Covenants, established by the original developer, is the mechanism for ensuring this quality. The Covenants run with the land and are binding on all Owners and Tenants.

The Community Design Committee (CDC) Rules provided here are an “extension” of the Covenants intended to describe and inform Owners and project designers of the Community’s expectations and preferences for the quality and character of new homes, renovations, and landscaping.

The CDC reserves the right to require design modifications or additions that, though not specifically contained in the CDC Rules text, are within the spirit and intent of the Rules and the design objectives of the community. The CDC evaluates all proposals on the basis of these Rules. Some of the Rules are written as broad standards and their interpretation is left to the discretion of the CDC, and other Rules (setbacks, building heights) are more definitive standards. There may be some types of projects that are not specifically listed in these rules but are subject to CDC review and approval. Contact the CDC Administrator/Liaison if you have a question about a project that is not covered in these rules.

All Owners are required to comply with the CDC Rules and have written approval before building a new home, making any exterior changes to their existing home, making changes to the interior of the home, or landscaping. This includes maintenance projects such as re-painting and re-roofing.

This publication is new for 2025. Members of the CDC review and revise the rules annually to ensure that the rules are appropriate and easy to understand.

Including this introductory section, the document is organized into the following eight sections:

- [Introduction](#)
- [Building Design Criteria](#)
- [Landscaping and Site Development](#)
- [CDC Plan Submittal Processes](#)
- [Specific Item Requirements](#)
- [Construction and Job Site Regulations](#)
- [Appendices](#)

These chapters are intended to roughly model the planning process. Owners and project designers are encouraged to engage with the CDC Administrator/Liaison early in this process. While this document defines the rules, the CDC Administrator/Liaison can be very helpful in providing additional guidance in both the design and the submittal processes.

1.2 Princeville’s Community Design Committee

The Princeville at Hanalei Community Association (PHCA) Protective Covenants were established to enhance and protect the value, desirability, and attractiveness of Princeville at Hanalei. Its stated purpose is:

"...to create and keep the community area desirable, attractive, beneficial and suitable in architectural design, materials and appearance; and to guard against unnecessary interference with the natural beauty of the community area; for the mutual benefit and protection of owners within the community area".

The means by which this is accomplished is through the Community Design Committee and the Community Design Committee Rules. Article III of the Protective Covenants is the basis for the Community Design Committee Rules, and Article IV is the basis for the Community Design Committee.

In addition to the Protective Covenants, the CDC is further characterized by the following:

1.2.1 Goals

- Enhance and maintain an aesthetically pleasing community with a rural island character respecting the mountain and ocean vistas.
- Balance Owner interests with the broader community while respecting the Protective Covenants.
- Ensure quality design and construction, which enhance property values.
- Apply CDC Rules in a fair, impartial, and equitable manner.

1.2.2 Functions

- Meet with Owners, architects, and builders, and provide guidance on CDC Rules, home features, and building materials which have proven effective in Princeville's tropical island environment.
- Meet regularly to review Owner and project submissions.
- Accompanied by PHCA staff and at PHCA request perform site visits.
- Provide feedback to Owners for CDC project submittals.
- Maintain and update CDC Rules and Fee schedules.
- Recommend to PHCA enforcement actions for CDC Rules including fines and penalties as appropriate.
- Interact and work with the PHCA General Manager and CDC Administrator/Liaison as needed.
- Inform and provide information to the PHCA Board of Directors as needed.
- Routinely monitor neighborhood, building exteriors, property, and landscaping conditions.

Note: In reviewing building plans, the Committee does not undertake any structural analysis nor make any representation as to the sufficiency of the design or the proposed construction. This is a matter solely for determination by the Owner and the Architect.

No approval by the CDC shall in any manner constitute a representation, warranty or agreement by the CDC, CDC Administrator/Liaison, PHCA, PHCA Board or other duly authorized representatives and attorneys, that such items (1) has been prepared free of defects or is of good workmanship or design, or will result in Improvements that are readily marketable or free of design or construction defects, (2) complies with applicable laws and building codes or (3) will result in approval of the same by any Government Entity or other person.

1.2.3 Organization

- The CDC is to consist of members approved by the PHCA Board of Directors.

- All CDC members volunteer their time without remuneration. They contribute their time to the overall benefit of the community.
- CDC members are selected based upon their applicable experience.
- The PHCA shall also appoint one or more alternates for members of the CDC. Alternates have the power as voting members of the CDC in the event the members for whom they are alternates are unavailable to act as members of the CDC.
- A majority of members (or their alternates) constitute a quorum.
- The CDC Administrator/Liaison supports the CDC and assists Owners.
- When a CDC member or a CDC alternate submits plans, that member shall withdraw from the voting process.

1.2.4 CDC Administrator/Liaison

The CDC Administrator/Liaison is responsible for the management of the CDC processes and procedures. The CDC has granted the CDC Administrator/Liaison the authority to approve certain types of minor alterations provided the alterations comply with the approved CDC Rules.

1.2.5 Meeting Schedule

- Regular meetings are scheduled once a month.
- Completed plan submittals must be received by the 1st of the month to be considered for that month's CDC meeting.
- CDC responses will be provided as soon as possible after the CDC meeting but no later than 30 days after submittal.

1.3 Activities Requiring CDC Approval

CDC approval is required for all construction or changes to an existing property. All Owners must receive approval in writing from the **CDC BEFORE** the start of any work or changes. Owners should plan well in advance to allow time for the application and review process and not commit to labor or materials until written approval has been received.

The CDC review and approval process is applicable to new structures, changes to existing structures, and/or landscaping. This includes but is not limited to:

- Additions and remodels
- Air conditioning units (new and replacement units)
- Exterior or landscape lighting
- Fences and walls
- Landscaping (tree planting and removal, walkways, driveways, retaining walls, etc.)
- Mailboxes
- Pools, spas, water features, cold plunges
- Propane tanks and enclosures
- Re-roofing
- Repainting (exterior)
- Repairs
- Satellite dishes
- Solar panels
- Trash container enclosures
- Vegetable and herb gardens

- Other additions or changes, including repair and replacement work affecting the property (interior or exterior).

Although the CDC focuses mainly on the exterior of the property, interior changes and remodels are subject to the PHCA Declaration, the PHCA Community Rules, and the CDC Architectural Rules and shall be reviewed by the CDC.

1.4 Owner Standing

The CDC shall choose not to consider an application from an Owner who is not in good standing. This includes, but is not limited to, owners with an outstanding account balance (e.g., association dues, fees, fines, interest) or violations of the PHCA CC&Rs or Community Rules.

1.5 Other Governing Regulations

Owners are responsible for compliance with all governmental requirements, federal, state, or county. Any inspections or approvals by the Committee or the CDC Administrator/Liaison shall not constitute, nor be a substitute for, any approval required by county, state, or federal law. In the event of an overlap between a CDC Rule and a government requirement, the stricter of the rule or regulation will prevail. A building permit issued by the County of Kauai does not constitute CDC Approval. Plans must have CDC Approval prior to submission to the Kauai County Planning Department, or a violation fine shall result.

2 BUILDING DESIGN CRITERIA

2.1 General Quality Criteria

Lush tropical landscape is fundamental to the overall aesthetics of Princeville. Natural materials and design elements which complement the landscape are essential to the community and enhance the potential value of homes.

The CDC seeks to balance individual creativity and personal preference with continuity in design, which will help preserve and improve the appearance of the community and enhance the property values of all owners. Landscape or building designs may be denied for aesthetic reasons. This is the most difficult area for CDC denials. Aesthetics apply not only to the overall community but also to the time when projects are undertaken. Homeowners should realize that what might have been approved for one project or at one time may not be approved for a similar project at a later time. Size of lot, size of residence, neighborhood history, traditions, and architectural styles are all aspects of aesthetics.

Each property is unique. What is allowed on one may not be allowed on another. Designs that may have been previously approved shall not be a precedent for approval of similar designs. Each submission shall be judged on its own merits.

2.1.1 Architectural Design Criteria

- Aesthetically pleasing, promoting a variety of architectural styles utilizing split-pitch and/or hip roofs; large, covered lanais; and doors and windows for ample ventilation.
- Appropriate to the lot and its surroundings.
- Balanced scale, mass, and form in an architecturally pleasing manner.
- Consideration of view orientation, weather conditions and normal trade wind flow.
- Elements and details enhancing flow between the interior and exterior of the home.
- Proposed changes or additions blend satisfactorily and seamlessly to the existing home.
- Exterior colors complement the surroundings and environment.

2.1.2 Lot Topography and Landscape Design Criteria

- Landscaping is the focal point, with the home an element of lush tropical landscaping.
- Homes which flow with the natural topography using terracing, cantilevering, lower third levels, and a minimum of grading.
- Proper lot and home drainage.

2.1.3 Materials

- Materials and design for minimal maintenance and longevity.
- Materials suitable for Kauai's North Shore environment.
- Use of materials which enhance and reinforce architectural style of the home.

2.1.4 Workmanship

- To follow the best practices that meet or exceed industry standards, specifications and guidelines.

2.1.5 Maintenance Considerations

- Quality building materials and workmanship are important to home longevity.
- Regular home maintenance is required in this North Shore climate.

2.2 Building Materials

Given the North Shore environment (tropical sun, rain, salt spray), use of appropriate exterior materials (e.g. stainless steel fasteners, cementitious materials, vinyl windows, fiberglass, tropical hardwood, and Trex or similar) is highly recommended. All building materials must be installed in a neat and workmanlike manner consistent with accepted best practice construction standards.

2.2.1 Approved Building Exteriors

Approved exterior building materials or finishes shall include:

- Stucco or approved textured concrete, painted, or integrally colored.
- Wood.
- Cut stone or natural rock.
- Textured plywood; architect to provide details of joint covering.
- Lap siding.
- Treated engineered wood siding; architect to provide details of joint covering.
- Cementitious materials.
- Exposed supports shall be a minimum of 6" x 6" posts.
- Other materials reviewed and approved by the CDC.

2.2.2 Prohibited Building Materials

The following materials are prohibited:

- Corrugated metal siding.
- Plastic, vinyl, or glossy walls of any type.
- Plain siding panels without texture, battens, or finishes.
- Textured panels with grooves of less than 3/16" require battens.
- Highly reflective or mirrored glass windows.
- Other materials reviewed and denied by the CDC.

2.3 Building Setbacks

- Unusual lots, please contact the CDC Administrator/Liaison regarding setbacks.
- All setbacks are measured from lot boundary pins (not from roadway edge).
- Roof overhangs shall not be permitted to protrude more than 3' into any building setback area.
- No other types of structures will be allowed in the setback areas unless otherwise approved.
- No construction will be allowed within 20' of the golf course boundaries.

Standard lot (street frontage one side) building setbacks:

- 20' street lot line setback.
- 30' rear lot line setback.
- 10' side lot line setback.

Corner lot (street frontage two sides) building setbacks:

- 20' street lot line setback (two sides).
- 10' side lot line setback (two sides).

