

Ka'ū Community Development Plan

Appendix V5: Strategy Rationale

October 2017

Table of Contents

| | |
|---|-----------|
| TABLE OF CONTENTS..... | i |
| TABLE OF FIGURES..... | III |
| TABLE OF TABLES..... | III |
| INTRODUCTION | 1 |
| PURPOSE..... | 1 |
| WHERE DID THE KA’Ū CDP COME FROM?..... | 1 |
| HOW WERE CDP POLICIES IDENTIFIED? | 1 |
| SECTION 3: STRATEGY RATIONALE – ADVANCE PREFERRED CONSERVATION AND SETTLEMENT PATTERNS | 3 |
| 3.1.4 Land Use Policy | 3 |
| 3.1.5 County Action..... | 28 |
| 3.1.6 Community-Based, Collaborative Action | 29 |
| SECTION 4: STRATEGY RATIONALE – PROTECT AND ENHANCE NATURAL AND CULTURAL RESOURCES..... | 30 |
| 4.1 EXPAND THE LOCAL SYSTEM OF PRESERVES | 30 |
| 4.1.2 County Action..... | 30 |
| 4.1.3 Advocacy..... | 32 |
| 4.1.4 Community-Based, Collaborative Action | 32 |
| 4.2 PROTECT THE COAST FROM DEVELOPMENT | 34 |
| 4.2.2 Land Use Policy | 34 |
| 4.2.3 County Action..... | 41 |
| 4.2.4 Advocacy..... | 42 |
| 4.3 PROTECT AGRICULTURAL LANDS & OPEN SPACE | 44 |
| 4.3.2 Land Use Policy | 44 |
| 4.3.3 County Action..... | 55 |
| 4.3.4 Advocacy..... | 59 |
| 4.4 PROTECT MAUKA FORESTS | 61 |
| 4.4.2 Land Use Policy | 61 |
| 4.4.4 Advocacy..... | 61 |
| 4.5 PRESERVE SCENIC AREAS | 62 |
| 4.5.2 Land Use Policy | 62 |
| 4.5.3 County Action..... | 65 |
| 4.5.4 Community-Based, Collaborative Action | 67 |
| 4.6 PROTECT AND ENHANCE ECOSYSTEMS..... | 68 |
| 4.6.2 Land Use Policy | 68 |
| 4.6.3 County Action..... | 68 |
| 4.6.4 Advocacy..... | 71 |
| 4.6.5 Community-Based, Collaborative Action | 75 |
| 4.7 PROTECT AND ENHANCE CULTURAL ASSETS..... | 77 |
| 4.7.2 Land Use Policy | 77 |
| 4.7.3 County Action..... | 79 |
| 4.7.4 Advocacy..... | 81 |
| 4.7.5 Community-Based, Collaborative Actions..... | 81 |
| 4.8 ESTABLISH AND MANAGE PUBLIC ACCESS | 82 |
| 4.8.2 Land Use Policy | 82 |
| 4.8.3 County Action..... | 82 |
| 4.8.4 Advocacy..... | 83 |
| 4.8.5 Community-Based, Collaborative Action | 85 |
| 4.9 ESTABLISH AND MANAGE A REGIONAL TRAIL SYSTEM..... | 86 |



| | | |
|--|--|------------|
| 4.9.2 | <i>Land Use Policy</i> | 86 |
| 4.9.3 | <i>County Action</i> | 86 |
| 4.9.4 | <i>Advocacy</i> | 88 |
| 4.10 | ESTABLISH AND MANAGE ACCESS AND TRAIL FACILITIES | 90 |
| 4.10.2 | <i>County Action</i> | 90 |
| 4.10.3 | <i>Advocacy</i> | 90 |
| 4.10.4 | <i>Community-Based, Collaborative Action</i> | 90 |
| SECTION 5: STRATEGY RATIONALE – STRENGTHEN INFRASTRUCTURE, FACILITIES, AND SERVICES | | 92 |
| 5.1 | COORDINATE INFRASTRUCTURE, FACILITY, AND SERVICE IMPROVEMENTS..... | 92 |
| 5.1.3 | <i>County Action</i> | 92 |
| 5.1.4 | <i>Advocacy</i> | 93 |
| 5.1.5 | <i>Community-Based, Collaborative Action</i> | 93 |
| 5.2 | IMPROVE WATER INFRASTRUCTURE | 94 |
| 5.2.2 | <i>County Action</i> | 94 |
| 5.2.3 | <i>Advocacy</i> | 95 |
| 5.3 | ENHANCE THE ROADWAY NETWORK..... | 96 |
| 5.3.2 | <i>Land Use Policy</i> | 96 |
| 5.3.3 | <i>County Action</i> | 97 |
| 5.3.4 | <i>Advocacy</i> | 98 |
| 5.3.5 | <i>Community-Based, Collaborative Action</i> | 99 |
| 5.4 | FORMALIZE ALTERNATIVE ROUTES..... | 100 |
| 5.4.2 | <i>County Action</i> | 100 |
| 5.5 | EXPAND MASS TRANSIT FACILITIES AND SERVICES | 102 |
| 5.5.2 | <i>County Action</i> | 102 |
| 5.6 | STRENGTHEN EMERGENCY AND HEALTH FACILITIES..... | 103 |
| 5.6.2 | <i>County Action</i> | 103 |
| 5.6.3 | <i>Advocacy</i> | 104 |
| 5.7 | EXPAND EMERGENCY SERVICES..... | 105 |
| 5.7.2 | <i>County Action</i> | 105 |
| 5.7.3 | <i>Community-Based, Collaborative Action</i> | 106 |
| 5.8 | IMPROVE ENVIRONMENTAL MANAGEMENT FACILITIES | 107 |
| 5.8.2 | <i>County Action</i> | 107 |
| 5.8.3 | <i>Advocacy</i> | 107 |
| 5.9 | STRENGTHEN AND EXPAND EDUCATION FACILITIES AND SERVICES..... | 108 |
| 5.9.2 | <i>County Action</i> | 108 |
| 5.9.3 | <i>Advocacy</i> | 108 |
| 5.9.4 | <i>Community-Based, Collaborative Actions</i> | 109 |
| 5.10 | EXPAND PARKS AND RECREATION FACILITIES | 110 |
| 5.10.2 | <i>County Action</i> | 110 |
| 5.10.3 | <i>Community-Based, Collaborative Actions</i> | 110 |
| SECTION 6: STRATEGY RATIONALE – BUILD A RESILIENT, SUSTAINABLE LOCAL ECONOMY | | 112 |
| 6.1 | COORDINATE REGIONAL ECONOMIC DEVELOPMENT | 112 |
| 6.1.2 | <i>County Action</i> | 112 |
| 6.1.3 | <i>Advocacy</i> | 113 |
| 6.1.4 | <i>Community-Based, Collaborative Actions</i> | 114 |
| 6.3 | STRENGTHEN LOCAL AGRICULTURE..... | 115 |
| 6.3.3 | <i>County Action</i> | 115 |
| 6.3.4 | <i>Advocacy</i> | 116 |
| 6.3.5 | <i>Community-Based, Collaborative Actions</i> | 117 |
| 6.4 | DEVELOP COMMUNITY RENEWABLE ENERGY | 118 |



| | | |
|--------------|--|-----|
| 6.4.3 | <i>County Action</i> | 118 |
| 6.4.4 | <i>Advocacy</i> | 119 |
| 6.4.5 | <i>Community-Based, Collaborative Actions</i> | 119 |
| 6.5 | PILOT PAYMENT FOR ECOSYSTEM SERVICES..... | 120 |
| 6.5.3 | <i>County Action</i> | 120 |
| 6.5.4 | <i>Community-Based, Collaborative Actions</i> | 120 |
| 6.6 | GROW HEALTH AND WELLNESS SERVICES | 121 |
| 6.6.2 | <i>County Action</i> | 121 |
| 6.6.3 | <i>Community-Based, Collaborative Actions</i> | 121 |
| 6.7 | PROMOTE THE CREATIVE, EDUCATION, AND RESEARCH SECTORS..... | 122 |
| 6.7.2 | <i>County Action</i> | 122 |
| 6.8 | DEVELOP THE LOCAL VISITOR SECTOR | 123 |
| 6.8.3 | <i>County Action</i> | 123 |
| 6.8.4 | <i>Community-Based, Collaborative Actions</i> | 123 |

Table of Figures

| | | |
|------------|--|----|
| Figure 1: | Ka’ū CDP Land Use Policy Map: Regional..... | 11 |
| Figure 2: | Current Land Use Pattern Allocation Guide (LUPAG): Regional | 12 |
| Figure 3: | Ka’ū CDP Land Use Policy Map: Pāhala..... | 13 |
| Figure 4: | Current Land Use Pattern Allocation Guide (LUPAG): Pāhala..... | 14 |
| Figure 5: | Ka’ū CDP Land Use Policy Map: Nā’ālehu | 15 |
| Figure 6: | Current Land Use Pattern Allocation Guide (LUPAG): Nā’ālehu | 16 |
| Figure 7: | Ka’ū CDP Land Use Policy Map: Wai’ōhinu..... | 17 |
| Figure 8: | Current Land Use Pattern Allocation Guide (LUPAG): Wai’ōhinu..... | 18 |
| Figure 9: | Ka’ū CDP Land Use Policy Map: Discovery Harbour, Mark Twain, & Green Sands..... | 19 |
| Figure 10: | Current Land Use Pattern Allocation Guide (LUPAG): Discovery Harbour, Mark Twain, & Green Sands..... | 20 |
| Figure 11: | Ka’ū CDP Land Use Policy Map: Ocean View | 21 |
| Figure 12: | Current Land Use Pattern Allocation Guide (LUPAG): Ocean View | 22 |

Table of Tables

| | | |
|----------|--|----|
| Table 1: | Rationale behind Necessary LUPAG Map Amendments..... | 8 |
| Table 2: | Permitted Uses in State Agricultural District and County Agricultural Zone | 47 |





Introduction

Purpose

This document is designed to explain the rationale behind CDP strategies. It includes all of the Ka’ū Community Development Plan (CDP) strategies and the rationale behind them, with the exception of the Community-Based, Collaborative Actions, which are explained in the “Community-Based, Collaborative Action Guide.”

Where did the Ka’ū CDP come from?

The Ka’ū CDP was developed in three stages, which are described in Appendix V2. Each stage was driven by extensive community input and concluded with a clear decision by the CDP Steering Committee, the volunteer advisory committee charged with recommending a CDP to the County.

During the first stage, community members identified core community values and a vision of what they’d like to see in Ka’ū in 2030, as summarized in Sections 1.2.4 and 1.4.1 of the CDP. At the end of that stage, the Steering Committee affirmed a Values and Visions Statement that has since served as a compass point guiding the planning process.

Next, a detailed profile of the community (Appendix V3) was developed based on community knowledge and expertise as well as existing data, reports, and studies. Section 1.3 of the CDP summarizes the community assets and challenges identified in the profile. That stage concluded when the Steering Committee integrated the Values and Vision Statement with the Community Profile to develop the twelve Community Objectives that the CDP is designed to achieve (listed in Section 1.5.1 of the CDP).

In the third stage, extensive research was conducted to identify the range of strategies that could be used to achieve those objectives. From those strategies, a combination of policies and actions was identified that, when implemented together, will realize the community’s vision for the future. Those strategies were compiled into the preliminary “working draft” of the CDP. The Ka’ū CDP Steering Committee reviewed that draft, discussed it, and made recommendations for revisions.

Next, the broader community and stakeholders had the same opportunity, and the Steering Committee used that input to make further revisions before it was satisfied that the CDP truly reflects community preferences.

How were CDP policies identified?

The Community Objectives are the foundation of the CDP. All of the CDP strategies are designed to implement one or more of the objectives. Appendix V2 explains the process followed to identify strategies to achieve Community Objectives.

To make that process as transparent as possible, supplements to Appendices V4A, VB, and VC include a “strategy identification matrix” that was developed using (and makes specific references to) the comprehensive content included in that appendix (available at www.kaucdp.info). The matrix summarizes current policies and action that are aligned with community objectives, remaining policy and action gaps, and the new policy, advocacy, and community-based, collaborative action needed to achieve community objectives.

This document includes summaries of the rationale behind each of the CDP policies and advocacy strategies. Each rationale is based on the process represented in the corresponding strategy identification

matrix. To keep the rationale as concise as possible, only limited information from the appendix is repeated, though references direct the interested reader to relevant sections of Appendices V4A, B, C, and D, which are available for review at www.kaucdp.info.



Section 3: Strategy Rationale – Advance Preferred Conservation and Settlement Patterns

3.1.4 Land Use Policy

Policy Controls

Commercial, Industrial, and Resort Areas

Policy 1 Rehabilitate and develop within existing zoned urban areas already served by basic infrastructure, or close to such areas, instead of scattered development. (GP 14.1.3(b) and 14.1.3(j))

This policy is an affirmation of the following General Plan policies:

- 14.1.3(b): “Promote and encourage the rehabilitation and use of urban areas that are serviced by basic community facilities and utilities.”
- 14.1.3(j): “Encourage urban development within existing zoned areas already served by basic infrastructure, or close to such areas, instead of scattered development.”

For more information, see page 14 of Appendix V4B.

Policy 2 Concentrate commercial uses within and surrounding central core areas in Pāhala, Nā’ālehu, and Ocean View and do not allow strip or spot commercial development outside of the designated urban areas. (GP 14.3.3(e), 14.3.5.9.2(a, b))

This is an affirmation of the following General Plan policies:

- 14.3.3(e): “Encourage the concentration of commercial uses within and surrounding a central core area.”
- 14.3.5.9.2(a): “Centralization of commercial activity in the communities of Pāhala, Nā’ālehu, and Ocean View and the area of the Volcanoes National Park shall be encouraged.”
- 14.3.5.9.2(b): “Do not allow strip or spot commercial development on the highway outside of the designated urban areas.”

For more information, see pages 13-17, 35, and 200 of Appendix V4B.

Policy 3 Commercial facilities shall be developed in areas adequately served by necessary services, such as water, utilities, sewers, and transportation systems. Should such services not be available, the development of more intensive uses should be in concert with a localized program of public and private capital improvements to meet the expected increased needs. (GP 14.3.3(b))

This is an affirmation of General Plan policy 14.3.3(b): “Commercial facilities shall be developed in areas adequately served by necessary services, such as water, utilities, sewers, and transportation systems. Should such services not be available, the development of more intensive uses should be in concert with a localized program of public and private capital improvements to meet the expected increased needs.”

For more information, see pages 14 and 71 of Appendix V4B.

Policy 4 Industrial development shall be located in areas adequately served by transportation, utilities, and other essential infrastructure. (GP 14.4.3(e))

This is an affirmation of General Plan policy 14.4.3(e): “Industrial development shall be located in areas adequately served by transportation, utilities, and other essential infrastructure.”

For more information, see pages 13-17 of Appendix V4B.

Policy 5 Rehabilitate and optimize the utilization of designated resort areas that are presently serviced by basic facilities and utilities and before new resorts are allowed in undeveloped coastal areas. (GP 14.7.3(b & c))

This is an affirmation of the following General Plan policies:

- 14.7.3(b): “Promote and encourage the rehabilitation and the optimum utilization of resort areas that are presently serviced by basic facilities and utilities.”
- 14.7.3(c): “Lands currently designated Resort should be utilized before new resorts are allowed in undeveloped coastal areas.”

For more information, see page 152 of Appendix V4B.

Policy 6 The development of visitor accommodations and any resort development should complement the character of the area; protect the environment and natural beauty; respect existing lifestyles, cultural practices, and cultural resources; provide shoreline public access; and provide affordable housing to meet demand created by the development. (GP 2.4.9.2(a & c), 9.3(g), 14.7.2(c), 14.7.3(i), 14.7.5.9.2(a))

This is an affirmation of the following General Plan policies:

- 2.4.9.2(a): “Balance development with the social and physical environment of the area. Provisions for orderly development, housing, and pollution controls shall be implemented.”
- 2.4.9.2(c): “Recognize the natural beauty of the area as a major economic and social asset. Protect this resource through appropriate review processes when development is proposed.”
- 9.3(g): “Large industries or developments that create a demand for housing shall provide employee housing based upon a ratio to be determined by an analysis of the locality's needs.”
- 14.7.2(c): Ensure that resort developments maintain the cultural and historic, social, economic, and physical environments of Hawaii and its people.
- 14.7.3(i): “Coastal resort developments shall provide public access to and parking for beach and shoreline areas.”
- 14.7.5.9.2(a): “The development of visitor accommodations and any resort development shall complement the character of the area.”

For more information, see pages 72 and 152 of Appendix V4B and page 82 of Appendix V4C.



Land Use Policy Map

Policy 7 With the adoption of the Ka’ū CDP, Figures 2, 3, 4, 5, 6, and 7 are adopted as the official Land Use Policy Map for the Ka’ū CDP planning area. The land use category definitions are identical to those used in the General Plan LUPAG map (and included in the Glossary). Future land use decisions in the Ka’ū CDP planning area shall be consistent with the Land Use Policy Map boundaries, definitions, and policies herein, unless the CDP and the General Plan are in direct conflict.

The Land Use Pattern Allocation Guide (LUPAG) map in the County General Plan is a broad, flexible design intended to guide the direction and quality of future developments in a coordinated and rational manner. It indicates the general location of various land uses in relation to each other.

State land use boundary amendments, changes in zone, project districts, subdivisions, planned unit developments, use permits, variances, and plan approval must be consistent with the General Plan and the LUPAG map. Projects or applications that are not consistent with the LUPAG map require an amendment to the General Plan, which requires an Environmental Impact Statement (EIS) and approval of the County Council.

The land use category definitions used in the CDP Land Use Policy Map are identical to those used in the General Plan LUPAG map. However, the CDP land use policies that support the preferred future settlement pattern for Ka’ū and related Community Objectives differ in some ways from the land use pattern designated in the current General Plan LUPAG map. Therefore, in order to fully implement the Ka’ū CDP, the LUPAG map requires some amendments. Table 1: Rationale behind Necessary LUPAG Map Amendments summarizes the necessary amendments and the reasoning behind them, and Policy 15 is the County Action required to make the necessary General Plan amendments.

See also the rationale for Policies 27, 38, and 52 related to Coastal Areas, Agricultural Land, and Mauka Forests.

Economic Development

The Ka’ū CDP Land Use Policy Map advances local economic development by protecting the natural and cultural resource base, protecting lands for agricultural and renewable energy production, and clearly identifying nodes for commercial enterprises and industrial uses.

Industrial Areas

In the General Plan, the “Industrial” LUPAG category is defined as “These areas include uses such as manufacturing and processing, wholesaling, large storage and transportation facilities, light industrial and industrial-commercial uses.”

To implement General Plan policy 14.4.5.9.2(a), which states that the County should “Identify sites suitable for future industrial activities as the need arises,” the CDP Land Use Policy Map mirrors existing Industrial zoning in Pāhala and Nā’ālehu and recognizes the need to designate an appropriate industrial area in Ocean View to allow for the diversification of services and economic opportunities in the area. The easement road in the Hawaiian Ranchos subdivision appears to be a good candidate for industrial uses because of its relative isolation from other residential and agricultural uses in the area and its direct access to the highway.

Zones permitted in the areas designated Industrial include:

- Industrial-Commercial Mixed (MCX), which allows 45-foot heights and uses comparable to CG plus minor agricultural products processing, kennels, nurseries, agriculture machinery sales, home improvement centers, vocational schools, self-storage, food manufacturing, light manufacturing, warehousing, and distribution.
- Limited Industrial (ML), which allows most MCX industrial uses plus animal hospitals, greenhouses, bakeries, bars, automobile sales and rentals, furniture manufacturing, cleaning plants, heavy equipment sales and service, transportation terminals, junkyards, and recycling centers (not processing).
- General Industrial (MG), which allows most ML uses plus slaughterhouses, curing and tanning, breweries, storage of explosives, concrete & asphalt mixing, fabrication, rock cutting, metal shops, general manufacturing, dry docks, refineries, sawmills, auto body shops, dumps, recycling processing centers.

A Special Permit, State Land Use district boundary amendment, and/or change of zone would still be required in areas that do not already have industrial zoning, and those processes include safeguards to prevent the introduction of uses that may not be appropriate in certain areas.

For more information about Policy 7, see pages 15 of Appendix V4A; pages 13-17, 125-130, 188-189, and 197-198 of Appendix V4B; and Appendix V4D.



Table 1: Rationale behind Necessary LUPAG Map Amendments

Forests and Coastal Areas

| TMK or Area | Current Category | New Category | Rationale |
|--|--|---|---|
| <i>Mauka Forests</i> | | | |
| 397001002 | Conservation Important Agriculture | Conservation | Nature Conservancy reserves in the DLNR priority watershed areas |
| 397001003 | Conservation | | |
| 397001004 | Important Agriculture Extensive Agriculture | | |
| 395015001 | Extensive Agriculture | | Olson reserve |
| 398001014 | Important Agriculture | | State-owned Forest Reserve and Game Management Area in the DLNR priority watershed area |
| 398001010 | | | |
| 398001004 | Conservation Extensive Agriculture | | DLNR priority watershed areas |
| 395013001 (State) | Extensive Agriculture Important Agriculture | | |
| 397001021 (State) | | | |
| 396007002 (State) | | | |
| 396008039 (State) | | | |
| 396008038 (KS) | | | |
| 397001022 (State) | | | |
| Pu'u 'Enuhe (TMK 396003027 above the road) | Extensive Agriculture Important Agriculture | Conservation on pu'u Unchanged on plateau between pu'u | Scenic & Natural Beauty areas |
| Makenau and nearby pu'u (within TMK 395018001) | | | |
| <i>Shoreline</i> | | | |
| 395006010 (State) | Extensive Agriculture | Conservation | State Forest Reserve |
| <i>Honu'apo</i> | | | |
| 395014007 | Extensive Agriculture | Conservation | Protected State land and County park |
| 395014006 | | | |
| 395014005 | | | |
| 395014004 | | | |
| 395014003 | | | |
| 395014002 | | | |
| 395014027 | | | |
| 395014052 | | | |
| 395014001 | | | |
| 395014049 | | | |
| 395014046 | Industrial | Extensive Agriculture ¹ | Old mill site that is no longer appropriate for industrial uses |

¹ Also requires an amendment to Table 14-5 in the General Plan.

Communities

| TMK or Area | Current Category | New Category | Rationale |
|---|---|--|--|
| <i>Pāhala</i> | | | |
| 396012012 | LDU | Important Agriculture ² | Connections to town over channel impractical and planted in coffee |
| 396012027 | LDU | Important Agriculture ² | Connections to town over channel impractical |
| LDU areas outside SLU Urban district | LDU | Important Agriculture | SLU Urban district includes sufficient infill capacity |
| Neighborhoods outside historical & existing commercial areas | MDU | LDU | Concentrate more intensive development (including commercial) in the center of town near existing non-residential uses |
| Industrial on 396002016, 018, 021, 024, and 396005054 | Industrial | LDU | Industrial footprint is larger than necessary. Most likely future “industrial” uses are permitted on agricultural land. Core areas of town should be available for infill residential development. |
| <i>Nā’ālehu</i> | | | |
| Portions of 395007016, 017, & 029; 395010001; and 395011001 | Urban Expansion | Extensive Agriculture | Align boundaries with SLU Urban district. SLU Urban district includes sufficient infill capacity. |
| 395007016 | Urban Expansion | LDU | Align boundaries with SLU Urban district |
| 395023001, 003, 019, 024; 95021016 | Important Agriculture Extensive Agriculture | LDU | Align boundaries with SLU Urban district |
| LDU areas outside SLU Urban district | LDU | Important Agriculture Extensive Agriculture | SLU Urban district includes sufficient infill capacity. |
| Residential lots on the Wai’ōhinu side of Niu Street | MDU | LDU | Residential street should not be converted to other uses or higher densities |
| 395021026 & 027 and 395008034 | Industrial | MDU | Current structures and uses are commercial, not industrial. |
| <i>Wai’ōhinu</i> | | | |
| LDU boundaries mis-aligned with SLU district boundaries | | | Align boundaries with SLU Urban district |
| Mis-match between current MDU and existing commercial & industrial core | MDU, LDU, and Extensive Agriculture (but zoned Industrial, CN-10, CV-20, RS-15) | MDU | Align boundaries with existing zoning and uses |

² Also requires an SLU district boundary amendment, from Urban to Agriculture.



| TMK or Area | Current Category | New Category | Rationale |
|--|--|--|--|
| 395005002 | Urban Expansion | Extensive Agriculture | SLU Urban district includes sufficient infill capacity. |
| Hawaiian Home Lands | Important Agriculture Extensive Agriculture | DHHL Subsistence Agriculture = LUPAG Rural All other DHHL Ag lands = LUPAG Extensive Ag | Change the properties in DHHL's Kamā'oa and Wai'ōhinu tracts to reflect DHHL's land use policies |
| Discovery Harbour | | | |
| All lots except the golf course | Rural | Low Density Urban (LDU) | LDU category is more consistent with the residential nature of most of the subdivision and with the community's Protective Covenants |
| Ocean View³ | | | |
| Urban Expansion | Urban Expansion | Extensive Agriculture & MDU | Narrow the scope of more intensive urban development to the area currently developed for commercial uses |
| 392001069 | Extensive Agriculture | Extensive Agriculture | Boundary between Rural and Extensive Agriculture aligned with parcel boundary |
| Highway at Aloha and Tiki | Rural | LDU | Allow for neighborhood-scale commercial at major HOVE entry/exit points |
| Hawaiian Ranchos frontage road at Kohala Blvd. | Urban Expansion and Extensive Agriculture | Industrial | Provide consolidated location for needed industrial uses with highway access |
| Ocean View makai | Extensive Agriculture | Rural | Rural category is more consistent with the "rural residential" nature of the subdivision |

³ Changes to LDU, MDU, and Industrial also require an SLU district boundary amendment, from Agriculture to Urban.

