

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  
29<sup>th</sup> Session**

**DATE:** March 24, 2008 (Monday)  
**PLACE:** Councilroom  
Ben Franklin Building  
333 Kīlauea Avenue, 2<sup>nd</sup> Floor  
Hilo, Hawai'i  
**TIME:** 1:30 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. 1042:](#) AN ORDINANCE AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP),  
[\(Bill 255\)](#) ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983  
(2005 EDITION), CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE  
FAMILY RESIDENTIAL - 15,000 SQUARE FEET (RS-15) TO SINGLE FAMILY  
RESIDENTIAL - 10,000 SQUARE FEET (RS-10) AT WAIAKEA, SOUTH HILO,  
HAWAI'I, COVERED BY TAX MAP KEY 2-4-010:031 (Applicants: Arnold H. Hara and  
Lillian K. Murakami) (Area: Approximately 22,200 square feet)

From Mayor Harry Kim, dated February 13, 2008, transmitting the above bill and the  
Planning Commission's letter and enclosures.

**Recommends passage of Bill 255 on first reading.**

**Vote:**

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

**Noes: None.**

**Absent: None.**

[Comm. 1076:](#) FAIR SHARE CONTRIBUTIONS ANNUAL REPORT AS OF JUNE 30, 2007  
From Planning Director Chris Yuen, dated March 3, 2008, transmitting the above report.

**Close File.**

**Vote:**

**Ayes: Committee Members Ford, Higa, Hoffmann, Ikeda, Jacobson, Naeole,**

**Yagong, Yoshimoto and Chair Pilago.****Noes: None.****Absent: None.****Comm. 1077:**  
**(Bill 265)**

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 2, DIVISION 3, SECTION 25-2-35, HAWAI'I COUNTY CODE, 1983 (2005 EDITION) RELATING TO ADMINISTRATIVE ENFORCEMENT (provides for assessment of fines for Zoning Code violations during the appeal process) (Planning Director Initiated)

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From Mayor Harry Kim, dated March 6, 2008, transmitting the above bill and Planning Commission's letter and enclosures.

**Recommends passage of Bill 265 on first reading.****Vote:****Ayes: Committee Members Ford, Hoffmann, Ikeda, Jacobson, Naeole and Chair Pilago.****Noes: Committee Member Yagong.****Absent: Committee Members Higa and Yoshimoto.****Comm. 1078:**  
**(Bill 266)**

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 7, HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO THE PLANNING COMMISSION'S REVIEW OF A DRAFT COMMUNITY DEVELOPMENT PLAN OR AMENDMENTS THEREOF (provides a 90-day timeframe for the Planning Commission's review and recommendation to the County Council) (Planning Director Initiated)

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From Mayor Harry Kim, dated March 6, 2008, transmitting the above bill and Planning Commission's letter and enclosures.

**Recommends passage of Bill 266, as amended to Draft 2, on first reading.****Vote:****Ayes: Committee Members Ford, Higa, Hoffmann, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto and Chair Pilago.****Noes: None.****Absent: None.****Comm. 1079:**

PRESENTATION BY ARBORIST ADVISORY COMMITTEE CHAIR JANET ANDERSON TO REQUEST CONTINGENCY FUNDS FOR SIGNS TO IDENTIFY EXCEPTIONAL TREES IN HAWAI'I COUNTY

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From Janet Anderson, Arborist Advisory Committee Chairperson, dated March 10, 2008, requesting time on the agenda for the above presentation.

**Close File.****Vote:****Ayes: Committee Members Ford, Higa, Hoffmann, Ikeda, Naeole, Yagong, Yoshimoto and Chair Pilago.****Noes: None.****Absent: Committee Member Jacobson.****Comm. 1091:**

NOMINATION OF CHARLENE HART FOR APPOINTMENT TO THE COUNTY OF HAWAI'I BOARD OF APPEALS

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From Mayor Harry Kim, March 11, 2008, requesting confirmation of the above appointment.

**Recommends confirmation of Charlene Hart for appointment to the County of**

**Hawai'i Board of Appeals.****Vote:**

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

**Noes:** **None.**

**Absent:** **None.**

**UNFINISHED BUSINESS**

**Comm. 426:** AN ORDINANCE AMENDING SECTION 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE RELATED TO AGRICULTURAL TOURISM;  
**(Bill 148)**  
 (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 and all related communications to the Planning Committee meeting scheduled for July 1, 2008.**

**Vote:**

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

**Noes:** **None.**

**Absent:** **Committee Members Higa and Jacobson.**

**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 **March 19, 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](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:

- Kona Council Office at the Kailua Trade Center; 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 the audio stream 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](mailto: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, April 1 & 8, 2008 at 6:30 p.m. and Saturday, April 12, 2008 at 10:30 a.m.