



The Planning Commission is, of course, familiar with zoning changes. And the normal process for a zoning change is that it comes to the Planning Commission. After being reviewed by the Planning Department, it comes to the Planning Commission. The Planning Commission looks at it, makes a recommendation, sends it up to the County Council; and the County Council acts on it. So it's a very public process. And I think we've seen that even relatively small land use changes require this kind of public process. We've seen zoning changes that may cover, say, a lot of 10,000 square feet or 20,000 square feet, it may change it from a Residential 15,000 square foot zone to a Residential 10,000 square foot zone. And these kinds of even relatively small changes go through zoning up to the County Council. So the wording of the nonsignificant zone change was itself amended in the 1996 Zoning Code changes; and it was amended in a way that has been interpreted to make it possible to do fairly large moves of zoning from one spot to another as long as the overall density is not changed on the property.

So as a policy matter we think that these kinds of changes should generally be done through the normal zoning process, that actually the kinds of things that I just described can be done through what's called Project District Zoning where you zone a large area and then you move uses around within that area. But it shouldn't be done just administratively by the Planning Department.

So the amendment that's here would change the wording back to the way it was before December 1996; and it would limit the extent of any nonsignificant zone change to a half an acre, I'm sorry, an acre or the lesser of an acre, or a 5 percent increase or decrease in the area, of a zoning district. So if you had adjacent Commercial and Residential properties of an acre, for example, you could do a boundary change that affected 5 percent of that acre and administratively adjust the boundaries.

There are a lot of situations where it's useful to do this. The most common type of situation has been on golf courses. Many of the zonings that were done for resorts had the golf courses in an Open zone. And then when they actually go out to build a golf course they want to change the boundaries between the Residential and the Open zones slightly; and that's a legitimate use of the nonsignificant zone change. So this is, again, this is something that we talked about before. We would like to take this up to the County Council with a favorable recommendation from the Commission; and the Commission can act on, we would ask the Commission to act on this today, if possible.

WATANABE: Thank you. Are there any questions for the Director? No questions? Is there any, you want to go into any discussion or does anyone care to make a motion? Cause this is a second reading, so a motion would be appropriate.

RHO: So I assume we don't have any public testimony here -.

WATANABE: Oh, I'm sorry. I'm sorry. Yeah, at this point I had no one signed up. And as a reminder to the public, if you do wish to testify on any of the items then you would need to sign up with Sharon, the staff person. But, yes, at this point there's no one, no one signed up to testify.

RHO: Okay, so I'll make a motion. I move that a favorable recommendation be forwarded to the County Council on the amendment to Section 25-2-45, Chapter 25, Hawaii County Code, 1983.

WATANABE: Thank you. Do I have a second?

WOODWARD: I would second, and with a comment that it's ironic that we're talking about nonsignificant things here because we talk about a lot of nonsignificant things. So I'm very much in favor of letting the Director have complete control over all nonsignificant things.

WATANABE: Thank you. So it has been moved and seconded to send a favorable recommendation to the County Council. Is there any further discussion? Okay, Mr. Darrow.

DARROW: Thank you, Mr. Chairman. The motion before us is to send a favorable recommendation to the Council. With that I'll take the roll. Commissioner Rho?

RHO: Aye.

DARROW: Commissioner Woodward?

WOODWARD: Aye.

DARROW: Commissioner Alameda?

ALAMEDA: Aye.

DARROW: Commissioner Bowman?

BOWMAN: Aye.

DARROW: Commissioner Iwashita?

IWASHITA: Yes.

DARROW: Commissioner Ogata?

OGATA: Aye.

DARROW: And Mr. Chairman?

WATANABE: Aye.

DARROW: The motion passes seven to zero.

WATANABE: Thank you.

The discussion ended at 9:16 a.m.

Respectfully submitted,

Sharon M. Nomura, Secretary