2.4 Building Size

- Building size measurements are based on exterior dimensions.
- The ground floor living area calculation shall be interior living area only, excluding covered lanais, garage, and storage areas.

2.4.2 Single Story

- A single-story residence shall have a minimum ground floor living area of 1,800 sq. ft.

2.4.3 Two Story

- A two-story residence shall have a minimum ground floor living area of 1,500 sq. ft. The second story floor area (including all lanais) shall not exceed 60% of the ground floor living area, thus minimizing a "boxy" appearance. A 1st floor lanai shall not be included in the 2nd floor 60% Ratio Calculations.
- Any 1st floor living area with a ceiling height 15' or greater shall be considered both 1st and 2nd floor living area.

2.4.4 All Homes

- New homes, remodels and additions are limited to 5 bedrooms or bedroom-like rooms.

2.5 Exterior Walls

In an effort to discourage excessively high or long unbroken exterior walls, the following wall design elements are required:

- All walls (front, rear, side) longer than 30' shall be broken up by the use of one of the following:
 - At least one offset with a minimum 2' depth and 6' width; the offset shall comprise the full height of the wall plane.
 - Entry feature leading to a door.
 - Other designs to interrupt an unbroken 30' wall plane will be considered.

For two story structures:

- Walls that are two stories high shall not be designed as an unbroken, continuous mass along any substantial part of a home.
- All second story wall heights greater than 6', as measured from the second story floor, shall have a building wall offset at least every 20', with a minimum 2' depth and 6' width; the offsets shall comprise the full height of the wall plane.
- Other designs to interrupt large vertical wall planes will be considered.

Utilizing existing landforms within the design of the house creates an opportunity for a variety of unique floor plans while being respectful to the surrounding environment. The Committee will work with the Owner and project architect to arrive at a satisfactory resolution for difficult building sites.

2.6 Foundations

- All raised foundations of continuous concrete or coursed concrete block shall be treated with stucco, textured elastomeric coatings, and materials consistent with the design and color of the house.
- All other raised foundations shall conceal from view all piers, posts, and views under the house with materials consistent with the design and color of the house.
- Raised foundation skirting shall have a maximum spacing of 1½”.
- Foundations should be stepped to follow the contours of the land.

2.7 Garages

- Garages shall have roof forms and doors that are consistent with the design of the house.
- All houses shall have at minimum a fully enclosed, two-car garage with:
 - A minimum 440 sq. ft. exclusive of storage area.
 - A minimum width of 22’.
 - An additional minimum of 100 sq. ft. of general storage.
 - An exterior access door.
- No open storage area visible from the street or neighboring properties.
- Recessed bays:
 - For two-car garages are highly encouraged.
 - Are required for three-car garages with a minimum 2’ offset.
- Covered walkways are required for a detached garage.
 - Side entry garages are preferred as long as the size and shape of the lot can reasonably accommodate it.
- Garage doors shall be:
 - A minimum 18’ wide for double doors.
 - A minimum 9’ wide for single doors.
- No garage shall be enclosed, modified, or otherwise used, so as to reduce its capacity for parking of vehicles below the originally approved square footage. No garage shall be used as a living space.

2.8 Height Limits

- Natural grade is the undisturbed elevation of a property before any excavation or fill operations.
- No covered or uncovered lanais, or other exterior habitable areas, shall be allowed above the second floor.
- The maximum height limit allowed is 25’ and shall be measured from the natural grade at the point of entry to the highest point of the roof.
- If the architecture utilizes the rear sloping topography of a lot in its design, the home’s rear elevation height may increase to 35’ maximum if, as viewed from the natural grade at entry, the height of the home shall not exceed the 25’ maximum height limitation. A house with a rear elevation of 35’ shall have the uppermost floor offset a minimum of 5’ from the floor below.
- Other designs for unusually contoured lots will be considered.

2.9 Lot Coverage

- Allowable total lot coverage is limited to 50% of the lot’s square footage.

- No more than 30% of the lot area shall be covered by the building structure's first floor footprint.
- The aggregate of driveways, sidewalks, patios, decks, swimming pools, and pool decks at grade shall not exceed the remaining 20% of the allowable square footage.

2.10 Pipes, Plumbing, and Conduit (Exterior)

- Sewer pipes, electrical conduit, and any external plumbing shall be concealed on the house and foundation.

2.11 Roofs

2.11.1 Design

- Hip roof forms and/or split-pitch roofs are strongly encouraged. Other roof forms will be considered.
- Overhangs for shade and weather protection are strongly recommended. Eaves shall extend a minimum of 36" beyond building wall or post lines.
- Fascia shall be a minimum 2" x 8" with no exposed rafter tails.
- Flat roofs (pitch less than 3:12) are strongly discouraged on all parts of the structure other than lanais.

2.11.2 Material

- Roof material and color/shade require CDC approval.
- All asphalt and composite roofing materials shall be a minimum of two-piece laminated construction with a minimum 15-year algae resistance warranty.
- High-quality standing seam metal roofing, Cedar Shake (natural or synthetic), Tile, and Tesla Solar Roofing material may be approved by the CDC.
- The following roofing materials are prohibited:
 - Low-profile asphalt or fiberglass shingles.
 - Roll roofing.
 - Corrugated metal or fiberglass roofing.
 - Painted galvanized roofs.

2.12 Views

The ocean, mountains, and natural geographic features of Princeville constitute a limited natural resource in their scenic value to all residents and visitors. Community character will be considered for new construction, additions, or landscaping. The CDC will consider the view impact of all projects.

3 SITE DEVELOPMENT & LANDSCAPING

3.1 Site Development

3.1.1 Drainage

- Whenever excavation or fill causes the destruction of existing drainage swales or natural draining patterns, it shall be the Owner's responsibility to provide proper swales and drainage patterns.
- The flow of surface or subsurface drainage onto, across or from each lot shall not be obstructed. Such run-off shall be channeled by surface swales, drainpipes, culverts, or other facilities in such a manner as to prevent erosion, water back up and damage to adjacent property.
- Final grading shall ensure water flows away from all structures and foundations.
- Lot drainage, to the extent possible, must be routed away from adjacent properties.
- Individual lots shall accept and manage drainage coming from adjacent properties.
- Significant change in lot coverage or drainage patterns should be guided by a grading plan that includes drainage flow and detention considerations.

3.1.2 Grading and Grade Changes

- All grading and grade changes require CDC approval.
- Slope cuts shall:
 - Conform to all County of Kauai regulations.
 - Be 3' or less in height with a slope less than 1:1.
 - Or if the slope is greater than 1:1, have a retaining wall.
 - Or if above 3' in height shall:
 - Be designed and stamped by a licensed civil engineer or architect.
 - Have a maximum height of 6'.
 - Slope fill shall have an edge slope of no greater than 2:1.

3.1.3 Retaining Walls

- All retaining walls require CDC approval.
- Shall be of a natural stone or a material which blends with the surrounding landscape.
- A retaining wall 3' or less in height shall:
 - Be a minimum of 2' from any property lines.
 - Have adequate footings to maintain stability.
 - Have sufficient drainage behind walls to deal with the heavy North Shore rains.
- All other retaining walls 3' to a maximum of 6' shall be considered on a case-by-case basis.

3.1.4 Utilities

- All utilities shall be underground.

3.1.5 Water, Sewer, and Other Exterior Utilities

- All exterior water and waste pipes, solar pipes, electrical conduit, and any other external utilities shall be concealed.

3.2 Landscaping

3.2.1 General

Landscaping shall be the focal point of the property.

Landscape plans shall be carefully integrated with the house plans, emphasizing a park-like setting with an abundance of flowering trees, shrubs, flowers, ground covering, and other plants, highlighting some features of the house while, perhaps, screening others.

Plants grow faster and larger in Princeville than many would expect. Careful selection and placement of all plants is critical. See also: [Landscape Plantings](#)

When planning for new landscaping, consideration shall be given to:

- Lot natural topography, drainage, and orientation.
- View planes.
- Privacy.
- Wind and salt spray.
- Integrated driveways and paths.
- Private areas, shady spots, and full-sun gardens.
- Integrating boulders and rocks.
- Integrating fragrant and colorful flowering species.
- Plants of various heights and shapes.
- Careful use of species which grow rapidly possibly requiring increased maintenance.
- Avoiding tall trees with wide canopies or invasive roots which intrude on a neighboring property or view planes.
- Avoiding invasive species.
- Vegetable gardens which are out-of-street view and blending with the overall landscape design.

All landscape plans, or re-landscape plans, must be approved by the CDC.

3.2.2 Landscape Setbacks

- 3' front lot line setback.
- 3' side and rear lot line setback.
- These setbacks are subject to the location of the PHCA Drainage Easement. Planting within the PHCA Drainage Easement is limited and is subject to CDC approval.
- 20' golf course setback for continuous or view-blocking plantings. Plantings maintained at a low height level not interfering with adjacent neighbor's view planes may be planted within 10' from a golf course property line.
- The planting of a hedge or vegetation within 3' of a common property line shall be allowed upon receipt of an executed Common Planting Agreement.
- Tree setbacks are subject to mature root and canopy size. Tree owner is responsible for any damage to neighboring hardscape or structures.
- See also: [Easements](#)

3.2.3 Common Planting Agreement

- An Agreement Pertaining to Hedge Between Adjoining Properties (referred to as a Common Planting Agreement) is a written agreement between two neighbors specifying how the common plantings will be defined.
- A common plant agreement minimally contains:
 - Location.
 - Plant type.
 - Maintenance responsibility and cost allocation.
 - A copy of the Agreement shall be submitted to the CDC Administrator/Liaison and the PHCA will send it to be recorded with the State Bureau of Conveyances. The Agreement transfers to future owners.

3.2.4 Landscaping the Front, Side, and Rear of a Lot

- Front yard landscaping shall soften the visual effect of the house and garage from the street.
- Side yard plantings shall screen and create a sense of privacy between homes.
- Rear yards offer the homeowner the greatest opportunity for creativity and use. Consideration shall be given to views, privacy, and a mixture of sun and shade for enjoyable outdoor living.

All areas of the lot that are not covered by buildings or another hardscape shall be landscaped. No lot is allowed to have areas that have no grass, ground covering, or landscaping. In order to create a lush park-like effect, the landscaping shall satisfy the following conditions:

- Planting a minimum of 5 trees, 3 with a minimum size of 50 gallons, and no fewer than 2 of a flowering variety.
- The minimum size of trees shall be 8' in height, 6' canopy, and a 2-1/2" diameter trunk.
- Ground covering or grass as approved on the landscape plan.
- The full size, mature canopy of a tree dictates its placement on the property.
- Hedges or continuous plantings shall consist only of plant materials approved by the CDC.
- Hedges shall not include trees, palms, or other large plantings. Areca palms and Ironwood shrubs are generally prohibited as hedge materials. McArthur Palms (or similar) may be allowed to be interspersed along a hedge line.

