

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
28th Session**

DATE: March 11, 2008 (Tuesday)
PLACE: Sheraton Keauhou Bay Resort and Spa
78-128 Ehukai Street
Kailua-Kona, Hawai'i
TIME: 3:00 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. 998:](#) AN ORDINANCE REPEALING ORDINANCE NO. 97-102 AND AMENDING SECTION 25-8-7 (NORTH AND SOUTH KOHALA DISTRICTS 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 – 15,000 SQUARE FEET (RS-15) TO RESIDENTIAL AND AGRICULTURAL – 5 ACRE (RA-5a) AT KAHUA 1ST, NORTH KOHALA, HAWAI'I, COVERED BY TAX MAP KEY 5-9-001:008 (Planning Director Initiated) (Area: 37.88 acres)
[\(Bill 237\)](#) From Mayor Harry Kim, dated January 29, 2008, transmitting the above bills and the Planning Commission letter and enclosures. The Planning Commission forwards an unfavorable recommendation to the Council.

[Comm. 998.1:](#) From Steven S. C. Lim, dated February 1, 2008.
[Comm. 998.2:](#) From Steven S. C. Lim, dated February 27, 2008.

[Comm. 1041:](#) AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 2, DIVISION 4, SECTION 25-2-45 OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION) WITH RESPECT TO NON-SIGNIFICANT ZONING CHANGES (defines limits of the scope of non-significant zoning changes the Planning Director can administratively grant without the County Council's approval) (Planning Director Initiated)
[\(Bill 254\)](#) From Mayor Harry Kim, dated February 13, 2008, transmitting the above bill.

(Comm. 1041.1 continues on the next page)

- [Comm. 1041.1:](#) From Councilmember K. Angel Pilago, dated February 27, 2008, transmitting a proposed amendment of a non-substantive nature to remedy some minor formatting errors within the bill.
- [Comm. 1057:](#) A RESOLUTION ESTABLISHING AN AD HOC COMMITTEE TO PLAN THE LONG TERM DISPOSITION OF MUD LANE ROAD IN THE DISTRICT OF HĀMĀKUA
(Res. 549-08) From Councilmember Dominic Yagong, dated February 25, 2008, transmitting the above resolution.
- [Comm. 1058:](#) PRESENTATION BY JIM CHANNON ON CONCEPTS TO BE INCORPORATED IN THE NORTH KOHALA COMMUNITY DEVELOPMENT PLAN FOR RURAL LAND USE
From Council Chair Pete Hoffmann, dated February 27, 2008, requesting time on the Planning Committee agenda for the above presentation.
- [Comm. 1064:](#) A RESOLUTION REQUESTING THAT THE COUNTY OF HAWAI'I COMPLETE CONSTRUCTION OF THE MĀMALAHOA BYPASS HIGHWAY OVER THE RICHARDS/COUPE PROPERTY
(Res. 553-08) From Councilmember Stacy K. Higa, dated February 28, 2008, transmitting the above resolution.

UNFINISHED BUSINESS

- [Comm. 997:](#) 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

(Note: Bill 236 continues on the next page.)

(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 KEAHOHU 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.

Comm. 997.1: From Charles Flaherty, dated February 20, 2008.

Comm. 997.2: From Councilmember K. Angel Pilago, dated February 28, 2008, transmitting a proposed amendment to Bill 235.

Comm. 997.3: From Councilmember K. Angel Pilago, dated February 28, 2008, transmitting a proposed amendment to Bill 236.

ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8245 by **March 6, 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.

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.

In the event of an unanticipated emergency situation, including but not limited to: severe adverse weather conditions, road closures, or natural disasters, the Hawai'i County Council and its Committees may conduct its meetings via videoconference pursuant to Hawai'i Revised Statutes §92-3.5. If that occurs, individual Councilmembers may be at either the meeting site or one of the videoconference sites. If audio connection is lost for more than a short period of time, the meeting will be terminated.

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: All Committee meetings - Tuesdays, March 18 & 25, 2008 at 6:30 p.m. and Saturday, March 22, 2008 at 10:30 a.m.