

OPEN SPACE

INTRODUCTION AND ANALYSIS

A vital part of the environment, open space is [that] land [which] **that** is basically not used for buildings or structures and is characterized by scenic beauty, existing openness, and natural conditions. It is the counterpart of development. Retained in its state of use, open space would maintain and/or enhance the conservation of needed or desired natural, scenic, or historical resources [which] **that** might otherwise be permanently lost. It would also enhance the present or potential value of abutting or surrounding urban development.

Open space is used to maintain and/or provide forestry pursuits, water supply, fish and marine protection, wildlife and endemic plant preservation, recreational pursuits and visual and scenic amenities. Open space also demarcates potential natural hazard areas. Just as the use of open space is affected by development, so is the character and quality of development influenced by what is done with open space.

Three basic functions are served by open space. Positive human needs such as active and passive recreation amenities can be provided. The natural resource base such as air, water, soil and plants can be protected and enhanced. Economic development decisions, e.g. tourism, real estate values and development patterns, can be affected.

The planning of open space is an integral part of any comprehensive planning consideration. Other elements of the General Plan affect or are affected by this element[; together]. **Together**, these elements and their interrelationships form an overall picture of the County of Hawaii.

[For each resident of the County of Hawaii, there are approximately 14 acres of land which are in open designations. In addition to open zoned lands, areas zoned as agriculture are also generally uncluttered with structures. Such lands can also impart a sense of open space.]

Open space on the island of Hawaii consists of lands zoned as [open] **Open** by the County as well as those in the State Land Use Conservation District. [The County zoning permits no structures except those related to recreational pursuits.] **The “Open” zoning district permits golf courses, with a use permit, some recreational facilities, and various public and utility-type facilities. There is currently no County zoning district that calls for land to be preserved in a largely natural state.**

Various categories of open space areas have been designated according to use or amenities. Restricted watershed areas are strictly regulated in order to protect the island's essential water resources. Some of these are in close proximity and easy accessibility to development and without protection could be contaminated. All watershed areas are in forest reserves under the [joint] jurisdiction of the [Forestry Division and the Division of Water and Land Development.] **State Department of Land and Natural Resources.**

Potential natural hazard areas are designated as open space for the welfare and safety of the public. These include areas [which] **that** are highly susceptible to flooding, erosion, volcanic activity and tsunami inundation.

The following goals, policies, and standards are set forth to insure the protection and wise use of open space in the County of Hawaii.

GOALS

- Provide and protect open space for the social, environmental, and economic well-being of the County of Hawaii and its residents.
- Protect designated natural areas.

POLICIES

- Open space [in the County of Hawaii] shall reflect and be in keeping with the goals, policies, and standards set forth in the other elements of the General Plan.
- Open space in urban areas shall be established and provided through zoning and subdivision regulations.
- [The County of Hawaii shall encourage] **Encourage** the identification, evaluation, and designation of natural areas.
- Zoning, subdivision and other applicable ordinances [in the County of Hawaii] shall provide for and protect open space areas.
- **Amend the Zoning Code to create a category for lands that should be kept in a largely natural state, but that may not be in the Conservation District, such as certain important viewplanes, buffer areas, and very steep slopes.**

STANDARDS

- Open Space designations shall include:
 - Forest Reserves
 - Water Areas
 - Potential Natural Hazard Areas
 - Natural Areas and Reserves
 - Open Space Recreation Areas
 - Scenic Vistas and Viewplanes
 - General Use Conservation Sub-zones with Compatible Uses
 - Scientific Areas, including Habitats of Endemic Species

PUBLIC LANDS

INTRODUCTION AND ANALYSIS

The utilization of land resources in Hawaii is greatly influenced by the policies and practices of a relatively small number of major landowners. Approximately 52 per cent of the total land area in the State of Hawaii is government-owned. Federal lands constitute 8 per cent of these government-owned lands while State lands, including those of the Department of Hawaiian Homes Lands, comprise the remaining 34 per cent. Of the 48 per cent in private ownership, [a disproportionately large share is owned by] approximately **three-fourths are owned by approximately** fifty ["large landowners."] **large landowners.**

The degree to which private and public lands [of the County] can be put to their respective designated and zoned uses will determine the effectiveness of the General Plan. The historical pattern of land ownership in specific situations may adversely affect the realization of stated objectives and goals.

County-owned lands amount to less than 1 per cent of the total land area of the island. State owned lands [, summarized in the following table,] account for 44 per cent of the County's 2.5 million acres, with district proportions ranging from a low of 17 per cent in South Kona to a high of 76 per cent in North Hilo. State lands include a variety of uses [, both existing and proposed, from] **such as** commercial, industrial, residential and resort uses and education and research in South Hilo to wilderness areas and mountain tops in Hamakua and Ka'u.

