

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  
30<sup>th</sup> Session**

**DATE:** April 8, 2008 (Tuesday)  
**PLACE:** Councilroom  
Ben Franklin Building  
333 Kīlauea Avenue, 2<sup>nd</sup> Floor  
Hilo, Hawai'i  
**TIME:** 10:00 a.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. 1083:](#) A RESOLUTION REFERRING TO THE PLANNING DIRECTOR AND PLANNING  
[\(Res. 561-08\)](#) COMMISSION A PROPOSED AMENDMENT TO CHAPTER 25, ZONING CODE,  
HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO  
THE ESTABLISHMENT OF A SUPERSTORE ZONING DISTRICT (directs the Planning  
Director and Planning Commission to review and provide recommendations on this  
proposed amendment to the Zoning Code)

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From Council Chair Pete Hoffmann, dated March 12, 2008, transmitting the above  
resolution.

A motion made by Mr. Hoffmann and duly seconded by Mr. Yagong to find that the  
ordinance attached to Res. 561-08 was substantially different from the previous bills on the  
superstore issue introduced in this term, and thus in compliance with Council Rule 16-6,  
was defeated by the following vote:

For: Committee Members Ford, Hoffmann, Jacobson and Chair Pilago.  
Opposed: Committee Members Higa, Ikeda, Naeole, Yagong and Yoshimoto.  
Absent: None.

(Note: The item was removed from the agenda, because it was determined to be a violation  
of Council Rule 16-6. No further action can be taken on this matter.)

[Comm. 1113:](#) AN ORDINANCE AMENDING ORDINANCE NO. 95-55 WHICH RECLASSIFIED  
[\(Bill 274\)](#) LANDS FROM AGRICULTURAL - 10 ACRES (A-10a) AND AGRICULTURAL - 3 ACRES (A-3a) TO AGRICULTURAL - 1 ACRE (A-1a) AT WAIAKEA, SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY 2-2-48:93 AND PORTION OF 13 (allows a five-year extension from April 26, 2005 to April 26, 2010 to comply with Condition B (secure Final Subdivision Approval) of Ordinance No. 95-55; also deletes the portion of Condition B that limits the maximum number of lots to 22)  
(Applicant: Nani Mau, Inc.) (Area: Parcel 1-4.502 acres; Parcel 2-37.247 acres)  
 From Mayor Harry Kim, dated March 18, 2008, transmitting the above bill and Planning Commission letter and enclosures.  
 Recommends passage of Bill 274 on first reading.

Votes:

For: Committee Members Ford, Hoffmann, Ikeda, Naeole, Yagong,  
 Yoshimoto and Chair Pilago.  
 Opposed: Committee Member Jacobson.  
 Excused: Committee Member Higa.

## **UNFINISHED BUSINESS**

[Comm. 998:](#) AN ORDINANCE REPEALING ORDINANCE NO. 97-102 AND AMENDING  
[\(Bill 237\)](#) 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 1<sup>ST</sup>, NORTH KOHALA, HAWAI'I, COVERED BY TAX MAP KEY 5-9-001:008 (Planning Director Initiated) (Area: 37.88 acres)  
 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.

Recommends passage of Bill 237 on first reading.

Votes:

For: Committee Members Ford, Hoffmann, Jacobson, Naeole, Yagong,  
 Yoshimoto and Chair Pilago.  
 Opposed: Committee Member Ikeda.  
 Absent: Committee Member Higa.  
 (Note: Committee Member Yoshimoto voted "Kanalua times two")

[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. 998.3:](#) From Chris Yuen, Planning Director, dated March 5, 2008.

## **ADJOURNMENT**

The meeting place is accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8245 by **April 3, 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 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](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.

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All Committee meetings - Tuesdays, April 15 & 22, 2008 at 6:30 p.m. and Saturday, April 19, 2008 at 10:30 a.m.