Figure 1: Ka'ū CDP Land Use Policy Map: Regional

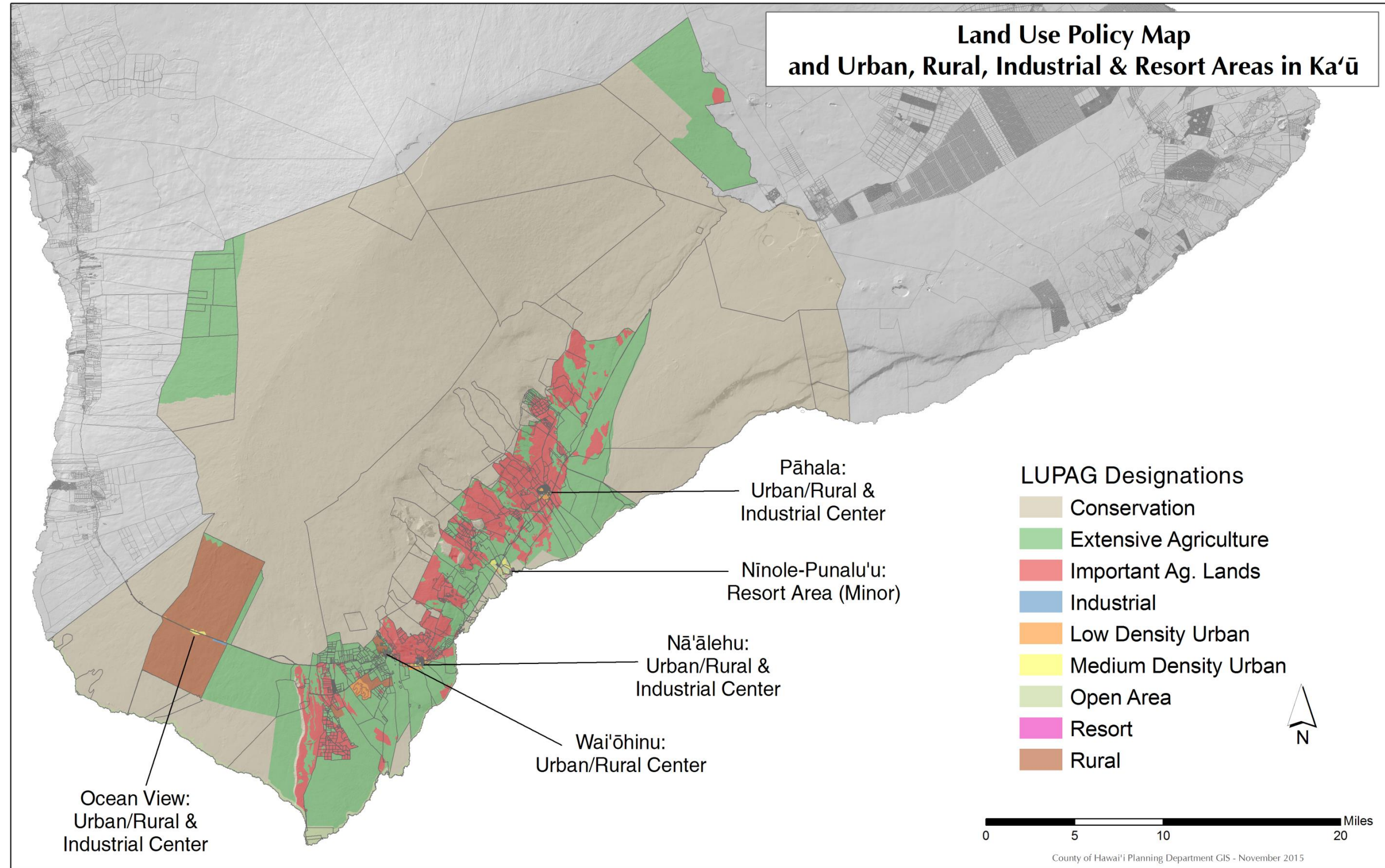


Figure 2: Current Land Use Pattern Allocation Guide (LUPAG): Regional

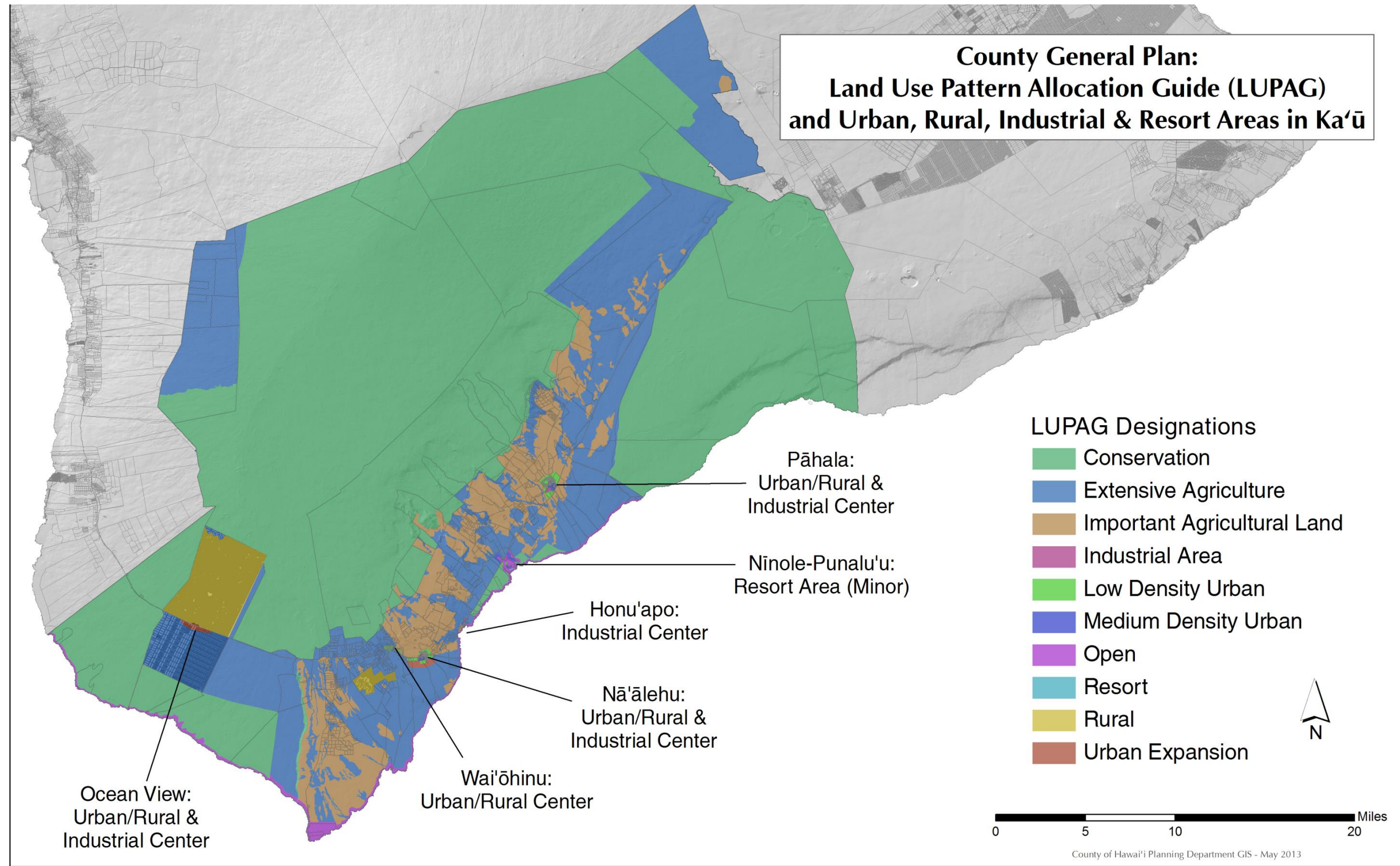


Figure 3: Ka'ū CDP Land Use Policy Map: Pāhala

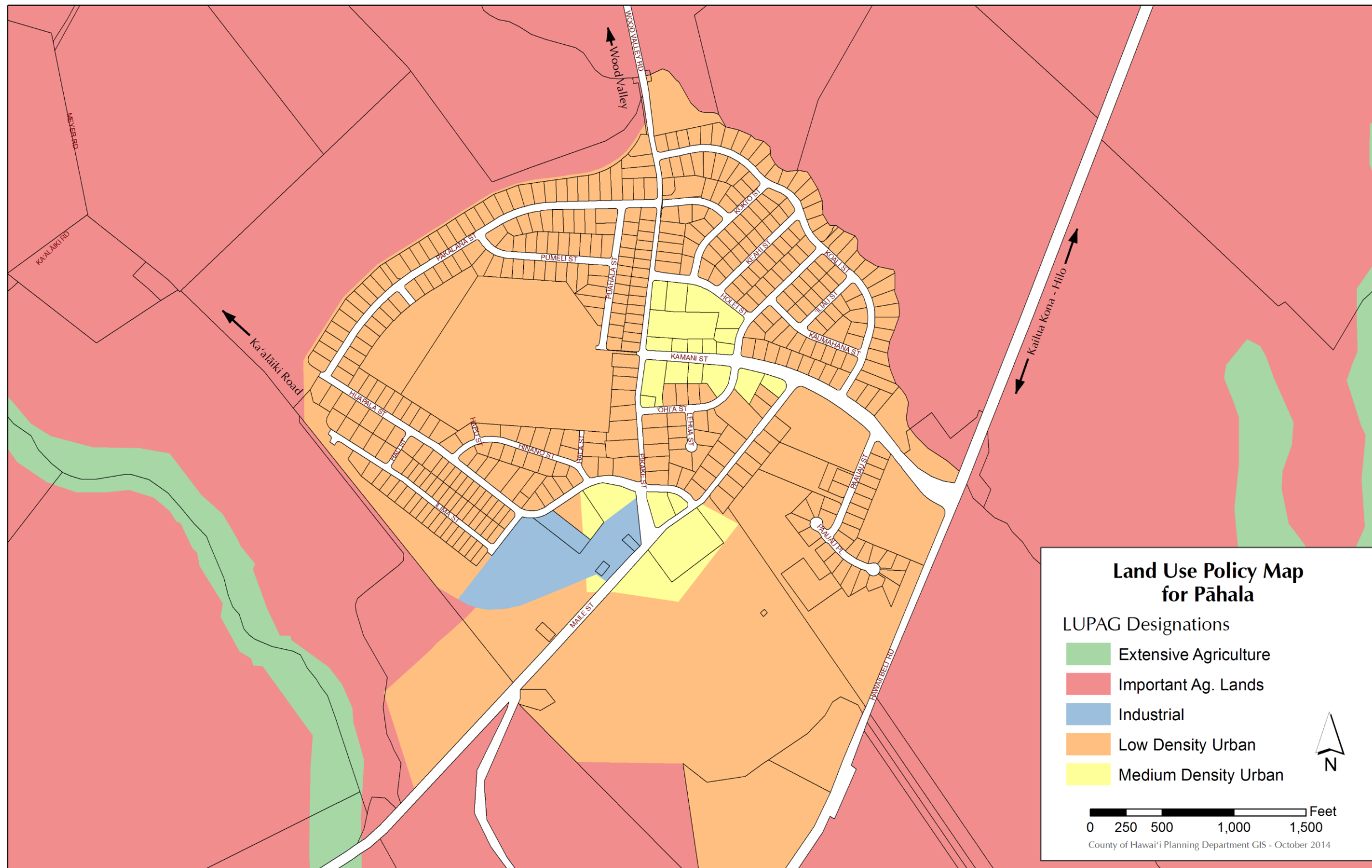


Figure 4: Current Land Use Pattern Allocation Guide (LUPAG): Pāhala

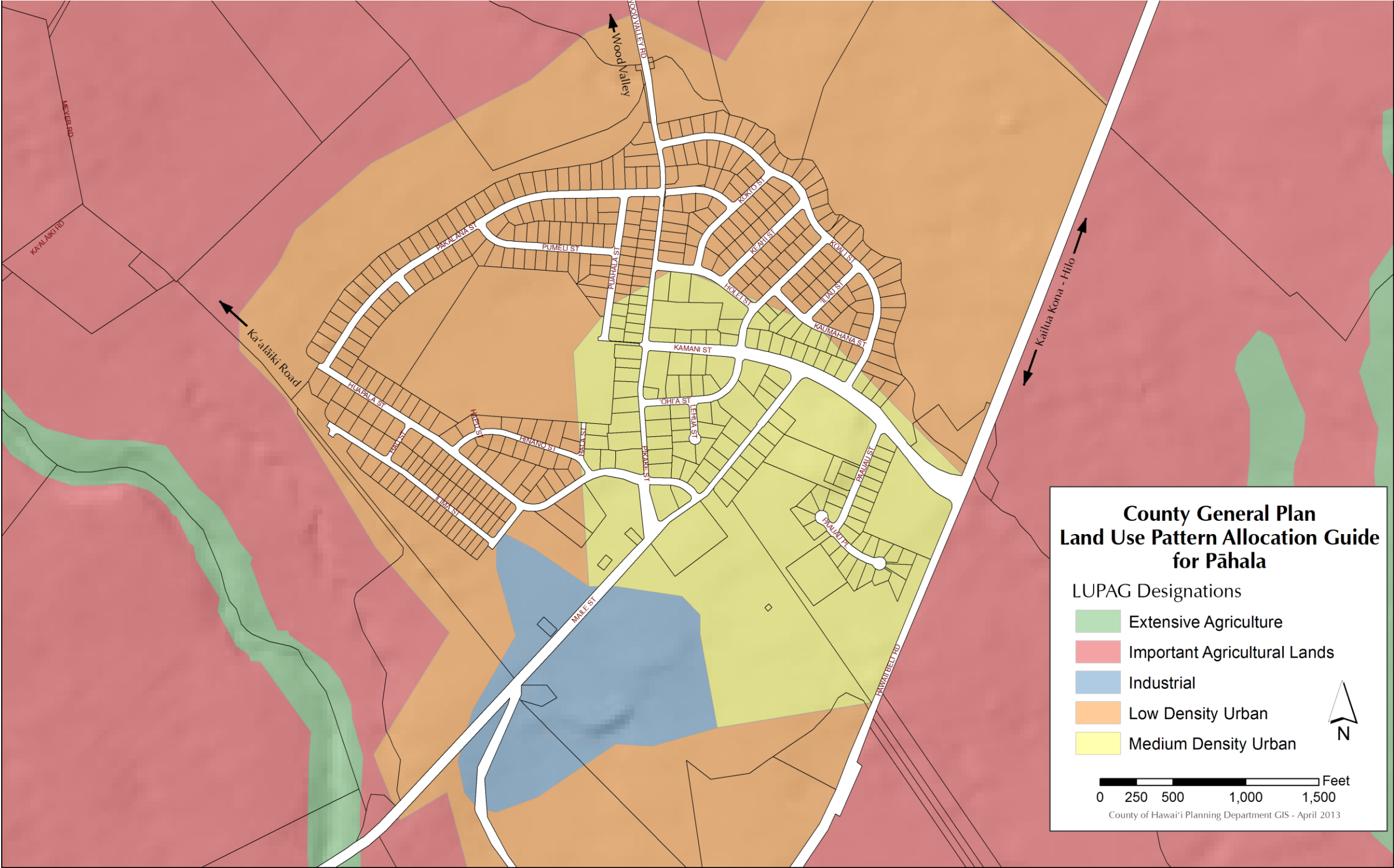


Figure 5: Ka'ū CDP Land Use Policy Map: Nā'ālehu

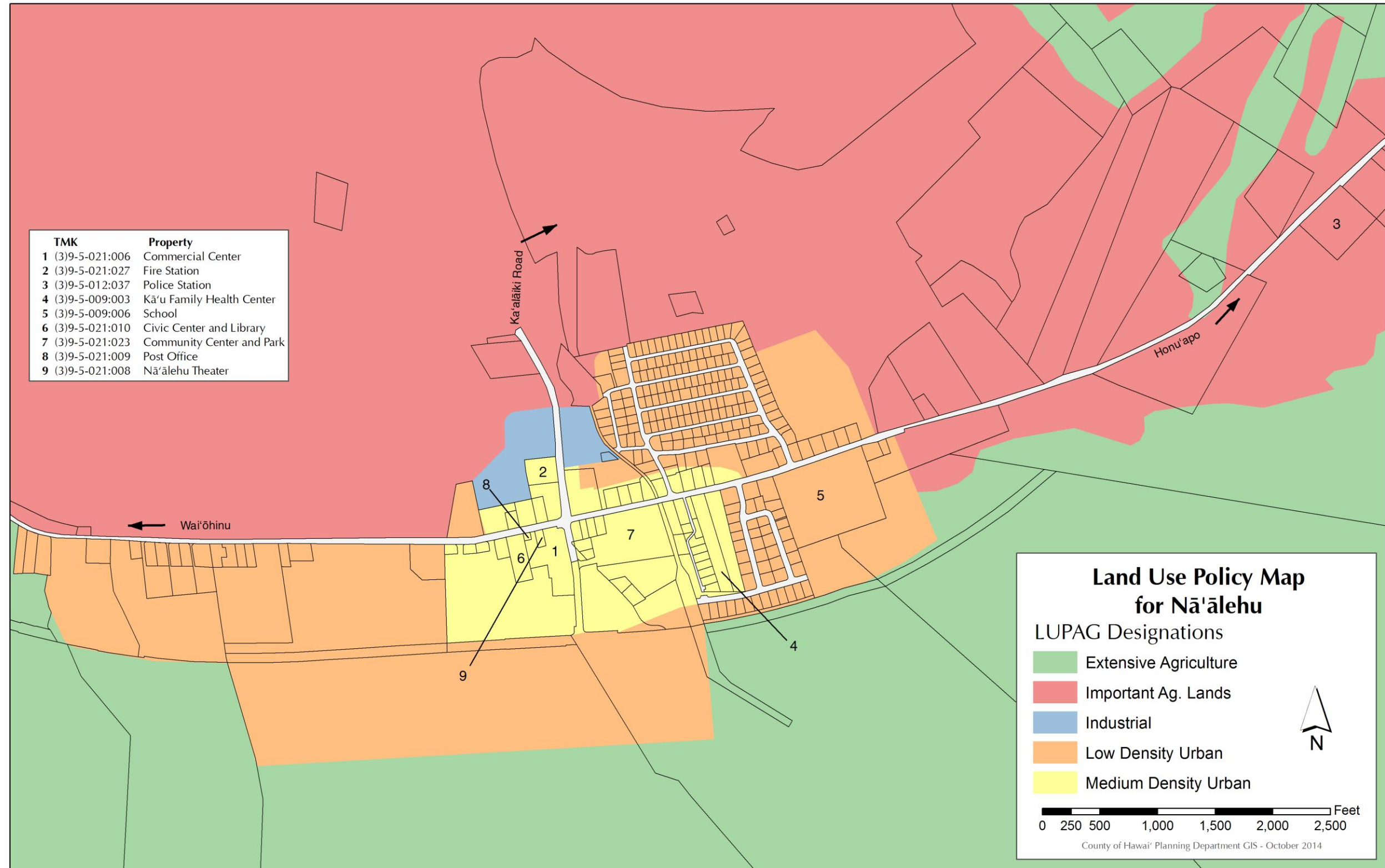


Figure 6: Current Land Use Pattern Allocation Guide (LUPAG): Nā'ālehu

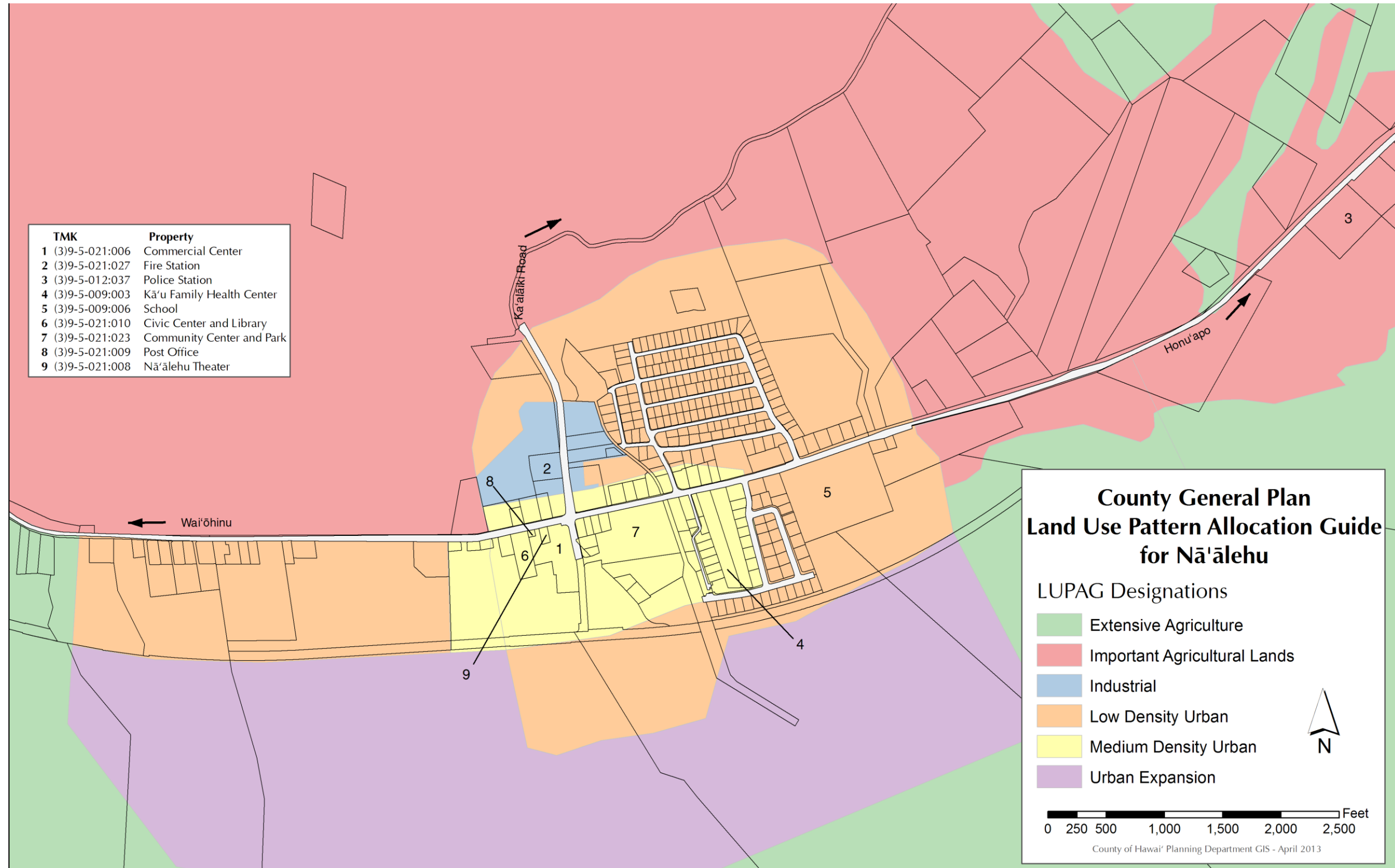


Figure 7: Ka'ū CDP Land Use Policy Map: Wai'ōhinu

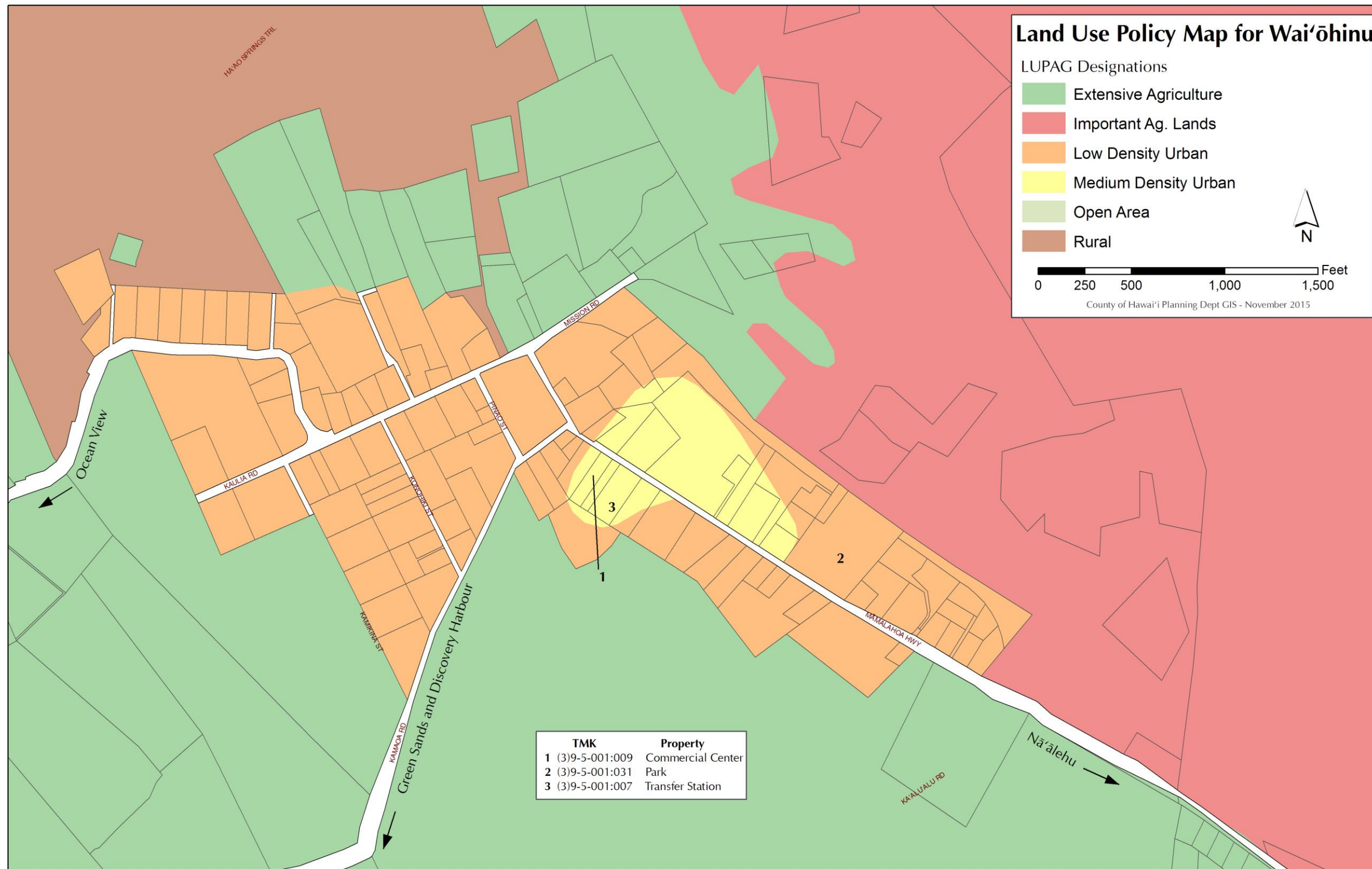


Figure 8: Current Land Use Pattern Allocation Guide (LUPAG): Wai'ōhinu

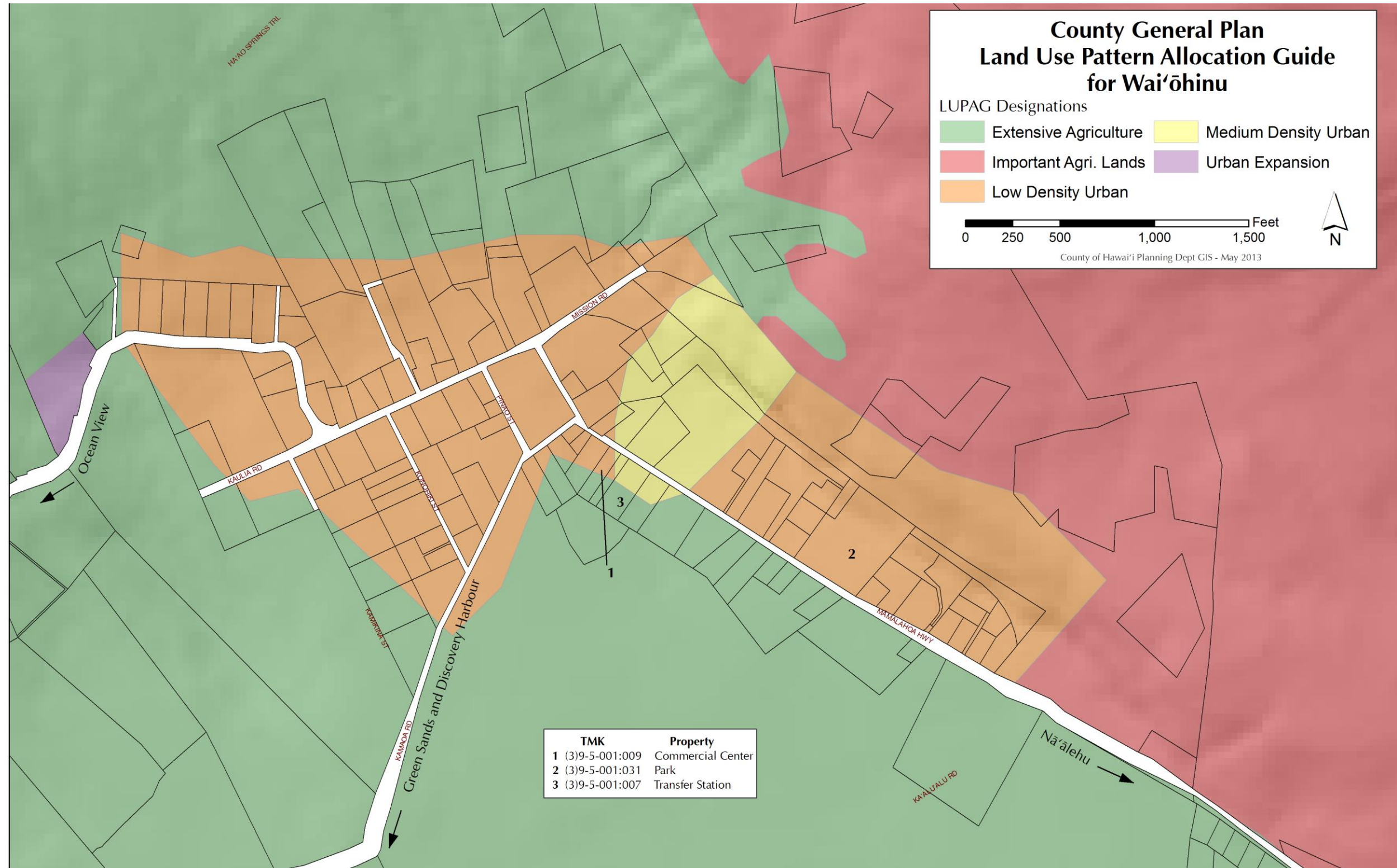


Figure 9: Ka'ū CDP Land Use Policy Map: Discovery Harbour, Mark Twain, & Green Sands

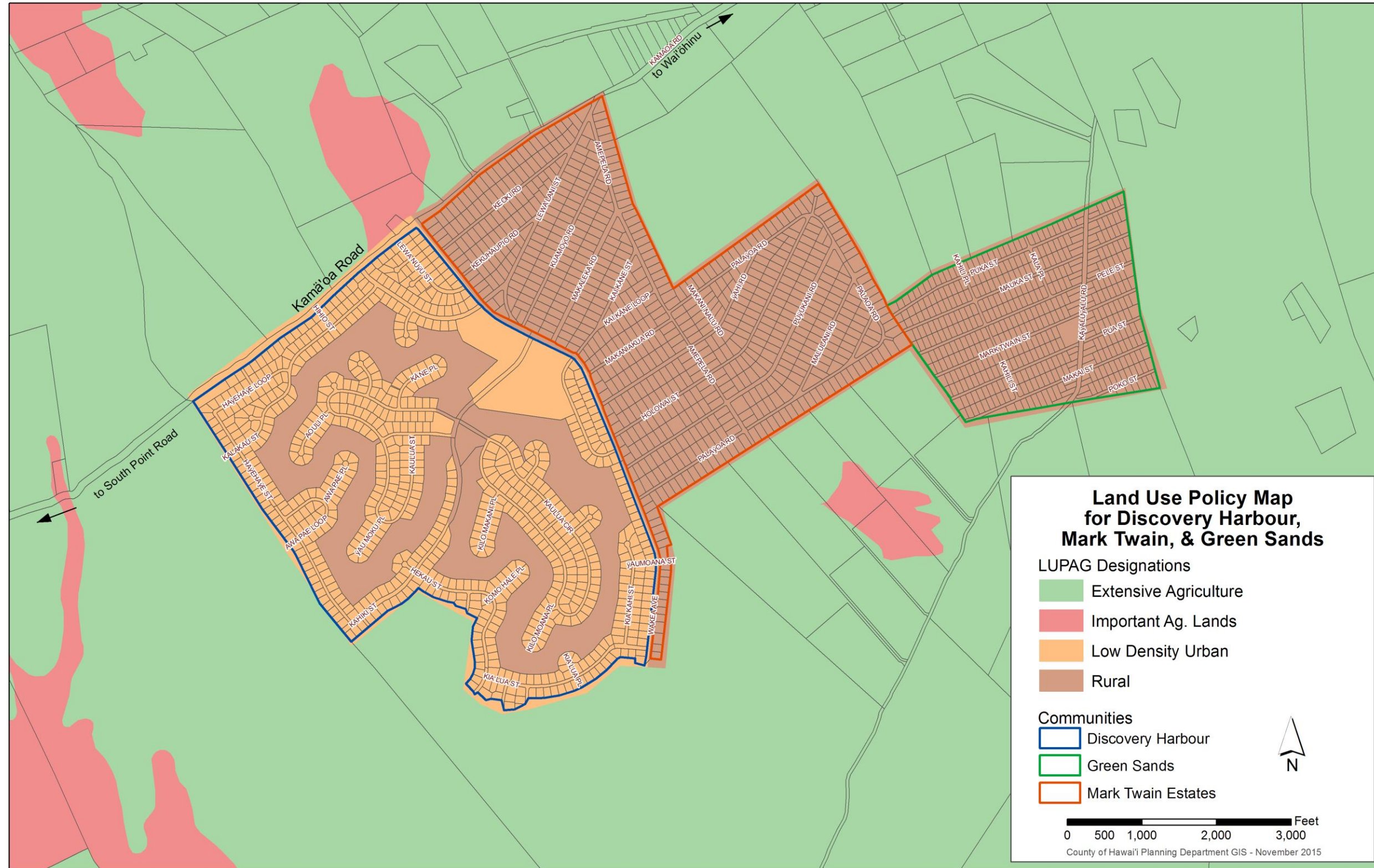


Figure 10: Current Land Use Pattern Allocation Guide (LUPAG): Discovery Harbour, Mark Twain, & Green Sands

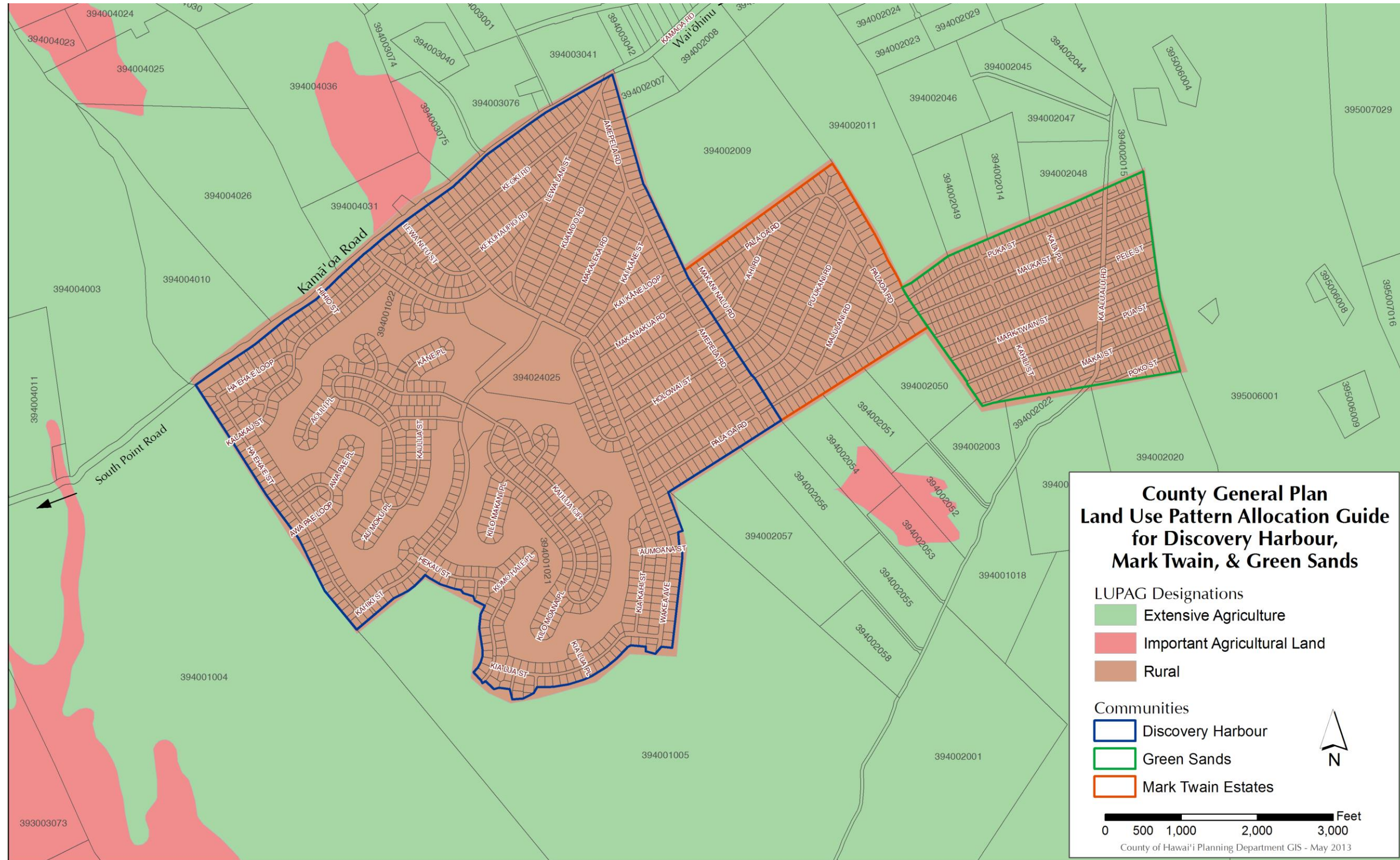


Figure 11: Ka'ū CDP Land Use Policy Map: Ocean View



Figure 12: Current Land Use Pattern Allocation Guide (LUPAG): Ocean View





Policy 8 In the “Low Density Urban (LDU)” Land Use Policy Map category in the Ka’ū CDP planning area, changes of zone shall only be permitted to Single-Family Residential (RS), Multiple-Family Residential (RM-7.5 or higher), Residential-Commercial Mixed Use (RCX-7.5 or higher), or Open (O).