3.2.5 Landscaping for Houses on Raised Footings or Sloped Lots

Houses on raised footings or sloped lots shall have plantings that screen stem walls and other approved sidewall skirting to soften the visual mass of the structure. The minimum size of these plants shall be 5 gallons.

3.2.6 Landscape Lighting

See: [Lighting](#)

4 CDC PLAN SUBMITTAL PROCESSES

This section provides an overview of the single-family home CDC Plan Submittal Process. Detail is provided regarding the PHCA's application and review procedures for new construction, remodeling, construction of additions to existing homes, and other sundry minor change projects. Larger projects require more extensive review. Details for some of these processes are available from the CDC Administrator/Liaison.

Many properties have plans on file in the PHCA office. Owners can request permission to copy their plans from the PHCA.

4.1 Major Construction Projects

4.1.1 Overview & Project Types

The following section provides a short description of the Major Construction Project process. For details, please contact the CDC Administrator/Liaison.

A Major Construction Project is the largest, most involved single-home project. The CDC has identified four types of Major Construction Projects:

- New home construction.
- Additions.
- Exterior remodels/renovations.
- Pool Installations.

If you are unsure if your project is "major", please contact the CDC Administrator/Liaison.

A Major Construction Project consists of 6 steps:

- Initial CDC Consultation and Application Review.
- Conceptual Plan Review.
- Detail Plan Review.
- CDC Written Plan Approval.
- Project Construction.
- CDC Final Project Inspection.

4.1.2 Required Time for Major Project CDC Review

Assuming proper submittal of required documents, major project CDC review may take at least 4-8 weeks depending on project complexity.

4.1.3 Initial CDC Consultation

The purpose of the Initial CDC Consultation is for an Owner to communicate his or her intention to initiate a major project based on some design, and for the CDC Administrator/Liaison to provide an overview of the process along with the various applications required to be submitted. Once conceptual plans are submitted, they are subject to the CDC Architectural Rules in place at the time of submission for the duration of the review process as long as it is no more than 9 months between owner submissions.

4.1.4 Conceptual Plan Review

Conceptual Plan Review is an opportunity to present unique or unusual project elements to the CDC very early in a project with a minimal amount of documentation. The goal is to clearly communicate to the CDC the project concept as simply as possible. The CDC plan checklist describes the items to include for a conceptual review. A review fee is due upon submittal of documentation. See [Deposit & Fee Schedule](#).

4.1.5 Detail Plan Review

Detail Plan Review: The Owner submits the required documentation to the CDC. Owner shall clearly communicate all details for CDC review and approval. Although an architectural stamp is not required for initial submittal, all final plan pages must be stamped by an architect licensed by the State of Hawaii prior to receiving CDC Approval.

4.1.6 CDC Written Plan Approval

- CDC Written Plan Approval is required before any construction can begin and is not transferable to subsequent Owners.
- CDC Written Plan Approval consists of:
 - Executed Approval Document with Conditions of Approval.
 - Construction and Landscaping Compliance Deposit.
 - Approved Landscaping Plan.
- CDC Written Plan Approval shall expire 12 months from the date of issue if construction has not started.
- If construction is not started before the expiration of approval, the Owner must resubmit the Final Plans for CDC approval, and a new review fee shall be charged. The project will be subject to changes in the CDC Rules that have been implemented since the original approval was issued.

4.1.7 Project Construction

See Construction and Job Site Regulations and the Best Management Practices flyer provided by the CDC Administrator/Liaison.

See [Inspections](#)

4.1.8 CDC Final Project Inspection

The CDC Final Project Inspection shall:

- Be requested in writing by the Owner.
- Be performed by the CDC Administrator/Liaison and a Committee Member unless otherwise authorized.
- Be evaluated per approved plans for compliance.
- Be reviewed by the CDC at the next scheduled meeting.

Disposition of the Construction and Landscaping Compliance Deposit will then be determined after review of any job site violations and/or fines. The 1 Year Landscaping Deposit will be held until a Landscape Inspection is conducted 12 months after the Final Inspection date.

4.2 Minor Construction and Other Small Projects

Minor projects require written approval from the CDC. A Minor Construction Project is a small exterior change project. These projects are limited in scope and the documentation requirement varies depending on the project. Review time will generally be 1-15 days and in many cases simply involves filling out an appropriate form.

Minor Construction Projects include, but are not limited to the new installation or replacement of:

- Uncovered Lanais at grade.
- Air conditioning units
- Exterior or landscape lighting
- Fences and walls
- Landscaping, (tree planting and removal, walkways, driveways, retaining walls)
- Cold Plunges, spas and water features
- Propane tanks and enclosures
- Re-roofing
- Repainting
- Satellite dishes
- Solar Panels
- Trash container enclosures
- Window replacement.
- Other home improvement projects subject to the CDC Rules

Visit the website princevillecommunity.org for applications.

A Minor Change written approval expires 12 months after the date of issuance. If the project has not begun within the 12-month timeframe, a new application must be submitted for review. The project will be subject to changes in the CDC Rules that have been implemented since the original approval was issued.

4.3 Basis for CDC Approval

The fact that an owner has scheduled work, arranged financing, entered into a contract for materials or labor, received approval from County or State agencies, or will suffer alleged hardship, shall not be a basis for Design Committee Approval. Projects once begun must be completed as proposed and financial inability to conclude the project will not release an owner from their commitment to complete.

4.4 CDC Approval Required Prior to County Submittal

Owners shall allow sufficient time for CDC review. See CDC Plan Submittal Processes for details. Plans shall have CDC Approval prior to submission to Kauai County Planning Department or a violation fine will result.

4.5 Variances

Projects with unusual circumstances may be granted a variance from CDC rules if the exception clearly improves its quality as perceived by the CDC and does not have a negative impact on the community or neighbors. The CDC will attempt to gather input from affected neighbors before granting a variance. It should be understood that a variance granted to a given project does not constitute a precedent applicable to subsequent projects.

A CDC Review Fee is required for variance requests. No variance shall be effective unless it is in writing. The inability to obtain approval of any governmental agency, the issuance of a permit, or the terms of financing shall not be considered a hardship warranting a variance.

4.6 Professional Advice

In unique circumstances, the CDC may require the Owner to retain the services of an architect, landscape architect, or structural or civil engineer licensed to practice in the State of Hawaii, approved by the CDC, to render professional advice.

4.7 CDC Appeals Process

PURPOSE AND POLICY

General. The purpose of this document is to establish policies and procedures to be used for the appeal of a decision of the Princeville at Hanalei Community Association's (PHCA) Community Design Committee (CDC). The basis for an appeal is described below. The policy of PHCA is to promote and maintain an appeal process that is independent, objective, fair, prompt, and efficient.

DEFINITIONS

Affected Party means any permit applicant, owner of land subject to PHCA's Covenants, Conditions, and Restrictions (CCRs), or adjoining property owner to a project subject to CDC jurisdiction. The affected party is one who wishes to appeal a final decision of the CDC.

Board means the Princeville at Hanalei Community Association Board of Directors.

General Manager means the current PHCA employee functioning as General Manager of Princeville at Hanalei Community Association.

Hearing Officer means the General Manager or his/her designee who shall act as the non-voting host of the hearing process.

REVIEW

By General Manager. The affected party shall submit a written request for an appeal to the PHCA General Manager. The submission shall contain the following information: Name, Address, and Contact information for the Affected Party; a description of the project before the CDC; a statement showing how the project impacts the affected party, a statement addressing why the CDC's final action should be reviewed, and a request for the specific relief being sought, i.e., issuance of a permit, denial of a permit, or a revision of the project to address the concerns of the affected party. If the General Manager finds that the request conforms to this section, the General Manager shall appoint a Hearing Officer and schedule a hearing within 45 days and shall notify the Affected Party and the CDC representative.

By the PHCA Board of Directors (Board). The Board shall convene a hearing and determine the final action to be taken by the parties. Only Board members shall vote on the resolution of the case. Parties who the Board may request to be present include: the Affected Party and its representative, if any, the CDC and its representative(s), if any, the General Manager

HEARING PROCESS

The Hearing Officer shall introduce the Affected Party(ies) and the members of the Board. The Hearing Officer shall present pertinent information regarding the history of the case, the general issues involved, the specific matters in dispute, and the remedy being sought. The Board may ask questions

at any time during the hearing. After the introduction by the Hearing Officer, the Affected Party may present the project history and all relevant details necessary to support the relief sought. The Affected Party may challenge, correct, clarify, or otherwise expand upon the testimony given by the Hearing Officer. The Affected Party may be represented by counsel or other experts to assist in making its claim for relief. The Affected Party may call witnesses and submit evidence in the form of documents, correspondence, drawings, and other relevant materials deemed necessary to fully evaluate the case. Representatives of the CDC may be present during the presentation and may ask questions of the Affected Party at the conclusion of the Affected Party's presentation.

Following the presentation of the Affected Party, the CDC will present the project history and all relevant details supporting its decision. The CDC may challenge, correct, clarify, or otherwise expand upon the testimony given by the Hearing Officer. The CDC may be represented by counsel or other experts to assist in defending its decision and explaining the case. The CDC may call witnesses and submit evidence in the form of documents, correspondence, drawings, and other relevant materials deemed necessary to fully evaluate the case. Representatives of the Affected Party may be present during the presentation and may ask questions of the CDC at the conclusion of the CDC's presentation.

At the conclusion of the presentation of all relevant evidence, the Board shall take the matter under advisement. Within 30 days of the completion of the hearing, the Board shall decide the matter and issue written Findings. The Board has broad discretion in resolving any dispute brought before it. The Board may find that the decision of the CDC is appropriate and correct and therefore not grant the relief sought. The Board may find that the CDC erred in its decision and grant the relief sought. The Board may also find that prudence requires the matter to be returned to the CDC for further discussion consistent with input and direction from the Board. Nothing in these rules prohibits the Board from taking an active role in mediating a solution to any dispute brought before it.

5 SPECIFIC ITEM REQUIREMENTS

5.3 Additions

- Require CDC Approval.
- Addition is defined as a change to a property that increases the square footage of the home or exterior areas.
- Addition must blend with the existing house and have consistent building materials (roof, siding/exterior, window style/frame color, etc.)
- Additions are subject to building setbacks, lot coverage, and 1st/2nd floor ratio limits.
- 2nd story additions must be placed in such a manner that the overall design has a balanced look.
- Additions that significantly increase and/or alter the existing living area shall be treated as a new home project.
- See General Building Design Criteria for more information.

5.4 Address Numbers

- All single-family residences shall have readily seen address numbers illuminated by a photocell light or made of reflective material.
- The address numbers shall be of a contrasting color and at least three inches in height.