Federal lands in the County of Hawaii include the Hawaii Volcanoes National Park and the National Historic Parks at Pu'uukohola and Honaunau, both of which are established programs of the National Park Service of the U.S. Department of Interior. **The National Park Service proposes to acquire additional lands for the expansion of the Hawaii Volcanoes, Puukohola and Puuhonua O Honaunau National Historic Parks at Kahuku, Kohanaiki, and Kiilae, respectively.**

Public trust or ceded lands in Hawaii comprise approximately 1.8 million acres of property throughout the State, or 43 per cent of the State's total land area. These lands were "ceded", or transferred, to the United States by the Republic of Hawaii, under the 1898 annexation of Hawaii as a Territory of the United States and after the 1893 overthrow of the Hawaiian Kingdom. The Admissions Act of 1959 that granted Hawaii statehood, defined the State as trustee for 1.4 million acres of these ceded lands and defined five purposes for its use, including one for the betterment of conditions for native Hawaiians. The 1963 Ceded Lands Act allowed the transfer of title to the State of all but 300,000 acres of ceded lands that were excepted by the Federal government. In 1978, voters approved constitutional amendments to create the Office of Hawaiian Affairs and fund it with a share of the money derived from the use of ceded lands. In 1980, the Legislature defined the Office of Hawaiian Affairs' share of ceded land revenues at 20 per cent. The exact amount of ceded lands within the County is currently unknown. Act 125 was adopted by the 2000 Legislature to facilitate the establishment of a comprehensive information system for inventorying and maintaining information about these ceded lands.

	[Total Ac.	State Ac.	% of Total
TOTAL	2,506,800	1,101,351	43.9
Puna	317,000	91,173 ¹	28.7
S. Hilo	252,300	150,102 ²	59.4
N. Hilo	173,500	132,801 ³	76.5
Hamakua	396,500	232,497 ⁴	58.6
N. Kohala	79,700	16,532 ⁵	20.7
S. Kohala	175,100	51,551 ⁶	29.4
N. Kona	363,900	213,414	58.6
S. Kona	142,600	25,025	17.5
Ka'u	606,200	188,256 ⁷	31.0

¹Hawaiian Homes Dept. - 2,000 Ac.

²Hawaiian Homes Dept. - 10,955 Ac.

³Hawaiian Homes Dept. - 48,800 Ac.

⁴Hawaiian Homes Dept. - 12,197 Ac.

⁵Hawaiian Homes Dept. - 115 Ac.

⁶Hawaiian Homes Dept. - 22,584 Ac.

⁷Hawaiian Homes Dept. - 10,989 Ac.]

The use of publicly owned lands needs to be more judiciously administered. There is at present no master plan for the vast public lands; namely those [which] **that** are designated Conservation, over which the County has virtually no administrative jurisdiction.

The County acquires land for public uses such as parks and rights-of-way. Presently there is no [one] County agency whose function is to expedite land acquisitions. Various County departments are involved, depending on the nature of acquisition. There is also a need for an agency to keep abreast of and initiate various programs on public land.

The University of Hawaii, as a corporate body under the State Constitution, holds a unique position on land ownership unlike other State or County agencies [which] **that** utilize public lands. The University, under the **State** Constitution, obtains in fee title the land granted it by Executive Order [and can thus]. **The University can therefore** subdivide, lease or sell its lands provided it is in the interest of public education.

GOALS

- Utilize publicly owned lands in the best public interest and [to the extent possible,] to the maximum benefit for the greatest number of people.

- Acquire [necessary] lands for public use to implement policies and programs contained in the General Plan.

POLICIES

- Encourage uses of public lands [which] **that** will satisfy specific public needs, such as housing, recreation, open space and education.
- Encourage the adoption of State programs for State lands consistent with the [County] General Plan.
- State and County Capital Improvement Programs should continue to be coordinated.
- A sub-classification, University use, shall continue to be utilized, permitting the primary institutional and numerous supportive and accessory uses required for establishing and/or expanding a public university. Its designation shall continue to be shown on the **Land Use Pattern Allocation Guide** map.
- **Support the U.S. Department of Interior, National Park Service’s expansion plans for the Hawaii Volcanoes, Puukohola and Puuhonua O Honaunau National Historic Parks.**
- **Encourage the State to continue the Villages of Lai’opua project at Kealakehe.**

STANDARD

- Public lands with unique recreational and natural resources shall be maintained for public use.