In Pāhala, this policy supports a rezone of TMKs (3)9-6-002:016 & 023:034 from Agricultural (A-1a) and Industrial (ML-20 and MG-1a) to RS and/or O to take advantage of existing water and road infrastructure.

In the General Plan, the Low Density Urban (LDU) category is defined as “Residential, with ancillary community and public uses, and neighborhood and convenience-type commercial uses; overall residential density may be up to six units per acre.” The only urban zones defined in the County Code that limit densities to six units (or less) per acre are Single-Family Residential (RS), Multiple-Family Residential (RM-7.5 or more), Residential-Commercial Mixed Use (RCX-7.5 or more), and Open. These zones permit parks, community uses, residences, boarding and group living facilities, home occupations, small-scale commercial or personal services, convenience stores, medical clinics, and restaurants.

Some Resort zoning (V-7.5 or more) could also be permitted in LDU. However, it permits retail, auto service stations, commercial parking, hotels, bars, nightclubs, cabarets, and other uses that are not appropriate for primarily residential neighborhoods.

This policy also addresses some “legacy” zoning from the plantation era. Specifically, the large acreage zoned Industrial in Pāhala exceeds current industrial development, and there is large acreage zoned Agricultural near the village core in Pāhala. Both legacies are inconsistent with preferred future settlement patterns that focus on infill residential and commercial development.

For more information, see pages 125-126 of Appendix V4B.

Policy 9 If infill capacity is exceeded in areas designated “Low Density Urban (LDU)” on the Land Use Policy Map in Pāhala, it would be appropriate to designate TMK (3)9-6-005:001 as LDU to take advantage of existing water and road connections.

Existing infill potential should accommodate growth projections in Pāhala through 2030. There is a diverse selection of vacant urban land to purchase and develop for urban uses. In Pāhala, via subdivision of parcels under existing zoning and without any water system improvements, approximately 43 additional buildable lots could be created (456 are currently occupied).

However, as needed, future expansion should first be accommodated with the extension of water service to TMKs (3)9-6-005:045, (3)9-6-005:036, and (3)9-6-005:054, portions of which are zoned RS. 51-acre TMK (3)9-6-005:001 is currently zoned Ag-20a and planted in macadamia, but it sits adjacent to a water line and two roads, and the subdivision directly makai was designed to accommodate street extensions mauka, so it would be a logical site for future town extension. It would require water system improvements and, if the number of dwellings exceeds 49, connection to the wastewater system.

For more information, see pages 125-126 of Appendix V4B.

Land Use Permitting

Policy 10 The Director of Planning shall offer a favorable recommendation to the Planning Commissions, subject to appropriate conditions, only for those proposed zoning code amendments that would further the intent and ensure consistency with the objectives and policies of the Ka'ū CDP. (HCC 25-2-42(c)(1) and 25-2-44)

It is important that future rezones in Ka'ū be consistent with the objectives and policies of the CDP. Pursuant to HCC 25-2-42(c)(1), when considering a proposed amendment to the zoning code, the Planning Director shall recommend a change in a district boundary only where it would, among other things, be consistent with the goals, policies and standards of the General Plan. The Director shall recommend either the approval or denial of the proposed amendment to the Planning Commission subject to conditions which would further the intent of the Zoning Code and the General Plan and other related ordinances (e.g., Community Development Plans). Though it appears that “other related ordinances” would naturally include CDPs, this policy ensures that the Planning Director’s recommendations on future rezones will be consistent with the Ka'ū CDP.

For more information, see page 134 of Appendix V4A.

Policy 11 Variances from the zoning or subdivision codes (including PUDs) shall be carefully considered relative to Ka'ū CDP objectives and policies, and, when approved, shall be conditioned to ensure consistency with the CDP. (HCC 23-6, 23-15(c), 23-18, 25-2-51(c), 25-2-54(b), and 25-6-6(b))

The Planning Director can approve variances from provisions of the zoning and subdivision codes to accommodate special circumstances, where no alternatives exist, and if they are consistent with the General Plan and are not detrimental to the public welfare or cause substantial adverse impact to the area’s character or adjoining properties. The Director may also impose conditions on variances. This policy simply requires that the Director consider and approve variances in a manner consistent with the Ka'ū CDP.

For more information, see pages 137-139 of Appendix V4A.

Policy 12 Outstanding natural or cultural features, such as scenic spots, water courses, fine groves of trees, heiaus, and historical sites and structures, shall be preserved during subdivision. (HCC 23-26)

Section 23-26 of the County’s Subdivision Code specifies that “Outstanding natural or cultural features such as scenic spots, water courses, fine groves of trees, heiaus, historical sites and structures shall be preserved as provided by the director.” Moreover, pursuant HCC section 23-6, the Subdivision Code shall be applied and administered within the framework of the County General Plan, including comprehensive or general plans for sections of the County which may be adopted as amendments to or portions of the County general plan.

In the Community Objectives for Ka'ū, the following outstanding natural and cultural features are identified: forest and shoreline ecosystems, viewsapes, archaeological and historic sites, and historic buildings. Moreover, the “Policy Intent” in the CDP is to protect areas endowed with natural beauty and scenic vistas, including views to and along the shoreline. These natural and cultural features are defined in other policy documents and in the CDP as follows:



- Forest and shoreline ecosystems: The official Ka’ū CDP Land Use Policy Map designates the shoreline and mauka forests in Ka’ū as open space to be preserved, protected, and connected to Ka’ū’s rich network of natural and cultural resources. These areas fall within the “Conservation” and “Open” LUPAG categories in the Policy Map.
- Viewscapes and scenic vistas: The General Plan list of natural beauty sites includes the scenic view of shoreline between Pāhala and Punalu’u, the view of Mauna Loa from Volcano-Ka’ū Highway, and the lava flows of 1868, 1887, & 1907, mauka and makai of the stretch of highway between Kahuku Ranch and the Ocean View subdivisions. Based on public input, the Ka’ū CDP Community Profile also identifies the scenic lookout between Whittington Beach Park and Nā’ālehu on the makai side of highway as a breathtaking panoramic view of the shoreline.
- Areas endowed with natural beauty: The General Plan identifies natural beauty sites, including Pōhue Bay, South Point, Mahana Bay, Waiakukini, Ka’alu’alu Bay, Honu’apo, Kāwā Bay, Nīnole Cove, Punalu’u, and prominent pu’u (cinder cones): ‘Enuhe, Makaanau, Kaiholena, and One.
- Archaeological and historic sites: These are sites on the National and State Registers of Historic Places as well as other known archaeological sites, many (but not all) of which are catalogued by the State Historic Preservation Division.
- Historic buildings: HRS section 6E-2 defines “historic property” as any building, structure, object, area or site, including heiau and underwater sites, which is over fifty years old.

This policy is intended to protect those outstanding natural and cultural features as much as possible without infringing on the Planning Director’s authority to make informed judgments based site- and use-specific characteristics.

For more information, see pages 136-137 of Appendix V4A.

Policy 13 When considering waivers to the requirements of the zoning and subdivision chapters of the County Code for consolidation and resubdivision actions in the Ka’ū CDP planning area, the Planning Director shall carefully consider how to best further the public welfare relative to the objectives and policies of the Ka’ū CDP. Specifically, the Director 1) should confer with all appropriate agencies, 2) shall, if the new subdivision will include lots smaller than otherwise permitted in the subject zone, endeavor to locate those smaller lots in LDU, MDU, or Industrial areas and near existing towns/villages and thoroughfares, and 3) shall require necessary improvements. (HCC 23-6, 23-7, and 25-2-11)

This policy is intended to require the Planning Director to use the authority in HCC sections 23-6, 23-7, and 25-2-11 to achieve Community Objectives, which specify that the public welfare will be advanced by protecting forest and shoreline ecosystems, assuring public access, preserving agricultural land, enhancing viewscapes, concentrating new development in town/village centers, and protecting historic buildings and archaeological and historic sites.

Because of regulations specific to parcel consolidation and resubdivision of pre-existing lots of record (PLOR), the 1,800 acres directly mauka of Nā’ālehu, the 3,000 acres makai of Nā’ālehu, the 1,500 acres mauka of Honu’apo, and 300 acres mauka of Punalu’u may be subdivided into relatively small lots with limited or no infrastructure improvements and in a manner that may not be consistent with Community Objectives.

However, the Planning Director must confer with the Director of Public Works and the Manager of the Department of Water Supply and may confer with other agencies. In addition, the Planning Director may require improvements to further the public welfare and safety.

Given the location of the parcels in Kaʻū with PLOR, the Director of Planning should confer with the DLNR’s State Historic Preservation Division (SHPD) for recommended historical and archaeological resource management practices, the USDA’s Natural Resource Conservation Service (NRCS) for recommended natural resource best management practices, and the State Department of Transportation if the area abuts a State highway.

For more information, see pages 139-140 of Appendix V4A.

Policy 14 Plan approval and related conditions shall consider forest and coastal ecosystems, agricultural lands, open space, views, views, areas of natural beauty, archaeological and historic sites, and historic buildings when assuring that proper siting is provided for, proper landscaping is provided, unsightly areas are properly screened or eliminated, and natural and man-made features of community value are preserved. (HCC 25-2-77(a) & 76)

Plan approval allows closer inspection of certain types of development in certain zones in order to ensure conformance with the General Plan, the Zoning Code, and conditions of previous approvals related to the development. For example, plan approval is required for telecommunication antennas and towers, all development outside Single-family Residential or Agricultural districts, and in the Agricultural district prior to the development of any trailer park, major agricultural products processing facility, or agricultural tourism activity. Plan approval may be required as a condition of approval of any use permit, variance, or other action relating to a specific use.

Upon receipt of a detailed site plan, the Planning Director may issue plan approval subject to conditions or changes in the proposal which, in the director’s opinion, are necessary to carry out and further the purposes of the Zoning Code. In addition, the Director considers the proposed structure, development or use in relation to the surrounding property, improvements, streets, traffic, community characteristics, and natural features and may require conditions or changes to assure proper siting is provided for; proper landscaping is provided that is commensurate with the structure, development or use and its surroundings; unsightly areas are properly screened or eliminated; and within reasonable limits, any natural and man-made features of community value are preserved. The Director shall require any conditions or changes in the proposal which, in the director’s opinion, are necessary to carry out the purposes above.

In the Community Objectives for Kaʻū, the following community characteristics, natural features, and natural and man-made features of community value are identified: forest and shoreline ecosystems, agricultural lands, views, views, archaeological and historic sites, and historic buildings. Moreover, the consistent “Policy Intent” in the CDP is to protect open space, areas endowed with natural beauty, and scenic vistas, including views to and along the shoreline. These community features are defined in other policy documents and in the CDP as follows:

- Forest and shoreline ecosystems: The official Kaʻū CDP Land Use Policy Map designates the shoreline and mauka forests in Kaʻū as open space to be preserved, protected, and connected to Kaʻū’s rich network of natural and cultural resources. These areas fall within the “Conservation” and “Open” LUPAG categories in the Policy Map.



- Agricultural lands: The official Ka’ū CDP Land Use Policy Map designates agricultural lands in Ka’ū as areas to be preserved for agriculture and open space. These areas fall within the “Important Agriculture Land” and “Extensive Agriculture” LUPAG categories in the Policy Map.
- Open space: The official Ka’ū CDP Land Use Policy Map designates the shoreline, agricultural lands, and mauka forests as open space to be preserved and protected. These areas fall within the “Conservation,” “Open,” “Important Agriculture Land,” and “Extensive Agriculture” LUPAG categories in the Policy Map.
- Viewscapes and scenic vistas: The General Plan list of natural beauty sites includes the scenic view of shoreline between Pāhala and Punalu’u, the view of Mauna Loa from Volcano-Ka’ū Highway, and the lava flows of 1868, 1887, & 1907, mauka and makai of the stretch of highway between Kahuku Ranch and the Ocean View subdivisions. Based on public input, the Ka’ū CDP Community Profile also identifies the scenic lookout between Whittington Beach Park and Nā’ālehu on the makai side of the highway as a breathtaking panoramic view of the shoreline.
- Areas endowed with natural beauty: The General Plan identifies natural beauty sites, including Pōhue Bay, South Point, Mahana Bay, Waiakukini, Ka’alu’alu Bay, Honu’apo, Kāwā Bay, Nīnole Cove, Punalu’u, and prominent pu’u (cinder cones): ‘Enuhe, Makanau, Kaiholena, and One.
- Archaeological and historic sites: These are sites on the National and State Registers of Historic Places as well as other known archaeological sites, many (but not all) of which are catalogued by the State Historic Preservation Division.
- Historic buildings: HRS section 6E-2 defines “historic property” as any building, structure, object, area or site, including heiau and underwater sites, which is over fifty years old.

This policy is intended to protect those community features as much as possible without infringing on the Planning Director’s authority to make informed judgments based site- and use- specific characteristics.

For more information, see page 140 of Appendix V4A.

3.1.5 County Action

Policy 15 Amend the General Plan Land Use Pattern Allocation Guide and, as needed, State Land Use boundaries, to conform with the official Ka’ū CDP Land Use Policy Map.

The land use policies that support the preferred future settlement pattern for Ka’ū and related Community Objectives differ in some ways from the land use pattern designated in the current General Plan LUPAG map. Therefore, in order to fully implement the Ka’ū CDP, the LUPAG map requires some amendments. See the summary of changes in the rationale behind Policy 7.

For more information, see page 15 of Appendix V4A.

Policy 16 Amend General Plan Table 14-5 to reflect the LUPAG map amendments in Policy 15.

To maintain alignment between the General Plan and the Ka’ū CDP, Honu’apo should no longer be identified as an Industrial Area.

Policy 17 Pursue brownfields assessment grants to complete the Phase I and II environmental assessment for high priority sites in Kaʻū.

Brownfield is the term used for all abandoned or underused sites where redevelopment or reuse is complicated by the presence or perceived presence of contamination. The County Department of Environmental Management (DEM) has identified potential brownfield sites in Kaʻū, including old mill sites, baseyards, and fuel depots. There are four basic stages to brownfield redevelopment, starting with Phase I and II environmental assessment. Redevelopment, site planning, and construction can proceed once the pre-development assessments are complete.

For more information, see page 59 of Appendix V4B.

Policy 18 Develop and implement a County-wide, cross-agency affordable housing plan.

Kaʻū has some of the most affordable land and housing in the County, but it is far from most job centers. To decrease development pressures in Kaʻū and shorten commute times, the County needs island-wide strategies for co-locating housing, jobs, and supporting infrastructure and services.

For more information, see pages 43-48 of Appendix V4B.

Policy 19 Provide technical assistance to communities and organizations implementing community-based strategies to create safe, sustainable, and connected communities.

In Kaʻū and many other communities Countywide, nonconforming subdivisions, villages, and towns face significant challenges related to loss of open space and rural character, inadequate infrastructure, and slow economic development. Community-based strategies have been used successfully in other areas to address some of these problems and should be supported in Hawaiʻi County.

For more information, see pages 202-205 of Appendix V4B.

3.1.6 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind these actions and initial implementation steps.

Section 4: Strategy Rationale – Protect and Enhance Natural and Cultural Resources

4.1 Expand the Local System of Preserves

4.1.2 County Action

Policy 20 Support the National Park Service’s expansion plans for the Hawai’i Volcanoes National Park. (GP 14.9.3(e))

This is simply an affirmation of existing General Plan policy 14.9.3(e): “Support the U.S. Department of Interior, National Park Service’s expansion plans for the Hawai’i Volcanoes National Historic Park.” As part of its General Management Plan (GMP) process, Hawai’i Volcanoes National Park identifies the Great Crack parcels (TMKs (3)9-6-013:003, (3)9-6-013:008, (3)9-6-013:009) as acquisition priorities.

For more information, see page 20 of Appendix V4A.

Policy 21 Support the efforts of landowners to establish conservation and agricultural easements.

Pu’u ‘Enuhe, Makanau, and nearby Pu’u Pākua and Pu’u ‘Iki are significant geologic and cultural features. They are also privately owned, in the State Agricultural District, and zoned agricultural, so they are relatively unprotected. Kamehameha Schools owns Pu’u ‘Enuhe. The Olsen Trust has already identified Makaanau, Pu’u Pākua, and Pu’u ‘Iki as priority sites for conservation easements because they feature pristine native low land forest. This policy reinforces those priorities and establishes the County as a partner in those conservation efforts.

For more information, see page 152 of Appendix V4A.

Policy 22 Secure in public trust (fee simple or by easement) priority coastal land that achieves one or more of the Community Objectives.

Certain resources are valuable and vulnerable enough to secure in public trust (fee simple or by easement), and a wide range of resources are available for easements and acquisition (see Appendix V4A). Nearly all of Ka’ū’s sensitive mauka lands are protected as public lands, and large portions of Ka’ū’s shoreline are protected by County, State, or Federal government ownership.

However, eleven private coastal parcels have development potential. The purchase of coastal parcels at Punalu’u, the Road to the Sea, and Kaunāmano has been authorized, and the General Plan directs the County to acquire land surrounding Whittington Beach Park (12.5.9.2(h)), but other areas remain vulnerable. This policy makes it a County priority to secure the remaining, vulnerable parcels.

Resources for establishing reserves are limited, and Ka’ū must compete with other communities locally, statewide, nationally, and globally, so it is important to establish shoreline reserve priorities. Relative priorities should be established using criteria similar to those used by the PONC:

- Benefit to the general public
- Level of community support
- Identified management/maintenance partners

- Urgency
- Land or property entitlements are available for acquisition
- Special opportunity for acquisition exists (e.g., special funding is available, landowner willing, etc.)
- Resources can be leveraged through partnerships with other government, private, or nonprofit entities.

The following properties appear to be strong candidates to secure in public trust (in order of priority):

1. **Road to the Sea parcel** (TMK (3)9-2-001:075): Pursuant to Resolutions 49-11 and 314-12, the County Council has authorized the purchase of this parcel, and the Board of Land and Natural Resources has authorized use of Recovery Land Acquisition funds for the purchase.
2. **Kaunāmano parcels** (including TMKs (3)9-5-011:001 & 004, (3)9-5-012:001): Pursuant to Resolution 351-14, the County Council has authorized the Director of Finance to enter into negotiations for acquisition of these parcels.
3. **Land surrounding Whittington Beach Park** (most notably TMK (3)9-5-014:060): General Plan Course of Action 12.5.9.2(h) encourages land acquisition surrounding Whittington Beach Park to allow for its expansion and the construction of a parking area, and the County has been in negotiations with the landowner for some time.
4. **Kawala parcel** (TMK (3)9-5-010:001): This parcel has extensive, significant archaeological resources, expansive scenic views, public access trails, the Ala Kahakai National Historic Trail corridor, and a subdivision application pending that would locate 11 lots near the coastline, each of which could be developed.
5. **Kāhilipali and Kāhilipali-nui parcel** (TMKs (3)9-5-007:005, 008, & 016): This parcel has extensive, significant archaeological resources, expansive scenic views, public access trails, the Ala Kahakai National Historic Trail corridor, anchialine pools, and 22 pre-existing lots of record that could be reconfigured to locate small parcels near the coastline.
6. **Parcel containing Pōhue Bay** (TMK (3)9-2-001:072): This parcel has extensive, significant archaeological resources, expansive scenic views, public access trails, the Ala Kahakai National Historic Trail corridor, anchialine pools, and turtle nesting sites. It has also been targeted twice for resort development near the coastline. It is a lower priority because development potential is limited in the State Conservation district.
7. **Parcel next to the Road to the Sea parcel** (TMK (3)9-2-001:076): This parcel has public access trails, the Ala Kahakai National Historic Trail corridor, and scenic view from Ocean View subdivisions. It is a lower priority because development potential is limited in the State Conservation district.
8. **Ka'alu'alu Bay** (TMK (3)9-4-001:009): This parcel has archaeological resources, expansive scenic views, public access trails, the Ala Kahakai National Historic Trail corridor, anchialine pools, fish ponds, and potential for development as a rustic coastal campsite. It is a lower priority because the owner is proposing to keep development well mauka of the coastline and agreed to dedicate 15 coastal acres to the County.

9. **Punalu'u:** The County Council authorized the purchase, but this is a low priority as long as the County retains a lease for the beach park, comprehensive plans for the area are unclear, and the owner lacks interest in selling.

For more information, see pages 52-54 and 111-114 of Appendix V4A and page 159 of Appendix V4B.

4.1.3 Advocacy

4.1.3.1 U. S. Congress

- Advance legislation to **complete the requisite special resource study to assess the feasibility of designating the Ka'ū coast as a unit of the National Park System or otherwise protect coastal resources**, in full collaboration with County, State, and private interests and with the cooperation of private citizens and property owners within the study area.

In 2005, Congressman Ed Case requested that the National Park Service (NPS) conduct a reconnaissance survey of 20,365 acres along 27 miles of shoreline on the southeast coast of Ka'ū in order to provide a resource assessment of the significance of the area's resources and preliminary evaluation of the suitability and feasibility of including the study area in the National Park system. The study area was found to be of national significance and that it would be a suitable addition to the National Park system. The study team recommended that, if community, State, and County interest is sufficient, an NPS feasibility study could be conducted to consider partnership approaches and alternative NPS designations. The team also recommended that a full special resource study under the stipulations of Public Law 105-391 could be authorized for the Ka'ū Coast. This authorization would be dependent upon whether the process was conducted in full collaboration with county, State, and private interests and with the cooperation of private citizens and property owners within the study area.

In order to pursue further study of this area, Representative Mazie Hirono introduced legislation (H.R. 2602) that was referred to the House Subcommittee on National Parks, Forests and Public Lands in 2009. In February 2012, Representative Hirono re-introduced H.R. 3908, the "Ka'ū Coast Preservation Act," which directs the Secretary of the Interior to study the feasibility of designating the Ka'ū coast from Kapao Point, at the current National Park Service boundary, to Kahuku Point, makai of Nā'ālehu, as a unit of the National Park System. The bill has been referred to the House Subcommittee on National Parks, Forests and Public Lands of the House Committee on Natural Resources. In July 2012, Senator Jeff Bingaman introduced the National Park Service Study Act of 2012, which would authorize a special resource study of the Ka'ū coast for possible inclusion in the National Park system.

For more information, see pages 90-91 of Appendix V4A.

4.1.3.2 National Park Service

- **Continue to pursue acquisition priorities**, including the Great Crack parcels (TMKs (3)9-6-013:003, (3)9-6-013:008, (3)9-6-013:009) and other properties adjacent to current HVNP boundaries.

See the rationale for Policy 20 above.

4.1.4 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind these actions and initial implementation steps.

4.2 Protect the Coast from Development

4.2.2 Land Use Policy

Policy Intent

Policy 23 Protect the shoreline from the encroachment of man-made improvements and structures. (GP 8.3(d))

This is an affirmation of General Plan policy 8.3(d): “Protect the shoreline from the encroachment of man-made improvements and structures.” For more information, see page 80 of Appendix V4A.

Policy 24 Maintain the shoreline for recreational, cultural, education, and/or scientific uses in a manner that is protective of resources and is of the maximum benefit to the general public. (GP 8.3(c))

This is an affirmation of the General Plan policy 8.3(c): “Maintain the shoreline for recreational, cultural, education, and/or scientific uses in a manner that is protective of resources and is of the maximum benefit to the general public.”

Policy 25 Protect and conserve forest and coastal areas with native wildlife, natural ecosystems, and wilderness. (GP 8.4)

This is an affirmation of General Plan policy 8.4: “The following shall be considered for the protection and conservation of natural resources: (a) Areas necessary for the protection and propagation of specified endangered native wildlife, and conservation for natural ecosystems of endemic plants, fish and wildlife; (b) Lands necessary for the preservation of forests, parklands, wilderness and beach areas; (c) Lands with a general slope of 20 percent or more that provide open space amenities or possess unusual scenic qualities;...(f) The Coastal Zone and Special Management Area as defined by statute and in accordance with the adopted objectives and guidelines.”

For more information, see page 80 of Appendix V4A.

Policy 26 Encourage those developments that are not coastal dependent to locate in inland areas. (HRS 205A-2(c)(3)(D))

This is an affirmation of the State Coastal Zone Management (CZM) policy in HRS 205A-2(c)(3)(D): “Encourage those developments that are not coastal dependent to locate in inland areas.” All County policies and regulations must be consistent with CZM policies, which are binding upon actions by all agencies within the scope of their authority.

For more information, see pages 104 and 107 of Appendix V4A.

Policy Controls

Policy 27 To reinforce existing protections, the official Ka’ū CDP Land Use Policy Map designates coastal areas in Ka’ū as open space to be preserved, protected, and connected to the rich network of natural and cultural resources in the region. Development and construction in the coastal “Conservation” and “Open” areas shall be minimized and, when necessary, limited to recreation, research, and education facilities unless otherwise permitted by law.

Coastal areas have overlapping jurisdiction and fall under multiple layers of regulation. Coastal waters are managed by the State Department of Land and Natural Resources (DLNR) (for aquatic resources and boating), the State Department of Health (DOH) (for water quality), and the Federal Army Corps of Engineers (COE). Any activity impacting coastal waters, including wetlands and anchialine pools, must be permitted by the Army Corps of Engineers for compliance with the Clean Water Act, the Coastal Zone Management Act, the Endangered Species Act, the National Historic Preservation Act, and other statutes. Other agencies that have jurisdiction in the shoreline area include the DOH (for wastewater and underground injection) and the DLNR for wells.

In addition, all coastal areas in Ka’ū are in the State Conservation district, where all uses and activities require a conservation district use permit from the Board of Land and Natural Resources or other written approval from the Department of Land and Natural Resources Office of Conservation and Coastal Lands (OCCL). With the exception of the stretch of coastline from Pu’u Hou in Pākini to Hanalua near South Point, which is in the Limited subzone, the entire coastline is in the Resource subzone. In those two subzones, a single-family residence on each legal lot of record is permitted with approval of the Board of Land and Natural Resources.

Though this policy does not supersede the authority of the State, it serves as a clear expression of the community’s desire to protect and limit development in coastal areas. In the State Conservation district, there is no county zoning, per se, because the State DLNR has jurisdiction. Nevertheless, much of Ka’ū’s coastal area is designated Conservation or Open in the General Plan LUPAG map. The Open designation limits future uses to “Parks and other recreational areas, historic sites, and open shoreline areas,” and the Conservation designation includes “Forest and water reserves, natural and scientific preserves, areas in active management for conservation purposes, areas to be kept in a largely natural state, with minimal facilities consistent with open space uses, such as picnic pavilions and comfort stations, and lands within the State Land Use Conservation District.” Other proposed uses would require an amendment to the General Plan, which requires an EIS and approval of the County Council.

See Policy 7 for a summary of the rationale behind necessary LUPAG map amendments.

For more information, see pages 92, 95-96, 101, 107, and 160 of Appendix V4A.

Policy 28 On lots that are at least partially within the Special Management Area (SMA) in the Ka’ū CDP Planning Area, establish shoreline setbacks at the earliest stages of the land use planning and development process at a minimum of 1,320 feet (1/4-mile); however, the applicant may request that the setback be reduced by providing information to the Department, including information required for SMA review, which would allow for an assessment of the proposed activity’s impacts and in consideration of the physical limitations of the property. For lots created prior to the date of adoption of the CDP with an average lot depth of two hundred feet or less, the shoreline setback line shall be 40 feet.

Policy 28 is one of several complimentary land use policies, County actions, DLNR actions, and community actions in Section 4.2 that, when implemented together, help achieve the community’s objectives to limit development on the shoreline and to protect coastal ecosystems and cultural assets.

These protections are one of the highest priorities for the Ka’ū community. The undeveloped coastline is part of the community psyche, tied closely with generations of stewardship by native Hawaiians as well as the subsistence and recreational uses woven into contemporary local culture. The Ka’ū coastline is rich in archaeological and other cultural resources, including the Ala Kahakai National Historic Trail and many other historic resources that have yet to be surveyed. In addition, the quality and singularity of coastal ecosystems in Ka’ū are unparalleled, including anchialine pools, turtle nesting sites, monk seal habitat, and Class AA coastal waters. Throughout Ka’ū, there are also picturesque, sweeping views of and along the coastline.

Importantly, the common “jobs vs. environment” debate isn’t a factor along the coastline in Ka’ū. Punalu’u already has the land use entitlements in place to serve as the center of visitor activity in Ka’ū. None of the CDP strategies inhibit use of these entitlements to redevelop the area; in fact, the CDP outlines a process for revitalizing Punalu’u. No other coastal area in Ka’ū is appropriate for resort development. Moreover, “farm dwellings” and other homes in close proximity to the shoreline provide little economic benefit to the community. In fact, as the Steering Committee noted during its deliberations, they would spoil one of the community’s greatest economic assets – its unique, undeveloped coastline.