5.5 Air Conditioning Units

- Require CDC Approval.
- 15' AC setback from adjacent property lines.
- Equipment shall be screened from view of other lots and common areas with an enclosure blending with adjacent material and color unless otherwise approved. Enclosure to have landscape screening.
- Landscape screening shall also screen the AC enclosure.
- Exposed conduit and plumbing shall be painted to match adjacent color and placed for minimal visibility.
- Units/systems shall be installed in a neat, workmanlike manner.
- Noise levels shall not exceed 55 dB at the closest lot line.
- Central air conditioning units shall be indicated on the building plans.
- AC units must be installed at ground level or on an upper-level lanai.
- Window air conditioning units are prohibited.

5.6 Antennas

- Require CDC approval.
 - Shall be screened from view.
 - Shall be painted to blend with structure or surrounding colors.
- See: [Satellite Dish](#)

5.7 Awnings and Sunshades

- Require CDC approval and shall be:
 - Compatible with the architectural design of the home.
 - Compatible with the color scheme of the home and its surroundings.

- Retractable.
- Maintained in excellent condition or replaced.

5.8 Arbors and Trellises

- Require CDC Approval.
- Shall complement the architectural style of the house in design, color and materials.
- Shall be constructed of durable materials such as tropical hardwoods, Trex or similar.

5.9 Basketball Backboards, Portable and Permanent Backboards

See [Recreational and Playground Equipment, Basketball Goals and Hoops](#)

5.10 Boats and Recreational Vehicle Storage

- Requires CDC approval.
- Storage of boats and RVs shall be on concrete pads or other approved material and located a minimum of 3' from any property line.
- Storage location shall be selected for minimum neighborhood impact.
- Plantings or other landscape elements shall be used to screen and minimize visual impact.
- The boat or RV shall not dominate the property.
- A boat or RV cover shall be used and properly maintained.

5.11 Carports and Porte-Cochere

- Carports are not permitted.
- Porte Cochere will be considered provided a garage is built as required.

5.12 Cameras

- Small outdoor cameras do not require CDC approval.
- Camera placement must comply with Hawaii Revised Statue 803-42.
- Cameras shall be directed toward the front street or along the sides or rear of your property only.
- Cameras must not film into a neighbor's yard or into their windows.

5.13 Chimneys and Indoor Fireplaces

- Require CDC Approval.
- Shall not extend ~~no~~ more than 2' into setback.
- Shall blend with surrounding color and material.

5.14 Clothes Lines, Hangers and Other Laundry Facilities

- Outside clotheslines or other outside clothes drying or airing facilities shall be obscured from neighbors' and street view and maintained in good condition.

5.15 Compost

- Compost piles or bins shall be obscured from neighbors' and street view and not create an odor or pest nuisance.

5.16 Decorative Objects

- All decorative objects such as pots, small fences, trellises and sculptures:
 - Require CDC Approval.
 - Shall blend with surrounding home and landscape and be made with earth tone colors or natural materials.

5.17 Dog Houses and Dog Runs

- Dog Houses shall be:
 - Compatible with house color and materials.
 - Maintained at all times.
 - Located only in the rear yard area, located to minimally impact neighbors.
- Dog runs are prohibited.
- Dogs outside are permitted if:
 - They are restrained in the yard and only while owners are on the property.
 - They are not a nuisance to neighbors. Nuisance dogs shall be contained inside the home.

5.18 Drain Inlet Maintenance

- Drain inlets that are in a drainage easement or in the PHCA ROW fronting a property must be maintained regularly.
- Proximal landscaping should be minimized and well maintained to prevent debris infiltration and silt build up.
- Only grass shall be located within a 4-5' radius around the drain inlet.
- Drain grates shall be clear of weeds and overgrowth.
- Grass clippings and other green waste must not be blown/flushed into a drain inlet.
- Drain inlets shall be cleared after a large storm event to prevent to infiltration from debris carried from other properties.

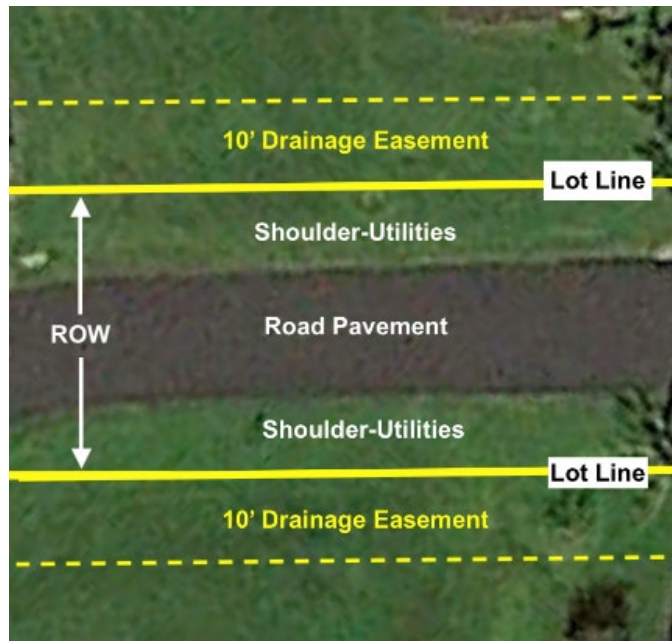
5.19 Driveways

- New driveways, driveway renovation, or driveway expansion require CDC review and approval.
- Driveways shall be compatible with the house and property.
- Driveways must be setback 3' from the side (or adjoining property) lot line.
- Driveway flair can extend to within 1' from the side property line at the roadway.
- All driveways shall be paved with one or a combination of the following materials: colored concrete, stamped concrete, natural stone pavers, flagstone, wire-cut brick, fired clay pavers, or exposed aggregate. Specifications of the proposed materials are to be provided.
- Accent strips or complementary materials are highly recommended.
- Driveways in excess of 40' in length shall have a paved space for turnaround of vehicles.
- Driveway width shall be a maximum of 30' at the street.
- Driveways must not obstruct existing road and swale drainage patterns and must be designed to carry storm water flow from upstream over, through, or under the driveway downstream. This can be achieved with dip sections, culverts, or a trench grate.
 - Dip sections – must follow the existing swale and require regular maintenance on each side of the driveway to prevent accumulation of silt and grass buildup.

- Culvert pipes – for swales with a depth over 12”, the use of a culvert pipe is recommended. Pipe should be corrugated polyethylene, concrete, or PVC and 8-12” in size. Culvert pipes should have adequate cover and headwall protection. Culvert pipes must be maintained/flushed on a regular basis to remove any accumulated grass or sediments.
- Trench Grate – may be installed in a driveway dip section to reduce the collection of surface stormwater. The removable grate openings provide easy maintenance.

5.20 Easements

A 10’ wide easement exists on most lots on the Owner side of any street property line. This easement is the PHCA Drainage Easement as shown below.



- Stormwater flows from higher to lower elevations along the front of the lot, including over and/or under any driveways that are located in the easement area.
- Stormwater obstructions may occur due to:
 - Improperly designed driveways that act as dams and route stormwater onto the pavement or even into the house if the house is built at an elevation lower than the road.
 - Large plantings within the drainage easement, particularly those with large surface trunks/root system.
 - Hedges and shrubs that are not maintained accumulate organic debris that can wash into culvert drain inlets.
 - Debris from large trees (leaves, fruit, branches) that extend over a drainage easement and accumulate in the easement area.
- Some PHCA member lots have drainage easements along the side or rear property lines. These easements typically house underground culverts and drainage pipes.
- Planting large trees not only promote tree root infiltration into the culvert (pipe), which eventually obstructs the culvert and may facilitate sinkhole formation, but it can also result in pipe structural failure due to the weight of the tree. Such culvert failures require partial or

total replacement of the culvert, including the removal of any landscaping or hardscape placed in the easement area.

- Plantings in these areas must be approved by the CDC and shall not interfere with drainage or underground utilities. Plantings with trunks (including raised root structures) greater than 3' are highly discouraged. Other plantings that help to slow and absorb stormwater will be considered on a case-by-case basis. All plantings in an easement area must be maintained regularly.
- Boulder rock walls or other hardscaping require CDC approval and must not significantly obstruct the natural or desired flow of stormwater on the ground surface.
- In the event utility maintenance is required, Owner plantings shall be removed at Owner expense.
- Owner is responsible for all landscape maintenance of easements on their property. This includes ensuring the drainage swale remains in good condition and does not become overgrown, cleaning out culvert pipes under the driveway regularly, etc.
- Other easements may exist on your property as described in your deed.

5.21 Electric Garbage Disposal

- Each residential structure shall be equipped with an electric garbage disposal unit and shall be maintained in an operating condition.

5.22 Exterior EV Charging Station

- Require CDC approval.
- Exterior charging stations must blend with the house.
- Charging STATIONS must be installed following normal electrical regulations.

5.23 Exterior TVs and Sound Systems

- TVs, sound systems, and other entertainment systems are not allowed to be installed in outdoor areas (i.e., lanais, gazebos, cabanas, etc.).

5.24 Fences/Walls

- Require CDC Approval.
- Fences and Walls require Approval but are discouraged in Princeville. Privacy and separation concerns are best addressed with appropriate landscaping.
- Fences and walls shall be designed so as to be attractive from all visible sides and beach accessible for their maintenance and for the maintenance of any nearby landscaping.
- No fence or wall shall exceed 6' in height from natural grade.
- Fences and walls shall be built of material and color that blend with surrounding structures and landscape and reflect the same basic materials used in the construction of the house.
- Prohibited fence and wall materials:
 - Plain or unfinished concrete block.
 - Corrugated metal.
 - Ceramic tile, except where used as an accent.
 - Chain link or wire fences.
 - Plain plywood or textured panels with grooves of less than 3/16".
 - Vinyl or other plastic based materials.
 - Other materials denied by the CDC.

- Standard lot (street frontage one side) wall and fence setbacks:
 - 15' street lot line setback (or street right-of-way).
 - 10' rear lot line setback.
 - 10' side lot line setback.
- Corner lot (street frontage two sides) wall and fence setbacks:
 - 15' street lot line setback (two sides).
 - 10' side lot line setback (two sides).
- No fence or wall of any kind shall be constructed within 20' of any property line that abuts the golf course.

5.25 Flags and Flag Poles

- Flagpoles, including those mounted on a house, will be permitted subject to the prior approval of the CDC.
- Flagpoles cannot be located in the building setback areas.
- No more than one flagpole may be installed on a lot.
- Flagpole height shall be proportional to the height of the house but shall not exceed 15'.
- Halyards shall be securely fastened and not be a noise nuisance.
- Only State of Hawaii or United States flags are permitted.

5.26 Gardens

- See [Landscaping](#)

5.27 Gazebos, Cabanas, and Other Structures

- Require CDC Approval.
- Must be located in the rear yard and are subject to lot coverage requirements.
- Must be setback:
 - 30' from rear property line.
 - 10' from the side property line.
- Must not exceed 12' in height.
- An electrical plan must be submitted for CDC review if lighting or other electrical needs are planned.

