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## County of Hawaii

### PLANNING DEPARTMENT

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TO: ALL PLANNING DEPARTMENT STAFF, MAYOR, INCOMING  
ADMINISTRATION, COUNTY COUNCIL, PLANNING COMMISSION

FROM: CHRISTOPHER J. YUEN  
PLANNING DIRECTOR

SUBJECT: REVIEW OF THE LAST EIGHT YEARS IN COUNTY PLANNING

At the culmination of the eight years of the Harry Kim administration, it is useful to look back at these years from the perspective of the Planning Department. We in the Planning Department naturally tend to focus on the day-to-day issues and controversies, and on pending applications. Planning is a future-oriented job and sometimes we get too busy to review what we have accomplished. The past eight years have been a period in which the Planning Department, with the cooperation and help of other County departments, the Mayor, and the Council, and with the help and sometimes prodding of the public, has been a part of many major accomplishments. In some of these, other County departments or the Council were the lead actor, but in all, the Planning Department was a major contributor.

### **Long-Range Planning.**

The past eight years have seen an unprecedented level of long-range planning produced by the Planning Department.

- The Council enacted the new General Plan enacted in February 2005, with further amendments in 2006, culminating several years of effort.
- High points of the 2005 General Plan include: the prior General Plan had supported new coastal resorts in many areas. The 2005 General Plan focuses development in the areas which are already partially built, and eliminated coastal resorts near Spencer Park, Honaunau, Honokohau, and Pohue Bay. It also established the “important ag lands” designation, and created enhanced coastal setbacks at Kealakekua Bay to Keopuka, Kohanaiki, and O’oma.

- We enacted four Community Development Plans (CDP's) by ordinance in 2008: Puna, North Kona, South Kohala, and North Kohala. These had an unprecedented level of community involvement and scope.
- “Action Committee” process to follow-up and implement CDP's.
- Envision Downtown Hilo 2025 Plan.
- Keahole-Honaunau Regional Circulation Plan.
- Puna Regional Circulation Plan.
- Kona Roads Action Plan, August 2006.
- Assisted in planning for West Hawai'i Civic Center project.

### **Zoning and Other Land Use Changes.**

A basic function of the Planning Department is to advise the Planning Commission and the County Council on zoning and other land use changes. The Planning Director gave the Council detailed summaries of recent zoning activity on the island by letters dated May 9, 2005, and December 22, 2006. Since the Dec. 22, 2006 letter, there has been relatively little new rezoning activity because of the Council-initiated pause in rezoning for the Kona and North and South Kohala CDP's. Most rezoning in the last two years has involved small properties in the Waiakea houselots, and time extensions on existing zoning. The general conclusions of the two earlier letters remain true:

- Rezoning over the last eight years has been faithful to the overall guidelines of the General Plan and its Land Use Pattern Allocation Guide Map. Most major rezoning actions in that time have been within a three mile radius of the intersection of Palani Rd. and the Queen Kaahumanu Highway—the preferred growth area in both the General Plan and the Community Development Plan. The Palamanui rezoning is more distant, but still within the growth area in the GP and CDP, and also assists the development of the West Hawai'i community college. Hilo-area rezonings have been near the center of the city and did not contribute to sprawl.
- We kept new development away from the shoreline—only one acre of shoreline property was rezoned in eight years, a small state parcel at Kawaihae Harbor where most of the property was committed to park use.
- We did very little rezoning of GP “important ag lands”, and none that created “residential estate” type subdivisions.

- The small rezonings, often for family subdivision purposes, have not significantly changed the overall growth or land use patterns, or created a significant number of new lots.
- The County also downzoned state land around the Waimea pu'u, from A-1a to A-400a, and amended the Hokuli'a rezoning ordinances to allow the temporary use of Haleki'i St. as a connector road.

### **Housing.**

- We helped to draft and advocate for the reform of the County affordable housing law, passed in February 2005, which closed the "in-lieu" loophole that had allowed developers to escape affordable housing obligations by paying a minimal fee, increased the standard requirement from 10% to 20%, and created more options for providing housing through "excess credit" process.
- We supported rezoning of several affordable housing sites, including "Seascape I and II", "Lava Kuakini", and "Suffolk" sites. Seascape I was built, the others have not been built because of market, financing, and/or water or other infrastructure issues.
- Assisted in planning for County Waikoloa housing project.
- We helped to formulate changes to give a property tax break to affordable rental housing. (Ord. 07-107).

### **Shoreline Protection.**

- Kohanaiki: worked with the developer and community to move the development away from the shoreline and dedicate the entire coastal area to public park use; downscaled the development by more than 70% from its prior zoned density.
- Hakalau: facilitated donation of mill site on the beach to the County.
- Honuapo: assisted purchase of 145 acres of oceanfront park land.
- Kawa'a Bay: assisted purchase of 234 acres of beachfront property.
- Honl's: assisted purchase of park land, which created a new beach park on Alii Drive, with a restroom that was required as a zoning condition.
- Initiated Hilo Bayfront trails project.
- Initiated review of water quality monitoring in West Hawai'i and revisions to water quality monitoring practices.
- Conducted Kapoho Coastal Subsidence Study.