Options for Coastal Protection:

The Ka’ū CDP tries to use every “tool in the toolbox” to protect the Ka’ū coastline:

State Conservation District: All coastal areas in Ka’ū (typically to 200-300 inland) are in the State Conservation district, where all uses and activities require a conservation district use permit from the Board of Land and Natural Resources or other written approval from the Department of Land and Natural Resources Office of Conservation and Coastal Lands (OCCL). With the exception of the stretch of coastline from Pu’u Hou in Pākini to Hanalua near South Point, which is in the Limited subzone, the entire coastline is in the Resource subzone. However, in those two subzones, a single-family residence on each legal lot of record is permitted with approval of the Board of Land and Natural Resources. To mitigate against the impacts of development in the Conservation District, CDP Advocacy item 4.2.4.1 asks the DLNR to designate the coastal subzones on Ka’ū Limited or Protective and to amend HAR to require that public hearings before the LUC be held locally.

Land Use Pattern Allocation Guide (LUPAG) Map: Much of the coastal area in Ka’ū is designated Conservation or Open in the General Plan LUPAG map, and Policy 27 re-affirms those land use policy designations. The Open designation limits future uses to “Parks and other recreational areas, historic

sites, and open shoreline areas,” and the Conservation designation includes “Forest and water reserves, natural and scientific preserves, areas in active management for conservation purposes, areas to be kept in a largely natural state, with minimal facilities consistent with open space uses, such as picnic pavilions and comfort stations, and lands within the State Land Use Conservation District.” Other proposed uses would require an amendment to the General Plan, which requires an EIS and approval of the County Council.

That being said, the LUPAG map does not supersede existing zoning, which is typically Agriculture outside the State Conservation District. Farm dwellings are permitted in the Agriculture Zone, regardless of the LUPAG designation.

Special Management Area: Any development in coastal Ka’ū will be subject to SMA review. CDP policies 29 and 31 call for strict application of HRS 205A and Planning Commission Rule 9 as well as reconsideration of the SMA boundaries in Ka’ū.

Special District: In Article 7 of Chapter 25 of the Zoning Code, Special Districts are established for Kailua Village, Downtown Hilo, and University Districts. A similar mechanism could be used to establish a “no development” zone along the Ka’ū shoreline. However, to be effective, the district would have to limit uses, which would be the equivalent of a “downzone” or “taking.” Moreover, the blanket application of regulations across such an extensive coastline would eliminate the opportunity to assess uses and project siting relative to site-specific conditions.

Site-specific Shoreline Setbacks: Pursuant to HRS section 205A, the goals of the shoreline setback are to:

- Restrict development in areas vulnerable to severe damage due to the impact of wave action and to protect private property from flood hazards and wave damage
- Ensure the preservation of sandy beaches and public access to and along the shoreline
- Preserve and enhance views of scenic or prominent landscapes and coastal aesthetic values
- Protect and effectively manage open space and the shoreline
- Protect the shoreline from the encroachment of man-made improvements and structures
- Protect and conserve natural resources, including areas necessary for the protection and propagation of specified endangered native wildlife and the conservation of natural ecosystems of endemic plants, fish and wildlife.

Pursuant to HRS section 205A-43(a), the shoreline setback is not less than 20 feet and not more than 40 feet inland from the shoreline, but the counties are given the option of establishing setbacks by rule or ordinance at distances greater than 40 feet (HRS section 205A-45). Planning Department Rule 11-5 establishes the minimum shoreline setback at 40 feet, but the County has no protocol for establishing shoreline setbacks.

Historically, shoreline structure siting standards have not been place-based, and they have not consistently protected the shoreline or structures and, in some cases, have led to the hardening of the shoreline, the loss of beach systems, and loss of coastal access for the public.

HRS §205A does not limit the County’s ability to establish placed-based shoreline setbacks. Rather, because of the unique conditions in different coastal areas, a strong case can be made for adapting

setbacks to conditions in different areas. For example, scientists familiar with coastal conditions in Hawai'i have suggested that setbacks be context-specific to account for differences in geology and hazard risk, among other things.

For more information, see page 89, 94, 104, and 106 of Appendix V4A.

Impact of the Setback Policy (Policy 28):

Trigger: Policy 28 is triggered by proposed development on lots that are at least partially within the Special Management Area (SMA) in the Ka'ū CDP Planning Area. The assumption is that the SMA includes all areas where structures have the potential for coastal impacts. Along most of Ka'ū's shoreline, the SMA extends ~500 feet mauka, but between Punalu'u and Honu'apo, it extends to the highway, and at South Point, it extends ~5,000 feet inland. This language was based, in part, on Kauai County's shoreline setback ordinance, which applies to lands that are not abutting the shoreline but located within five hundred (500) feet of the shoreline.

Default: Policy 28 establishes the shoreline setback at a minimum of 1,320 feet (1/4-mile). Unlike the current default of 40 feet, this is not completely arbitrary. It is based on 1) an assessment of the distance of coastal resources from the shoreline in Ka'ū (as mapped in Appendix V4A) and 2) the ¼-mile standard used by planners to assess the "walkable" distance to sites of interest.

Note that most of the public comment during review of the Draft CDP called for much deeper setbacks – a full mile or more. Oft-cited was the 2006 recommendation from the South Kona-Ka'ū Coastal Conservation Task Force to establish a 1.5 mile "no development" shoreline setback.

Applicant's Prerogative: Importantly, Policy 28 provides the applicant the opportunity to make a case for a different setback by providing information specific to the site and to the proposed activity's impacts.

Properties Impacted: The application of this policy would not take any entitled land use rights away. Buildable lots and urban-zoned areas in Punalu'u would retain their rights. Park facilities are either minor structures or eligible for a variance. Otherwise, most coastal parcels in Ka'ū are large, deep, and zoned Agriculture outside the near-shore conservation district strip, so a setback wouldn't limit permitted uses.

Policy 29 No development, including subdivision, shall be approved in the SMA unless the development will not have any substantial adverse environmental or ecological effect. (HRS 205A-22(3) & 205A-26(2)(A))

Pursuant to Planning Commission (PC) Rule 9-10(b)(5) & (11), and in order for the Planning Director to accurately evaluate whether the proposed action will have a substantial adverse effect, pursuant to PC Rule 9-4(e)(4), **the Director shall require that SMA Use Permit Assessment and Use Permit applications include all of the information necessary to assess the proposed activity’s impacts in the Special Management Area**, including but not limited to:

- A description of the environmental setting and natural resources in the area, including an assessment of impacts on rare, threatened, or endangered species or their habitat and on fresh and coastal water quality (PC Rule 9-10(b)(5)(A) & (6) and 9-10(h)(7), (8), & (9));
- A description of valued cultural resources or historical sites in the area, including the extent to which traditional and customary native Hawaiian rights are exercised in the area (PC Rule 9-10(b)(6) & (h)(1));
- An assessment of impacts on coastal scenic and open space resources and view planes, including those outlined in the General Plan, the Community Development Plan, and other adopted plans, as well as the line of sight toward the sea from the state highway nearest the coast and along the shoreline (HRS 205A-2(b)(3) (A), HRS 205A-2(c)(3)(B), HRS 205A-26(3)(E), and PC Rule 9-10(h)(1));
- Identification and detailed information of existing public access to and along the shoreline to the specifications required by Na Ala Hele and the Ala Kahakai National Historic Trail (PC Rule 9-10(b)(10));
- An assessment of impacts on hazard risk, including flooding, tsunami, and coastal erosion and/or sea level rise over the life of the development (PC Rule 9-10(h)(9));
- A description of the relationship of the proposed action to land use plans, policies, and control of the affected area, including the General Plan and Community Development Plan (PC Rule 9-10(b)(5)(B)).

Any development permitted, including those determined to be exempt from the definition of development in Planning Commission Rule 9 (pursuant to Planning Commission Rule 9-10(e) & (g)), shall be subject to terms and conditions to achieve CZM and CDP objectives and policies, including conditions that protect natural, cultural, historic, and recreational resources; preserve agricultural land, open space, and view planes; ensure access; mitigate impacts of coastal hazards; limit coastal development; and concentrate new development (particularly if it is not coastal dependent) on vacant land in town/village centers (before converting agricultural land to residential uses), and discouraging speculative residential development. Conditions could include but not be limited to setbacks, restrictions on artificial light, lateral and mauka-makai access requirements, dedication of conservation and trail corridor easements, cooperation with efforts to manage access and use of coastal resources, minimizing the number of lots abutting or near the shoreline, and maximizing the use of land in the State Land Use Urban district and/or urban LUPAG categories.

This policy makes explicit the steps mandated in HRS 205A and Planning Commission Rule 9 that are necessary to ensure that coastal resources in Ka'ū are appropriately protected. The goal is to implement a number of CDP objectives and policies related to protecting the shoreline and cultural assets, limiting development at the shoreline, assuring access, preserving open space and views, preserving agricultural land, concentrating new development (particularly if it is not coastal dependent) on vacant land in town/village centers (before converting agricultural land to residential uses), and discouraging speculative residential development.

The Special Management Area (SMA) permit is a management tool to assure that developments in the SMA are designed and carried out in compliance with the Coastal Zone Management (CZM) objectives, CZM policies, and SMA guidelines. Generally, because the CZM objectives and policies are so comprehensive, the SMA is the most resource-protective land use policy overlay. CZM policies address recreational resources, historic resources, scenic and open space resources, coastal ecosystems, coastal hazards, management of development, beach protection, and marine resources. Therefore, SMA review is one of the few opportunities to holistically consider coastal resources and their interrelationships. Moreover, because CZM review requires consideration of the cumulative impacts of proposed development in the SMA, SMA review is thorough, and SMA permits include conditions to protect coastal resources and mitigate impacts.

The SMA permitting system regulates development within SMAs extending from the shoreline inland, as designated on maps filed with the County Planning Commission. Along most of Ka'ū's shoreline, the SMA extends ~500 feet mauka, but between Punalu'u and Honu'apo, it extends to the highway, and at South Point, it extends ~5,000 feet inland.

Because Ka'ū's coastal resources are so unique and so vulnerable to hazards, most uses or activities in the Special Management Area will likely have a cumulative impact or a significant adverse environmental or ecological effect on the SMA, as defined in Planning Commission Rule 9-10(h). However, the application forms currently used by the Planning Department do not explicitly request information about the full range of potential impacts of development. Therefore, this policy requires that all information necessary to assess impacts is provided by SMA applicants. The bulleted points in the policy are those potential impacts that are not otherwise explicitly addressed in the Planning Department's SMA application forms.

This policy also requires that development in the SMA be subject to terms and conditions that achieve CZM and CDP objectives. Of particular concern are large parcels makai of Nā'ālehu, which are zoned A-20a and have pre-existing lots of record (some smaller than 20 acres). These are longstanding pasturelands and feature significant archaeological resources, scenic views across the landscape, mauka-makai and coastal trails, and unique coastal features. They also include portions within the State Urban district, within the Low Density Urban (LDU) category of the General Plan LUPAG map and the Ka'ū CDP Land Use Policy Map, and within the Special Management Area (SMA).

Because of regulations specific to parcel consolidation and resubdivision of pre-existing lots of record, these parcels may be subdivided into lots smaller than 20 acres with limited or no infrastructure improvements and in a manner that may not be consistent with community objectives. Further, the zoning allows for a "farm dwelling" on each parcel.

However, the Planning Director may require improvements to further the public welfare and safety and may prohibit lots smaller than one acre in the State Land Use Agricultural district. Moreover, subdivision within the SMA triggers SMA review, which requires consistency with the General Plan and CDPs, among other provisions of State law and County regulations. The Planning Director may, for example, require

that subdivision position lots that are smaller than 20 acres on portions of the parcels in or adjacent to lands in the SLU Urban district and/or urban LUPAG categories.

For more information, see pages 107-110, 113, and 139-140 of Appendix V4A and pages 127-128 of Appendix V4B.

4.2.3 County Action

Policy 30 Amend Planning Department Rule 11 to specify that the Planning Department establish shoreline setbacks in the Ka’ū CDP Planning Area in accordance with Policy 28.

HRS section 205A-43(b)(1) requires that the Planning Department adopt rules prescribing procedures for determining the shoreline setback line.

Policy 31 Review SMA boundaries in Ka’ū and initiate appropriate amendments.

Along most of the Ka’ū shoreline, the Special Management Area (SMA) extends ~500 feet mauka, but between Punalu’u and Honu’apo, it extends to the highway, and at South Point, it extends ~5,000 feet inland. Generally, because the Coastal Zone Management (CZM) objectives and policies are so comprehensive, the SMA is the most resource-protective land use policy overlay. Therefore, in order to better protect known recreational, historic, open space, ecosystem, beach, and/or marine resources as well as scenic views toward the coastline from the highway, the County should review SMA boundaries in Ka’ū and initiate appropriate amendments.

In 2012, the Planning Department initiated a review of SMA boundaries in Hawai’i County. Some preliminary findings that may have implications in Ka’ū include:

- The State Conservation District boundary extends further inland than the SMA in the following areas:
 - From Manukā southeast to a portion of TMK (3)9-3-001:006, including the Road to the Sea parcel, the 16,000 acre parcel owned by Nani Kahuku ‘Āina that includes Pōhue Bay, and a portion of Kamehameha Schools’ Pākini parcel.
 - TMK (3)9-6-002:005, the State-owned parcel northeast of Punalu’u that includes Kamehame Beach.
- Areas designated Open on the General Plan LUPAG map extend further inland than the SMA in the following areas:
 - In the vicinity of the Road to the Sea parcel
 - Near Ka’alu’alu Bay
 - Near Waiapele Bay (TMK (3)9-6-013:006).
- The coastal flood zone extends further inland than the SMA in the following areas:
 - The vicinity of Ka’alu’alu Bay
 - The vicinity of Waikapuna bay.
- The tsunami evacuation zone extends further inland than the SMA in the following areas:
 - The vicinity of Ka’alu’alu Bay

- The Honu‘apo area.

The intent of this policy is to complete the SMA boundary review in Ka‘ū and make appropriate adjustments. This review should include the full range of considerations required by CZM policies and objectives, including:

- A regional, landscape perspective
- View plane and line-of-sight analysis, toward the sea from the state highway nearest the coast and along the shoreline
- Shoreline public access
- The Ala Kahakai National Historic Trail corridor
- Cultural and historic resources
- Shoreline hydrology, including drainage ways, springs, anchialine pools, and wetlands
- Coastal ecosystems, including native, endemic, and threatened species and other sensitive coastal and nearshore species
- Coastal erosion rates
- Projected sea level rise
- Flooding and flood zones, including storm surge inundation
- Subsidence.

For more information, see pages 107-110 of Appendix V4A.

4.2.4 Advocacy

4.2.4.1 *Department of Land and Natural Resources*

- Amend HAR 13-5 to **designate the coastal Conservation District subzones in Ka‘ū Limited or Protective.**
- Following the recommendation of the South Kona-Ka‘ū Coastal Conservation Task Force, amend HAR 13-5-40(b) to **require that public hearings before the State Land Use Commission be held in the judicial district in which the land is located.**

The entire coastline (to a range of distances mauka from the shoreline) is in the State land use conservation district. In the State conservation district, there is no county zoning, per se, so the DLNR has jurisdiction on uses and activities, which require a conservation district use permit from the Board of Land and Natural Resources or other written approval from the Department of Land and Natural Resources Office of Conservation and Coastal Lands, pursuant Hawai‘i Administrative Rules (HAR) section 13-5. HAR section 13-5 also establishes subzones within the Conservation district. With the exception of the stretch of coastline from Pu‘u Hou in Pākini to Hanalua near South Point, which is in the Limited subzone, the entire coastline is in the Resource subzone. In this subzone, a single-family residence on each legal lot of

record is permitted with approval of the Board of Land and Natural Resources. The Protective and Limited subzones limit development.

Also, State land use district boundary amendments involving lands in the conservation district, land areas greater than fifteen acres, or lands delineated as important agricultural lands are processed by the Land Use Commission, but following HAR section 13-5-40(b), public hearings do not have to be held in the judicial district in which the land is located.

For more information, see pages 95-97 of Appendix V4A.

4.3 Protect Agricultural Lands & Open Space

4.3.2 Land Use Policy

Policy Intent

Policy 32 Conserve and protect agricultural lands. (State Constitution Article XI, Section 3; GP 2.3(a), 2.3(s), 14.1.2(b), & 14.2.2(a))

This is an affirmation of:

- Article XI, Section 3, of the Constitution of the State of Hawai'i, which requires that the State conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.
- General Plan policies 2.3(a&s), 14.1.2(b), & 14.2.2(a): “[P]rotect...important agriculture lands on the island of Hawaii.”

For more information, see pages 123 and 127 of Appendix V4A.

Policy 33 Preserve the agricultural character of Ka'ū, including the open space preserved by agricultural land. (GP 14.2.2(b) & 14.2.3(d))

This is an affirmation of the following General Plan policies:

- 14.2.2(b): “Preserve the agricultural character of the island.”
- 14.2.3(d): “Agricultural land may be used as one form of open space or as green belt.”

For more information, see page 123 of Appendix V4A.

Policy 34 Vacant lands in urban areas should be made available for residential uses before additional agricultural lands are converted into residential uses. (GP 9.3(x))

This is an affirmation of General Plan policy 9.3(x): “Vacant lands in urban areas and urban expansion areas should be made available for residential uses before additional agricultural lands are converted into residential uses.” For more information, see page 123 of Appendix V4A and pages 13-17 of Appendix V4B.

Policy 35 Limit development of agricultural land to agricultural uses, discouraging speculative residential development and urban encroachment. (GP 14.2.3(i), (j), & (t))

This is an affirmation of General Plan policies:

- 14.2.3(j): “Ensure that development of important agricultural land be primarily for agricultural use.”
- 14.2.3(t): “Discourage speculative residential development on agricultural lands.”
- 14.2.3(i): “Designate, protect and maintain important agricultural lands from urban encroachment.”

For more information, see page 123 of Appendix V4A.

Policy 36 Agricultural lands shall not be rezoned to parcels too small to support economically viable farming units. (GP 14.2.3(s))

This is an affirmation of General Plan policy 14.2.3(s): “Important agricultural lands shall not be rezoned to parcels too small to support economically viable farming units.” For more information, see page 123 of Appendix V4A.

Policy 37 Maintain the open space and rural character of the Ocean View, Mark Twain, and Green Sands areas, including continued inclusion in the State Land Use Agricultural district (not Rural), except in the areas in Land Use Policy Map urban categories.

The State Land Use “Rural” district permits lot sizes of ½-acre, which could double the density in Hawaiian Ocean View Estates, where there is already excessive density but no mechanism to manage growth and preserve agricultural land, open space, and rural character. For more information, see pages 19 and 188 of Appendix V4B.

Policy Controls

Policy 38 To reinforce existing protections, the official Ka’ū CDP Land Use Policy Map designates agricultural lands in Ka’ū as areas to be preserved for agriculture and open space. Development and construction in “Important Agricultural Land” and “Extensive Agriculture” areas shall be limited to agriculture, related economic infrastructure and cottage industries, renewable energy, open area recreational uses, and community facilities unless otherwise permitted by law.

Agricultural land in Ka’ū is in the State Land Use (SLU) Agricultural District. Pursuant to HRS section 205-5(b), the minimum lot size in the Agricultural District is one acre. Pursuant to HRS sections 205-2 and 205-4.5, the following uses are permitted in the SLU Agricultural District (bulleted summary below and detailed in Table 2: Permitted Uses in State Agricultural District and County Agricultural Zone).

- Agricultural and animal production
- Renewable energy, including crops for bioenergy, biofuel production, solar energy, wind energy, geothermal
- Uses and services accessory to agricultural production and bio, solar, and wind renewable energy production: employee housing, processing, storage
- Agricultural-based commercial operations
- Agricultural education and tourism
- Open area recreational facilities, including day camps, picnic grounds, parks, and riding stables
- Wireless communication antennas
- Dwellings: single-family, farm dwelling.

It is important to note that:

- “Agricultural-based commercial operations” is defined broadly as long as the operations promote the use of products grown in the State of Hawai‘i.
- Industrial renewable energy facilities are also permitted and currently only require plan approval and building permits.

Agricultural land in Ka‘ū is zoned Agricultural, and the vast majority of it has minimum lots sizes of 20 acres. The minimum building site area in the County Agricultural district is five acres. Pursuant to HCC section 25-5-72, the uses are permitted in the agricultural zone are detailed in Table 2: Permitted Uses in State Agricultural District and County Agricultural Zone.

The land use pattern in the General Plan is a broad, flexible design intended to guide the direction and quality of future developments in a coordinated and rational manner. The General Plan Land Use Pattern Allocation Guide (LUPAG) Map indicates the general location of various land uses in relation to each other. Any changes in zone have to be consistent with the General Plan, and agricultural lands in Ka‘ū have two LUPAG designations:

- Important Agricultural Land: Important agricultural lands (not to be confused with State IAL) are those with better potential for sustained high agricultural yields because of soil type, climate, topography, or other factors. Because of the scale of the Land Use Pattern Allocation Guide maps used to designate Important Agricultural Land, the location of these lands should be verified by more detailed mapping when considering specific land use decisions.
- Extensive Agriculture: This designation includes lands that are not capable of producing sustained, high agricultural yields without the intensive application of modern farming methods and technologies due to certain physical constraints such as soil composition, slope, machine tillability, and climate. Other less intensive agricultural uses such as grazing and pasture may be included in the Extensive Agriculture category.

For more information, see pages 15, 126, 131-132, and 141 of Appendix V4A.

Table 2: Permitted Uses in State Agricultural District and County Agricultural Zone

| State Agricultural District | County Agricultural Zone |
|--|--|
| Cultivation of crops, flowers, vegetables, foliage, fruits, orchards, forage, and forestry/timber | Crop production Botanical gardens, nurseries, and greenhouses, seed farms, plant experimental stations, arboretums, floriculture, and similar uses dealing with the growing of plants Forestry |
| Animal husbandry and raising of livestock, including poultry, bees, fish | Livestock production, provided that piggeries, apiaries, and pen feeding of livestock shall only be located on sites approved by the State Department of Health and the Planning Director, and must be located no closer than one thousand feet away from any major public street or from any other zoning district. |
| Game and fish propagation | Game and fish propagation |
| Aquaculture | Aquaculture |
| Wind-generated energy production and facilities; wind machines and wind farms | Wind energy facilities |
| Crops for bioenergy | |
| Biofuel production | |
| Biofuel processing facilities | |
| Solar energy facilities (depending on LSB rating) | |
| Bona fide agricultural services and uses that support the agricultural activities and accessory to any of the above activities: | |
| Farm dwellings | Dwelling, single-family Farm dwellings |
| Employee housing | |
| Farm buildings | |
| Mills | |
| Storage facilities | |
| Processing facilities | Agricultural products processing, major and minor |
| Photovoltaic | |
| Biogas | |
| Other small renewable energy systems for the ag activities | |
| Agriculture energy facilities | |
| Vehicle and equipment storage areas | Vehicle and equipment storage areas that are directly accessory to aquaculture, crop production, game and fish propagation, livestock grazing and livestock production |
| Plantation community subdivisions | |
| Small-scale meteorological, air quality, noise, and other scientific and environmental data collection and monitoring facilities | |

| State Agricultural District | County Agricultural Zone |
|--|---|
| Agricultural parks | Agricultural parks |
| Agricultural tourism | Agricultural tourism |
| Open area recreational facilities | |
| Geothermal resources exploration and geothermal resources development | |
| Agricultural-based commercial operations, including: roadside stand, retail activities, retail food establishment (with restrictions) | Roadside stands for the sale of agricultural products grown on the premises |
| Public institutions and buildings that are necessary for agricultural practices | |
| Agricultural education programs conducted on a farming operation | |
| Public and private open area types of recreational uses, including day camps, picnic grounds, parks, and riding stables, but not including dragstrips, airports, drive-in theaters, golf courses, golf driving ranges, country clubs, and overnight camps | Parks, playgrounds, and other similar open area recreational facilities |
| Public, private, and quasi-public utility lines and roadways, transformer stations, communications equipment buildings, solid waste transfer stations, major water storage tanks, and appurtenant small buildings such as booster pumping stations, but not including offices or yards for equipment, material, vehicle storage, repair or maintenance, treatment plants, corporation yards, or other similar structures | Public uses and structures which are necessary for agricultural practices Public uses and structures, other than those necessary for agricultural practices (with Special Permit) Utility substations |
| Retention, restoration, rehabilitation, or improvement of buildings or sites of historic or scenic interest | Retention, restoration, rehabilitation, or improvement of building or sites of historic or scenic interest |
| Construction and operation of wireless communication antennas | Telecommunication antennas and towers (with use permit) |

Policy 39 The urban growth boundary between agricultural areas (designated “Important Agricultural Land” or “Extensive Agriculture”) and developed areas (designated “Rural,” “Low/Medium/High Density Urban,” “Industrial,” or “Resort”) is parcel-specific in the Ka’ū CDP planning area, except at Punalu’u and the Low/Medium Density Urban and Industrial nodes in Ocean View. Areas outside designated developed areas shall be preserved as agricultural lands, open space, scenic view planes, and natural beauty areas.

Urban Growth Boundaries (UGB) identify areas to be protected for agriculture and areas where growth will be encouraged. UGBs are intended to accommodate anticipated growth and to separate areas appropriate for future development from areas intended for agricultural use. This is sometimes referred to as “Town and Country” zoning, which requires that development occur only in towns and villages, with the surrounding rural areas remaining undeveloped and available for farming, forestry, natural area preservation, and recreation.

The LUPAG map includes land use categories that effectively establish a UGB between the agricultural categories (Orchard, Extensive Agriculture, and Important Agriculture) and the urban categories (Rural, Low, Medium, and High Density Urban, Industrial, Urban Expansion, and Resort).

This policy clarifies that the UGB established with the Ka’ū CDP Land Use Policy Map establishes parcel-specific UGBs. Some areas are excluded because the LUPAG category boundaries in those areas are intentionally not parcel-specific.

For more information, see page 141 of Appendix V4A.

Policy 40 Special permits of any kind in the “Important Agricultural Land” and “Extensive Agriculture” Land Use Policy Map categories should not be permitted in the Ka’ū CDP planning area, except for the following uses (as defined in HCC chapter 25):

- Agriculture and Related Economic Infrastructure: Animal hospitals, Veterinary establishments, Fertilizer yards utilizing only manure and soil, for commercial use
- Cottage Industry related to Agriculture: Bed and breakfast establishments, Guest ranches, Lodges, Home occupations
- Community Facilities: Community buildings, Public uses, and structures, Shooting ranges, ATV courses (in areas without cultural, natural resource, or scenic value)
- Quarries whose permit conditions address geotechnical, engineering, safety, private road use, oversight, and any site-specific issues.
- Urban Uses in Ocean View: Uses consistent with the LDU, MDU, and Industrial LUPAG categories indicated on the Ka’ū CDP Land Use Policy Map in Ocean View, until the SLU boundaries are amended (from Agriculture to Urban).

The Planning Commission shall also include in any Special Permit approval (or recommend for approval to the State Land Use Commission) appropriate performance conditions to achieve CDP objectives and implement CDP policies. (HRS 205-6(c) and Planning Commission Rules 6-3(a)(5)(G), 6-7, & 6-8)

Rather than amend State Land Use (SLU) district boundaries and/or rezone, landowners in the SLU agricultural district often apply for a special permit, as permitted by HRS section 205-6. The LUC (or, for parcels 15 acres in size or smaller, the County Planning Commissions) may permit certain unusual and reasonable uses within agricultural district other than those for which the district is classified. (Uses permitted in HRS are listed in Table 2 above.)

This policy is intended to encourage diversified business enterprises but limit them to those uses that are truly appropriate on agricultural lands in Kaʻū, including Ocean View makai. Below are definitions of some of the uses that may not be self-explanatory:

- Guest ranch: an establishment with its surrounding land which offers recreational facilities for activities such as riding, swimming and hiking, and living accommodations
- Lodge: a building or group of buildings, under single management, containing transient lodging accommodations without individual kitchen facilities, and no more than forty guest rooms or suites, and generally located in agricultural, rural or other less populated areas
- Home occupation: any activity intended to provide income that is carried on within a dwelling, within an accessory structure to a dwelling, or on a portion of a building site used principally for dwelling purposes
- Community building: a public or privately-owned building for civic, social, educational, cultural, and recreational activities which is not operated primarily for financial gain
- Public use, building, or structure: a use conducted by or a structure or building owned or managed by the federal government, the State of Hawaiʻi or the County to fulfill a governmental function, activity or service for public benefit and in accordance with public policy. Excluded are uses which are not purely a function, activity or service of government and structures leased by government to private entrepreneurs or to nonprofit organizations.

See Policy 41 below for a discussion of quarries.

Planning Commission Rule 6-8 allows the Planning Commission approve a Special Permit (or recommend its approval to the State Land Use Commission) with appropriate performance conditions.

For more information, see pages 127 and 135-136 of Appendix V4A.

Policy 41 Special permits of any kind in the “Rural” Land Use Policy Map category should not be permitted in the Ka’ū CDP planning area, except for the following uses (as defined in HCC chapter 25):

- Agriculture and Related Economic Infrastructure: Animal hospitals, Veterinary establishments, Kennels
- Cottage Industry: Bed and breakfast establishments, Home occupations, Commercial or personal service uses, on a small scale
- Health and Dependent Care: Day care centers, Family child care homes, Adult day care homes, Group living facilities
- Community Facilities: Community buildings, Meeting facilities, Schools, Churches, temples and synagogues, Public uses and structures, including those privately managed (e.g., road maintenance facilities), Tennis courts, Swimming pools
- Urban Uses in Ocean View: Uses consistent with the LDU, MDU, and Industrial LUPAG categories indicated on the Ka’ū CDP Land Use Policy Map in Ocean View, until the SLU boundaries are amended (from Agricultural to Urban).
- Quarries in Hawaiian Ocean View Estates whose permit conditions address areas of concern with current mining operations, including geotechnical, engineering, safety, private road use, regular oversight by agencies with the necessary expertise and capacity, site restoration plans, and any other site-specific issues.

The Planning Commission shall also include in any Special Permit approval (or recommend for approval to the State Land Use Commission) appropriate performance conditions to achieve CDP objectives and implement CDP policies. (HRS 205-6(c) and Planning Commission Rules 6-3(a)(5)(G), 6-7, & 6-8)

Rather than amend State Land Use (SLU) district boundaries and/or rezone, landowners in the SLU agricultural district often apply for a special permit, as permitted by HRS section 205-6. The LUC (or, for parcels 15 acres in size or smaller, the County Planning Commissions) may permit certain unusual and reasonable uses within agricultural district other than those for which the district is classified. Planning Commission Rule 6-8 allows the Planning Commission approve a Special Permit (or recommend its approval to the State Land Use Commission) with appropriate performance conditions.