5.28 Generators

- Require CDC Approval.
- Setback 15' from adjacent property lines.
- Equipment must be screened from view with landscape.
- Equipment shall only be operated during power outages, emergencies and/or to meet preventative maintenance requirements (no more than 40 minutes once per month).
- Equipment shall be run minimally between 10 pm and 7 am to not create a noise nuisance.

5.29 “Grandfathering” and Existing Non-Conforming Structures

- Existing structures not conforming to current rules may not be “grandfathered.”
- Changes may require existing non-conforming features to be brought into compliance.

5.30 Gutters

- A re-roof requires continuous perimeter gutters and metal drip edges.
- Other drainage control measures shall be considered in lieu of gutters on a case-by-case basis. The owner must submit a drainage control plan for CDC review.
- A minimum of 5" gutters is required and 6" gutters are highly suggested, with appropriately sized downspouts terminating at least 3' from the house.
- It shall be the Owner's responsibility to maintain lot drainage patterns or otherwise provide for adequate roof and lot drainage, and to the extent possible, route drainage away from neighboring properties.
- Gutter downspouts shall be painted the color of the adjacent material, with the exception of copper gutters.

5.31 Hot Tub/Spa/Exterior Cold Plunge

- Must have CDC approval.
- Self-contained spas/hot tubs/cold plunges shall blend with home and landscape and be located in the rear yard.
- Hot Tubs/Spas/Cold Plunges must be located a minimum of 20' from any property line.
- Self-contained spas/hot tubs larger than 8' x 8' shall be required to meet the swimming pool requirements.
- Nuisance noise from pools, spas, hot tubs, ponds and water features is addressed under the Protective Covenants and PHCA Rules Article II, Section 20.

5.32 Industrial Vehicles and Equipment

- Neither industrial vehicles nor equipment shall be on property, except during an active project, and are not to be stored in Princeville.

5.33 Kayaks and Surfboards

- Kayaks and surfboards should be stored in a neat and orderly manner and to the extent possible obscured from neighbor or street view.

5.34 Kennels

- See Dog Houses and Dog Run

5.35 Lanais

- A lanai is any constructed horizontal surface, at or above grade, covered or uncovered, with at least one side permanently open to the outdoors.
- Wood-framed lanais shall be a minimum of 6" above grade with all framing top surfaces (e.g. beams, joist, etc.) covered with protector wrap or similar.
- Uncovered lanais are discouraged.
- Lanai, patio and deck setbacks are as follows.

Covered

- 20' street lot line setback.
- 30' rear lot line setback (cantilevered lanai: 27' rear lot line setback).
- 10' side lot line setback.

Uncovered

- 18" above finished grade or lower, setbacks
 - 15' street lot line setback.
 - 15' rear lot line setback.
 - 10' side lot line setback.
- Higher than 18" above finished grade, setbacks
 - 20' street lot line setback.
 - 30' rear lot line setback (cantilevered lanai: 27' rear lot line setback).
 - 10' side lot line setback.

5.36 Landscaping and Lot Maintenance

Princeville's overall attractiveness is largely derived from the lush landscaping made possible by our tropical climate. One of the challenges is creating an initial landscape plan that achieves this lush quality but does not become a long term management nightmare. Many plants grow larger and more quickly here. Trees and hedges can grow beyond the appropriate size for their location and become unattractive or dangerous.

Homeowners shall have an ongoing landscape program.

- A neat appearance shall be maintained at all times.
- Grass shall be cut not less than every 10-14 days.
- Plants shall be well cared for, weeded, trimmed and fertilized.
- Trees, palms, bushes and hedges shall be trimmed at intervals necessary to maintain safety, a neat appearance, and prevent encroachment on neighboring properties.
- Trees or canopies which have grown either too tall or too broad, thus creating either a safety hazard or becoming unkempt, shall be trimmed or removed. Special attention needs to be given to large trees that create a hazard to neighboring properties.
- Where a "Common Planting Agreement" exists, the maintenance responsibility shall be shared between property owners, unless otherwise documented.

Major changes or removals to existing landscape plan require CDC approval. Removal of trees requires CDC approval.

5.37 Lighting

The PHCA community is guided by the "Dark Sky" philosophy by preserving the night sky through the limited use of quality outdoor nighttime lighting. This is in line with the USFWS guidelines for shearwater sea birds.

- Exterior light fixture shall be limited to 600 lumens.
- Light color(kelvin) shall be between 2,700k to 3,200k. A 3,000k is less intrusive in the night sky and is preferred.
- Exterior lighting shall be limited to down lighting only, commonly known as "full cut off lighting" in commercial lighting installations.
- Exterior lighting shall be restricted to primarily minimal task lighting for entry and exit.
- Exterior security lights shall be controlled by an infrared motion detector. A non-infrared motion detector is not approved due to high frequency of false alarms.
- Eave lighting is limited to task lighting.
- Decorative or architectural eave lighting will not be approved.
- Recessed eave lights are approved for 1st floor only.

- Recessed eave lights on the 2nd floor are not approved.
- Exterior lights switches shall be controlled by one of the following:
 - Programmable control with a 10 pm lights out.
 - Timer with a 3-hour maximum on time.
 - Passive infrared motion detector that turn on when approached by person or vehicle.
- Each single-family residence shall be equipped with a light of 200 lumens maximum to illuminate the street address number from sunset to sunrise. The light shall be controlled by a photoelectric, programmable or astrological switch.
- The light from any exterior lighting fixture shall be downward directed, shielded and not obtrusive to neighboring properties or the community at large.
- Holiday lighting is limited to the hours from dusk to 10 pm.
- Low level solar safety lighting for walkways and driveways are allowed.
- A PHCA Exterior Change Request shall be submitted for all exterior lighting, including architectural and landscape. The manufacturer's specifications to be submitted for the proposed fixtures.

5.38 Lot Usage

- Improvements such as pools, sheds, outbuildings, fences, or walls are not permitted on vacant lots.

5.39 Mailboxes and Newspaper Tubes

Installation and location of mailboxes shall:

- Follow established USPS/CDC Mailbox Guidelines. Contact the Postmaster in Kilauea for placement.
- Be placed on a 4x4 breakaway post.
- Be a preapproved box and color. Other options shall be considered.
- Have reflective street numbers on the box.
- The addition of tubes or other containers for delivery of newspapers is prohibited.
- See current mailbox flyer for further instructions.

5.40 Maintenance

The lush tropical beauty of our North Shore location is stunning. But the environment creating this natural beauty can be detrimental to homes and landscapes. The combination of rain, wind, sun and salt aggressively deteriorates exterior surfaces. Mold on exterior surfaces is a major issue. It is unsightly, unsafe, toxic and destroys surfaces and materials.

Driveways and walkways deteriorate from the rain and repeated power washings. Exterior wood surfaces are subject to dry rot and termite damage. Each Owner shall be responsible for the maintenance of his/her residence and all improvements located on the lot. The property shall be kept in good repair, condition and appearance (see the Protective Covenants, Article III, Section 2 f (10)).

- Ongoing maintenance is required for our homes. Home components such as roofs, gutters, and lanais have life expectancies of five to twenty-five years. However, our tropical climate tends to accelerate this deterioration, thus increasing the maintenance requirements and

frequency of replacement. It's essential for both the individual homeowner and the quality of the community that Homeowners provide for ongoing exterior maintenance including:

- Annual cleaning or low pressure power washing of many exterior surfaces, walkways and driveway.
- Annual gutter cleaning and repair.
- Annual surface drainage inspection.
- Annual (minimally) window washing.
- Painting at least every 5-10 years.
- Painting uncovered lanais and railings every 2-3 years.
- Replacement of deteriorated elements such as lanais, railings, walls, windows, roofs, electrical fixtures, gutters and garage doors.
- Resealing colored driveways every 3-5 years.
- Repair or replacement of excessively cracked and/or heaving driveways.
- Repair & Painting of Mailbox.

Work shall be identical in materials, color scheme, and workmanship to the work originally approved by the Committee, unless the alteration thereof is approved in advance by the Committee in accordance with the provisions of Article IV of the Protective Covenants.

5.41 Motor Homes

- See Boats and Recreational Vehicles

5.42 Occupancy Conformity

- No residence shall be used as a hotel, boarding house, bed and breakfast or similar establishment (see Article III Section 1a of the Protective Covenants, and the PHCA Rules, Article II, Section 1.A).
- The renting of single rooms is allowed under certain conditions. (see PHCA Rules Article II, Section 1.A.2)
- No single family residence shall be designed or constructed to have a room or rooms which cannot be accessed from a main area of the home or that can be closed off, having only exterior access.

5.43 Outdoor Fireplaces and Fire Pits

- Installation of outdoor fireplaces or fire pits requires CDC Approval.
- Fireplaces and fire pits are not allowed in front or side setbacks and shall be 15' or more from rear setback.
- Fuel is limited to propane or wood and shall not be a smoke nuisance.
- No green waste or other material shall be burned.

5.44 Painting

- Exterior painting or repainting requires CDC approval.
- Repainting using the existing colors does not constitute automatic approval.
- Colors shall blend and enhance the surrounding landscape.
- Colors that dominate the surrounding landscape will not be approved.
- Accent colors shall not "outline" the structure.

- Colors that have been previously approved for one property shall not necessarily be a precedent for approval for use on another property. Each request is reviewed based on the design and location of the house, window color, roof color and other design details.
- Garage doors are encouraged to be painted the main color of the house.

5.45 Propane Tanks

- Installation of propane tanks requires CDC approval.
- All propane tanks shall be screened from the street and the neighbors' view, by means of camouflage painting, landscape screening or enclosure.
- Enclosure design, material and color must be compatible with the main structure.

5.46 Recreational and Playground Equipment, Basketball Goals and Hoops

- Recreational and playground equipment will be considered based on location, style, material and color.
- Skateboard ramps are generally prohibited, but may be approved based on visual, sound and safety considerations. In no case shall the ramp eject onto the street.
- Recreational and playground equipment shall not be located in the front of the property and shall be 10' from rear and side property lines. Colors shall not be bright, fluorescent or offensive.
- For corner lots, recreational and playground equipment shall not be located in the front of the property and shall be 20' from the road facing property line and 10' from other property lines.
- Landscaping must be installed to screen equipment from view of the roadway and neighboring properties.
- Home-attached basketball hoop and backboard shall be located in the front of the property with minimal visual impact and shall be properly maintained.
- Free-standing basketball hoop and backboard shall be properly maintained and shall be located in the front of the property but cannot be located in the roadway setback.
- Use of such equipment must not be a noise nuisance.

5.47 Recreational Vehicles

- See Boats and Recreational Vehicles.

5.48 Repairs

- Repairs require CDC approval. Repairs that are a simple replacement of an item (deck, railing, etc.) with no change to the size, types of materials used, or style (like for like) shall be approved by the CDC Administrator/Liaison if they comply with the CDC Rules. Structures that do not comply with current CDC Rules must be reviewed by the CDC to determine whether alterations are required to bring the item into compliance.