- We only rezoned one shoreline property to higher density in eight years—a one-acre state property at Kawaihae Harbor.

### **Public Access to Shoreline.**

- Secured ten miles of new coastal public access along the shoreline in North Kohala by using Chap. 34 for the first time to require public access in subdivisions.
- Secured three miles of new coastal public access in Pepeekeo.
- Obtained public access in S. Kona.
- Finalized signage and access delineation so that there is a continuous four mile public walking path along the shoreline fronting the Mauna Lani and Waikoloa resorts.
- Prepared brochure showing public access points.

### **Reform of Land Use Laws.**

- We helped to draft Ord. 07-99, Council-initiated concurrency bill imposing standard road and water requirements on new zoning.
- Drafted the legislation closing the CPR loophole that had allowed ag and residential land to be divided up by using “condominiums” without following the subdivision law (Ord. 02-111).
- Standardized the laws regarding “pre-existing lots” so that non-buildable lots and long-abandoned plantation camps could not be used to create new subdivisions that didn’t follow the zoning and subdivision codes. (Ord. 02-110).
- Amended law on “nonsignificant zoning changes” so that only small scale zoning changes can be done administratively without public notice. (Ord. 08-48).
- Passed “de minimis” law so that small setback discrepancies did not need formal variances, streamlining the process. (Ord. 02-70).
- Streamlined the process for building homes in V and RM zones. (Ord. 05-155).
- Passed ordinance making it easier to establish group homes for the mentally ill and other disadvantaged groups. (Ord. 07-55).
- Enacted law to conform County drainage practices to federal requirements to control polluted runoff. (Ord. 07-56).
- Passed “scenic corridor” enabling legislation. (Ord. 07-36).

- Passed “ag tourism” bill to allow small-scale visitor operations on farms without needing special permits, streamlining the process. (Ord. 08-155).
- Passed law saying that the county could require that noise impacts be reduced in the “plan approval” process. (Ord. 07-28).
- Assisted Council in drafting new law permitting the geothermal fund to be used for community benefit projects. (Ord. 08-37).
- Reformed practices for subdivisions using water catchment variances, so that these can only be on a small scale, and not in very dry areas. Planning Department Rule 22.
- Drafted new state law strengthening the enforcement of the historic sites protection law. Act 104, SLH 2003.

### **Customer Service.**

- We kept up with basic permit processing during a huge development boom that reached a peak of 3500 building permits for new homes in 2005, four times the level of 1998.
- Implemented street numbering system, and started project to name unnamed streets.
- Made basic land use information, like zoning, readily available to the public via CD and for some items, by Internet website.
- Made Planning Commission minutes, agendas, application forms, the Subdivision and Zoning Codes, General Plan updates, and CDP information, available by Internet website.
- We greatly increased enforcement activity, dealing with public complaints.

### **Internal Planning Department Improvements.**

- Implemented GIS system—went from using paper maps to having almost all information available to staff at computer terminals.
- Changed permit-tracking and record-keeping from outdated WANG system to EDEN and LaserFiche.
- Took over tax mapping from an outside contract to in-house, improved timeliness of updating.
- Scanned thousands of tax and subdivision maps to make available in GIS.

- Added Administrative Assistant position, filled vacant Planner VI position, created new Planner VI position and other planner and staff positions, brought Department to near-full staffing.
- Moved office from County Building to Aupuni Center, renovated space to accommodate larger staff.

### **Challenges for the Future.**

There are many challenges for the future, including implementation of the CDP's. Some of the actions described above, like public access and the water quality monitoring project, are still ongoing.

One big challenge is the changing economy. We have come through a period when the public has been focused on the negative effects of rapid growth—traffic and high housing costs, especially. We now are obviously in the down cycle of the economy when job opportunities and basic economic needs will be much more pressing concerns.

While dealing with these, though, we need to be careful not to make long-term land use mistakes because of short-term economic problems. This will not fix those problems by spurring construction. There are many zoned areas that have not been built where construction can occur without new zoning, such as in the older subdivisions, the coastal resorts in North Kona and South Kohala, and in Waikoloa Village. Construction is falling off because of financing and marketing issues. Until the economic picture changes, new zoning will do little to increase construction, which usually takes several years after rezoning to begin anyway.

The basic land use plans of the County are sound guides to where new development should and should not be allowed, and these plans should be followed in both the up and down phases of the real estate cycle. The sensitive and important areas should still be protected. The island's future will always need vigilant land use planning.