This policy is intended to encourage diversified business enterprises but limit them to those uses that are truly appropriate in Green Sands, Mark Twain, and Hawaiian Ocean View Estates. Below are definitions of some of the uses that may not be self-explanatory:

- Guest ranch: an establishment with its surrounding land which offers recreational facilities for activities such as riding, swimming and hiking, and living accommodations
- Home occupation: any activity intended to provide income that is carried on within a dwelling, within an accessory structure to a dwelling, or on a portion of a building site used principally for dwelling purposes
- Community building: a public or privately-owned building for civic, social, educational, cultural, and recreational activities which is not operated primarily for financial gain

- Meeting facility: a permanent facility for nonprofit recreational, social or multi-purpose use, which has no overnight accommodations, and which may be for organizations operating on a membership basis for the promotion of members' mutual interests or may be primarily intended for community purposes. Typical uses include private clubs, union halls, community centers, and student centers.
- Public use, building, or structure: a use conducted by or a structure or building owned or managed by the federal government, the State of Hawai'i or the County to fulfill a governmental function, activity or service for public benefit and in accordance with public policy. Excluded are uses which are not purely a function, activity or service of government and structures leased by government to private entrepreneurs or to nonprofit organizations.

The quarries in mauka Hawaiian Ocean View Estates present a challenge. For some time, a number of land owners in the vicinity of Mahimahi Drive, Lurline Lane, Kailua Blvd., and Liliana Lane have been digging large cinder pits. Some operations are grandfathered, some have Special Permits, and some are unpermitted (and have been issued violations by the Planning Department). On the one hand, these quarries are sources of important material for construction and contributors to the local economy. On the other hand, there are safety concerns about the mining methods, there are disputes between property owners about boundaries and ownership, adjacent roads have been closed due to undercutting, and the hauling trucks put considerable wear and tear on the subdivision roads.

A more comprehensive approach to the quarry operations in this area should be developed and implemented for these activities to continue in a safe manner. In the Special Permit (SPP 09-000076) issued to Arrow of Oregon/Hawai'i, LLC, a condition of approval requires preparation of a geotechnical report and oversight by a soils engineer to make sure that there were buffers, benching, and adequate sloping for the quarry operation. Building on this condition, Special Permits for quarries in Ocean View should include permit conditions that comprehensively address the issues in the area.

For more information, see pages 127 and 135-136 of Appendix V4A and page 188 of Appendix V4B.

Policy 42 Landowners interested in subdivision of agricultural land in the Ka'ū CDP planning area shall be encouraged to subdivide pursuant to HCC section 23-112 related to farm subdivisions.

This policy is intended to promote a viable alternative to conventional subdivision. Farm subdivisions are a cost-effective way to provide small acreage agricultural lots without the risk of quasi-rural subdivision sprawl and loss of open space.

Agricultural lands may be subdivided as "farm subdivisions" and leased for agricultural uses provided that no permanent or temporary dwellings or farm dwellings are constructed on the leased area. Lots created and leased pursuant to this section are legal lots of record for mortgage lending purposes and are exempt from county subdivision standards, including water and roads, provided that a roadway maintenance agreement is executed for all roadways within the farm subdivision and adequate access from a government road is provided that meets the requirements of the Department of Public Works.

For more information, see page 137 of Appendix V4A.

Policy 43 When considering applications to consolidate and resubdivide pre-existing lots of record, the Director of Planning shall only permit lots less than one acre in size in the State Land Use Agricultural district if the applicant clearly demonstrates that an unreasonable economic hardship cannot otherwise be prevented or land utilization is improved relative to the objectives and policies of the CDP. (HRS 205-5(b))

This policy is intended to preserve prime and other viable agricultural lands and concentrate new residential development in town/village centers. The minimum lot size in the State Land Use Agricultural district is one acre. However, landowners with pre-existing lots of record (PLORs) may reconfigure the lots to suit their plans for the property without having to conform to the Subdivision Code, subject to improvements required by the Planning Director. Moreover, pre-existing lots of record are sometimes smaller than one acre in size, and property owners often seek to retain those small lot sizes when reconfiguring property that contains pre-existing lots. In these situations, if the County finds that unreasonable economic hardship to the owner or lessee of land cannot otherwise be prevented or where land utilization is improved, the County may allow lot sizes of less than one acre. Typically, smaller lots are used for residential purposes, so they should only be permitted in agricultural areas when appropriate.

For more information, see pages 126, 136-137, and 139-140 of Appendix V4A.

Policy 44 Through permit conditions, development agreements, deed restrictions, and/or other means, ensure that areas in the “Important Agricultural Land” and “Extensive Agriculture” Land Use Policy Map categories continue to be utilized for agricultural uses and not for speculative or other residential development.

There is a strong need among coffee farmers and other small producers in Ka’ū for greater land tenure on small lots (e.g., 5-15 acres), preferably through fee simple ownership, and some farmers prefer to establish dwellings on their farms. In some cases, therefore, it may be appropriate to rezone and subdivide agricultural land in Ka’ū. In addition, variances from the zoning and subdivision code may be warranted to increase the affordability of farm lots.

Too often, however, rezones of agricultural land and subsequent variances create quasi-rural subdivision sprawl rather than greater agricultural opportunity, with impacts that include:

- Loss of viable agricultural land and open space
- “Gentlemen estates” that increase property values and taxes
- Development away from town infrastructure and services, creating future demand for public facilities and services whose costs exceed new tax revenue.

The purpose of this policy, therefore, is to preserve prime and other viable agricultural lands and concentrate new residential development in town/village centers.

When considering land use applications for agricultural land in Ka’ū, several factors must be taken into consideration:

First, is there sufficient demand in excess of current supply? Current agricultural zoning (mostly 20 acres) is appropriate in most of the Ka’ū CDP planning area. The vast majority of agricultural land under production in Ka’ū is pasture. There are also approximately 5,000 acres in macadamia nut production,

and significant acreage in commercial forestry. Biomass production might also be viable in Ka'ū. None of these uses require lot sizes small than 20 acres.

There are also almost 600 acres in coffee, and more than 400 acres in tropical fruit and truck crop production. Under the right conditions, these types of agricultural enterprises can be viable on approximately 5-10 acres. In areas where these crops can be grown in Ka'ū, current lot sizes already accommodate smaller scale enterprises:

- Wood Valley features coffee, flowers, truck crops, and tropical fruit on lots mostly between 5 and 25 acres in size.
- Between Wood Valley and Pāhala, the Olson Trust leases small acreage to farmers producing mostly coffee and truck crops.
- The Hester Agricultural Project District (APD) mauka of Pāhala features 17, 5-acre lots.
- The Moa'ula Coffee Farm Planned Unit Development (PUD) features 98 farm lots ranging from 6 to 25 acres in size, with an average size of 14 acres.
- The area mauka of Discovery Harbour between Wai'ōhinu and Lorenzo Road features fruit and nut orchards on lots mostly between 5 and 100 acres in size.
- Ocean View includes many one and three acre lots, some of which are in truck and other specialty crops.

Second, is the most appropriate set of land use tools being used to achieve both project and community objectives? For example, farm subdivisions can be created and leased as legal lots of record for mortgage lending purposes and are exempt from county subdivision standards, which would allow for a great number of small acreage lots (see Policy 42).

Likewise, Agricultural Project Districts (APDs) may not be well-suited to Ka'ū. APDs are designed, in part, to “satisfy the demand for a rural lifestyle on marginal agricultural land, while decreasing the pressure to develop important agricultural land, so they allow for a mix of small-scale agricultural activities and associated residential uses.” But the more “marginal” agricultural land in Ka'ū is mostly pasture and in areas unlikely to be under pressure for development (i.e., rezoning and subdivision), while the most valuable agricultural land is closer to existing amenities like roads, water, and towns, making them more likely targets for speculative development. So APDs are more likely to be used in Ka'ū for rural residential development than agriculture.

In addition, care must be taken with variances (and, by extension, Planned Unit Development). Pursuant to HCC sections 23-15 and 25-2-51, a variance from the provisions of the zoning or subdivision codes may be granted by the Planning Director if the following is found:

- There are special or unusual circumstances applying to the subject real property which exist either to a degree which deprives the owner or applicant of substantial property rights that would otherwise be available, or to a degree which obviously interferes with the best use or manner of development of that property; and
- There are no other reasonable alternatives that would resolve the difficulty; and

- The variance is consistent with the general purpose of the district, the intent and purpose of the code, and the general plan, and will not be materially detrimental to the public welfare or cause substantial, adverse impact to an area’s character or to adjoining properties.

Conditions imposed by the director shall bear a reasonable relationship to the variance granted.

Variations must be consistent with the General Plan. As it relates to water systems, the General Plan includes these policies and standards:

- 11.2.2(b): “All water systems shall be designed and built to Department of Water Supply standards.”
- 11.2.3(a): “Public and private water systems shall meet the requirements of the Department of Water Supply and the Subdivision Control Code.”

Variations for private, non-catchment water systems that do not meet DWS standards can be as simple as water catchment systems supplemented with water supplied by tanker truck from a private well, as was the case for the Moa’ula Coffee Farm PUD.

Care must be taken to prevent the subdivision of agricultural land to accommodate residential development with substandard infrastructure, which is contrary to the General Plan and to Community Objectives to preserve agricultural land and concentrate new residential development in town/village centers.

Third, what land use and legal tools can be used to ensure that agricultural land continues to be utilized for agricultural uses and not for speculative or other residential development? Options include but are not limited to permit conditions, development agreements, and deed restrictions.

For more information, see pages 134-135 and 137 of Appendix V4A. See Appendix V4C for more information about the status of and prospects for agriculture in Ka’ū.

4.3.3 County Action

Policy 45 Establish agricultural subdivision standards that 1) lower barriers to the creation of viable farmsteads by reducing infrastructure requirements and expenses; 2) ensure public safety with appropriate rural water systems and roads; and 3) mitigate against speculative development.

Pursuant HCC section 23-6, the Subdivision Code shall be applied and administered within the framework of the County General Plan, including comprehensive or general plans for sections of the County which may be adopted as amendments to or portions of the County general plan. Pursuant HCC sections 23-84 and following, subdivision of large parcels into smaller parcels requires the following improvements:

- A water system meeting the minimum requirements of the County Department of Water Supply. Prior to subdivision approval, the Department of Water Supply must confirm water availability, considering the capacity of its system’s sources, storage, transmission, and pressure service zone. If the DWS system cannot accommodate the proposed number of lots and units, the landowner is responsible for the improvements.
- Meet the minimum requirements of the State health department relating to sewage disposal.

- Streets constructed in accordance with the subdivision code specifications and those on file with the Department of Public Works.
- Land surface drainage.
- Street lights.

These water, street, and street light requirements may not be necessary for legitimate farmstead subdivisions. Moreover, the cost of meeting them or of requesting variances to them increases farming expenses, which are already very high in Hawai'i.

Therefore, the purpose of this policy is to establish subdivision standards for legitimate farmsteads.

However, along the lines of the rationale for Policy 44, care must be taken when crafting the standards to mitigate against speculative development. In addition, standards should not be lowered to the point where public safety and health are threatened.

Policy 46 Amend Planning Department Rule 22 to increase the number of allowable lots with a water catchment variance, in consideration of zoning, the size of the existing lot, and other site-specific characteristics.

Pursuant to Planning Department Rule 22, water variances for catchment systems on agriculturally-zoned properties are permitted for subdivisions of up to six lots if the property has 60 or more inches of rain per year. Subdivisions resulting in lots at least 20 acres in size and averaging four times the minimum lot size allowed by zoning may be granted exceptions to the minimum rainfall requirement and the six lot limit (up to a maximum of 20 lots).

In Ka'ū, only a limited area receives 60 or more inches of rain, and many agricultural lots in that area are large, so options for creating viable farmsteads with water catchment systems are limited. While care must be taken to not facilitate inappropriate subdivision, flexibility is needed to broaden the range of allowable lots as a function of zoning, lot size, and other factors specific to the site in question.

For more information, see pages 136-139 of Appendix V4A.

Policy 47 Amend the Hawai'i County Code and associated Planning Department Rules to establish reporting and inspection requirements, as well as enforcement and fine protocols, for additional farm dwellings to ensure that dwellings are used for farm-related purposes.

Pursuant HCC section 25-5-72, the following uses are permitted in the agricultural district:

- One single-family dwelling or one farm dwelling. A farm dwelling is a single-family dwelling that is located on or used in connection with a farm or if the agricultural activity provides income to the family occupying the dwelling.
- Additional farm dwellings may be permitted only upon the following conditions: (1) A farm dwelling agreement for each additional farm dwelling, on a form prepared by the director, shall be executed between the owner of the building site, any lessee having a lease on the building site with a term exceeding one year from the date of the farm dwelling agreement, and the County. The agreement shall require the dwelling to be used for farm-related purposes. (2) The applicant shall submit an agricultural development and use program, farm plan or other evidence of the applicant's continual

agricultural productivity or farming operation within the County to the director. Such plan shall also show how the farm dwelling will be utilized for farm-related purposes.

However, the County does not consistently enforce additional farm dwelling agreements. There is no reporting or inspection process, and it is unclear what the implications should be if agricultural activity on the property ceases.

This policy is intended to preserve agricultural land and concentrate residential development in town/village centers by strengthening the County’s farm dwelling policies and practices.

For more information, see page 132 of Appendix V4A.

Policy 48 Update the County of Hawai’i’s tax reduction programs to ensure that public tax incentives for agricultural land use result in actual public benefits and promote local agricultural production where possible.

Property tax reduction programs provide a reduction in taxes and reduce operating costs for farm operations and rural landowners who rent their land to farmers. In Hawai’i County, owners of agricultural land have two tax reduction options:

- **Dedicated:** Pursuant HCC section 19-60, landowners may dedicate their land to commercial agricultural use for 10 years and be taxed at a reduced “agricultural use value” rate. The land in dedicated agricultural use must be used on a continuous and regular basis for agriculture on lands zoned by the County to be in the districts of agricultural (A), residential and agricultural (RA), family agricultural (FA), intensive agricultural (IA), and agricultural project district (APD). Farm dwellings are assessed at the highest commercial agriculture use value, and all portions of land that are not dedicated for commercial agricultural use are assessed based on the proportional market value of the total property. If there is a breach of the terms of the dedication, the owner must pay up to 10 years in deferred taxes and a 10% penalty.
- **Nondedicated:** Pursuant HCC section 19-57, lands classified and used for agriculture and that are not dedicated are assessed at two times the dedicated rate. If the property is rezoned for non-agricultural use and subdivided into parcels of less than five acres in size, the owner must pay up to 3 years in deferred taxes and a 10% penalty.

According to the Hawai’i County Food Self-Sufficiency Baseline 2012, as currently implemented, these programs have no mechanisms requiring landowners to submit periodic evidence that productive agricultural activity is still occurring. The current systems also assign the lowest assessment rates to landowners who do the least amount of regular farm work on their property by installing exterior fencing and stock water for pasture use. Landowners who work to produce commercial food products for the local market are taxed at a higher rate.

It might be appropriate to update these programs so that they incentivize landowners to seek qualified farmers and ranchers to increase local food production on their property. Another option would be to consider ways that landowners could report farm revenue annually by providing evidence of General Excise taxes paid from agricultural activities or to provide receipts of food donations to the Hawai’i Island Food Basket or other safety net programs.

The intent of this policy is to preserve agricultural land and concentrate residential development in town/village centers by strengthening the County’s property tax reduction programs.

For more information, see pages 143-144 of Appendix V4A.

Policy 49 Conduct a feasibility study for a County-wide Transfer of Development Rights (TDR) and/or Save Land for the Future (SLF) program. If feasible, adopt any necessary enabling County legislation.

Save Land for the Future (SLF) mitigation ordinances and policies require developers to permanently protect an equivalent or greater amount of farmland in the event that agricultural land is converted to other uses. Similarly, Transfer of Development Rights (TDR) programs enable the transfer of development potential from one parcel of land to another and are typically established by local zoning ordinances. Localities often use market-driven TDR to shift development from agricultural land (sending areas) to designated growth zones (receiving areas) located closer to municipal services.

Successful TDR programs have been in place throughout the country since 1980 and have protected tens of thousands of acres of farmland and open space. TDR is most suitable in places where large blocks of land remain in agricultural use. TDR has been adapted by some communities into Density Transfer Charge (DTC) or Residential Density Transfer (RDT) programs. Analysis completed for the Kona CDP suggests that for a TDR program to be successful, sufficient demand for development rights needs to be stimulated, opportunities to circumvent the market by seeking variances and zoning changes need to be limited, and an efficient and transparent market structure needs to be established.

HRS section 514B-136 is the enabling State legislation for TDR programs. The County of Hawai'i must adopt enabling legislation for the option to be available locally. Some communities defer to nonprofit organizations to manage their TDR programs.

The intent of this policy is to preserve agricultural land and concentrate residential development in town/village centers by assessing the feasibility of a County-wide TRD and/or SLF program and, if such a program is feasible, to propose enabling County legislation.

In collaboration with other stakeholders, including County agencies, the NRCS, DLNR, DOA, Office of Planning, landowners, planning consultants, land trusts, and other community groups, the Planning Department should investigate the feasibility of a County TDR or SLF program and, as appropriate, propose enabling legislation. Consideration should be given to: the demand for and appropriateness of additional urban density in potential "receiving areas," "best practices" from other communities that have adopted and adapted TDR and SLF programs, program features adapted to local conditions, and the appropriate system for program management and to facilitate the exchange of development rights, including the possibility of using a nonprofit organization.

For more information, see page 145 of Appendix V4A and page 60 of Appendix V4B.

Policy 50 Recommend lands to be designated State Important Agricultural Lands. (GP 14.2.2(a) & 14.2.3(i))

Important Agricultural Land (IAL) is a State Land Use designation designed to delineate blocks of productive agricultural land and areas of agricultural activity for protection from the encroachment of nonagricultural uses. HRS establishes specific standards and criteria for identifying IAL lands and requires that the County of Hawai'i is to develop recommendations of lands to be designated within 60 months of receiving funds from the State for this purpose.

This policy is intended to affirm several General Plan policies related to important agricultural lands and to expedite the identification of IAL in Hawai'i County.

For more information, see page 127 of Appendix V4A.

Policy 51 Preserve open space in Green Sands, Mark Twain, and Ocean View subdivisions by streamlining the lot consolidation process with, for example, fee waivers and exemptions from signage requirements.

The vast majority of the lots in the nonconforming subdivisions in Ka'ū (Green Sands, Mark Twain, and Ocean View) are vacant. Though rates of growth vary, experience in areas like Puna indicates that it is just a matter of time before those subdivisions build-out, and the open space and rural character of the area is lost.

Other jurisdictions facing similar challenges have streamlined the process and waived application fees, processing fees, and surveying costs for property owners who want to consolidate two or more adjacent parcels into a single lot, or for bulk property owners who would like to replat an entire portion of the subdivision.

The intent of this policy is to preserve agricultural lands and open space in nonconforming subdivisions through similar means in Hawai'i County.

For more information, see pages 188, 197, 203, and 215 of Appendix V4B.

4.3.4 Advocacy

4.3.4.1 State Legislature

- **Appropriate funds to the County of Hawai'i** to develop recommendations of lands to be designated State Important Agricultural Lands.

The identification and designation of State Important Agricultural Lands (State IAL) was first proposed at the 1978 Constitutional Convention and subsequently approved by voters in the same year. Enacted as Article XI, Section 3, of the Constitution of the State of Hawai'i, the State is required to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.

Act 233, SLH 2008 (HRS sections 205-41 thru 52), which provides incentives for designation of State IAL, became effective on July 1, 2008, and triggered the commencement of the process to identify, map, and designate important agricultural lands throughout Hawai'i. By definition, State IAL are capable of sustaining high yields, for export or local consumption, and needed for future self-sufficiency even if currently not in production. The criteria to identify State IAL, listed in HRS section 205-44, include: suitable soil qualities, availability of infrastructure, existing or traditional agricultural use, and lands identified under productivity rating systems.

State IAL may be designated by the State Land Use Commission (LUC) in two ways: a farmer or landowner may file a petition with LUC to designate State IAL, or Counties can recommend State IAL for the LUC to consider. The State Land Use Commission makes the final decision by a 2/3 vote and transmits the adopted map to the County. A 2/3 super-majority of the legislature is required to change the classification of lands designated as State IAL.

Within 60 months of when they receive funds from the State for this purpose, each County is to recommend lands to be designated State IAL through a collaborative, participatory process. The Planning Department is to lead the process, and the County Council is to adopt the maps of recommendations by resolution. The County of Hawai'i has not yet received funding to develop recommendations of lands to be designated IAL.

For more information, see page 127 of Appendix V4A.

- **Pass legislation enabling land banks** that counties can use to acquire tax-delinquent properties and use them to preserve agricultural land and open space.

Jurisdictions can acquire lots for non-payment of property taxes, remove or transfer development rights, and use a "land bank" to offer tax-delinquent properties to neighbors. Such lots can also be used for relocation purposes when other properties are acquired for future rights-of-way, public facilities, or land assembly. State legislation is necessary to enable land banks.

For more information, see page 203 of Appendix V4B.

4.4 Protect Mauka Forests

4.4.2 Land Use Policy

Policy Controls

Policy 52 To reinforce existing protections, the official Ka’ū CDP Land Use Policy Map designates mauka forests in Ka’ū as open space to be preserved, protected, and connected to the region’s rich network of natural and cultural resources. Development and construction in mauka “Conservation” areas shall be minimized and, when necessary, limited to recreation, research, and education facilities unless otherwise permitted by law.

Most mauka forest areas in Ka’ū are in the State Conservation district, where all uses and activities require a conservation district use permit from the Board of Land and Natural Resources or other written approval from the Department of Land and Natural Resources Office of Conservation and Coastal Lands (OCCL). The only mauka conservation lands not in one of the publicly-protected areas are lands owned by Kamehameha Schools, including fingers of land interspersed in the Ka’ū Forest Reserve and a block of land in the northern portion of the district. Those privately-owned parcels are in the Protective and Resource conservation subzones of the State Conservation District. Uses other than those associated with managing natural resources are prohibited in the Protective subzone. In the Resource subzone, a single-family residence on each legal lot of record is permitted with approval of the Board of Land and Natural Resources.

In the State Conservation district, there is no county zoning, per se, because the State DLNR has jurisdiction. Nevertheless, much of mauka forest in Ka’ū is designated Conservation in the General Plan LUPAG map. The Conservation designation includes “Forest and water reserves, natural and scientific preserves, areas in active management for conservation purposes, areas to be kept in a largely natural state, with minimal facilities consistent with open space uses, such as picnic pavilions and comfort stations, and lands within the State Land Use Conservation District.” Other proposed uses would require an amendment to the General Plan, which requires an EIS and approval of the County Council.

Though this policy does not supersede the authority of the State, it serves as a clear expression of the community’s desire to protect and limit development in mauka forests.

For more information, see pages 15 and 160 of Appendix V4A.

4.4.4 Advocacy

4.4.4.1 Office of Planning, Department of Business, Economic Development and Tourism

- **Designate forest and watershed areas into the Conservation District** during State land use boundary comprehensive reviews. (GP 8.3(m))

This is an affirmation of General Plan policy 8.3(m): “Encourage appropriate State agencies to review and designate forest and watershed areas into the conservation district during State land use boundary comprehensive reviews.” For more information, see page 160 of Appendix V4A.

4.5 Preserve Scenic Areas

4.5.2 Land Use Policy

Policy Intent

Policy 53 Protect, preserve and enhance the quality of open space, areas endowed with natural and scenic beauty, and public views to and along the shoreline. (HRS 205A-2(b)(3)(B), HRS 205-26, Charter section 13-29, & GP 7.2(a), 7.2(c), 8.2(e), 14.8.2(a), & 14.8.3(d))

This is an affirmation of the following policies established in HRS, the County Charter, and the General Plan:

- Coastal Zone Management Policy in HRS 205A-2(b)(3)(B): “Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline.”
- Special Management Area Guideline in HRS 205A-26: Minimize, where reasonable, “any development which would substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast.”
- County Charter Section 13-29: “[T]he county shall conserve and protect Hawai‘i’s natural beauty....”
- General Plan policy 7.2(a): “Protect, preserve and enhance the quality of areas endowed with natural beauty....”
- General Plan policy 7.2(c): “Maximize opportunities for present and future generations to appreciate and enjoy natural and scenic beauty.”
- General Plan policy 8.2(e): “Protect and effectively manage Hawai‘i’s open space....”
- General Plan policy 14.8.2(a): “Provide and protect open space for the social, environmental, and economic wellbeing of the County of Hawai‘i and its residents.”
- General Plan policy 14.8.3(d): “Zoning, subdivision and other applicable ordinances shall provide for and protect open space areas.”

For more information, see pages 7, 104, 106, and 123 of Appendix V4A.

Policy 54 Protect scenic vistas and view planes from becoming obstructed, considering structural setbacks from major thoroughfares and highways to protect view plans. (GP 7.2(b) & 7.3(f))

This is an affirmation of the following General Plan policies:

- 7.2(b): “Protect scenic vistas and view planes from becoming obstructed.”
- 7.3(f): “Consider structural setback from major thoroughfares and highways...to protect important viewplanes.”

For more information, see page 151 of Appendix V4A.

Policy 55 Do not allow incompatible construction in areas of natural beauty. (GP 7.3(i))

This is an affirmation of General Plan policy 7.3(i): “Do not allow incompatible construction in areas of natural beauty.” For more information, see page 20 of Appendix V4A.

Policy Controls

Policy 56 In the Ka’ū CDP Planning Area, the environmental report for proposed changes of zone on property that may impact open space, view planes, and areas of natural beauty shall include view plane and, as appropriate, line-of-sight analysis and, to facilitate implementation of Policy 10, proposed conditions to mitigate scenic impacts. (HCC 25-2-42)

A County environmental report is required as part of a change of zone application. This report is an informational document that contains a description of the physical, social, historical, economic, and natural resource consequences of a proposed action, including but not limited to a discussion of alternatives to the proposed action, any environmental effects which cannot be avoided should the proposal be implemented, the relationship between local short-term uses of the environment and the maintenance and enhancement of long term productivity, any irreversible and irretrievable commitments of natural resources which would be involved in the proposed action, and an analysis of the proposed action.

In order to achieve the policy intent of the CDP (i.e., to protect open space, public views, and areas of natural and scenic beauty), environmental reports for proposed changes of zone on property that may impact open space, view planes, and areas of natural beauty should include an appropriate view plane and, as appropriate, line-of-sight analysis. These scenic features are defined in other policy documents and in the CDP as follows:

- Open space: The official Ka’ū CDP Land Use Policy Map designates the shoreline, agricultural lands, and mauka forests as open space to be preserved and protected. These areas fall within the “Conservation,” “Open,” “Important Agriculture Land,” and “Extensive Agriculture” LUPAG categories in the Policy Map.
- Viewscapes and scenic vistas: The General Plan list of natural beauty sites includes the scenic view of shoreline between Pāhala and Punalu’u, the view of Mauna Loa from Volcano-Ka’ū Highway, and the lava flows of 1868, 1887, & 1907, mauka and makai of the stretch of highway between Kahuku Ranch and the Ocean View subdivisions. Based on public input, the Ka’ū CDP Community Profile also identifies the scenic lookout between Whittington Beach Park and Nā’ālehu on the makai side of the highway as a breathtaking panoramic view of the shoreline.
- Areas endowed with natural beauty: The General Plan identifies natural beauty sites, including Pōhue Bay, South Point, Mahana Bay, Waiakukini, Ka’alu’alu Bay, Honu’apo, Kāwā Bay, Nīnole Cove, Punalu’u, and prominent pu’u (cinder cones): ‘Enuhe, Makaanau, Kaiholena, and One.

For more information, see pages 109, 134, and 152 of Appendix V4A.

Policy 57 In the Ka’ū CDP Planning Area, applications for Special Permits that may impact open space, view planes, and areas of natural beauty shall include view plane and, as appropriate, line-of-sight analysis and proposed performance conditions to mitigate scenic impacts. (Planning Commission Rule 6-3(a)(5)(G), 6-7, & 6-8)

Special Permits may be approved only when, among other things, “the proposed use will not substantially alter or change the essential character of the land and the present use” and “the request will not be contrary to the General Plan and official Community Development Plan and other documents such as Design Plans.”

In the Community Objectives for Ka’ū, “viewscapes that exemplify Ka’ū’s rural character” are elements of the essential character of the landscape that may be impacted by uses proposed in Special Permit applications. Moreover, the “Policy Intent” is to protect open space, natural and scenic beauty, and public views. These aspects of community character are defined in other policy documents and in the CDP as follows:

- Open space: The official Ka’ū CDP Land Use Policy Map designates the shoreline, agricultural lands, and mauka forests as open space to be preserved and protected. These areas fall within the “Conservation,” “Open,” “Important Agriculture Land,” and “Extensive Agriculture” LUPAG categories in the Policy Map.
- Viewscapes and scenic vistas: The General Plan list of natural beauty sites includes the scenic view of shoreline between Pāhala and Punalu’u, the view of Mauna Loa from Volcano-Ka’ū Highway, and the lava flows of 1868, 1887, & 1907, mauka and makai of the stretch of highway between Kahuku Ranch and the Ocean View subdivisions. Based on public input, the Ka’ū CDP Community Profile also identifies the scenic lookout between Whittington Beach Park and Nā’ālehu on the makai side of the highway as a breathtaking panoramic view of the shoreline.
- Areas endowed with natural beauty: The General Plan identifies natural beauty sites, including Pōhue Bay, South Point, Mahana Bay, Waiakukini, Ka’alu’alu Bay, Honu’apo, Kāwā Bay, Nīnole Cove, Punalu’u, and prominent pu’u (cinder cones): ‘Enuhe, Makaanau, Kaiholena, and One.

Planning Commission Rule 6-8 allows the Planning Commission approve a Special Permit (or recommend its approval to the State Land Use Commission) with appropriate performance conditions.

This policy is intended to protect those aspects of character of the land as much as possible without infringing on the Planning Commission’s authority to make informed judgments based site- and use-specific characteristics.

For more information, see pages 109, 135, and 152 of Appendix V4A.

Policy 58 In the Ka’ū CDP Planning Area, applications for Use Permits for wind energy facilities and telecommunications antennas and towers shall include view plane and, as appropriate, line-of-sight analysis to demonstrate how the request does not cause substantial, adverse impact to the community’s character, including open space, public views, and areas of natural and scenic beauty, and proposed conditions to mitigate scenic impacts. (HCC 25-2-60 & 64)

Use permits are permits for certain permitted uses in zoning districts that require special attention to insure that the uses will neither unduly burden public agencies to provide public services nor cause

substantial adverse impacts upon the surrounding community. Telecommunications antennas and towers require a use permit in all Residential, Agricultural, and Open zones, and wind energy facilities require a use permit in the Open zone. A use permit may be granted by the Planning Commission if the proposed use is consistent with the general purpose of the zoning district, the intent and purpose of the zoning code, and the general plan and the granting of the proposed use is not be materially detrimental to the public welfare nor cause substantial, adverse impact to the community’s character or to surrounding properties. The Commission’s decision shall be accompanied by a statement of factual findings supporting the decision, together with any conditions imposed upon a use permit approval. The conditions imposed by the commission shall bear a reasonable relationship to the use permit granted.