5.49 Renovation

- Property Renovation typically involves improvements to multiple areas of the property and requires CDC Approval. If multiple projects are planned, owners shall submit information for all the projects for a wholistic view of the improvements. Renovations are subject to

construction timeframe limits and shall require a CDC Review Fee and Construction and Compliance Deposit.

5.50 Road Shoulder (PHCA)

- PHCA roadway property (ROW) includes not only the asphalt surface, but all land area between the asphalt edge and the street-facing property lot line. This is typically a 10' unpaved area along both sides of the asphalt.
- Only grass shall be planted in the PHCA property bordering the asphalt.
- PHCA may require the removal of other plantings in this area.
- PHCA may plant or allow plantings in this area in some circumstances after review by PHCA Civil Engineering Consultants.
- Owner is responsible for maintaining the PHCA property bordering the asphalt.
- Owner shall prevent grass from growing or encroaching onto the asphalt.
- Items other than approved plantings or mailboxes shall not be installed in the PHCA roadway without PHCA approval. This includes rocks, posts/chains, parking deterrents, etc.”

5.51 Satellite Dish

- Out of service dishes shall be removed.
- Satellite Dish – 1 Meter or Smaller
 - Does not require CDC approval.
 - Shall be hidden from view or painted to blend with structure or surrounding colors.
- Satellite Dish – Larger Than 1 Meter
 - Requires CDC approval.
 - Shall be minimally visible from the street and neighbors.
 - May not be installed on any roof.
 - Shall be painted to blend with structure or surrounding colors.

5.52 Saunas

- Require CDC approval.
- Saunas must be located in the rear yard.
- Saunas must be located 30' from the rear property line and 10' from the side property line.

5.53 Sheds

- Require CDC Approval.
- Prefabricated and freestanding sheds are prohibited.
- Home-attached sheds shall:
 - Be located at the rear of an existing structure and cannot encroach on setbacks.
 - Be accessible from the exterior only.
 - Not exceed 8' in height.
 - Have roofing, color, and appearance to match and blend with the existing home.
 - Have plans submitted to the CDC for approval.
- See [Unattached Structures](#).

5.54 Shutters, Storm Shutters and Exterior Window Coverings

- Window shutters require CDC approval.
- Rolling shutters may be used for weather-related disasters only and are not intended for “daily use”. The shutter housing must be placed for minimal visibility, match the surrounding color scheme as closely as possible, and be kept maintained.
- Temporary storm shutters shall remain in place only for the duration of the immediate threat.

5.55 Signs

- No signs are permitted on the site during construction. Refer to “PHCA Sign Regulations” available through the PHCA office.

5.56 Solar Panels

Hot Water

- Requires CDC approval.
- All new homes are required to install a solar hot water system or apply for a variance with the County of Kauai for an on demand hot water system.
- Solar panels and associated hardware shall appear to be an integral part of the roof design.
- Exposed plumbing shall be minimized.
- Panels shall be installed in a neat, workmanlike manner according to industry standards.
- Only flat style panels which are installed parallel to the roof plane are allowed in most situations. Systems with visible tanks are prohibited.
- On demand units must be screened from view and not located on the road facing side of the house.

Photovoltaic

- Requires CDC approval.
- Solar panels and associated hardware shall appear to be an integral part of the roof design.
- Ground-mounted solar panels are discouraged and, when permitted, shall be obscured from view.
- Panels shall be installed in a neat, workmanlike manner according to industry standards. Panels must have an antireflective coating.
- Backup batteries must be located on the inside of the garage/house unless otherwise approved. Batteries and other equipment must be screened from view of the road and neighboring properties.

5.57 Storage

- No storage of furniture, fixtures, appliances, equipment, tools, or other items shall be visible from neighboring lots, roads or common property, except during periods of construction.

5.58 Surfboards

- See [Kayaks and Surfboards](#)

5.59 Swimming Pools, Pool Decks

- Require CDC approval.
- Lot size, topography, access, and visual impact on surrounding properties shall be considered.
- Large standalone above-ground pools are not allowed.
- Pool lighting is limited to safety lighting and must not create a nuisance for the neighbors. Pool lighting must automatically shut off at 10 pm.
- Pool equipment shall be fully enclosed, screened, and 20' from adjacent properties.
- Swimming Pool Setbacks:
 - 20' street lot line setback.
 - 15' rear lot line setback. 20' golf course lot line setback.
 - 15' side lot line setback.
- Swimming Pool Deck Setbacks
 - 15' street lot line setback.
 - 15' rear lot line setback. 20' golf course lot line setback.
 - 10' side lot line setback.
 - Swimming pool decks must be within 18" above finished grade.
- Pool equipment shall register 55 dB or less on adjacent properties.
- Swimming pools shall be surrounded by a 4' fence or wall. The house may serve as part of the barrier to the pool.
- Swimming pools are required to have a backflow preventer installed.
- When draining a pool is required as part of regular maintenance, the following protocol must be followed:
 - The CDC must be notified.
 - The pool water must be dechlorinated prior to draining.
 - After dichlorination, the water must be directed into a storm drain and not allowed to flood a neighboring property.
- Nuisance noise from pools, spas, hot tubs, ponds, and water features is addressed under the Protective Covenants and PHCA Rules Article II, Section 20.

5.60 Trash and Recycling Enclosures

- Trash and recycling containers shall be screened from view.
- Trash enclosure shall be attached to home and made with similar material and color.
- Landscaping shall screen the enclosure.

5.61 Trucks

- See [Industrial Vehicles and Equipment](#)

5.62 Unattached Structures

- Require CDC approval and are generally discouraged.
- Shall comply with building setbacks and lot coverage.
- Materials, design, and color shall be consistent with home.
- No unattached or outbuilding shall be used as a residence or living quarters.

5.63 Water Features

- All water features (bird baths, fountains, ponds, etc.) require the following:
 - CDC Approval.
 - Must be setback:
 - 10' street lot line setback.
 - 10' rear lot line setback. 20' golf course lot line setback.
 - 10' side lot line setback.

5.64 Windows and Doors

- Replacement of windows, garage doors, front doors, and other exterior doors require CDC approval.
- Window style selection and placement shall take in consideration the trade winds, ventilation, and blowing rain.
- Manufacturer, material, color, and style specifications are required for CDC approval.
- Window layout, especially second-story windows, shall consider adjacent property privacy.
- Window, door, and garage door placement, style, size, material, and trim shall be consistent with the overall design of the home.
- Double-hung windows are preferred.
- Bay windows shall not extend closer than 1' from the fascia.
- Window tint requires CDC approval. Highly reflective solar and color tints/films for windows will not be approved.

6 CONSTRUCTION AND JOB SITE REGULATIONS

6.1 General

- Failure to comply with these construction regulations and standard Best Management Practices may result in Construction Violation Fines or other corrective actions.
- Owners are responsible for a clean job site with minimal nuisance and noise to the community.
- During construction or any improvement on any lot, the Owner shall minimize the impact of the project on the community and is responsible for:
 - Keeping all common areas and adjoining properties free of all construction materials.
 - Repairing damages caused to roads, common areas and adjoining lots.
 - Cleaning all mud, dirt and debris from the roads on a regular basis.
- Construction materials may be stored on a neighboring property with the written approval of the Owner of that property. This approval shall be provided to the PHCA.

6.2 Deposits

6.2.1 Construction and Landscaping Compliance Deposit

- A Construction and Landscaping Compliance Deposit shall be paid by the Owner to the PHCA. The amount is determined by the size and complexity of the project. See [Deposit & Fee Schedule](#).
- The deposit shall be held in trust and returned at project completion when it is determined by the CDC that:
 - Damage caused by the project to the roadways, common community areas, adjoining lots or other private properties has been repaired in a satisfactory manner as deemed by the CDC.
 - The Final Inspection has taken place, the project is completed and conforms to all approved plans, is in full compliance with the Protective Covenants, the CDC Rules, and the Conditions of CDC Approval, and requires no changes, corrections or modifications of any type.
 - No offenses have occurred that necessitate monies to be withheld from the Construction and Compliance Deposit.
 - The project has been completed within the allotted timeframe.
- Failure to complete the project within the allotted timeframe shall result in the loss of the Construction and Landscaping Compliance Deposit and shall require an additional deposit.
- Failure to pay an additional deposit when required shall result in a Cease and Desist Order and further potential action which includes but is not limited to property liens, referral to the PHCA attorney, etc.

6.2.2 Deposit Use

- The PHCA may use the deposit for:
 - Removal of debris, trash, mud, etc., on the site, adjoining properties or the roadways left by the Owner and/or his/her agents.

- Repair or replacement of damaged common community areas or private property caused by the Owner and/or his/her agents if these are not completed in a timely and satisfactory manner as determined by the PHCA.
- Correction of any portion of the project that is not completed in accordance with the final plans approved by the CDC.
- Payment of fines issued during construction.
- Costs for consultant fees or legal fees incurred due to non-compliance with the approved plans, CDC Rules, PHCA CC&Rs, etc.
- Other uses deemed necessary by the PHCA Board of Directors due to non-compliance.

6.2.3 Liability

- The Owner shall be liable to the PHCA for the full amount of costs incurred with regard to the above in the event PHCA's expenses exceed the deposit amount.

6.3 Construction Timeframe

6.3.1 Major Projects

- Prior to beginning construction, the owner must submit proof of funds to cover the cost of the improvement to the property.
- Construction timeframe begins at Breaking Ground Inspection. A construction schedule must be submitted at the Breaking Ground Inspection.
- Construction shall proceed continuously without lengthy periods of unexplained inactivity. Any delays must be reported in writing to the CDC Administrator/Liaison.
- If at any time during the project completion schedule, 30 or more days have passed without communication or significant progress, the deposit shall be forfeited and other actions taken as necessary to move the project to the scheduled completion date.
- All projects shall be completed in 18 months or less unless a CDC extension is granted. Extensions will be considered on a case-by-case basis and must demonstrate extenuating circumstances.
- Failure to complete the project within the allotted timeframe shall result in the loss of the Construction and Compliance Deposit and shall require an additional deposit. In addition, fines shall be imposed or other remedies available to PHCA.
- If work is abandoned and does not progress in a reasonable manner and timeframe, or if the Owner fails to complete the work as specified, the PHCA shall take reasonable steps to have the work completed or the property restored to its pre-existing condition, and shall assess the Owner for all costs and expenses incurred in connection therewith (see Article V, Section 5 a, of the Protective Covenants).
- See CDC Written Plan Approval for approval details and conditions.

6.3.2 Minor Projects

- Construction shall proceed continuously without periods of unexplained inactivity.
- If at any time, more than 30 days shall have passed without substantial or significant progress toward completing the project for which the CDC has approved, the CDC may forfeit the deposit or take other action as necessary.

- Projects shall be completed within 6 months of the approval date unless otherwise approved by the CDC.

See CDC Written Plan Approval for approval details and conditions.

