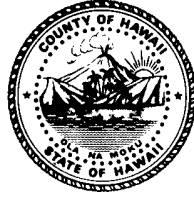


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COUNTY COUNCIL

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November 10, 2004

MEMO TO: James Y. Arakaki, Chair
& Members, Hawaii County Council

FROM: Leningrad Elarionoff, Chair
Committee on Planning

RE: Bill 163, Draft 3 relating to the Hawaii County General Plan

Attached is Bill No. 163, Draft 3, relating to the comprehensive revision of the Hawaii County General Plan. Please have it referred to the Planning Committee for consideration at the next meeting. **It is my intent to request that Bill 163, Draft 3 be deferred in order to allow for public hearings and further amendments by the incoming Council.**

Bill No. 163, Draft 3 is inclusive of many of the additions and modifications that have been suggested by members of the public, Councilmembers and the Planning Director. The attached letter from the Auditor's Office explains changes in Bill 163, Draft 3 in more detail. In summation, Bill 163, Draft 3, includes the following:

1. Renumbering and reformatting of the document
2. Addition of District of Courses of Action
3. Adoption of Development Plans by Ordinance
4. Revision of language in relation to the General Plan and maps
5. Addition of language for departmental performance and/or strategic plan adoption and General Plan implementation at the County Level
6. Revision of Agriculture Designation to include Prime & Unique Lands

For informational purposes, I offer the following comments on parts of Bill 163, Draft 3.

Renumbering & Reformatting: In the hopes of making the General Plan even more reader friendly, a decimal and chapter system has been integrated into Bill 163, Draft 3.

Courses of Action: District Courses of Action (COA's) are included now in Draft 3. Upon review, it will become obvious that there exists a redundancy between policies and COA's; and that COA's are inconsistent because items are present in some districts as well as elements, but not in all. It maybe more appropriate for the Council to develop Island-Wide Courses of Action or to further adapt COA's into policies so that they are applicable Countywide.

Development Plans: Draft 3 includes language that mandates the adoption of Development Plan's by Council ordinance and sets the criteria for plan formulation. Often in government the "squeaky wheel gets the grease", whether it is in need of it or not. Draft 3 seeks to move beyond simple vociferous demonstration. It not only challenges the Council to prioritize plans and to initiate plans by resolution, but also to justify prioritization based on actual conditions, population and other tangible factors. There are several areas on our Island that are underserved in terms of infrastructure and facilities that are also faced with continuous population growth. In some places, these conditions have existed for many years. Specifically, the Puna District comes to mind. Such areas should be considered high priority in development plan formulation.

General Plan & Maps: Misconstrued language regarding the role of the General Plan and maps have been removed in Draft 3. In relation to the LUPAG, statements presently included on Planning Department LUPAG maps are incorporated into the Land Use Element and throughout the document. The intent here is two fold. First, to implement Charter language, this stresses consistency with the General Plan as a whole. Secondly, to balance the importance of all the elements of the General Plan.

To reiterate, earlier communication, the LUPAG (Land Use Pattern Allocation Guide) is a graphic expression of the plan, particularly on land use. It does not and should not stand-alone. There have already been applications that have come before the Council, in which map consistency was questionable, yet the item received a favorable recommendation from the Planning Department. In many regards, this is reflective of the fact that there are a lot of policies and objectives not expressed on the LUPAG or other maps that are just as crucial in the proper development of our Island. For example, areas of Natural Beauty are not mapped. Does that mean they are not as vital as the LUPAG or the Roadway Map? Another is the idea of rural districts and communities expressed in many vision statements. For many of us, even the mapped urban areas or centers are meant to have an underlying rural feel or atmosphere rather than the typical skyscraper city-like make-up. This is not completely reflected on the LUPAG map. At the least, it would be necessary to read several parts of the General Plan as well as perhaps the zoning and building codes in order to fully grasp this concept.

This being the case, future consideration of the General Plan and Maps, should only be done collectively with other pertinent core materials and with full acceptance of the role and purpose

of the General Plan as well as other regulatory codes. If there is a need to implement supplementary regulatory measures at a subsequent level in the hierarchy of statutes/ordinances, then the Council should pursue that avenue. Doing so will ensure the adoption of a functional General Plan for our County and applicable ordinances to enforce and implement it.

Strategic Performance Plans: Included in Draft 3 is language that mandates County departments to develop Strategic/Performance Plans to implement the General Plan. This is a new concept and addition to the plan. The aim here is to compel the County as a whole to examine our functions, responsibilities, goals, and objectives. At some point, as a County we need to move beyond simply maintaining the “status quo” and plan for our needs, i.e. parks, roads, protective service, into the future.

Agriculture Intensive Definition: The definition has been expanded to include lands that are classified by the State as Prime and Unique. This hopefully will address concerns in relation to IAL. In the months ahead, I urge the Council to lobby the State to act on this matter. I also challenge the Council to thoroughly review all background information when considering the idea of IAL. It may also be beneficial to the Council to run various models and scenarios of possible impacts in relation to the use or not of the IAL designation.

In recent weeks, there has been much clamor about the future of General Plan and its adoption. There is even talk of going back to draft 1 and adopting it in entirety. Of course, this is the Council’s prerogative. However, it is important to note that it was never expressed to me by any member of the Council that this Bill 163, Draft 1 as proposed, was the best and only possible alternative for Council action. In fact, since the plan was first received in 2002 and before Bill 163, Draft 2, the Council held the proposed plan with no significant action. At anytime during this period, a member could have officially initiated the process for consideration, adoption, or make amendments. No amendments were proposed nor did anyone officially request review of the plan.

When I took this job on, I confirmed that the lengthy deferral represented that Council’s desires to make more than minor editing adjustments, but to actually make amendments to proposed revisions to the plan. No resistance was presented. If the Council’s real intent was to simply, adopt what was presented in Draft 1 in totality that could have been done by this Council long ago. Instead, Councilmembers participated in the amendment process by meeting with the Auditor’s Office and adding significant modifications and additions of language via district vision statements and various map changes.

There is still much work that needs to be done on the General Plan. This is true no matter, which draft is pursued. I do not believe that any one document can be considered an exemplary canon, by which to plan for our future. I do believe, however, that the final document should be easily

understood and present a clear and positive picture of the future for all of us. The General Plan should be representative of all our hopes and desires for our Island not selectively, but collectively. Above all, like it or not, it must plan for and address growth. In this regard, I believe Bill 163, Draft 3 is a start on the right track.

In closing, I urge the Council to remember that it is this body's responsibility to adopt a General Plan for our County. Yes, it is a difficult task, but it is one that is statutorily required. Of course, it would be much easier to bid it out, send it back to the planning department, or even give it to someone else to tackle. However, the people of this Island have elected you to handle their business and this is a very big part of it. At this point, to pawn it off on someone else because it is simply too hard to complete would clearly be punting your public service duties and legislative responsibilities.

I wish you luck in pursuing this matter in the months ahead. I am confident that the new Council will persist with this task diligently, and in the end adopt a viable, applicable and forward thinking General Plan for the Island we all call home.

LE/ctd

Attachment Bill 163, Draft 3