In the Community Objectives for Ka’ū, “viewscapes that exemplify Ka’ū’s rural character” are aspects of community character that may be impacted by wind energy facilities and telecommunications towers and antennas. Moreover, the “Policy Intent” is to protect open space, natural and scenic beauty, and public views. These aspects of community character are defined in other policy documents and in the CDP as follows:

- Open space: The official Ka’ū CDP Land Use Policy Map designates the shoreline, agricultural lands, and mauka forests as open space to be preserved and protected. These areas fall within the “Conservation,” “Open,” “Important Agriculture Land,” and “Extensive Agriculture” LUPAG categories in the Policy Map.
- Viewscapes and scenic vistas: The General Plan list of natural beauty sites includes the scenic view of shoreline between Pāhala and Punalu’u, the view of Mauna Loa from Volcano-Ka’ū Highway, and the lava flows of 1868, 1887, & 1907, mauka and makai of the stretch of highway between Kahuku Ranch and the Ocean View subdivisions. Based on public input, the Ka’ū CDP Community Profile also identifies the scenic lookout between Whittington Beach Park and Nā’ālehu on the makai side of the highway as a breathtaking panoramic view of the shoreline.
- Areas endowed with natural beauty: The General Plan identifies natural beauty sites, including Pōhue Bay, South Point, Mahana Bay, Waiakukini, Ka’alu’alu Bay, Honu’apo, Kāwā Bay, Nīnole Cove, Punalu’u, and prominent pu’u (cinder cones): ‘Enuhe, Makaanau, Kaiholena, and One.

This policy is intended to protect those aspects of community character as much as possible without infringing on the Planning Commission’s authority to make informed judgments based site- and use-specific characteristics.

For more information, see pages 109, 136, and 152 of Appendix V4A.

4.5.3 County Action

Policy 59 Develop and establish view plane regulations to preserve and to protect from obstruction scenic resources, vistas, view planes, open space, prominent landscapes, and areas of natural beauty identified in the General Plan. (Charter 13-29, HRS 205A, GP 7.2(a), 7.2(b), 7.3(b), 7.3(e), 7.3(f), 7.3(h), 7.3(i), & 14.8.3(d))

As detailed above, the policy intent for protecting open space, natural and scenic beauty, and public views is clear. Existing policy also calls for regulations to ensure those protections:

- Coastal Zone Management Policy in HRS 205A-2(b)(3)(A): “Identify valued scenic resources in the coastal zone management area.”

- General Plan policy 7.3(b): “Develop and establish view plane regulations to preserve and enhance views of scenic or prominent landscapes from specific locations, and coastal aesthetic values.”
- General Plan policy 7.3(e): “Develop standard criteria for natural and scenic beauty as part of design plans.”
- General Plan policy 7.3(f): “Consider structural setback from major thoroughfares and highways and establish development and design guidelines to protect important viewplanes.”
- General Plan policy 7.3(h): “Protect the views of areas endowed with natural beauty by carefully considering the effects of proposed construction during all land use reviews.”
- General Plan policy 14.8.3(d): “Zoning, subdivision and other applicable ordinances shall provide for and protect open space areas.”

However, no mechanisms are in place to define, designate, or protect scenic view planes. This policy is intended to correct that. The Hawai‘i County Planning Department will have to:

- Define scenic view planes, areas of natural beauty, and other visual resources by mapping them (HRS 205A-2(c)(3)(A))
- Develop application requirements for all land use and construction reviews to assess potential impacts on view planes and other natural and scenic beauty resources, likely including line-of-sight analysis (GP 7.3 (e), (h), & (i))
- Develop permit conditions, such as design guidelines, landscaping, screening, or structural setbacks from major thoroughfares and highways, to mitigate any visual impacts from development. (GP 7.3(f))

For more information, see pages 80-81, 104, 123, 152 of Appendix V4A.

Policy 60 Introduce a resolution to initiate the establishment of a scenic corridor.

For transportation corridors that require a comprehensive planning approach, the Hawai‘i County Council may, by ordinance, establish all or portions of public roadways and an appropriate portion of the adjacent property as a scenic corridor. The program is essentially an overlay district, potentially with significant regulatory implications (e.g., signage, lighting, design standards, access management, landscaping, parking, height, historic and cultural preservation, view planes, and/or setback). In Ka‘ū, the principal attraction of a scenic corridor is the protection of view planes.

To establish a scenic corridor, the Council adopts a scenic corridor management plan, which must demonstrate the need for the adoption of special standards and conditions in order to preserve, maintain, protect, or enhance the intrinsic character of the corridor. The first step is for the Planning Director or Council to introduce a resolution to initiate the establishment of a scenic corridor. After adoption of a scenic corridor enabling ordinance and corridor management plan, all approvals including, but not limited to sign permits, grading and grubbing permits, building permits, and subdivision approvals shall conform to the standards and conditions contained in the scenic corridor enabling ordinance.

For more information, see pages 90-91 of Appendix V4B.

Policy 61 Maintain a continuing program to identify, acquire and develop viewing sites on the island. (GP 7.3(c))

To complement County efforts to protect open space, scenic resources, view planes, and areas of natural beauty, it is important to implement General Plan policy 7.3(c): “Maintain a continuing program to identify, acquire and develop viewing sites on the island.”

4.5.4 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.

4.6 Protect and Enhance Ecosystems

4.6.2 Land Use Policy

Policy Intent

Policy 62 Protect, preserve, and effectively manage forests, watersheds, shoreline areas, natural areas, and rare or endangered species and their habitats. (GP 8.2(d) & (e), 14.1.2(c), & 14.8.2(b))

This is an affirmation of the following policies established in the General Plan:

- 8.2(d): Protect rare or endangered species and habitats native to Hawai‘i.
- 8.2(e): Protect and effectively manage Hawai‘i’s open space, watersheds, shoreline, and natural areas.
- 14.1.2(c): Protect and preserve forest, water, natural and scientific reserves and open areas.
- 14.8.2(b): Protect designated natural areas.

For more information about this policy, see pages 80 and 151-152 of Appendix V4A.

Policy Controls

Policy 63 The Director of Public Works should condition grading and grubbing permits to require screen planting, landscaping, erosion control planting, or other treatments to maintain the good appearance of graded areas and reduce the detrimental impact on adjacent properties. (HCC 10-12(c))

This policy is simply an affirmation of protocols established in County Code section 10-12(c). For more information, see pages 140-141 of Appendix V4A.

4.6.3 County Action

Policy 64 Collaborate with the Department of Health, the Three Mountain Alliance, the USDA Natural Resource Conservation Service, and the Soil and Water Conservation District to reduce runoff, maximize soil and water conservation, and protect and effectively manage watersheds and natural areas. (HRS 342D, HAR 11-54-3, GP 4.3(g), 5.2(e) & (f), 5.3(e), (n), & (o), and 8.2(e) & (j))

The purpose of this County Action is to conserve natural ecosystems, soil, and water, to minimize surface water and sediment runoff, and to improve coastal water quality.

There is a legal mandate to ensure that the coastal waters of Ka‘ū remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions (HRS 342D, HAR 11-54-3).

This is also supported by several General Plan policies:

- 4.3(g): “Participate in watershed management projects to improve stream and coastal water quality and encourage local communities to develop such projects.”

- 5.2(e): “Reduce surface water and sediment runoff.”
- 5.2(f): “Maximize soil and water conservation.”
- 5.3(e): “Promote and provide incentives for participation in the Soil and Water Conservation Districts’ conservation programs for developments on agricultural and conservation lands.”
- 5.3(n): “Develop drainage master plans from a watershed perspective that considers non-structural alternatives, minimizes channelization, protects wetlands that serve drainage functions, coordinates the regulation of construction and agricultural operation, and encourages the establishment of floodplains as public green ways.”
- 5.3(o): “Encourage and provide incentives for agricultural operators to participate in Soil and Water Conservation District Programs.”
- 8.3(e): “Coordinate programs to protect natural resources with other government agencies.”
- 8.3(j): “Encourage the protection of watersheds, forest, brush, and grassland from destructive agents and uses.”

However, in the central region of Ka’ū, storm runoff descends from steep slopes and causes flooding and deposits sediment and debris makai. None of Ka’ū’s tested waters are the State DOH’s 303d list of impaired waters. However, Ka’ū residents have observed that the first streams to flow after initial rainfall are Hīlea, Punalu’u, and Moa’ula, followed by Nīnole. After extremely heavy rains, sedimentation of the nearshore bottom has occurred in the area from Kamehame to Honu’apo. Most of Ka’ū between Wai’ōhinu and Wood Valley is prone to flooding in the vicinity of gulches.

The primary agricultural nonpoint source pollutants are nutrients (particularly nitrogen and phosphorus), sediment, animal wastes, pesticides, and salts. Agricultural nonpoint sources enter surface water through direct surface runoff or through seepage to groundwater that discharges to a surface water outlet. The sediment produced by erosion can damage fish habitat and wetlands and, in addition, often transports excess agricultural chemicals, resulting in contaminated runoff. This runoff, in turn, affects aquatic habitat and contaminates surface groundwater resources.

These challenges cross property lines and regulatory jurisdictions, so the County must work in partnership with other agencies and organizations. Natural partners in this endeavor include:

- Department of Health (DOH): A 2003 Attorney General’s opinion on the State’s authority to prevent nonpoint source pollution and to require implementation of management measures to reduce nonpoint source pollution established that: DOH has enforceable policies, and HRS section 342D-11 authorizes DOH to “institute a civil action to prevent violations” of water quality standards. HRS section 342D-9(a)(1) also permits DOH to issue written notice and order requiring violators to “take such measures as necessary to correct” their violations.
- Three Mountain Alliance (TMA): the Three Mountain Alliance was formed as one of Hawai’i’s Watershed Partnerships. Partners include Federal agencies (National Park Service, US Fish and Wildlife Service, US Department of Agriculture, US Geological Service), State agencies (Departments of Land and Natural Resources and Public Safety), and private land owners (Kamehameha Schools, The Nature Conservancy). The TMA’s management goal is to sustain the multiple ecosystem benefits provided by the three mountains of Kīlauea, Mauna Loa, and Hualālai by responsibly managing its

watershed areas, native habitats and species, and historical, cultural, and socio-economic resources. To implement its 2007 Management Plan, the TMA actively coordinates programs in the following areas: habitat protection and restoration, watershed protection, education, awareness and public outreach, and research and monitoring.

- Soil and Water Conservation District (SWCD): Ka'ū has its own Soil and Water Conservation District, and part of the District's role is to advance soil and water conservation.
- USDA Natural Resource Conservation Service (NRCS): The Natural Resources Conservation Service is a principal agent of the US Department of Agriculture providing conservation technical assistance to private landowners, soil and water conservation districts, and other organizations.

For more information, see pages 19, 28, 93, 122-124, 130-131, 147, and 151-152 of Appendix V4A.

Policy 65 Actively implement the Honu'apo Park Resources Management Plan.

Honu'apo Park is owned by the State of Hawai'i and was set aside to the County of Hawai'i for Estuarine Land Conservation and Public Recreation purposes by Executive Order No. 4164 in 2006. The County's Department of Parks and Recreation (DPR) signed a Memorandum of Understanding (MOU) with Ka Ohana O Honu'apo (KOOH) in 2008, which allows KOOH to assist the County in maintaining current park facilities and to plan for additional restoration and conservation activities and community park improvements. The goal of the Honu'apo Park Resources Management Plan is to provide land use guidance to help protect and restore the important natural and cultural resources of the property while providing integrated and respectful recreational and educational opportunities for the Ka'ū community. Implementation steps include wetland restoration, native plantings, enhanced recreation facilities (e.g., BBQ pits, pavilions, camping), improved access and parking, the Ala Kahakai trail segment, improved signage and interpretative displays, community-based management, and ongoing cultural and educational activities.

For more information, see page 82 of Appendix V4A and page 120 of Appendix V4B.

Policy 66 Complete and implement the Kāwā Stewardship plan.

In 2012, the Mayor's office began preparing a plan for community-based, collaborative stewardship of the County's property at Kāwā. For more information, see page 82 of Appendix V4A.

Policy 67 Develop and implement resource management plans for coastal properties secured by the County in the future.

Several CDP strategies focus on securing additional coastal parcels as preserves. Once they are protected as public lands or in private easements, resource management plans must be developed and implemented to ensure the continued protection of natural and cultural resources. For more information, see page 54 of Appendix V4A.

Policy 68 Encourage the use of Hawaiian plants (indigenous and Polynesian-introduced plants) by State, County, and private landowners in order to support a Hawaiian sense of place, to ensure that our cultural heritage is reflected in landscaping, and to help reverse the displacement and decline of Hawaiian plants.

An important component of the ecological and cultural heritage of Hawai‘i and Ka‘ū are the native, endemic, and “canoe” plants introduced by early Polynesian settlers. These plants are also often better adapted to local conditions and therefore easier to establish and maintain.

4.6.4 Advocacy

4.6.4.1 U.S. Congress

- Provide sufficient funding to the Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Pacific Islands Area (PIA), the Farm Service Agency, and the Fish and Wildlife Service (FWS) to **adequately implement critical conservation programs**.

The Natural Resources Conservation Service (NRCS) is a principal agent of the US Department of Agriculture providing conservation technical assistance to private landowners, soil and water conservation districts, and other organizations. Hawai‘i is within the NRCS’ Pacific Islands Area (PIA), which has service centers in Hilo, Kealahou, and Waimea.

Through the USDA Farm Service Agency (FSA) Conservation Loan Program (CLP), the FSA makes and guarantees loans to promote NRCS-approved conservation practices on farms and ranches. The goal is to provide access to credit for farmers who need and want to implement conservation measures on their land but do not have the “up front” funds available to implement these practices.

The US Fish and Wildlife Service (FWS) Landowner Incentive Program (LIP) provides funding and technical assistance to enhance, protect, or restore habitats that benefit federally listed, proposed, or candidate species, or other at-risk species on private lands. According to the Hawai‘i Watershed Atlas, Ka‘ū’s Hīlea Gulch, Nīnole Gulch, and Kaunāmano watersheds are home to the Orangeblack Hawaiian Damselfly (*Megalagrion xanthomelas*), a threatened native species.

Likewise, the FWS Partners for Fish and Wildlife program provides technical and cost-share funding for the voluntary restoration of native habitats on private lands and Hawaiian Homelands to achieve long-term benefits to threatened and endangered species. Projects can include, but are not limited to, construction of fences to exclude feral ungulates; control of alien plants, mammalian predators, and feral ungulates; out-planting of native plants; and restoration of native ecosystem elements, such as hydrology and micro-habitat conditions.

For more information, see page 147-149 of Appendix V4A.

4.6.4.2 Army Corps of Engineers

- **Expedite the removal of unexploded ordnance** in the vicinity of Pākini Nui, including additional surveying of potential sites with unexploded ordnance.

For more information, see page 112 of Appendix V4A.

4.6.4.3 State Legislature

- Provide the Department of Land and Natural Resources (DLNR) the resources necessary to **actively support local Soil and Water Conservation Districts (SWCD)**.

HRS Chapter 180 establishes Soil and Water Conservation Districts as State agencies with powers to conduct research and demonstrations, develop plans, and provide support to landowners relating to soil and water conservation. Ka‘ū has its own Soil and Water Conservation District.

For more information, see page 131 of Appendix V4A.

- Authorize and fund a **South Hawai'i Marine Protected Area (MPA)**.

Despite the nearshore waters classification as Class AA in Ka'ū, which should “remain in their natural pristine state as nearly as possible” and whose “wilderness character...shall be protected,” the waters east of South Point are not actively managed, are largely unprotected, and are outside County jurisdiction. Though DLNR's DOCARE and NOAA have enforcement mechanisms, they are understaffed. An MPA could focus on conservation and prevention as a means to pro-actively avoid future threats to the quality of nearshore resources.

Marine Protected Areas (MPAs) are marine areas that have been reserved by federal, state, tribal, or local laws or regulations to provide protection to part or all of the natural and cultural resources therein. They may permit some extractive activities, including certain kinds of recreational fishing such as pole-and-line, spear fishing without SCUBA, and certain types of nets. There are several kinds of MPAs that vary according to limitations, including Fishery Management Areas (FMA), Fishery Replenishment Areas (FRA), Marine Life Conservation Districts (MLCD), and No-Take Reserves. “No-take” MPAs prohibit access or removal of marine life. MLCDs are designed to conserve and replenish marine resources. MLCDs allow only limited fishing and other consumptive uses, or prohibit such uses entirely. FRAs and FMAs focused on fisheries management rather than prohibition. FRAs have open/closed years to allow stocks to rest and recover during closed years. FMAs usually focus on gear restrictions and bag limits to address a recognized problem.

For more information, see pages 33, 90-95, 97-99, and 101 of Appendix V4A.

4.6.4.4 Department of Health

- **Require implementation of management measures** to prevent nonpoint source pollution.

A 2003 Attorney General's opinion on the State's authority to prevent nonpoint source pollution and to require implementation of management measures to reduce nonpoint source pollution established that: the Department of Health (DOH) has enforceable policies, and HRS section 342D-11 authorizes DOH to “institute a civil action to prevent violations” of water quality standards. HRS section 342D-9(a)(1) also permits DOH to issue written notice and order requiring violators to “take such measures as necessary to correct” their violations.

For more information, see page 130-131 of Appendix V4A.

4.6.4.5 Department of Land and Natural Resources

- Following the recommendation of the South Kona-Ka'ū Coastal Conservation Task Force, **dedicate at least one State DOCARE officer to the Ka'ū district to aid in enforcement.**

The DLNR's Division of Conservation and Resource Enforcement (DOCARE) is responsible for enforcement activities of the Department of Land and Natural Resources. With full police powers, DOCARE enforces all State laws and rules involving State lands, State Parks, historical sites, forest reserves, aquatic life and wildlife areas, coastal zones, Conservation districts, State shores, as well as County ordinances involving County parks. In 2010, the DOCARE had 22 Conservation and Resource Enforcement Officers (CREO) on Hawai'i Island. Due to shortages, patrols have been reduced, and CREO typically only respond to calls. They also rely on County police, on occasion.

For more information, see page 33 of Appendix V4A.

4.6.4.6 Department of Hawaiian Home Lands

- Maintain the Ka Lae (South Point) coastal areas and related infrastructure for recreational, cultural, education, and/or scientific uses in a manner that is protective of resources and is consistent with the Hawaiian Homes Commission Act and all applicable laws related to Native Hawaiian rights and public shoreline access. (GP 8.3(c) & 12.5.9.2(d)).

DHHL owns much of the land south of Discovery Harbour, including South Point (Ka Lae) and much of the coastline between Ka Lae and Ka’alu’alu Bay. DHHL has complete land use authority over DHHL lands and is therefore responsible for determining land use of Hawaiian Home Lands.

DHHL’s 2002 Hawai’i Island Plan designates the coastline from Ka’alu’alu Bay southwest to approximately Green Sands Beach as “Pastoral” and “General Agriculture.” The remainder of DHHL’s coastal land at Ka Lae is designated “Special District.” Pastoral areas are considered large lot agriculture specifically for pastoral uses, including homesteading and some commercial uses. Ranch plans and fencing are required if used for homesteading. General Agriculture areas are prime agricultural areas for intensive or extensive homesteading or commercial level farming or ranching. These lands may also serve as an interim use until opportunities for higher and better uses become available. “Special Districts” are areas requiring special cultural and natural resources, open spaces, raw lands, mixed uses, resorts, or green-ways

DHHL developed a Ka’ū Regional Plan with beneficiaries and the Ka’ū community, which emphasizes preservation of cultural sites, management of vehicular and pedestrian access, interpretation, and education in the Ka Lae area.

This advocacy initiative is an affirmation of the following General Plan policies:

- 8.3(c): “Maintain the shoreline for recreational, cultural, education, and/or scientific uses in a manner that is protective of resources and is of the maximum benefit to the general public.”
- 12.5.9.2(d): “Encourage the State Department of Hawaiian Homes Lands to develop the South Point area for recreational opportunities.”

For more information, see page 89 of Appendix V4A.

4.6.4.7 Three Mountain Alliance (TMA)

- **Strengthen the community and County role in the TMA.**
- **Actively implement the Ocean Resources Management Plan (ORMP), the Rain Follows the Forest Plan, and the Ka’ū Forest Reserve Management Plan.**
- **Develop watershed management plans** for high priority watersheds.

Forests in Ka’ū largely fall outside of County jurisdiction, and the Three Mountain Alliance is already actively engaging mauka landowners in collaborative strategies for protecting, restoring, and enhancing mauka forests in Ka’ū. But because forest management has broad community impacts, both the County and the community should maintain open communication with the TMA and its partners and actively collaborate on appropriate initiatives.

The Three Mountain Alliance (TMA) was formed as one of Hawai'i's Watershed Partnerships. Partners include Federal agencies (National Park Service, US Fish and Wildlife Service, US Department of Agriculture, US Geological Service), State agencies (Departments of Land and Natural Resources and Public Safety), and private land owners (Kamehameha Schools, The Nature Conservancy). The TMA's management goal is to sustain the multiple ecosystem benefits provided by the three mountains of Kīlauea, Mauna Loa, and Hualālai by responsibly managing its watershed areas, native habitats and species, and historical, cultural, and socio-economic resources. To implement its 2007 Management Plan, the TMA actively coordinates programs in the following areas: habitat protection and restoration, watershed protection, education, awareness and public outreach, and research and monitoring.

In 2012, DOFAW adopted the Ka'ū Forest Reserve Management Plan. According to the Environmental Assessment for the Plan, the following management actions related to mauka forest management will be undertaken throughout or in selected parts of the Reserve as part of a 10 to 20 year management plan for this area:

- Implement the actions in such a way as to maintain the local character, control, and involvement, or "Keep Ka'ū, Ka'ū"
- Maintain local residents' access to all areas of the Reserve, including fenced areas
- Maintain existing public access roads for use for recreational uses, hunting, and traditional and cultural practices
- Develop new access routes to increase access by hunters and others in cooperation with neighboring uses, particularly on existing roads or other alignments just within the Reserve boundary, and across private and State-leased lands below the Reserve
- Provide appropriate and secure routes just makai of the Reserve and mauka of farms and pastures and explore working with local residents to monitor access in order to prevent inappropriate access and provide security and a sense of community stewardship
- Continue to facilitate public hunting in the Reserve by including walkovers and gates in fenced areas, and increase access to lower portions of the Reserve to allow for public hunting
- Use local hunters wherever safe, feasible and effective as part of the first steps when removing feral ungulates from a management unit, and explore the ideas of one-way gates for pigs
- Fence management areas and remove feral and introduced ungulates from within fenced management areas for watershed and native ecosystem health
- Remove weeds in high priority areas, control them along invasion corridors, and prevent the introduction of invasive species
- Implement non-native predator control (i.e., feral cats, mongoose, rats)
- Propagate and re-introduce certain species of rare and endangered plants
- Restore 'Alalā to the wild
- Continue the long-term forest bird monitoring program to assess changes in bird population and distribution

- Survey and inventory rare native plants and animals (including insects and snails)
- Improve habitat and recover rare and endangered plants by propagation and reintroduction of plants into appropriately fenced and protected habitat
- Develop low-impact activities and minimal improvements, including picnic and camping areas, trails and public cabins/shelters. DOFAW seeks community input and recommendations on the potential development and locations for additional recreational amenities.
- Hire outreach staff and work with partners to provide community outreach and education (e.g. volunteer service trips, student internships, and school programs) to build public understanding of and support for the Reserve’s unique native resources
- Provide education to children (through schools and youth programs) and the general public to encourage involvement in forest management and Hawaiian use of the forest, incorporating volunteer opportunities in the Reserve so people can give back to the land and their communities and be an integral part of the management team for the Reserve
- Respond to fires, as needed
- Monitor the forest for insects and disease and conduct other management as required to control damaging insects, slugs, and/or plant disease
- Determine environmentally compatible means for generation of revenue to support proposed management activities
- Participate in collaborative initiatives such as the Three Mountain Alliance and with other public and private forest landowners.

The DLNR’s Rain Follows the Forest plan identifies priority watershed areas based on potential changes in recharge based on land cover changes. All of the priority areas in Ka’ū are already protected either by public ownership or other means. Specific strategies to protect watersheds include:

- Remove all invasive hooved animals from priority I and II areas using fencing and public hunting
- Remove or contain damaging invasive weeds that threaten priority I and II areas using fencing and mechanical, chemical, and biological controls
- Monitor and control other forest threats including fires, predators, and plant diseases
- Restore and plant native species in priority areas and buffer areas
- Educate Hawai’i’s residents and visitors about the cultural, economic, and environmental importance of conserving native forests using teacher training, educational programming, and an expanded Youth Conservation Corps
- Promote consistent and informed land use decision-making that protects watersheds.

For more information, see page 21, 28-29, 125, 152-154 of Appendix V4A.

4.6.5 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind these actions and initial implementation steps.

4.7 Protect and Enhance Cultural Assets

4.7.2 Land Use Policy

Policy Intent

Policy 69 Protect, restore, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai‘i. (GP 6.2(a))

This is an affirmation of General Plan policy 6.2(a): “Protect, restore, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai‘i.”

Policy 70 Protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua‘a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights. (Hawai‘i State Constitution, Article 12, section 7; HRS §§ 1-1 & 7-1; *Ka Pa‘akai o ka ‘Āina v. Land Use Comm’n*, 94 Hawai‘i 31 (2000); *Pele Defense Fund v. Paty*, 73 Haw. 578 (1992))

This is an affirmation of policy established in Article 12, Section 7 of the Hawai‘i State Constitution: “The State reaffirms and shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua‘a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights.” That section of the Constitution has been further reinforced in Hawai‘i Revised Statutes and by the courts.

For more information, see page 166 of Appendix V4A.

Policy Controls

Policy 71 Review and comment by DLNR’s State Historic Preservation Division (SHPD) shall be requested for any permit or entitlement for use which may affect any building, structure, object, district, area, or site that is over fifty years old. (HRS 6E-42)

This policy is an affirmation of existing regulatory protocols established in HRS 6E-42. For more information, see page 166-167 of Appendix V4A.

Policy 72 In the “Low Density Urban” (LDU) and “Medium Density Urban” Land Use Policy Map categories, in those cases where provisions of the zoning and subdivision codes are inconsistent with the character of surrounding neighborhoods, variances or PUDs that maintain consistent village/town character should be encouraged.

Pursuant to HCC sections 23-15 and 25-2-51, a variance from the provisions of the zoning or subdivision codes may be granted by the Planning Director if there are special or unusual circumstances applying to the subject real property which exist to a degree which obviously interferes with the best use or manner of development of that property. The variance must be consistent with the general purpose of the district, the intent and purpose of the County Code, and the General Plan and not be materially detrimental to the public welfare or cause substantial, adverse impact to an area’s character or to adjoining properties.

Planned Unit Developments (PUD) are essentially packages of variances for a minimum land area of two acres. Pursuant to HCC section 25-6-1, the purpose PUDs is to encourage comprehensive site planning

that adapts the design of development to the land, by allowing diversification in the relationships of various uses, buildings, structures, open spaces, setbacks, building heights, and lot sizes. A PUD permit may be granted if:

- The proposed development substantially conforms to the General Plan
- Any residential or agricultural development shall constitute an environment of sustained desirability and stability for the district that is in harmony with the character of the surrounding area
- Any commercial development shall be an attractive center which does not adversely impact upon adjacent and surrounding existing or prospective developments
- The development of a harmonious, integrated whole justifies exceptions, if required, to the normal requirements of the Zoning Code and the contemplated arrangements or use make it desirable to apply regulations and requirements differing from those ordinarily applicable under the district regulations.

The intent of this policy is to encourage use of these planning tools to support development and construction that reflect community values of architectural beauty and distinctiveness.

For more information, see pages 137-138 of Appendix V4A.

Policy 73 The development of commercial facilities should be designed to fit into the locale with minimal intrusion while providing the desired services. Appropriate infrastructure and design concerns shall be incorporated into the review of such developments. (GP 14.3.3(f))

This is an affirmation of General Plan policy 14.3.3(f): “The development of commercial facilities should be designed to fit into the locale with minimal intrusion while providing the desired services. Appropriate infrastructure and design concerns shall be incorporated into the review of such developments.” For more information, see page 14 of Appendix V4B.

Policy 74 As appropriate to maintain community character while also accommodating drainage, walkability, maintenance, and other site-specific needs when improving existing roads in Pāhala, Nā’ālehu, and Wai’ōhinu, retain the current road design, including pavement width and lack of curbs, gutters, sidewalks, or paved shoulders and swales.

The 1978 “Pāhala and Nā’ālehu Urban Design Plans” were developed to facilitate quality design in future development and construction, both public and private, by addressing land use, circulation, community facilities, protection of significant historic and natural features, and design guidance for environmental and architectural character. The Plans recommended that the County maintain streetscape standards that do not require curbs and gutters where drainage can be adequately handled with landscaped or asphalt swales.

Sections 23-41 and 23-86 and 87 of the County’s Subdivision Code establish minimum road right-of-way and pavement widths in feet, unless otherwise indicated on the County General Plan. HCC 23-86 also specifies that streets shall be constructed in accordance with the specifications on file with the Department of Public Works. Moreover, HCC 23-91 gives the Planning Director authority to recommend and the County Council to require the construction of curbs and gutters, which shall be constructed in accordance with specifications of the Department of Public Works.

The Subdivision Code distinguishes “minimum right of way,” “minimum urban pavement,” and “minimum rural pavement” for dedicable streets. The minimum right of way for business, industrial, and collector streets is 60 feet, and 50 feet for minor streets. Lots one acre and smaller must conform to urban standards, and lots between one acre and up to three acres follow rural standards. In urban areas (lots one acre or less), business and industrial streets require 36 feet of pavement, collector streets require 24 feet of pavement (36 feet with curb and gutter), and minor streets require 20 feet of pavement (32 feet with curb and gutter). In rural areas (between one and three acres), business and industrial streets require 24 feet of pavement, collector streets require 20 feet of pavement, and minor streets require 20 feet of pavement.

Huapala, Pakalana, Pumeli, Ohia, Lehua, Puahala, Kaoli, Liau, Keahi, and Kokio Streets in Pāhala are consistent with the County standards for minor streets; they have a 50-foot ROW and 19-20 feet of pavement. However, because many of the streets in Pāhala, Nā’ālehu, and Wai’ōhinu were designed before these standards were established, they may not conform. For example,

- Rear lanes in Nā’ālehu as well as Hapu, Hala, and Hau Streets in Pāhala have a 30-foot ROW and 16 feet of pavement.
- Residential streets in Nā’ālehu as well as Hinano, Lima, and portions of Pikake in Pāhala have a 36-40 foot ROW and 8 or 9 feet of pavement.

There are a limited number of roads in Ka’ū with curbs, gutters, and sidewalks.

The intent of this policy is to retain the rural character of roads in Ka’ū by mimicking, to the extent possible, the existing road design when building new roads.

For more information, see pages 75-83 and 144 of Appendix V4B.

Policy 75 As appropriate to maintain community character while also accommodating drainage, walkability, maintenance, and other site-specific needs, new roads (both public and private) in the Ka’ū CDP planning area may be constructed without curbs, gutters, sidewalks, or paved shoulders and swales. (HCC 23-41, 86, 87, & 91)

This policy follows a rationale similar to that of Policy 73 but applies it to existing roads.

