

K. Angel Pilago
Chair

Dominic Yagong
Vice Chair



Brenda Ford, *Member*
Stacy K. Higa, *Member*
Pete Hoffmann, *Member*
Donald Ikeda, *Member*
Bob Jacobson, *Member*
Emily I. Naeole, *Member*
J Yoshimoto, *Member*

**HAWAI'I COUNTY COUNCIL
COMMITTEE ON PLANNING
27th Session**

DATE: February 20, 2008 (Wednesday)
PLACE: Sheraton Keauhou Bay Resort and Spa
78-128 Ehukai Street
Kailua-Kona, Hawai'i
TIME: 2:00 p.m.

(Note: Please turn cell phones, pagers and other mobile communication devices on silent mode.)

CALL TO ORDER

STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA

REFERRALS

[Comm. 995:](#) **NOMINATION OF KAREN MAEDO FOR APPOINTMENT TO THE COUNTY OF HAWAI'I BOARD OF APPEALS**
From Mayor Harry Kim, dated January 30, 2008, requesting confirmation of the above appointment.
Recommends confirmation of Karen Maedo for appointment to the County of Hawai'i Board of Appeals.
Vote:
Ayes: Committee Members Ford, Hoffmann, Higa, Ikeda, Jacobson, Naeole, Yoshimoto and Chair Pilago.
Noes: None.
Absent: Committee Member Yagong.

[Comm. 1014:](#) PRESENTATION ON THE DESIGNATION OF ZONING ON DEPARTMENT OF HAWAIIAN HOMELAND IN KEALAKEHE BY PLANNING DIRECTOR CHRIS YUEN

From Council Chair Pete Hoffmann, dated February 7, 2008, requesting time on the agenda for presentation.

[Close File](#)

Vote:

Ayes: Committee Members Ford, Hoffmann, Higa, Ikeda, Jacobson, Naeole, Yoshimoto and Chair Pilago.

Noes: None.

Absent: Committee Member Yagong.

[Comm. 997:](#)
[\(Bill 235\)](#)

AN ORDINANCE AMENDING ORDINANCE NO. 96-7 BY AMENDING THE PORTION OF CONDITION M.4 RELATING TO THE CONSTRUCTION OF A BARRICADE OR BREAKAWAY GATE TO PREVENT THE USE OF HALEKI'I STREET AS A VEHICULAR THOROUGHFARE PRIOR TO THE OPENING OF THE ENTIRE MAMALAHOA BYPASS. ORDINANCE NO. 96-7 RECLASSIFIED LANDS FROM UNPLANNED (U) TO AGRICULTURAL 1-ACRE (A-1a) AT HONUAINO 3RD AND 4TH, HOKUKANO 1ST AND 2ND, HALEKI'I, KEEKEE 1ST AND 2ND, ILIKAHI, KANAKAU 1ST AND 2ND, KALUKALU 1ST, 2ND AND 3RD, AND ONOULI 1ST, NORTH AND SOUTH KONA, HAWAI'I, COVERED BY TAX MAP KEY: 7-9-12:4 & 11; 8-1-4:3, 7, 65 & 68; 8-1-27:16, 20, 21, 27-43; 8-1-28:9, 10, 19-28, 30, 44-47; 8-1-30:1-3, 5-9, 12-53; 8-1-32:1-54; 8-1-33:1-20; 8-1-34:1-25 (formerly 7-9-12: PORTION OF 3, 4 & 11 AND 8-1-4: PORTION OF 3), AND INCLUDED A CONDITION M.4 STATING THAT A BARRICADE OR BREAKAWAY GATE MEETING WITH THE REQUIREMENTS OF THE DEPARTMENT OF PUBLIC WORKS, SHALL BE INSTALLED BY THE APPLICANT AS PART OF THE REQUIRED HALEKI'I STREET IMPROVEMENTS, THE PURPOSE OF THIS CONDITION BEING TO PREVENT THE USE OF HALEKI'I STREET AS A VEHICULAR THOROUGHFARE BETWEEN THE EXISTING MAMALAHOA HIGHWAY AND A PORTION OF THE MAMALAHOA HIGHWAY BYPASS UNTIL THE ENTIRE PROPOSED MAMALAHOA HIGHWAY BYPASS BETWEEN THE APPROXIMATE VICINITY OF KEAUHOU AND CAPTAIN COOK HAS BEEN COMPLETED AND OPENED FOR GENERAL PUBLIC USE (Planning Director Initiated); and