6.4 Days and Hours of Operation

- Monday through Friday, between the hours of 7:00 am and 6:00 pm.
- Saturday between the hours of 9:00 am and 5:00 pm.

6.5 Dust Control

- Dust fences of appropriate length and height shall be constructed to protect neighboring properties from dust and debris.
- The CDC Administrator/Liaison shall determine location and number of dust fences.
- Dust fences shall be:
 - Installed prior to start of work.
 - Made of industry standard material with green fencing material.
 - Installed and reinforced entirely on the Owner's property.
 - Maintained at all times.
 - Removed prior to Final Inspection.
- All mounds of soil on site shall be completely and securely covered and contained on the job site, and not be placed on common areas, road shoulders, or other private properties.
- Windy or dry weather may require job site to be watered.

6.6 Drain Protection

- Best Management Practices for drain protection is required whether or not a grading permit is required by the County of Kauai.
- Proximal drainage swales and drain inlets must be protected using fiber rolls/wattles before or around the inlet and in the swale upstream from the inlet.
- To the maximum extent practical, damages by sediment to streams, watercourses, natural areas and other properties must be avoided.
- Drainage swale and easements must not be used to stockpile excavated soil or materials.
- Excavated soil must always be covered with plastic sheeting to avoid silt flow from rainfall.

6.7 Fines

- Fines may result from construction activities that negatively affect the neighborhood; for example, failure to:
 - Install dust fences prior to the start of any work and keep them maintained throughout the project.
 - Securely cover any mound of soil on the job site.
 - Water down or maintain any large area of loose or unplanted soil that creates a dust nuisance.
 - Clean up the roadway of mud, dirt, or debris daily or weekly as needed to prevent the dirt/mud/debris from being tracked down the street.
 - Have a portable toilet on the job site.
 - Remove trash or debris in a timely manner.
 - Park on the job site and/or job site road shoulder or other approved location.

- Get written permission for parking on a vacant lot.
- Keep the noise level from becoming a nuisance (loud music, profanity)
- Complete the project within the allotted timeframe (including approved extensions).
- Other activities deemed to negatively impact the neighborhood by the CDC/PHCA Board of Directors.
- See [Deposit & Fee Schedule](#).

6.8 Noise and Other Nuisances

- No offensive activity shall be allowed on the job site. “No noxious or offensive activity shall be carried on upon any land in Princeville at Hanalei, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.” (PHCA CC&Rs Article III, Section 2, k)
- Nuisance noise includes but is not limited to:
 - Excessive dog barking.
 - Loud music.
 - Profanity.
- Dogs shall be kept on leash and their litter removed.
- Noise and other nuisance violations may result in fines.

6.9 Parking

- Owners must ensure that all persons under their employ or the employ of their contractor, subcontractors, or other agents delivering to or working at the site comply with the following parking regulations:
 - All vehicles, equipment, and materials shall be confined to the job site or to the road shoulder immediately fronting the job site.
 - Workers shall not park on road shoulders fronting other properties without approval of the homeowner whose property is adjacent to the road shoulder.
 - No vehicle, trailer, or temporary building shall be on the job site lot for more than 48 hours without prior approval from the CDC Administrator/Liaison.
 - Parking on a vacant lot requires vacant lot Owner written approval submitted to the CDC. Contact the Association for vacant lot Owner information.
- Any damage to any lot or areas used for parking, even if weather related, shall be repaired and restored to its condition prior to construction.
- Owners are ultimately responsible for their construction crews.

6.10 Removal of Debris

- No trash, grubbed material, debris or other refuse material shall be placed on any other lot or property.
- All trash, debris, and other refuse material shall be disposed of on a minimum weekly basis.
- Lack of timely debris removal may result in fines.
- See [Deposit & Fee Schedule](#).

6.11 Toilet Facilities

- Toilet facilities are required during construction and shall be placed on the job site and not on common areas, road shoulders, or other private properties.
- Portable toilets shall be serviced weekly or more frequently if necessary.

- Lack of proper toilet facilities may result in fines.

6.12 Project Inspections and Noncompliance

6.12.1 Inspections

- The Owner acknowledges the right of the CDC to enter the Owner's lot for inspection purposes without prior notice.
- The following inspections shall be made by the CDC to verify compliance with the approved project and CDC Rules:
 - Breaking Ground.
 - Foundation layout.
 - Framing.
 - Rough exterior electrical.
 - Color scheme.
 - Driveway layout & color.
 - Landscaping.
 - Final Inspection.

6.12.2 Noncompliance

- For changes or construction out of compliance with the approved project or CDC Rules, the CDC may at its discretion:
 - Issue a Notice of Noncompliance stating required corrections and a specified time to comply.
 - Issue a Cease and Desist of any further work.
 - Retain all or part of the Construction and Compliance Deposit.
 - Notify the Association which at its option, may remove the improvements, remedy the noncompliance, and/or initiate liens, litigation and other action deemed necessary. The Owner shall reimburse the Association for all expenses and costs incurred in connection therewith, including attorney's fees and court costs.

7 APPENDICES

7.1 Landscape Plantings

There are many fine books on tropical landscaping. One that can provide very useful guidance is *Plants for Tropical Landscapes – A Gardener’s Guide*. The book categorizes shrubs and trees by ultimate size which helps ensure appropriate selections in the landscape plan.

The CDC supports and encourages residents to use the “Plant Pono” program for Hawaii (<http://www2.plantpono.org>). It provides an excellent assessment of the appropriate plants to select for a landscape plan.

It is difficult to create a “one-size fits all” list of approved and unapproved plants in Princeville. Overtime, however, it has become apparent that some plants regularly cause problems and are consequently discouraged while others seem to work out well and grow harmoniously. The CDC has chosen to identify the right column of plants as being “Discouraged” as opposed to “Prohibited” since, in some circumstances, they may be an appropriate. In most situations, however, they will not be approved.

Category	Preferred	Discouraged
Ground Cover	African Lilly (<i>Agapanthus praecox</i>) Walking Iris (<i>Neomarica gracilis</i>) Lilyturf (<i>Liriope muscari</i>) Aloe Vera (<i>Aloe vera</i>) Hemographis Joyweed (<i>Alternanthera tenella</i>) Mondo Grass (<i>Ophiopogon japonicas</i>) Oyster Plant (<i>Tradescantia spathacea</i>) Wandering Jew (<i>Tradescantia zebrine</i>) Wedelia (<i>Wedelia trilobata</i>)	
Shrubs	Firecracker Plant (<i>Cuphea ignea</i>) Mother-in-Law’s Tongue (<i>Sanservieria Trifaciata</i>) Bird of Paradise (<i>Strelitzia reginae</i>) Croton (<i>Codiaeum variegatum</i>) Common Gardenia (<i>Gardenia augusta</i>) Giant Taro (<i>Alocasis macrorrhizos</i>) Red Ginger (<i>Alpinia purpurata</i>) Gold Heliconia (<i>Heliconia caribaea</i>) Parrot’s Heliconia (<i>Heliconia psittacorum</i>) Parrot’s Beak Heliconia (<i>Heliconia rostrate</i>) Song of Inda (<i>Dracaena reflexa</i>) Ti Plants (<i>Cordyline fruticose</i>) Eldorado Hibiscus (<i>Hibiscus rosa-sinensis</i>) Ming Aralia (<i>Polyscias fruticose</i>)	Panax (<i>Polyscias guilfoylei</i>)

<i>Category</i>	<i>Preferred</i>	<i>Discouraged</i>
<i>Shrubs (cont.)</i>	Mock Orange (<i>Murraya paniculata</i>) Japanese Privet (<i>Ligustrum japonicum</i>) White-Edge Balfour Aralia (<i>Polyscias scutellaria</i>)	
<i>Trees</i>	Italian Cypress (<i>Cupressus sempervirens</i>) Singapore Plumeria (<i>Plumeria obtuse</i>) Tonga Tabu (<i>Cerbera manghas</i>) Rainbow Shower (<i>Cassia x nealiae</i>)	Autograph Tree (<i>Clusia rosea</i>) Eucalyptus Monkey Pod (<i>Samanea saman</i>) African Tulip (<i>Spathodea campanulata</i>) Albezia (<i>Paraserianthes lophantha</i>) Octopus Tree (<i>Schefflera actinophylla</i>) Common Ironwood (<i>Casuarina equisetifolia</i>) Norfolk Island & Cook Pines Ficus (<i>Ficus benjamina</i>) Rubber Tree (<i>Hevea brasiliensis</i>) Trumpet Tree (<i>Tabebuia rosea</i>)
<i>Bamboos, Cycads, & Palms</i>	Bismarck Palm (<i>Bismarckia nobilis</i>) Blue Latan Palm (<i>Latania loddigesii</i>) Bottle Palm (<i>Hyophorbe lagenicaulis</i>) Foxtail Palm (<i>Wodyetia bifurcate</i>) Loulou Lelo Palm (<i>Pritchardia hillebrandii</i>) MacArthur Palm (<i>Ptychosperma macarthurii</i>) Manila Palm (<i>Veitchia merrillii</i>) Red Sealing Wax Palm (<i>Cyrtostachys renda</i>) Golden Goddess Bamboo (<i>Bambusa multiplex</i>)	Areca Palm Many Bamboos Traveler's Palm (<i>Ravenala madagascariensis</i>)

7.2 Deposit & Fee Schedule

Type of Project	Review Fee	Deposit Amount
Addition/Renovation <250sqft	\$ 200.00	\$0-\$2,500
Addition/Renovation 250-1,500sqft	\$ 750.00	\$2,500-\$5,000
Addition/Renovation over 1,500sqft	\$ 1,000.00	\$5,000-\$10,000
Additional Submissions due to changes to approved plan	\$ 100.00	
New home <2,500sqft	\$ 1,000.00	\$7,500 - \$10,000
New Home >2,500sqft	\$ 1,500.00	\$10,000 - \$15,000
New Home >3,500sqft	\$ 2,000.00	\$15,000 - \$20,000
Additional Submissions due to changes to approved plan	\$ 250.00	
Reviews by CDC hired consultants for certain projects. Depends on project scope.	\$300-\$1,000	
Pool	\$ 500.00	\$2,500 - \$5,000
Major Landscape Changes/Installations Refunded after site inspection 1 year after initial inspection		\$1,000 - \$2,000
Other - new products, other projects requiring review due to complexity, size or setbacks	\$ 100.00	\$0 - \$2,500
Type of Fine	Fine Amount	
CDC Violations	Warning w/ time to remedy or \$200 fine (could be issued daily)	
Changes made w/out prior approval - minor	\$500, w/ time to remedy, reduce to \$100	
Changes made w/out prior approval - major	Requires CDC review /Fine(s) per violation \$500-\$1,000	
County plan submittal before final CDC approval - major	\$5,000	
County plan submittal before final CDC approval - minor	\$1,000	

7.3 Amendments

- These CDC Rules shall be amended and adopted by the Committee established by and in accordance with Article IV, Section 5 of the Protective Covenants.

