

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  
10<sup>th</sup> Session**

**DATE:** May 1, 2007 (Tuesday)  
**PLACE:** Sheraton Keauhou Bay Resort and Spa  
78-128 Ehukai Street  
Kailua-Kona, Hawai'i  
**TIME:** 1:00 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**

**REFERRAL**

Comm. 331: A RESOLUTION REQUESTING THE PLANNING DIRECTOR TO INITIATE AN  
(Res. 158-07) ORDINANCE TO AMEND CHAPTER 23, HAWAI'I COUNTY CODE 1983  
(2005 EDITION, AS AMENDED) RELATING TO SUBDIVISIONS AND AN  
ORDINANCE AMENDING CHAPTER 25, HAWAI'I COUNTY CODE 1983  
(2005 EDITION, AS AMENDED) RELATING TO ZONING (Proposes that subdivision  
applications involving seven or more lots would need to be approved by the Council by  
ordinance rather than administratively by the Planning Director)

From Council Chairman Pete Hoffmann, dated March 30, 2007, transmitting the above  
resolution which requests the Planning Director to submit comments and recommendations  
on the proposed Subdivision and Zoning Code amendments as set forth in the proposed bills  
for ordinances attached as Exhibit "A" to the resolution, or to prepare similar bills for  
ordinances to provide for a discretionary permitting process for applications for new  
subdivisions, new planned unit developments, and new cluster plan developments involving  
seven or more lots, wherein the Council is the final approving authority for such  
developments.

**Postponed to the Planning Committee meeting scheduled for May 15, 2007**

**Votes:**

**In Favor: Committee Members Ford, Higa, Hoffmann, Ikeda, Jacobson, Naeole,  
Yagong, Yoshimoto and Chair Pilago.**

**Against: None.**

**Absent: None.**

Comm. 331.1: From Planning Director Chris Yuen, dated April 18, 2007, requesting a legal opinion on Council decision-making on subdivisions. States that this resolution raises an important legal question about the division of authority between the Council and the Planning Department under the Charter.

**Postponed to the Planning Committee meeting scheduled for May 15, 2007**

**Votes:**

**In Favor: Committee Members Ford, Higa, Hoffmann, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto and Chair Pilago.**

**Against: None.**

**Absent: None.**

## ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend these meetings should call 961-8245 by **April 26 , 2007**. Persons using TDDs may call 961-8521.

Copies of these agendas and items listed on the agendas are available at the at the County Clerk's Office, 333 Kilauea Avenue, Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; the Kona Councilmembers' Office, Kailua Trade Center, 75-5706 Hanama Place, Suite 109, Kailua-Kona; and at the Waimea Council Members' Office at the Holomua Center, 64-1067 Māmalahoa Highway, Suite 5, Waimea, Hawai'i. For further information, please call 961-8245.

Videoconferencing is available at the following locations:

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

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 testifying in person and submitting written testimony at the meetings should bring **fifteen (15)** copies of the testimony 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](mailto:counciltestimony@co.hawaii.hi.us). **Please submit separate testimony for each item.** For testimonies 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.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code}. Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 333 Kilauea Avenue, Hilo.

Viewing of Meetings on Government Access Television - Channel 52:

Finance and Environmental Management Committee meetings - Tuesday, May 8 & 15, 2007, at 8:30 p.m.;  
Planning and Public Works & Intergovernmental Relations Committee meetings - Thursdays,  
May 10 & 17, 2007, at 8:30 p.m.; and all four Committee meetings - Sunday, May 20, 2007, at 10:30 a.m.