[\(Bill 236\)](#)

AN ORDINANCE AMENDING ORDINANCE NO. 96-8 BY AMENDING THE PORTION OF CONDITION L.4 RELATING TO THE CONSTRUCTION OF A BARRICADE OR BREAKAWAY GATE TO PREVENT THE USE OF HALEKI'I STREET AS A VEHICULAR THOROUGHFARE PRIOR TO THE OPENING OF THE ENTIRE MAMALAHOA BYPASS. ORDINANCE NO. 96-8 RECLASSIFIED LANDS FROM AGRICULTURAL 5-ACRE (A-5a) AND UNPLANNED (U) TO AGRICULTURAL 1-ACRE (A-1a) AT HONUAINO 3RD AND 4TH, HOKUKANO 1ST AND 2ND, KANAUEUE 1ST AND 2ND, HALEKI'I, KEEKEE 1ST AND 2ND, ILIKAHI, KANAKAU 1ST AND 2ND, KALUKALU 1ST, 2ND AND 3RD, AND ONOULI 1ST, NORTH AND SOUTH KONA, HAWAI'I, COVERED BY TAX MAP KEY: 7-9-12:4, 6, 9, 29; 8-1-4:3, 56, 59-62, 64, 70; 8-1-26:1-3, 5-9, 11-57; 8-1-27:1-15, 17-26, 33-38, 43; 8-1-28:1-3, 7-18, 28-38, 40-43; 8-1-29:1, 2, 4, 6-46, 53-59, 62, 63; 8-1-30:1-9, 49, 51 (formerly 7-9-6: PORTION OF 1, 7-9-12: PORTIONS OF 3 AND 4 AND 8-1-4: PORTION OF 3), AND

INCLUDED A CONDITION L.4 STATING THAT A BARRICADE OR BREAKAWAY GATE MEETING WITH THE REQUIREMENTS OF THE DEPARTMENT OF PUBLIC WORKS, SHALL BE INSTALLED BY THE APPLICANT AS PART OF THE REQUIRED HALEKI'I STREET IMPROVEMENTS, THE PURPOSE OF THIS CONDITION BEING TO PREVENT THE USE OF HALEKI'I STREET AS A VEHICULAR THOROUGHFARE BETWEEN THE EXISTING MAMALAHOA HIGHWAY AND A PORTION OF THE MAMALAHOA HIGHWAY BYPASS UNTIL THE ENTIRE PROPOSED MAMALAHOA HIGHWAY BYPASS BETWEEN THE APPROXIMATE VICINITY OF KEAUHOU AND CAPTAIN COOK HAS BEEN COMPLETED AND OPENED FOR GENERAL PUBLIC USE (Planning Director Initiated)

From Mayor Harry Kim, dated January 29, 2008, transmitting the above bills and the Planning Commission letters and enclosures.

Postpones Bills 235 and 236 to the Planning Committee meeting scheduled for March 11, 2008.

Vote:

Ayes: Committee Members Ford, Hoffmann, Jacobson, Naeole, Yagong, Yoshimoto and Chair Pilago.

Noes: None.

Absent: Committee Members Higa and Ikeda.