4.7.3 County Action

Policy 76 Restore and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai’i. (GP 6.2(a) and 6.3(e), (f), & (j))

This is an affirmation of General Plan policy 6.2(a): “Protect, restore, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai’i.” It will require implementation of several related General Plan policies, including:

- 6.3(j): “Develop a continuing program to evaluate the significance of historic sites.”
- 6.3(f): “Encourage the restoration of significant sites on private lands.”
- 6.3(e): “Embark on a program of restoring significant historic sites on County lands. Assure the protection and restoration of sites on other public lands through a joint effort with the State.”

The Cultural Resources Commission is the natural lead for these initiatives. Its charge is to protect, preserve, and enhance historic properties and artifacts and to formulate historic preservation policies, programs, and plans. Specific duties include:

- Initiate, accept, review and recommend to the State historic preservation officer historic properties nominations for inclusion on the State and National Registers
- Administer the Certified Local Government program of federal assistance for historic preservation within the County
- Use the State Historic Preservation Plan to develop and implement a comprehensive County-wide historic preservation planning process.

The Commission could also protect and preserve nationally significant historic structures and sites through the Save America’s Treasures program and sponsor the Historic Landmarks Designation for places that possess exceptional value or quality in illustrating or interpreting the heritage of the United States.

For more information, see pages 163-168 of Appendix V4A.

Policy 77 Adopt and implement street design standards that accommodate, where appropriate, flexibility in the design of streets to preserve the rural character of an area, including pavement width, unpaved shoulders/swales, rock walls, lighting, and landscaping featuring native plants. (GP 13.2.3(I); North Kohala CDP Strategy 4.8)

This policy affirms two existing policies:

- General Plan policy 13.2.3(I): “Adopt street design standards that accommodate, where appropriate, flexibility in the design of streets to preserve the rural character of an area and encourage a pedestrian-friendly design, including landscaping and planted medians.”
- Strategy 4.8 of the North Kohala CDP: Develop and implement Rural Infrastructure Standards. Desirable features of rural infrastructure would include neighborhood low-speed roads with drainage down the center of pervious pavement (preventing shoulder erosion), runoff routed to sedimentation ponds, road design following the contours of the terrain (as opposed to “cookie-cutter” layout), wide grass shoulders for walkways and trees, and underground utilities (additionally advantageous in hurricanes and storms, as well as emergency relief efforts), and low profile minimal street lighting.

For more information, see pages 14 and 77 of Appendix V4B.

Policy 78 Install an historic streetscape on Kamani Street in Pāhala.

The 1978 “Pāhala and Nā’ālehu Urban Design Plans” were developed to facilitate quality design in future development and construction, both public and provide, by addressing land use, circulation, community facilities, protection of significant historic and natural features, and design guidance for environmental and architectural character. The Plans recommended that the County

- Maintain appropriate gateway treatment to create a visual awareness of arrival in Pāhala by
 - Announcing the entry points at Kamani and Maile Streets with trees on the mauka side of the highway
 - Establishing a tree canopy on both sides of Kamani Street

- Maintain streetscape standards to include landscape and lighting.

The intent of this policy is to advance development and construction that reflect community values of architectural beauty and distinctiveness by implementing elements of the 1978 design plans.

For more information, see page 144 of Appendix V4B.

4.7.4 Advocacy

4.7.4.1 State Legislature

- Following HRS 6E, **provide the Department of Land and Natural resources sufficient staff and funding** for the State Historic Preservation Division to fulfill its mandate.

The State Historic Preservation Division (SHPD) in the Department of Land and Natural Resources (DLNR):

- Maintains a statewide Inventory of Historic Properties
- Maintains the Hawai'i Register of Historic Places and Hawai'i properties entered on the National Register
- Reviews development projects to mitigate the effects on historic and cultural resources
- Maintains a library of archaeological inventories and reports, including over 120 for sites in Ka'ū
- Manages the Burial Sites Program, the Certified Local Government Program, the Historic Preserves Program, the Information and Education Program, and Inter-Agency Archaeological Services to promote the use and maintenance of historic properties.

For more information, see pages 22 and 166-167 of Appendix V4A.

4.7.5 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind these actions and initial implementation steps.

4.8 Establish and Manage Public Access

4.8.2 Land Use Policy

Policy Intent

Policy 79 Ensure appropriate public access to the shoreline, public trails, hunting areas, scenic places and vistas, and significant historic sites, buildings, and objects of public interest. Additionally, ensure access for cultural practitioners. (GP 6.2(b), 7.3(a), and 8.3(r))

This is an affirmation of the following General Plan policies:

- 6.2(b): Appropriate access to significant historic sites, buildings, and objects of public interest should be made available.
- 7.3(a): Increase public pedestrian access opportunities to scenic places and vistas.
- 8.3(r): Ensure public access is provided to the shoreline, public trails, and hunting areas.

For more information, see pages 152 of Appendix V4A.

Policy Controls

Policy 80 Appropriate public access to and along the shoreline shall be ensured as a condition of SMA exemptions and permits. (HRS 205A-26)

This is an affirmation of HRS Chapter 205A, which enables the State and County to enact laws, rules, and regulations that support the public’s access to and along the shoreline. SMA permits for oceanfront properties frequently require the applicants to allow some form of shoreline public access as a condition of receiving approvals. For more information, see pages 25 and 103-106 of Appendix V4A.

Policy 81 Subdividers of six or more lots, parcels, units, or interests shall be required to dedicate land for public access for pedestrian travel from a public highway or street to the land below the high-water mark on any coastal shoreline or to areas in the mountains where there are existing facilities for hiking, hunting, fruit-picking, ti-leaf sliding, and other recreational purposes, and where there are existing mountain trails. (HRS 46-6.5 and HCC 34-4(c))

This is an affirmation of HRS section 46-6.5 and HCC section 34-4(c). For more information, see pages 25 and 107 of Appendix V4A.

4.8.3 County Action

Policy 82 In co-sponsorship with the State when possible, acquire land for public access to historic sites and objects and to the shoreline where safe transit does not already exist. (HRS 115-2 & 7; GP 6.3(d))

This is an affirmation of the following policies:

- HRS section 115-2 states that the “counties shall purchase land for public rights-of-way to the shorelines, the sea, and inland recreational areas, and for public transit corridors where topography is such that safe transit does not exist.”

- HRS section 115-7 allows for State and County “co-sponsorship” of acquisitions for public access.
- 6.3(d): Public access to significant historic sites and objects shall be acquired, where appropriate.

For more information, see pages 25 and 163 of Appendix V4A.

Policy 83 Establish and maintain an active public access program.

State and County policy requires that the County ensure public access. In addition, HCC section 34-4(b) requires the County Planning Department to work with the State DLNR and County Department of Parks and Recreation to compile an inventory (including maps) of “public-owned areas and the approximate location of the existing public trails.” However, the County doesn’t have a formal public access program, and the County’s public access inventory currently consists of primarily shoreline public accesses.

This policy is intended to address those deficits. The County’s public access program should include protocols for mapping and marking access points and easements, standards for signage and access maintenance, access regulations, and community-based management strategies. The program could also expand the public access inventory to include mauka public access.

For more information, see pages 25-27, 57-64, 107, and 166 of Appendix V4A.

4.8.4 Advocacy

4.8.4.1 State Legislature

- To facilitate greater public access to and along the shoreline and elsewhere, **amend HRS 520, Hawai’i’s Recreational Use Statute (RUS), to make it less ambiguous and to discourage frivolous lawsuits.**

To encourage landowners to voluntarily allow public access, HRS Chapter 520, Hawai’i’s Recreational Use Statute (RUS), limits the landowner’s liability if access is opened to the public without charging a fee. A few highlights of this law:

- “Recreational purposes” covered under this law are very broad and include but are not limited to “hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, winter sports, and viewing or enjoying historical, archaeological, scenic, or scientific sites.”
- The owner who permits public recreational access “owes no duty of care to keep the premises safe,” or “to give any warning of a dangerous condition, use, structure, or activity” on the premises to recreational users or to those who enter to provide rescue, medical care, or other form of assistance to the recreational user. Nor does the landowner assume any responsibility for any injury to the recreational user or the user’s property while entering his property for recreational purposes.
- The law’s protection extends to landowners who are required to provide access or parking for public access because of “state or county land use, zoning, or planning law, ordinance, rule, ruling, or order, etc.”
- The law does not require the landowner to open his/her property to every member of the public in order to receive protection of the statute.

- No prescriptive rights can result from use of the land under this statute. Prescriptive easements can be created where open and continuous public passage over private land can be proven to have occurred over a period of at least 20 years. Prescriptive easements are difficult to successfully claim.
- Protection under this law does not extend to the landowner’s house guests or if any admission price or fee has been asked in return for invitation or permission to enter the land. Also, there is no protection under this statute for “willful or malicious failure to guard or warn against a dangerous condition... which the landowner knowingly creates or perpetuates.”
- If the landowner receives compensation from leasing the land to the State or other government entity, that will not be considered a “charge” for use of the land, and protection under this law will still be given.

Unfortunately, RUS’s do not prevent landowners from being sued, but they make it difficult for the injured recreational user to win a lawsuit. Some states have taken action to discourage lawsuits. For example, the RUS for Colorado states: “The prevailing party in any civil action by a recreational user for damages against a landowner who allows the use of the landowner’s property for public recreational purposes shall recover the costs of the action together with reasonable attorney fees as determined by the court.” This protects landowners from frivolous lawsuits.

HRS section 198D-7.5 allows the DLNR to enter into agreements with owners of public or private land who open their lands to public access. These agreements “may provide that the State will defend the owner, its affiliates, and their respective heirs, executors, (etc.)...from claims made by public users of the owner’s land.” These agreements may also “provide that the State will indemnify the owner, its affiliates, (etc.)...for property losses incurred due to public use.”

For more information, see page 25-26 of Appendix V4A.

4.8.4.2 Three Mountain Alliance (TMA)

- Actively implement the TMA and Ka’ū Forest Reserve management plans, including steps to:
 - Maintain existing public access roads
 - Increase public access for hiking and other recreational activities on public lands
 - Support public hunting on appropriate TMA lands, where compatible with watershed protection values
 - Establish access agreements and management partnerships with landowners and local ranchers, farmers, and hunters
 - Develop new access routes to increase access in cooperation with neighboring uses, particularly on existing roads or other alignments just within the Reserve boundary, and across private and State-leased lands below the Reserve
 - Develop a mauka access management system, building on lessons learned from the Kapāpala Ranch access system.

In 2012, DOFAW adopted a Ka’ū Forest Reserve Management Plan. According to the Environmental Assessment for the Plan, the management actions listed in section 4.8.4.2 of the CDP related to

community-based, collaborative resource management will be undertaken throughout or in selected parts of the Reserve as part of a 10 to 20 year management plan for this area.

For more information, see pages 21 and 154 of Appendix V4A.

4.8.5 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.

4.9 Establish and Manage a Regional Trail System

4.9.2 Land Use Policy

Policy Control

Policy 84 Where a subdivision is traversed by a natural watercourse, drainage way, channel, or stream, the Planning Director should require a pedestrian, equestrian, and/or bicycle path when the opportunity exists to connect to existing or future drainage or trail corridors. (HCC 23-30)

HCC section 23-30 allows for the Planning Director to require streets or parkways parallel to natural water courses, including drainage ways, channels, or streams. A street is defined as “the entire width between the boundary lines of every public way provided for public use, for vehicular and pedestrian traffic.”

The intent of this policy is to expand the regional trail system, when opportune and appropriate, to include mauka-makai trails.

For more information, see page 31 of Appendix V4B

4.9.3 County Action

Policy 85 Develop a network of pedestrian access trails to places of scenic, historic, natural or recreational values. This system of trails shall provide, at a minimum, an island-wide route connecting major parks and destinations. (GP 12.3(m))

This is an affirmation of General Plan policy 12.3(m): “Develop a network of pedestrian access trails to places of scenic, historic, natural or recreational values. This system of trails shall provide, at a minimum, an island-wide route connecting major parks and destinations.”

This will require establishing a baseline of existing trails, identifying potential trails, and prioritizing trail development and management.

For more information, see pages 8, 10, 11-13, and 24-26 of Appendix V4A.

Policy 86 Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding in Ka’ū.

The Ala Kahakai National Historic Trail envisions a shoreline trail from the Hawai’i Volcanoes National Park through Ka’ū, South Kona, North Kona, South Kohala, and all the way to Upolu Point in North Kohala. The Trail was dedicated in 2000 and recently went through a comprehensive management planning process. The trail is planned to incorporate a continuous linear trail along the coastline, additional ancient and historic trail segments parallel to the shoreline within the trail corridor, connected mauka-makai trails, and historic canoe landing areas as appropriate.

Trails in one form or another exist along the entire length of Ka’ū’s shoreline and interior, with numerous mauka-makai trails connecting the coastal fishing villages to the agricultural settlements and forests in the uplands. The AKNHT combines three kinds of trails: ancient trail predating western contact (pre-1778), historic trail developed post-contact as part of the government road system and vested as a public trail under the Highways Act of 1892, and linkages connecting the ancient and historic trail segments. The trail is planned to incorporate a continuous linear trail along the coastline, additional ancient and historic

trail segments parallel to the shoreline within the trail corridor, connected mauka-makai trails, and historic canoe landing areas as appropriate. Very little of the AKNHT is formally established, particularly in Ka'ū.

The Ala Kahakai Comprehensive Management Plan (CMP) and the County-State-National Park Service Memorandum of Understanding (MOU) outline the following steps for the County of Hawai'i Planning Department:

- Require that applicants for land use permits conduct metes and bounds surveys of any historic trails and routes. This is required for Na Ala Hele to claim easements and for Ala Kahakai to incorporate shoreline trail corridors into its trail system.
- Work with the National Park Service (NPS) to identify public access easements with potential incorporation into the trail.
- Enforce County and State laws requiring public access to and along the shoreline as a condition of land use approvals.
- Encourage private landowners who have public access requirements as conditions of a land use approval to execute an agreement with the NPS to include these areas in the trail, where appropriate.

The MOU also outlines the following steps for the County Parks and Recreation Department:

- Work with the NPS to identify trail segments through county parks for incorporation into the Trail
- Provide management of the Trail consistent with the CMP where it traverses county parks
- Collaborate on the design of specific signage that identifies the route of the Trail, particularly where it traverses County Beach Parks.

For more information, see pages 30-32 and 83-87 of Appendix V4A.

Policy 87 Appropriate, finance, allot, and encumber capital improvement projects in support of trail development as part of a regional trail system.

To implement Policy 84, the County will have to make some investments. Based on information about existing and potential trails in Appendix V4A, the initial appropriations should be for

- Designing and planning high potential trails outside Federal and State jurisdiction, possibly including coastal trails, the Old Māmalahoa Highway, the Nā'ālehu Bypass, and mauka-makai routes connecting Māmalahoa Highway and Ka'alāiki Road.
- Research into and surveying of potential trails
- Executing management agreements with landowners and community-based groups
- Developing access rules
- Developing an access control system (e.g., SmartCard)
- Developing management plans for specific access points and trail segments.

4.9.4 Advocacy

4.9.4.1 *National Park Service*

- **Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding** in Kaʻū.

See the rationale for Policy 85. The referenced MOU identifies the following specific roles for National Park Service:

- Act as the lead agency in coordinating activities associated with the implementation of the CMP and the MOU and with the administration and management of the Trail
- Consider accepting management responsibilities for state-owned portions of historic trail that become official parts of the Trail or for land owned by private entities that wish to participate in the Ala Kahakai NHT program
- Coordinate with the Hawaiʻi Island Nā Ala Hele Trail and Access Advisory Council on issues that pertain to the Trail.

4.9.4.2 *Department of Land and Natural Resources*

- **Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding** in Kaʻū.

See the rationale for Policy 85. The referenced MOU identifies the following specific roles for DLNR:

DLNR overall:

- Include the Trail in the review of Conservation District Use applications and other land use permits that affect lands likely to contain ancient and historic trails that might be included in the Trail

DLNR through the SHPD:

- Assist with the investigation and classification of unrecorded burial sites and historic properties

DLNR through State Parks:

- Provide management of the Trail consistent with the NPS CMP where it traverses State Parks
- Collaborate on the design of signs and interpretive media and provide technical interpretive assistance along other sections of Trail not owned by State Parks

DLNR through the Land Division:

- As is mutually determined feasible and desirable, execute either a Set-Aside or Lease Agreement, through the BLNR and the Governor, as appropriate, that would formally approve the conveyance to the NPS of portions of State-owned ancient or historic ala loa (long trail) that qualify to be included as official components of the Trail

DLNR through Nā Ala Hele:

- Assist with the determination of alignments that qualify for recognition as part of the Trail or for conveyance to NPS

- Coordinate with the Hawai'i Nā Ala Hele Trail and Access Advisory Council on issues that pertain to the Trail
- Provide technical training on trail maintenance to NPS staff and community volunteers
- Provide input on the Trail management planning process
- Collaborate on the design of specific signage that identifies the route of the Trail on the ground and other signage, such as signs warning of specific dangerous natural conditions related to hazards
- Provide other pertinent technical information and staff support related to trail management and maintenance if it does not adversely affect other Nā Ala Hele projects and existing staff workload.

4.9.4.3 *Three Mountain Alliance*

- **Actively implement the TMA and Ka'ū Forest Reserve management plans**, including steps to:
 - Maintain existing trails in the TMA area
 - Facilitate development of the Mauna Loa Trail.

In 2012, DOFAW adopted a Ka'ū Forest Reserve Management Plan. According to the Environmental Assessment for the Plan, the management actions listed in section 4.8.4.2 of the CDP related to community-based, collaborative resource management will be undertaken throughout or in selected parts of the Reserve as part of a 10 to 20 year management plan for this area. For more information, see pages 21 and 154 of Appendix V4A.

4.10 Establish and Manage Access and Trail Facilities

4.10.2 County Action

Policy 88 Establish the Punalu‘u-Nīnole Springs region as a recreation area. (GP 12.5.9.2(c) & (g))

This is an affirmation of the following General Plan policies:

- 12.5.9.2(c): “Encourage the establishment of the Punalu‘u-Nīnole Springs region as a recreation area.”
- 12.5.9.2(g): “Encourage the restoration of Nīnole Pond as a recreation area.”

For more information, see page 80 of Appendix V4A and page 158 of Appendix V4B.

4.10.3 Advocacy

4.10.3.1 Department of Land and Natural Resources

- **Establish Ka‘alu‘alu Bay or nearby coastal areas as a remote camping-beach park** provided that the state and private landowners can resolve liability and resource management issues. (GP 12.5.9.2(e))

This is an affirmation of General Plan policy 12.5.9.2(e): “Recommend the development of Ka‘alu‘alu Bay as a remote camping-beach park.” A portion of TMK (3)9-5-006:001 near Ka‘alu‘alu Bay is designated as a Forest Reserve. Pursuant to HRS Chapter 183 and HAR Chapter 104, in the Forest Reserves, DOFAW provides recreational opportunities; watershed restoration; native, threatened, and endangered species habitat protection and management; and fire protection among many other things. The public is generally welcome into any forest reserve provided it is not dangerous or detrimental to human life or the sensitive resources.

- **Develop wilderness recreation uses in Manukā.**

DOFAW is developing a plan for the Manukā Natural Area Reserve. For more information, see page 23 of Appendix V4A.

4.10.3.3 Three Mountain Alliance (TMA)

- Actively implement the TMA and Ka‘ū Forest Reserve management plans, including steps to develop low-impact recreational amenities.

In 2012, DOFAW adopted a Ka‘ū Forest Reserve Management Plan. According to the Environmental Assessment for the Plan, the management actions listed in section 4.8.4.2 of the CDP related to community-based, collaborative resource management will be undertaken throughout or in selected parts of the Reserve as part of a 10 to 20 year management plan for this area. For more information, see pages 21 and 154 of Appendix V4A.

4.10.4 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.



Section 5: Strategy Rationale – Strengthen Infrastructure, Facilities, and Services

5.1 Coordinate Infrastructure, Facility, and Service Improvements

5.1.3 County Action

Policy 89 Implement capital improvement priorities in Ka’ū.

Capital improvements are major, nonrecurring expenditure like those listed below:

- Land acquisition
- Infrastructure improvement that adds value to the land or improves utility (e.g., roads, drainage, sewer lines, parking, landscape or similar construction)
- New buildings or structures or addition to a building, including related equipment and appurtenances that are integral to the new structure
- Nonrecurring rehabilitation or deferred maintenance of infrastructure and buildings, provided that the cost is \$25,000 or more and the improvement will have a useful life of 10 years or more
- Planning, feasibility, engineering, or design studies related to individual capital improvement projects or to a program that is implemented through individual capital improvement projects
- Information and communications technology provided that the cost is \$25,000 or more.

Communities have several options for advancing capital improvements:

- Be clear about community capital improvement priorities. The CDP is an ideal place to identify those priorities.
- Via the Planning Director, recommend the order of priority of projects. Once the CDP is adopted, this can be done formally through the CDP Action Committee. HCC section 16-6(4) empowers the CDP Action Committees to “Provide timely recommendations to the County on priorities relating to the...CIP budget and program...”
- Once high priority projects are appropriated, work with the Administration and County Council members to secure any bond authorization or other funding sources needed to finance the projects.
- Once funding is authorized for high priority projects, work with the Mayor to secure necessary project allotments.
- Once allotments are secured for high priority projects, work with the responsible agencies to prepare and execute contracts to encumber funds and initiate the projects.

The intent of this policy is to advance capital improvements for critical community infrastructure in Ka’ū. The priorities listed are a summary of the capital improvement needs identified in policies throughout the CDP.

For more information, see page 37 of Appendix V4B.

Policy 90 Implement protocols for receiving community input at meetings in Ka’ū during capital project siting and design. Consult with and solicit input from community members with generational knowledge to minimize the impact of proposed changes to the use of land on cultural practices, cultural sites, and culturally significant areas, including burials.

Despite the fact that public infrastructure siting and design can benefit from local knowledge and will significantly impact the local community, there are currently no protocols for community engagement at appropriate phases of capital project development. For more information, see page 38 of Appendix V4B.

Policy 91 Provide technical support to communities and organizations pursuing capital improvement financing through USDA Rural Development, infrastructure improvement financing districts, and other sources.

Because there are limits on the size of the capital improvement debt burden that the County and State can carry, bond financing can be complemented with other forms of infrastructure financing. For any given project, these financing tools are often used in conjunction. Appendix V4B introduces several funding sources, including USDA Rural Development, Community Improvement Districts, Community Facilities Districts, and Tax Increment Financing. The intent of this policy is to support the diversification of capital project financing with County expertise in finance and project planning and implementation.

For more information, see pages 39-41 of Appendix V4B.

Policy 92 Support use of the Air National Guard Innovative Readiness Training (ANG IRT) program in the development of infrastructure programs and projects.

As part of its Innovative Readiness Training (ANG IRT), the Air National Guard has committed to provide manpower to infrastructure projects in Ka’ū when they are “shovel ready” (i.e., when financing and permitting are in place). The target project start date is late 2014, and manpower will then be available for five years. The intent of this policy is to take advantage of this opportunity by actively collaborating with the ANG IRT.

For more information, see page 43 of Appendix V4B.

5.1.4 Advocacy

5.1.4.1 Department of Accounting and General Services, State of Hawai’i and US Postal Service

- **Improve the Nā’ālehu Civic Center**, including additional parking and building updates.

During public review of the Draft CDP, several comments spoke to the need for more parking and other facilities upgrades at the civic center.

5.1.5 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.



5.2 Improve Water Infrastructure

5.2.2 County Action

Policy 93 Water system improvements shall correlate with the County’s desired land use development pattern. (GP 11.2.2(a))

This policy is an affirmation of the following General Plan policies and of related, appropriated projects that the Department of Water Supply deems cost-effective:

- General Plan policy 11.2.2(a): “Water system improvements shall correlate with the County’s desired land use development pattern.”
- General Plan policy 11.2.4.8.2(a): “Provide additional water system improvements for the currently serviced areas of Nā’ālehu, Wai’ōhinu, and Pāhala.”
- General Plan policy 11.2.4.8.2(b): “Pursue groundwater source investigation, exploration and well development at Ocean View, Pāhala, and Wai’ōhinu.”
- General Plan policy 11.2.4.8.2(c): “Continue to evaluate growth conditions to coordinate improvements as required to the existing water system.”
- Ordinance 12-152, Ocean View Business District Water Infrastructure Improvements: \$5,760,000 were appropriated to create the redundant (backup) source required to dedicate a water system to the DWS, which might allow for the installation of service to the nearby commercial areas.
- Ordinance 12-87, South Point Road Water Infrastructure Expansion Project.

Regarding the Ocean View water system, both water quantity *and quality* are concerns. Therefore, the policy addresses both issues.

Related to the South Point project, DHHL beneficiaries identified the need for the water system to be improved to meet their homesteading needs and for fire suppression. The regional plan for Ka’ū identifies two water-related priorities: increased transmission of water into Kalae, and source development is needed to access the substantial groundwater resources. The plan calls first for a Kamā’oa Pu’u’eo Water Master Plan, which would:

1. Determine the amount of water necessary to meet the needs of current and proposed uses in Kamā’oa Pu’u’eo.
2. Access the availability of water and/or identification of a water source.
3. Determine the feasibility of utilizing the former military barracks water system (storage and conveyance).
4. Prepare preliminary engineering costs for necessary source development, water conveyance and storage to meet water requirements.
5. Consult with U.S. Department of Agriculture-Rural Development (USDA-RD) to determine if project is eligible for funding.
6. Consult with County of Hawai’i Department of Water Supply regarding hybrid system development.

7. Assess and evaluate alternatives.

DHHL has initiated that process, in consultation with the Department of Water Supply. In 2014, the Department of Water Supply began discussions with the Department of Hawaiian Home Lands regarding upgrades to existing systems to meet DWS standards. DWS's support is limited to plan review and construction inspection. Proposed improvements include new storage tanks and distributions systems from those tanks to nearby lots. These improvements will not increase system capacity significantly.

For more information, see pages 13-16 and 94-97 of Appendix V4B.

5.2.3 Advocacy

5.2.3.1 Department of Hawaiian Homelands (DHHL)

- Collaborate with the Department of Water Supply to implement the DHHL Regional Plan for Ka'ū by increasing capacity of the South Point water system to accommodate existing lots.

See the rationale for Policy 93.



5.3 Enhance the Roadway Network

5.3.2 Land Use Policy

Policy Control

Policy 94 All subdivision in the Ka‘ū CDP planning area, including condominium property regimes (CPRs) and planned unit developments (PUDs), shall conform to connectivity standards in HCC 23-28, 29, and 40 of the Hawai‘i County Code.

Sections 23-28 and 23-29 of the County’s Subdivision Code establish the following block design parameters:

- Block design: The lengths, widths, and shapes of blocks shall be designed with regard to providing adequate building sites suitable to the use contemplated, needs for convenient access, circulation, control, and safety of street traffic, and limitations and opportunities of topography.
- Block sizes: Blocks shall not exceed two tiers of lots in width and thirteen hundred feet in length, except for blocks adjacent to arterial streets or when the previous adjacent layout or topographical conditions justify a variation. Blocks shall not be less than four hundred feet in length. The desired length for normal residential blocks is from eight hundred to one thousand feet. When the layout is such that sewers will be installed or easements for future sewer lines are provided along rear lot lines, the block should not exceed eight hundred feet in length.

Section 23-40 of the County’s Subdivision Code provides the following requirements for street connectivity: The location, width, and grade of a street shall conform to the County general plan and shall be considered in its relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the street. Where the location is not shown in the County general plan, the arrangement of a street in a subdivision shall either:

- Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
- Conform to a plan for the neighborhood which has been approved or adopted by the director to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

The intent of this policy is to provide clear, place-based connectivity standards that so that new roads contribute to the existing transportation network of streets, pedestrian, and bicycle access and integrate new development with the existing fabric of the community. In Pāhala, Nā‘ālehu, and Wai‘ōhinu, and block sizes should be comparable to those already established, which are ~2,000-2,700 feet in perimeter in Pāhala and ~2,400 feet or less in Nā‘ālehu. Pursuant HCC section 23-29(c), in Pāhala and Nā‘ālehu, blocks should not exceed 800 feet in length to accommodate future sewer connections.

For more information, see pages 88-89 of Appendix V4B.

5.3.3 County Action

Policy 95 Install culverts and construct drainage channels and other related improvements as necessary to prevent flooding of roadways and other areas. (GP 13.2.5.9.2(b))

This policy is an affirmation of General Plan policy 13.2.5.9.2(b): “Install culverts and construct drainage channels and other related improvements.”

Policy 96 Improve safety along Kamā’oa Road, Ka’alu’alu Road through Green Sands, and South Point Road to Kamā’oa Road.

Improvements to these roads are longstanding community priorities, as reinforced by the volume of supporting comment during public review of the Draft CDP.

Policy 97 Improve safety on Wood Valley Road, possibly including posted speed limits, lane markers, and stop signs.

Wood Valley Road requires safety improvements. For more information, see page 73 of Appendix V4B.

Policy 98 Make intersection improvements at Pikake, Koali, and Wood Valley Roads.

The intersection of Pikake, Kaoli, and Wood Valley Roads is unsafe. For more information, see page 73 of Appendix V4B.

Policy 99 Prioritize the maintenance of County roads, including street lights, street signs, and mowing.

Many comments during public review of the Draft CDP focused on the need for more regular maintenance of County roads, their street lights, their signs, and their shoulders and swales.

Policy 100 Continue to maintain “roads-in-limbo” in coordination with the Department of Hawaiian Homelands and shoreline public access plans.

Roads in limbo (RIL) are existing road segments owned by the County or State but that are neither County nor State roads. The County has agreed to maintain RIL, and County Resolution 320-10 resolved to have the Department of Public Works (DPW) partner with communities to provide road maintenance material from County-owned quarries for the purpose of maintaining RIL. The County has identified nine existing roads in limbo segments in Ka’ū (not including paper roads), extending a total of 9.6 miles:

- Road segments off of South Point Road, including
 - Schultz Road, which is regularly maintained by DPW
 - Satellite Road in Kamā’oa Homesteads
 - Paul Road in Kamā’oa Homesteads, which is regularly maintained by DPW, except for the 1.2 miles at the end that are rough and uneven
- A portion of Ka’alu’alu Road just beyond Green Sands subdivision, which is extremely rough
- Portions of Kiolaka’a Road, including Young Road, which were recently paved by DPW



- Punalu‘u Sand Road, connected to Nīnole Loop Road at Punalu‘u
- A road segment in Wood Valley.

In the Department of Public Works’ 2010 Roads in Limbo Assessment Report, Paul Road and Satellite Road were identified as priorities for repair.

The intent of this policy is to continue maintenance of roads-in-limbo in a manner that is consistent with Community Objectives and CDP policies.

For more information, see page 75 of Appendix V4B.

Policy 101 Remove the Nā‘ālehu bypass from the General Plan transportation map.

The General Plan proposes a bypass arterial from Nā‘ālehu to Wai‘ōhinu. However, according to the State Department of Transportation (DOT), the General Plan alignment is probably based on a proposal by DOT years ago, and it is no longer actively being considered. The 2004 Draft Strategic Plan for the District of Ka‘ū also recommended shelving plans for the bypass. The intent of this policy is to bring County policy into alignment with State and community plans.

For more information, see page 73 of Appendix V4B.