7.4 Adoption

- Pursuant to Article IV, Section 5 of the Protective Covenants, the foregoing Community Design Committee Rules are hereby adopted as the Community Design Committee Rules for Princeville at Hanalei.

7.5 Document Revision History

Version	Change Date	Changed by	Summary of Changes
Draft	11/14/2014	Joe Celona	Reformat document contents and styles
Draft	04/25/2016	Rory Enright	Edits & Reformat
Draft	05/04/2016	Rory Enright	Edits & Reformat
Draft	07/12/2016	Rory Enright	Edits & Reformat
Draft	08/10/2016	Rory Enright	<p>4.3: Neighbor input will be solicited for approval of variances</p> <p>7.2: Trees which have become too tall or overgrown need to removed or trimmed</p> <p>8.1: Reference to Hawaiian “Plant Pono” program. Explanation of “Discouraged vs Prohibited”</p>
Draft	8/24/2016	Rory Enright	2.14.1: Reduced roof overhang from 4’ to 3’ into setback. (Consistent with current rules)
Draft	8/24/2016	Rory Enright	3.2.3: Addition that hedges may not include trees, palms, etc. (Consistent with Current rules
Draft	11/14/2017	Andrew Pendleton Per 11/14/17 CDC Meeting	<p>6.3: Air Conditioning Units</p> <p>15’ AC setback from property line. Equipment shall be screened from view of other lots and common areas with an enclosure blending with adjacent material and color. Landscape screening shall also screen the AC enclosure.</p>
Draft	12/05/2017	Andrew Pendleton Per 12/05/17 CDC Meeting	<p>6.25: Lighting</p> <p>Exterior light fixture shall be limited to 600 lumens. Light color(kelvin) shall be between 2,700k to 3,200k. A 3,000k is less intrusive in the night sky and is preferred.</p> <p>Exterior lighting shall be limited to down lighting only, commonly known as “full cut off lighting” in commercial lighting.</p> <p>Exterior lighting shall be restricted to primarily minimal task lighting for entry and exit.</p>

			<p>Exterior security lights shall be controlled by an infrared motion detector. A non-infrared motion detector is not approved due to high frequency of false alarms</p> <p>Eave lighting limited to task lighting.</p> <p>Decorative or architectural eave lighting will not be approved.</p> <p>Recessed eave lights are approved for 1st floor only. Recessed eave lights on 2nd floor are not approved.</p> <p>Exterior light switches shall be controlled by one of the following:</p> <ol style="list-style-type: none"> 1. Programmable control with a 10 pm lights out. 2. Timer with a 3-hour maximum on time. 3. Passive infrared motion detector that turn on when approached by person or vehicle.
Draft	12/05/2017	<p>Andrew Pendleton</p> <p>Per 12/05/17 CDC Meeting</p>	<p>2.2: Building Size</p> <p>The ground floor living area calculation shall be <u>interior living area</u>, excluding covered lanais, garage and storage areas.</p>
	<p>08/31/2018</p> <p>ADDED TO PLAN CHECKLIST NOT RULES</p>	<p>Andrew Pendleton</p> <p>Per 12/05/17 CDC Meeting Minutes</p>	<p>6. Lot Topography Requirement Review</p> <ol style="list-style-type: none"> 1. A current topographic survey stamped by a Hawaiian registered surveyor is required for new homes. 2. The topographic survey shall identify 1' contour lines on the lot and significant slopes beyond adjoining lot lines if material. 3. Steep slopes require the following: <ol style="list-style-type: none"> 1. Geo-technical Soil Engineer report to: <ol style="list-style-type: none"> 1. Identify the stability of the soil and terrain a structure or pool will be built on or immediately adjacent to. 2. Indicate foundation type: pads, piers or footings, the dimensions and depth, and location relevant to the slope. 2. Structural Engineer Plans for the foundation and structure as required per the Geo-Technical Soil Engineer's tests. 3. Civil Engineer Grading Plans indicating drainage plan and erosion control.

	08/31/2018 ADDED TO PLAN CHECKLIST	AP	Driveway detail plans.
	5/12/2020	CDC meeting 5/12/2020	Various formatting, consistency with PHCA Rules, 1.3 added wording regarding interior changes 5. referenced Best Management Practices 5.11.1 renamed the inspections and added rough exterior electrical 6.38 added Pool draining guidelines
	1/12/2021	CDC meeting 12/8/2020	2.14.6 adjusted language to clarify drainage easements and added a diagram. Added <i>This may include ensuring the drainage swale remains in good condition and does not become overgrown, cleaning out culvert pipes under the driveway regularly, etc.</i> 2.14.4 added golf course setbacks for pools and spas 3.2.1 <i>These setbacks are subject to the location of the PHCA Drainage Easement. Planting within the PHCA Drainage Easement is limited and is subject to CDC approval.</i>
	5/10/22	CDC Meeting 5/10/22, Board Approved 1/26/23	4.1.3 Initial CDC Consultation added language to exempt projects currently in the review process from changes to the rules.
	7/12/22	CDC Meeting 7/12/22, Board Approved 1/26/23	2.2.2 Two Story Reduced the 1 st floor/2 nd floor ratio from 70% to 60%.
	9/13/22	CDC Meeting 9/13/22, Board Approved 1/26/23	2.2.3 All Homes New homes, remodels and additions are limited to 5 bedrooms or bedroom-like rooms.
	12/13/22	CDC Meeting 12/13/22, Board Approved 1/26/23	Various drainage items as recommended by Kauai Eco Design added to the following sections: 2.14.7 Easements 3.1.1 Drainage 5.6 Drain Protection 6.13 Driveways 7.3 Drain Inlet Maintenance

			8.2 Increase Review Fees and Deposits for Additions/Renovations
	7/27/23	Per 2021 CDC meetings but were not included in the 2023 edition Board Approved 7/27/23	4/13/21 6.19 Generators Section 7/13/21 6.39 Swimming Pools, Pool Decks, Spas, Ponds and Water Features. Added (fully enclosed) to the pool equipment point. 9/14/21 2.2.2 (including covered all lanais) 10/12/21 6.39 Swimming Pools, Pool Decks, Spas, Ponds and Water Features. <ul style="list-style-type: none"> Swimming pools are required to have a backflow preventer installed. 11/9/21 Added Section 4.5 CDC Appeals Process
	7/27/23	CDC Meeting 7/11/23 Board Approved 7/27/23	1.1.4 Meeting Schedule – remove “Completed plan submittals must be received 7 or more days prior to the CDC meeting. ” add “by the 1 st of the month to be considered for that month’s CDC meeting” 2.11 Painting – removed “Pre-approved color schemes are available and will shorten the approval process. Custom colors may be selected.” 2.16 Solar Panels – Hot Water and Photovoltaic “...required to install a solar hot water system or a propane on-demand hot water system ”. 4.2 PHCA website changed from .com to .org 5.7 Fines “Install dust fences prior to the start of any work” added “and keep them maintained throughout the project”. 5.12.2 Noncompliance – “For exterior changes or construction....” 6.27 Mailboxes “Have reflective street numbers on the box or post. ”
	7/27/23	Board meeting 7/27/23 Board approved 7/27/23	1.1.2 “Accompanied by PHCA staff and at PHCA request perform site visits.”

			<p>Reword 6th point - “Recommend to PHCA enforcement actions for CDC Rules including fines and penalties as appropriate.”</p> <p>6.19 Generators</p> <p>“Equipment shall only be operated during power outages, emergencies, <i>and/or to meet preventative maintenance requirements (no more than 30 minutes once per month)</i>”</p>
	3/28/2024	<p>CDC approved 1/9/2024</p> <p>Board approved 3/28/24</p>	<p>2.19 Views – changed wording “Community character will be considered for new construction, remodels or landscaping.”</p> <p>2.13.3 Gutters – added wording about drainage control measures in lieu of gutter requirement</p> <p>2.14.6 – added “after review by PHCA Civil Engineering Consultants”. Items other than approved plantings or mailboxes shall not be installed in the PHCA roadway without PHCA approval. This includes rocks, posts/chains, parking deterrents, etc.”</p> <p>Changed CDC Administrator to CDC Administrator/Liaison</p> <p>3.2.2 added “Agreement Pertaining to Hedge Between Adjoining Properties”</p> <p>6.31 added “For corner lots, recreational and playground equipment shall not be located in the front of the property and shall be 20’ from the road facing property line and 10’ from other property lines. Landscaping must screen equipment from view of the roadway and neighboring properties.”</p> <p>8.2 Fee & Deposit Schedule – multiple changes</p>
	8/28/2025	<p>CDC approved 8/12/25</p> <p>Board approved 8/28/25</p>	<p>Entire Document – Reorganization of section numbers and formatting. Scrivener's errors were corrected.</p> <p>1.1 General – added wording about the scope of the CDC Rules and the discretion of the CDC</p> <p>1.2.4 CDC Administrator/Liaison – added section defining the role of the CDC Administrator/Liaison</p>

			<p>1.4 Owner Standing – added section clarifying that the CDC may refuse to consider an application by an owner if the owner is not in good standing</p> <p>2.2 Building Materials – added “other materials reviewed and denied by the CDC” to the list of prohibited building materials</p> <p>2.7 Garages – added: “No garage shall be used as a living space”</p> <p>2.11 Roofs – added wording clarifying that roof material and color/shade require CDC review; added “cedar shake (natural or synthetic), tile, and Tesla solar roofing” to the list of roof materials that may be approved</p> <p>4.1 Major Construction Projects – added the construction and landscaping compliance deposit as a component of CDC written approval; added wording clarifying that expired approvals will require a new review, subject to any changes to CDC Rules</p> <p>4.2 Minor Construction and Other Small Projects – added wording clarifying that CDC approval is required; added window replacement and other home improvement projects to the list of minor projects; added wording establishing a 12-month expiration for minor construction/small project approvals</p> <p>4.3 Basis for CDC Approval – added section clarifying the basis of CDC approvals and the responsibility of owners to finish approved projects in process</p> <p>4.5 Variances – added section establishing a fee for a CDC variance review and limitations on what constitutes a hardship</p> <p>5.1 Additions – added section establishing requirements and design standards for home additions</p> <p>5.3 Air Conditioning Units – added wording: “AC units must be installed at ground level or on a 2nd floor lanai. Window air conditioning units are prohibited.”</p> <p>5.8 Boats and Recreational Vehicle Storage – added wording clarifying that CDC approval is required</p>
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			<p>more days; and sets an 18-month limit for all projects to be completed unless extension is granted</p> <p>6.3.2 Construction Timeframe, Minor Projects – added a new section that establishes potential actions if a minor project stalls for 30 or more days and sets a 6-month limit for minor projects to be completed unless an extension is granted</p> <p>6.7 Fines – added wording clarifying additional construction activities that may result in fines</p> <p>6.9 Parking – added wording clarifying that construction workers shall not park in front of other properties without the approval of that property owner</p>
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