Comm. 1002:
(Bill 239)

AN ORDINANCE AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET (RS-10) TO NEIGHBORHOOD COMMERCIAL 20,000 SQUARE FEET (CN-20) AT WAIAKEA, SOUTH HILO, HAWAI'I COVERED BY TAX MAP KEY 2-2-040:121

(Applicant: Jin Soo and Ran Hui Iida) (Area: Approximately 23,559 square feet)

From Mayor Harry Kim, dated February 1, 2008, transmitting the above bill and the Planning Commission's enclosures and positive recommendation. The Planning Director recommended to deny the application based primarily upon his perception of inconsistency with the General Plan.

Recommends passage of Bill 239 on first reading.

Vote:

Ayes: Committee Members Ford, Hoffmann, Jacobson, Yagong, Yoshimoto and Chair Pilago.

Noes: Committee Member Naeole.

Absent: Committee Members Higa and Ikeda.

(Note: Committee Member Hoffmann voted "kanalua 2x")

[Comm. 1003:](#) A RESOLUTION AMENDING RESOLUTION NO. 16-07, DRAFT 2, BY FURTHER
[\(Res. 529-08\)](#) EXTENDING THE TEMPORARY DELAY OF COUNCIL ACTION ON REZONING
 APPLICATIONS IN THE DISTRICTS OF NORTH AND SOUTH KONA UNTIL THE
 NORTH AND SOUTH KONA COMMUNITY DEVELOPMENT PLAN IS ADOPTED BY
 ORDINANCE, OR DECEMBER 1, 2008, WHICHEVER SHALL OCCUR FIRST
(extends the end of temporary delay from March 1, 2008 to December 1, 2008)

From Councilmember K. Angel Pilago, dated February 6, 2008, transmitting the above resolution.

Recommends adoption of Res. 529-08.

Vote:

Ayes: Committee Members Ford, Hoffmann, Jacobson, Naeole, Yagong,
 and Chair Pilago.

Noes: None.

Absent: Committee Members Higa, Ikeda and Yoshimoto.

[Comm. 1013:](#) AN ORDINANCE AMENDING ORDINANCE NO. 07-170 ESTABLISHING A NEW
[\(Bill 244\)](#) ARTICLE RELATING TO A HAWAI'I COUNTY CULTURAL RESOURCES
 COMMISSION (Establishes term requirements for Commission members, specifies that
historic properties are to be 50 years old and corrects minor grammatical errors)

From Councilmember Emily Naeole, dated February 7, 2008, transmitting the above bill.

Recommends passage of Bill 244 on first reading.

Vote:

Ayes: Committee Members Ford, Hoffmann, Jacobson, Naeole, Yagong,
 and Chair Pilago.

Noes: None.

Absent: Committee Members Higa, Ikeda and Yoshimoto.

UNFINISHED BUSINESS

[Comm. 299:](#) AN ORDINANCE AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP),
[\(Bill 89\)](#) ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE, BY
[\(2000-2002\)](#) CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY
 RESIDENTIAL (RS-15) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA,
 SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY 2-4-14:42
(Applicant: Okutau, LLC) (Area: Approximately 26,640 sq. ft.)

From Mayor Harry Kim, dated August 7, 2001, transmitting the above bill and the Planning Commission's letter and enclosures; and

Recommends passage of Bill 89, as amended to Draft 3, on first reading.

Vote:

Ayes: Committee Members Ford, Hoffmann, Jacobson, Naeole, Yagong,
 and Chair Pilago.

Noes: None.

Absent: Committee Members Higa, Ikeda and Yoshimoto.

[Comm. 299.1:](#) From Planning Committee Chair Bobby Jean Leithead-Todd, dated August 27, 2001,
 transmitting for favorable consideration a proposed Bill 89, Draft 2.

[Comm. 856:](#) From Reef L. Tauati, Okutau LLC, dated November 30, 2007.

[Comm. 856.1:](#) From Planning Director Chris Yuen, dated January 7, 2008.

[Comm. 856.2:](#) From Councilmember K. Angel Pilago, dated January 23, 2008.

