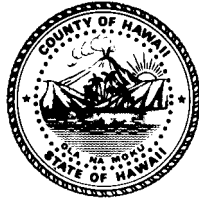


K. Angel Pilago  
Chair

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  
39<sup>th</sup> Session**

**DATE:** October 7, 2008 (Tuesday)

**PLACE:** Councilroom  
Ben Franklin Building, 2<sup>nd</sup> Floor  
333 Kilauea Ave.  
Hilo, 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. 1346.1: A REQUEST FOR FUNDING FOR THE IMPLEMENTATION AND PLAN UPDATES OF THE ENVISION DOWNTOWN HILO 2025 ACTION PLAN (EDH 2025)  
From EDH 2025 VisionKeepers Chair Eileen O'Hara, dated September 24, 2008, requesting a discussion on the above request.

Comm. 1470:  
(Bill 369) AN ORDINANCE ADOPTING THE COUNTY OF HAWAI'I SOUTH KOHALA COMMUNITY DEVELOPMENT PLAN  
From Mayor Harry Kim, dated September 22, 2008, transmitting the above bill and Planning Commission letter and enclosures.

Comm. 1471:  
(Bill 370) AN ORDINANCE AMENDING SECTION 25-8-21 (LAUPAHOEHOE-NINOLE 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 SINGLE FAMILY RESIDENTIAL - 10,000 SQUARE FEET (RS-10) AT MANOWAIOPAE, NORTH HILO, HAWAI'I, COVERED BY TAX MAP KEY 3-6-008:002 (Applicant: Raymond and Jane Otomo) (Area: Approximately 22,366 square feet)  
From Mayor Harry Kim, dated September 18, 2008, transmitting the above bill and Planning Commission letter and enclosures.

**UNFINISHED BUSINESS**

Comm. 426: AN ORDINANCE AMENDING SECTION 25 (ZONING CODE) OF THE  
(Bill 148 ) HAWAI'I COUNTY CODE RELATED TO AGRICULTURAL TOURISM;  
(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;

|            |                    |
|------------|--------------------|
| Postponed: | November 8, 2005   |
| Postponed: | September 20, 2005 |
| Postponed: | December 4, 2007   |
| Postponed: | February 20, 2008  |
| Postponed: | March 24, 2008     |
| Postponed: | July 1, 2008       |

Comm. 426.22: From Deputy County Clerk William E. Smith, dated November 8, 2005, 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.

**(Note: There is pending motion made by Mr. Pilago and duly seconded by Mr. Jacobson to close file on Comm. 426 and recommend passage of Bill 148 on first reading.)**

Comm. 863: From Planning Director Chris Yuen, dated December 4, 2007.

Comm. 1320: AN ORDINANCE AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP),  
(Bill 321) ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL - 10,000 SQUARE FEET (RS-10) TO GENERAL COMMERCIAL - 10,000 SQUARE FEET (CG-10) AT WAIAKEA, SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY 2-2-025:011 (Applicant: Freditas Udani)  
(Area: Approximately 9,886 square feet)

From Mayor Harry Kim, dated July 2, 2008, transmitting the above bill and Planning Commission letter and enclosures.

|            |                    |
|------------|--------------------|
| Postponed: | July 22, 2008      |
| Postponed: | August 12, 2008    |
| Postponed: | August 26, 2008    |
| Postponed: | September 23, 2008 |

**(Note: There is a pending motion made by Mr. Hoffmann and duly seconded by Ms. Ford to close file on Comm. 1320 and recommend passage of Bill 321 on first reading.)**

- Comm. 1320.1: From Planning Director Chris Yuen, dated September 22, 2008, transmitting proposed amendments to Bill 321.
- Comm. 1329:  
(Bill 324) AN ORDINANCE AMENDING THE HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), BY ADDING A NEW CHAPTER RELATING TO IMPACT FEES (establishes a newly-created Chapter 36 in the County Code entitled Impact Fees, which implements the provisions and requirements for an impact fee)  
From Council Chair Pete Hoffmann, dated July 10, 2008, transmitting the above bill. This proposed new Chapter establishes the requirements and calendar for payment of impact fees by any impact-generating development, pursuant to the terms of the proposed chapter. These impact fees (roads, parks, fire/EMS, police, solid waste and wastewater) will be administered by the Planning Director. The chapter also establishes an Impact Fee Fund per benefit district to be administered by the Finance Director. Exemptions from the terms of the Chapter are listed as well as criteria and requirements for impact fees applicable to affordable housing units. In addition, this chapter sets forth the criteria for fee calculations, provides information on refunds, credits, off-sets, recalculations, post-ordinance credits, pre-ordinance offsets as well as how the fees shall be used.

Held over for public hearings (one in Hilo and one in Kona): July 22, 2008

- Comm. 1329.14: From Planning Director Chris Yuen, dated September 9, 2008.

## ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8245 by **October 2, 2008**. TTY users may use Relay Service 711-961-8245 to contact our office.

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 until 4:30 p.m., or later in the event public witness testimony has not been completed:

- 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, October 14 and 21, 2008, at 6:30 p.m.; and Saturday, October 18, 2008, at 10:30 a.m.