[Comm. 426:](#) AN ORDINANCE AMENDING SECTION 25 (ZONING CODE) OF THE
[\(Bill 148 \)](#) HAWAI'I COUNTY CODE RELATED TO AGRICULTURAL TOURISM;
 (2004-2006) From Christopher Yuen, Planning Director, dated August 24, 2005, transmitting the above bill. The purpose of this bill is to allow, by Plan approval, agricultural tourism up to a certain scale as an accessory to the agricultural activities and/or processing of agricultural products in the Agriculture (A), Family Agriculture (FA), Intensive Agriculture (IA), Residential Agriculture (RA) and Agricultural Project District (APD) Zones. A special use or use permit would be required for activities that exceed the limits allowed by the bill, depending on the State Land Use designation;

and Comms. 426.1 - 426.21; and

[Comm. 426.22:](#) From Deputy County Clerk William E. Smith, transmitting a proposed Draft 2 to Bill 148. Draft 2 adds the appropriate 'okinas to the word Hawai'i; inserts appropriate prefatory language in all sections in the bill to clarify changes in the Zoning Code; re-inserts language contained in subsection 25-2-75(e) relating to action on a plan approval application.

Postpones Bill 148 to the Planning Committee meeting scheduled for March 24, 2008.

Vote:

Ayes: Committee Members Ford, Hoffmann, Jacobson, Naeole, Yagong, and Chair Pilago.

Noes: None.

Absent: Committee Members Higa, Ikeda and Yoshimoto

[Comm. 863:](#) From Planning Director Chris Yuen, dated December 4, 2008.

ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8245 by **February 14, 2008**. Persons using TDDs may call 961-8521.

Copies of this agenda and items listed on the agenda are available on the County Council-Clerk web page at http://co.hawaii.hi.us/council/agendas_and_actions.htm, the County Clerk's Office, 333 Kīlauea Avenue, Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; the Kona Council Office, Kailua Trade Center, 75-5706 Hanama Place, Suite 109, Kailua-Kona; and the Waimea Council Office at the Holomua Center, 64-1067 Māmalahoa Highway, Suite 5, Waimea. For further information, please call 961-8245.

Notice is hereby given that pursuant to Hawai'i Revised Statutes (hereinafter "HRS") § 92-3.5, the Hawai'i County Council Committees will be conducting their February 20, 2008 meetings via videoconference. Councilmembers will be present at the following locations:

County Councilroom – Ben Franklin Tower, 2nd Floor, 333 Kīlauea Avenue, Hilo, HI 96720

Sheraton Keauhou Bay Resort and Spa, 78-128 Ehukai Street, Kailua-Kona, HI 96740.

Videoconferencing is available at the following locations:

- Hilo Councilroom at the Ben Franklin Building, Second Floor; and
- Waimea Council Office at the Holomua Center.

Videoconferencing from the Pāhoa Neighborhood Facility will not be available. If for technical or other unanticipated circumstances the video connection cannot be made and/or is disrupted, the scheduled meeting will continue.

Submitting Testimony: Those wishing to testify in person must register with the County Clerk's staff. Those submitting written testimony at the meeting should bring **fifteen (15)** copies for distribution. Testimony may also be submitted (1) by mail to the County Clerk's Office in Hilo at 25 Aupuni St., Hilo, Hawai'i, 96720; (2) by facsimile to (808) 961-8912; or (3) by e-mail to counciltestimony@co.hawaii.hi.us. **Please submit separate testimony for each item.** For testimony received via e-mail or fax, copies will be distributed at the meeting when transmitted in a timely manner. All oral and written testimony will be made a part of the public record.

Viewing of Meetings on Government Access Television - Channel 52:

Environmental Management, Human Services & Economic Development and Public Works & Intergovernmental Relations Committee meetings - Tuesdays, February 26 and March 4, 2008, at 8:30 p.m.; Finance and Planning Committee meetings - Thursdays, February 28 and March 6, 2008, at 8:30 p.m.; and all five Committee meetings - Sunday, March 9, 2008, at 10:30 a.m.