5.3.4 Advocacy

5.3.4.1 Department of Transportation

- **Continue to improve Māmalahoa Highway**, realigning where necessary and prioritizing shoulder safety (particularly for bicyclists), including on the stretch of highway between Honu‘apo and the Ka‘ū Police Station. (GP 13.2.5.9.2(a))

This is an affirmation of General Plan policy 13.2.5.9.2(a): “Continue to improve Māmalahoa Highway, realigning where necessary.”

Hawai‘i DOT has created Bike Plan Hawai‘i, a detailed manual describing 37 planned and preferred bicycle facilities in the State of Hawai‘i. In this plan, Highway 11 is listed as a “Signed Shared Lane Facility” for the length of its traverse through Ka‘ū. This facility type simply means that the highway has signs indicating that cyclists are sharing the roadway. By and large, there are few segments of this highway with paved shoulders or bike lanes. However, the traffic volumes on the highway are low enough, and sight lines are long enough, that cyclists may safely travel this road, in the travel lane, with no difficulty.

- **Implement Bike Plan Hawai‘i.**

The Bike Plan calls for the following improvements in Ka‘ū:

- 82 miles of Māmalahoa Highway, from Hawai‘i Volcanoes National Park to Captain Cook Village Rd (Kona): Signed, Shared Road; \$301,000
- 12 miles of South Point Road: Signed, Shared Road; \$3.8M
- 4 miles of Kamā‘oa Road: Signed, Shared Road; \$1.3M

- **When implementing the Statewide Pedestrian Master Plan in Nā'ālehu (Project H3), address community concerns about the preservation of the trees and stone walls along the highway.**

The State Pedestrian Plan includes Project H3, which would add sidewalks at the following locations to better connect the park, school, and services:

- The mauka side of the highway from Nā'ālehu Methodist Church to Ohai Road and the crosswalk at Nā'ālehu School.
- The makai side of the highway between Shaka Restaurant and Ka'alāiki Road.

According to the Plan, the community has a strong desire to preserve the rock wall and trees on the mauka side of the highway. Construction of the sidewalk or extension of existing sidewalk should protect these natural resources.

For more information, see page 77-78 of Appendix V4B.

5.3.5 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.



5.4 Formalize Alternative Routes

5.4.2 County Action

Policy 102 Formalize emergency alternative routes through Kapāpala Ranch between the highway and Wood Valley Road.

Roads within Kapāpala Ranch have been used as emergency bypass routes when Highway 11 has closed, but there is no formal arrangement among the State (the landowner), the Ranch (the lessee), and the County. Both the lessee and County Civil Defense agree that it is wise to identify and predetermine potential alternate or emergency routes to support disaster response and possible community evacuations. This policy is intended to support that endeavor.

For more information, see pages 73 and 87-88 of Appendix V4B.

Policy 103 Secure improvement easements along Ka'alāiki Road. Ka'alāiki Road will continue to be used as a minor, rural street for local traffic and as an alternate route to Highway 11 as needed, so it will require safety improvements.

Ka'alāiki Road (or Cane Haul Road) has been used as an emergency bypass route when Highway 11 has closed. Originally constructed to provide access to cane fields, this road features a 40-foot pavement in many places, though it has been severely encroached upon in many other places (it is only 18 feet clear near Nīnole Gulch, for instance). There are also several bridges, some as narrow as 14 feet (at Hīlea Gulch). A detailed engineering study of the road design cross-section has not been conducted, but visual inspection indicates the road was designed to support heavy traffic and is generally well constructed.

Unfortunately, it has been poorly maintained and is beginning to deteriorate through neglect. Parts of Ka'alāiki Road are County-owned (~10%), but much of it is private. The Department of Public Works recently improved and paved County-owned segments, but there are currently no plans for additional improvements. It is necessary to improve/repair Ka'alāiki Road for use as a safe alternative route to the Māmalahoa Highway. As has been done elsewhere in the County, the County could secure an easement to improve and maintain the road as an alternate route. This would open the road for access by conventional vehicles as an emergency access route or for scenic driving but would not improve it sufficiently to permit large-scale redevelopment.

For more information, see pages 73, 83-87, and 92 of Appendix V4B.

Policy 104 Replace Wood Valley Road bridges.

\$800,000 in County CIP funding was appropriated in Ordinance 10-60 to replace four wooden bridges in Wood Valley with reinforced concrete bridges. The existing wooden bridges are old and structurally substandard. Failure of any of the four bridges will cut off access to the residences of Wood Valley as well as the Kapāpala Ranch emergency alternate route. The County is expected to request an additional \$6,000,000 in CIP funding to fund construction. The initial \$800,000 has been re-appropriated and will lapse on June 30, 2016 if not encumbered. This policy is intended to expedite that project.

For more information, see page 77 of Appendix V4B.

Policy 105 Establish an emergency alternative route connecting Green Sands and Mark Twain subdivisions.

Green Sands and Mark Twain subdivisions lack alternative emergency routes. There are currently no structures on TMKs (3)9-4-014:166, 010:005, & 010:006, so it is possible to connect Palaoa Road in Mark Twain to Puka Street in Green Sands.

For more information, see page 88 of Appendix V4B.



5.5 Expand Mass Transit Facilities and Services

5.5.2 County Action

Policy 106 Establish an intra-district bus loop route that circulates among and within all Ka’ū communities.

Policy 107 Provide bus routes for evening trips to Hilo and Kona.

Policy 108 Provide bus shelters in Nā’ālehu, Wai’ōhinu, Discovery Harbour, and Ocean View.

Policy 109 Establish a bus route that circulates within Ocean View.

These policies are affirmations of the following General Plan policies:

- 13.4.3(a): “Improve the integration of transportation and land use planning in order to optimize the use, efficiency, and accessibility of existing and proposed mass transportation systems.”
- 13.4.3(b): “Support and encourage the development of alternative modes of transportation, such as enhanced bus services and bicycle paths.”

Transit service in Ka’ū is provided by the Hawai’i County Mass Transit Agency through its Hele-On bus routes. Service from Ka’ū goes to either Hilo or Kona/Kohala.

The Hilo route provides one morning-early afternoon round-trip from Ocean View to Hilo and four round-trips daily between Volcano and Hilo. Though drivers honor “flag stops” most anywhere, established stops in Ka’ū include Ocean View (at a Park and Ride lot near Pōhue Plaza), Wai’ōhinu (at the Wong Yuen Store), Nā’ālehu (at the main commercial center, the park, and the school), Punalu’u (at the parking lot), and Pāhala (at the commercial center).

The Kona/Kohala route provides three morning departures daily, and one morning and two afternoon returns. Two routes reach Mauna Kea Resort, and one stops at the airport. The route begins in Pāhala and has stops in Nā’ālehu, Wai’ōhinu, and Ocean View. The commute from Pāhala to the South Kohala resorts is approximately 3 hours one-way.

There is also an existing after-school route that enables students to participate in after-school activities. Hawai’i County Coordinated Services for the Elderly and the HCEOC (Hawaii County Economic Opportunity Council) provides on-demand shuttle service for the disabled.

These policies are intended to augment this current system to meet the transportation needs of local residents.

For more information, see pages 14 and 75-76 of Appendix V4B.

5.6 Strengthen Emergency and Health Facilities

5.6.2 County Action

Policy 110 The number and location of emergency services facilities and personnel in Ka’ū shall be based on the population to be served and response time. (GP 10.3.2(e))

This policy is an affirmation of General Plan policy 10.3.2(e): “Stations in outlying districts shall be based on the population to be served and response time rather than on geographic district.”

For more information, see pages 13-16 of Appendix V4B.

Policy 111 Address the backlog of facilities improvements in Ka’ū (GP 10.3.4.8.2(a)), including:

- Build a new fire station in Nā’ālehu (Ordinance 12-87), Pāhala, and Ocean View, in that order of priority.
- Upgrade trucks, ambulances, and other equipment for fire crews.
- Make improvements in the Nā’ālehu Police Station, including repairs, hardening, hazardous materials abatement, energy efficiency, and ADA. (Ordinances 11-60 & 12-150)
- Build a new Ocean View Police Substation. (Ordinance 14-082)

This policy is an affirmation of General Plan policy 10.3.4.8.2(a): “Fire protection and emergency medical services for Ocean View, Nā’ālehu, and Pāhala shall be encouraged.” This policy also provides specific priorities based on previous community input, past appropriations, and Fire Department priorities:

- The 2004 Draft Strategic Plan for the District of Ka’ū includes the following Courses of Action:
 - Provide funds for more equipment and training for fire crews
 - Provide newer fire trucks for Nā’ālehu and Discovery Harbour Volunteer fire crews
- Ordinance 12-87 appropriated \$300,000 for a new Nā’ālehu Fire Station; the funds lapsed June 30, 2015.
- The Fire Department has indicated that the order of priority for new fire stations is Nā’ālehu, Pāhala, and Ocean View.
- Ordinance 11-60 appropriated \$75,000 for Nā’ālehu Police Station improvements, and Ordinance 12-150 authorized the issuance of bonds to include \$75,000 for Nā’ālehu Police Station improvements; the funds lapsed June 30, 2014. The following improvements have been also appropriated but not allotted: \$120,000 for repairs, \$50,000 for hardening, \$5,000 for hazardous materials abatement, \$300,000 for energy efficiency, and \$110,000 for ADA compliance.
- Ordinance 14-082 appropriated \$150,000 for the construction of a new Hawaiian Ocean View Estate Police Sub Station. The appropriation will lapse in not encumbered by June 30, 2017.

For more information, see pages 13-16, 105, 121, and 200 of Appendix V4B.



Policy 112 Harden critical infrastructure to ensure its effective use after an earthquake and/or hurricane, including the Ocean View Fire Station, the Pāhala Fire Station, the Ka’ū Police Station Generator Building, and the Ka’ū Police Station (Nā’ālehu Police Station).

This policy supports implementation of the Hawai’i County Hazard Mitigation Plan. The Plan identifies five structures as particularly vulnerable to earthquakes and hurricanes and in need of retrofit: Ka’ū Hospital, Hawaiian Ocean View Estates Fire Station, Pāhala Fire Station, Ka’ū Police Station Generator Building, and the Ka’ū Police Station (Nā’ālehu Police Station). The Hazard Mitigation Plan also includes the following mitigation goals and objectives:

- 3. Goal: Ensure that all emergency response critical facilities and communication systems remain operational during hazard events.
- 3. 1. Harden all essential emergency facilities and communication systems to withstand earthquake and hurricane forces.

For more information, see pages 100 and 105 of Appendix V4B.

Policy 113 Build the Kahuku Park Community/Senior Center, Gym, and Shelter. (Ordinance 12-87)

This policy is intended to expedite the construction of the Kahuku Emergency Shelter, Community and Senior Center, and Gym. \$8,500,000 was appropriated in Ordinances 06-80, 08-133, and 12-87. \$400,000 has been allotted, and more than \$380,000 has been encumbered for design and planning. The project is on hold, however, while determining whether FEMA will collaborate to design the center as an emergency shelter. \$8,000,000 lapsed on June 30, 2015.

For more information, see pages 105 and 121 of Appendix V4B.

Policy 114 Ensure adequate placement and maintenance of civil defense warning systems.

Not all of Ka’ū (e.g., the Discovery Harbour area) is covered adequately by the existing civil defense warning system.

Policy 115 Establish a helipad to support the provision of emergency services in Ka’ū.

Distances are significant from communities in Ka’ū to local hospitals and trauma centers, so it is necessary to identify and/or establish locations for helicopters to land in each community and at the hospital.

5.6.3 Advocacy

5.6.3.1 Hawai’i Health Systems Corporation

- **Harden the Ka’ū Hospital** to ensure its effective use after an earthquake and/or hurricane.

See the rationale for Policy 112.

- **Expand facilities and services** to communities throughout the Ka’ū district.

As noted during comment on the Draft CDP, access to health care is an ongoing challenge in Ka’ū, so effort should be made to expand facilities and services.

5.7 Expand Emergency Services

5.7.2 County Action

Policy 116 Ensure adequate police protection by maintaining at least four police officers on duty each shift in the Ka'ū District.

The Ka'ū District falls under Hawai'i Police Department's Area II West Hawai'i Operations Bureau. The Ka'ū District Police Station is in Nā'ālehu, and a substation is located in Ocean View. There are three shifts over the 24-hour period, and as of fiscal year 2013-2014, there are usually four officers/shift for the entire district. Ka'ū also has two Community Policing officers. Relative to other districts in Hawai'i County, Ka'ū has a high officer-to-population ratio. However, it is also the largest district and can take an hour or more to travel from one part of the district to another. This policy is intended to support continuation of existing practice.

For more information, see page 100 of Appendix V4B.

Policy 117 Actively expand the Neighborhood Watch and CERT programs. (GP 10.3.2(g))

This policy is an affirmation of General Plan policy 10.3.2(g): "Encourage the further development and expansion of community policing programs and neighborhood and farm watch programs in urban, rural and agricultural communities." It also affirms the need to expand hazard readiness in Ka'ū. To support localized preparation and response, Civil Defense trains and supports Community Emergency Response Teams (CERT). Hawaiian Ocean View Estates has an active CERT, which provides residents and businesses with information about how to properly prepare for and respond to an emergency at home, at work, or in the community.

For more information, see page 205 of Appendix V4B.

Policy 118 In collaboration with residents, develop and adopt a hazard mitigation plan for each community in Ka'ū, including an evacuation clearance rate and evacuation plans and routes. (GP 13.2.5.9.2(d))

This policy is an affirmation of General Plan policy 13.2.5.9.2(d): "Explore alternatives and means to establish an evacuation route through Hawaiian Ocean View Estates Subdivision to Highway 11, in cooperation with the residents of Ocean View."

This policy is also prompted by the fact that volcanologists indicate that Mauna Loa will erupt again, likely within our lifetimes, and past volcanic eruptions on Mauna Loa in the Ka'ū district have begun with less than two hours warning and reached the coastline between 3.5 hours and 15 days. It is also possible that at least one evacuation route out of the area along Highway 11 will be blocked, and because emergency vehicles have to enter the area, two-lane contra-flow may not be possible. In the draft Environmental Impact Statement for Kahuku Village, it is assumed that, during an evacuation, the highway becomes two-lane, one way and operates under "force flow" conditions with a 3,000 vph capacity. Assuming there may be as little as two hours evacuation time, only 6,000 vehicles may be evacuated from Ocean View during a major eruption, not factoring in travel time from the subdivision interiors to the highway. Assuming an average of one vehicle per household would evacuate, 6,000 households could be evacuated safely. That's equivalent to about 50% build-out of the current, buildable lots in Ocean View. If only one lane is



open, only 3,000 households could evacuate, which is not much more than the number of dwellings counted by the OVDC in 2010.

Though the level of risk from natural hazards in other communities in Ka'ū is lower, they are still susceptible to wildfires, hurricanes, floods, and other natural hazards, so hazard mitigation and evacuation plans are needed for each subdivision, village, and town.

For more information, see pages 76, 197-198, 200-201, and 205 of Appendix V4B.

Policy 119 Implement the Ka'ū Community Wildfire Protection Plan.

Hazardous fire conditions exist throughout the Ka'ū area. Hawai'i Wildfire Management Organization (HWMO) was founded by firefighting agencies on the island (DLNR, County, National Park Service, etc.), scientists, and natural resource managers in order to mitigate wildfires before they start. The HWMO develops Community Wildfire Protection Plans (CWPPs) to identify fire hazards and prioritize actions needed to mitigate wildfire. The HWMO completed the Ka'ū Community Wildfire Protection Plan (KCWPP) in 2010, and this policy is intended to expedite implementation of the Plan.

For more information, see page 103 of Appendix V4B.

5.7.3 Community-Based, Collaborative Action

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.

5.8 Improve Environmental Management Facilities

5.8.2 County Action

Policy 120 Extend the primary wastewater collection lines in Pāhala and Nā'ālehu so that infill development projects can connect wastewater systems built for new subdivisions to the County systems.

The State Department of Health is considering rule changes that present two challenges for Ka'ū. First, the changes might increase housing costs by requiring the conversion of cesspool systems to septic when property is sold. Second, by requiring wastewater treatment systems for new developments that include more than 15 units (the current threshold is 50), the changes might discourage infill development in Pāhala and Nā'ālehu, where a number of lots can be subdivided.

For more information, see the rationale for Policy 7 and pages 98-99 of Appendix V4B.

Policy 121 Build the solid waste transfer station in Ocean View. (GP 10.5.4.8.2(a))

This policy is an affirmation of General Plan policy 10.5.4.8.2(a): "A solid waste transfer station should be established for Ocean View." For more information, see page 16 of Appendix V4B.

Policy 122 Implement plans to improve the recycling area at the Pāhala Transfer Station.

As demonstrated during community review of the Draft CDP, the community continues to prioritize past plans for improving the Pāhala Transfer Station.

Policy 123 In consultation with residents, farmers, and vector control experts, add green waste drop-off and mulch pick-up sites in Ka'ū, with strict control of invasive species, pests, and disease.

The County of Hawai'i Department of Environmental Management accepts green waste at the Pu'uuanahulu and Hilo solid waste facilities. It offers mulch for pick-up at both those locations plus the Kealakehe and Hāwī transfer stations. Ka'ū is a rural, agricultural community, and Ka'ū's agricultural businesses need a local option for both green waste drop-off and mulch pick-up.

5.8.3 Advocacy

5.8.3.1 Department of Health

- Rather than universally prohibit cesspools, establish place-specific policies based on analysis of local environmental conditions.
- Make an affordable financing mechanism available for cesspool-to-septic conversions.

See the rationale for Policy 120.



5.9 Strengthen and Expand Education Facilities and Services

5.9.2 County Action

Policy 124 Support the development of charter and other public schools in Hawaiian Ocean View Estates subdivision, including on County-owned parcels.

There is no public school in Ocean View. According to projections by the Planning Section of the Department of Education’s Facilities Development Branch, which are based on recent enrollment growth and some indications of increased construction and occupancy in the area a school serves rather than general population trends, the current schools in Ka’ū will be able to accommodate projected growth in the school-age population. The DOE assessment is that schools in Ka’ū are growing slowly and aren’t expected to grow any faster in the next few years. Another factor is the excess classroom space at the Ho’okena and Honaunau schools.

In Hawai’i, charter schools are public, independent schools operating under contract with the State Public Charter School Commission (PCSC). Communities interested in starting a charter school must apply to the PCSC. In 2014, the Ka’ū Learning Academy is planning to open in Discovery Harbour and may expand to include Ocean View.

During the original subdivision (SUB 1912 and 2053), and in the 1965 dedication deed to the County, 76 acres of land in HOVE were dedicated to the County for future park, playground, and school purposes. The lots are in all but two of the “ovals” dispersed throughout the subdivision, plus a 30-acre parcel near the center of the subdivision). This policy encourages the use of these County-owned parcels for schools, including charter schools.

For more information, see pages 116-118 and 188 of Appendix V4B.

5.9.3 Advocacy

5.9.3.1 State Legislature

- Appropriate funding for a K-8 school in Ocean View.

See the rationale for Policy 118. School construction must be appropriated by the State Legislature.

5.9.3.2 Department of Education

- Continually improve existing educational facilities. (GP 10.2.4.6.2(a))
- Plan a K-8 School at Ocean View. (GP 10.2.4.6.2(b))
- Continually improve educational opportunities in Ka’ū, including the diversity of course offerings, additional qualified staff, and expanded extra-curricular activities.
- Support the development of charter schools in Ka’ū.

This is an affirmation of General Plan policies 10.2.4.6.2(a) & (b). For more information, see pages 15 and 116-118 of Appendix V4B.

5.9.3.3 State Libraries

- Establish a library branch in Ocean View.
- Continually improve library facilities, services, and inventory in Ka'ū.
- Establish joint community-school library facilities, where a separate community library may not be feasible, in proximity to other community facilities. (GP 10.2.2(c))

This is an affirmation of General Plan policy 10.2.2(c). For more information, see pages 13 and 118-119 of Appendix V4B.

5.9.3.4 Department of Education, University of Hawai'i, Office of Hawaiian Affairs, and Kamehameha Schools

- Collaborate to use existing and new facilities (e.g., schools, community centers, Ka'ū Resource and Distance Learning Center, Ho'omalū Ka'ū, Honu'apo, Punalu'u) to offer place-based and distance education opportunities to adults.

For more information, see pages 116-118 of Appendix V4B.

5.9.4 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.



5.10 Expand Parks and Recreation Facilities

5.10.2 County Action

Policy 125 Continually improve park facilities and services in Ka’ū, including fields, courts, playgrounds, lighting, restrooms, signage, and youth programs.

Policy 126 Acquire land surrounding Whittington Beach Park to allow for its expansion and the construction of a parking area. (GP 12.5.9.2(h))

Policy 127 Develop parks in Ocean View, commensurate with population growth. (GP 12.5.9.2(b))

Policy 128 Build a swimming facility in Nā’ālehu and Ocean View. (GP 12.5.9.2(a))

These policies are affirmations of the following General Plan policies:

- 12.5.9.2(a): “Encourage the development of a swimming facility in Nā’ālehu.”
- 12.5.9.2(b): “Develop parks in Ocean View, commensurate with population growth.”
- 12.5.9.2(h): “Encourage land acquisition surrounding Whittington Beach Park to allow for its expansion and the construction of a parking area.”

Half of the residents in Ka’ū live in Ocean View. Encourage the development of a swimming facility in Ocean View commensurate with population growth.

For more information, see pages 16 and 121 of Appendix V4B.

Policy 129 Collaborate with a “friends of the park” group to develop and manage an ATV track/course in an area of no ecological or cultural value.

In various parts of Ka’ū, including South Point and Kahuku, natural and cultural resources are misused and degraded by illegal ATV use. The intent of this policy is to support a community-based effort to establish a legal location for ATV use in an area of no ecological or cultural value.

For more information, see pages 18 and 22 of Appendix V4A.

Policy 130 Collaborate with a “friends of the park” group to develop and manage skate parks in Nā’ālehu and Ocean View.

Despite repeated requests and initiatives as well as skate park development in many other communities in Hawai’i County, Ka’ū does not have a skate park.

5.10.3 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind these actions and initial implementation steps.



Section 6: Strategy Rationale – Build a Resilient, Sustainable Local Economy

6.1 Coordinate Regional Economic Development

6.1.2 County Action

Policy 131 Collaborate with the private sector to identify business needs, strengthen existing industries, and diversify the economy by attracting new endeavors. (GP 2.2(c, d, e), 2.3(m, p))

This policy is an affirmation of the following General Plan policies:

- 2.2(c): “Strive for diversity and stability in the economic system.”
- 2.2(d): “Provide an economic environment that allows new, expanded, or improved economic opportunities that are compatible with the County’s cultural, natural and social environment.”
- 2.2(e): “Strive for diversification of the economy by strengthening existing industries and attracting new endeavors.”
- 2.3(m): “Encourage active liaison with the private sector with respect to the County’s requirement for establishing businesses on the island.”
- 2.3(p): “Identify the needs of the business community and take actions that are necessary to improve the business climate.”

For more information, see pages 80-82 of Appendix V4C.

Policy 132 Advance economic development that enhances and is balanced with the County’s natural, cultural, and social environments. (GP 2.2(a, b, d), 2.4.9.2(a, c))

This policy is an affirmation of the following General Plan policies:

- 2.2(a): “Provide residents with opportunities to improve their quality of life through economic development that enhances the County’s natural and social environments.”
- 2.2(b): “Economic development and improvement shall be in balance with the physical, social, and cultural environments of the island of Hawai’i.”
- 2.2(d): “Provide an economic environment that allows new, expanded, or improved economic opportunities that are compatible with the County’s cultural, natural and social environment.”
- 2.4.9.2(a): “Balance development with the social and physical environment of the area. Provisions or orderly development, housing, and pollution controls shall be implemented.”
- 2.4.9.2(c): “Recognize the natural beauty of the area as a major economic and social asset. Protect this resource through appropriate review processes when development is proposed.”

For more information, see page 158 of Appendix V4B and pages 80-82 of Appendix V4C.



Policy 133 Promote a distinctive identity for Kaʻū. (GP 2.3(o))

This is an affirmation of General Plan policy 2.3(o), recognizing that Kaʻū is unique among the communities of Hawaiʻi Island: “Promote a distinctive identity for the island of Hawaiʻi to enable government, business, and travel industries to promote the County of Hawaiʻi as an entity unique within the State of Hawaiʻi.” For more information, see pages 81-82 of Appendix V4C.

Policy 134 Commission a study of Economic and Financial Impact Reviews and propose recommendations for their integration into the regulatory review and approval process (e.g., the Environmental Impact Statement process and community benefits agreements). (GP 2.2(h), 2.3(y))

This is an affirmation of the following General Plan policies:

- 2.2(h): “Promote and develop the island of Hawaiʻi into a unique scientific and cultural model, where economic gains are in balance with social and physical amenities. Development should be reviewed on the basis of total impact on the residents of the County, not only in terms of immediate short-run economic benefits.”
- 2.3(y): “Encourage new industries that provide favorable benefit-cost relationships to the people of the County. Benefit-cost relationships include more than fiscal considerations.”

Municipalities have long evaluated the impact development projects may have on such things as traffic and the environment. Some are now adopting policies that require that the economic and fiscal impact of developments of a certain size be evaluated, as well. Economic impacts include the effect on local businesses, village/town commercial core, jobs, and wages. Fiscal impact refers to the impact on tax revenue and government costs.

For more information, see pages 80-82 and 132 of Appendix V4C.

6.1.3 Advocacy

6.1.3.1 Office of Planning

- Align the clusters and priority projects in the Comprehensive Economic Development Strategy (CEDS) with the objectives, policies, and actions in the Kaʻū Community Development Plan.

Every five years, the State Office of Planning updates the Comprehensive Economic Development Strategy (CEDS). A CEDS is required as a precondition for funding under most EDA programs. The CEDS identifies industry clusters which provide economic competitive advantages for the State as well as strategies and infrastructure projects to support and strengthen these industry clusters.

The 2010 CEDS identifies the following Hawaiʻi County Cluster Industries: Agriculture, Energy Development, Efficiency and Renewables, Education, Science and High Technology, Health and Wellness, Visitor Industry (Heritage Tourism, Cruise Industry, Agri-tourism, Eco-Tourism, Health & Wellness Tourism, Edu-tourism), and Housing and Resort Development.

The CEDS also identifies the following projects related to Kaʻū:

- Kaʻū agricultural water system improvements

- Improvement to various slaughterhouses
- Volcanoes National Park infrastructure improvements

For more information, see pages 54, 63, 93-94, 109, and 111 of Appendix V4C.

6.1.4 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind these actions and initial implementation steps.



6.3 Strengthen Local Agriculture

6.3.3 County Action

Policy 135 Collaborate with the public and private sectors to preserve and expand the agriculture, forestry, and fishing industries. (GP 2.3(a), 2.4.9.2(b), 14.2.2(c), 14.2.3(c, e, l), 14.2.4.7.2)

This is an affirmation of the following General Plan policies:

- 2.3(a): “Assist in the expansion of the agricultural industry through the protection of important agricultural lands, development of marketing plans and programs, capital improvements and continued cooperation with appropriate State and Federal agencies.”
- 2.4.9.2(b): “Assist the fishing industry, other ocean-based industries, and aquaculture through a cooperative effort with State and Federal agencies.”
- 14.2.2(c): “Preserve and enhance opportunities for the expansion of Hawai‘i’s Agricultural Industry.”
- 14.2.3(c): “Assist other State agencies, such as the University of Hawai‘i, College of Tropical Agriculture and Human Resources, University of Hawai‘i at Hilo, College of Agriculture, Forestry and Natural Resources Management, Department of Business, Economic Development and Tourism, Office of Planning, Department of Land and Natural Resources and Department of Agriculture, on programs that aid agriculture.”
- 14.2.3(e): “Coordinate and encourage efforts to solve the problems of the agricultural industry in the County of Hawai‘i.”
- 14.2.3(l): “Assist in the development of agriculture.”
- 14.2.4.7.2: “Encourage and support the expansion of agriculture, including forestry and the macadamia nut industry.”

For more information, see pages 20-30, 80-82, and 112-120 of Appendix V4C.

Policy 136 Support the development of private and State agricultural parks to make agricultural land available for agricultural activities. (GP 14.2.3(k))

This is an affirmation of General Plan policy 14.2.3(k): “Support the development of private and State agricultural parks to make agricultural land available for agricultural activities.” For more information, see pages 80-82 of Appendix V4C.

Policy 137 Cooperate with appropriate State and Federal agencies and the private sector to develop, improve and expand agricultural water systems. (GP 11.2.2(j))

This is an affirmation of General Plan policy 11.2.2(j): “Cooperate with appropriate State and Federal agencies and the private sector to develop, improve and expand agricultural water systems in appropriate areas on the island.” For more information, see pages 22-25 and 80-82 of Appendix V4C.



Policy 138 Encourage the establishment of open farmers markets to allow local agricultural producers to market their products. (GP 2.3(u))

This is an affirmation of General Plan policy 2.3(u): “Encourage the establishment of open farmers markets to allow local agricultural producers to market their products.” For more information, see pages 24-26, 80-82, and 142 of Appendix V4C.

Policy 139 Encourage, where appropriate, the establishment of visitor-related uses and facilities that directly promote the agriculture industry. (GP 14.2.3(r))

This is an affirmation of General Plan policy 14.2.3(r): “Encourage, where appropriate, the establishment of visitor-related uses and facilities that directly promote the agriculture industry.” For more information, see pages 22, 80-83, 113-114, 123-129, and 174-175 of Appendix V4C.

Policy 140 Assist in the promotion of products produced in Ka’ū. (GP 2.3(t))

This is an affirmation of General Plan policy 2.3(t): “Assist in the promotion of the agriculture industry whose products are recognized as being produced on the island of Hawai’i.” For more information, see pages 80-82, 113-114, 138-142, and 174-175 of Appendix V4C.

6.3.4 Advocacy

6.3.4.1 Agribusiness Development Corporation

Access to water at an affordable price, or being able to rely on predictable rainfall, is an ongoing concern for agricultural production in Ka’ū. Moreover, the transition in Hawai’i from plantation agriculture to small, diversified farms has made it difficult to maintain the sugar-era water supply systems. The Ka’ū irrigation system includes some 30 water source tunnels, which can be repaired and returned to service. A group of farmers, ranchers, and landowners in Ka’ū have formed an agricultural water cooperative to achieve this goal.

The next major steps are to complete the surveying of each of the tunnels, using State funding; secure easements; and complete the needed repairs, for which the State has appropriated \$2 million through the Agribusiness Development Corporation. The long-term plan is to execute a Memorandum of Understanding between Agribusiness Development Corporation and the coop for the management of the water systems. Water use will be regulated by water use agreements. The Kohala Center’s Lāulima Center is actively supporting the coop.

For more information, see pages 23-25 of Appendix V4C.

6.3.4.2 Board of Agriculture

- Appoint a task force to explore the feasibility of a State agricultural park in Ka’ū, identify potential sites, and consider possibilities for joint ventures with private entities and/ or the County.

There are State, County, and private agricultural parks. The County is experimenting with one on the Hāmākua coast, but the County generally doesn’t have the capacity to develop and manage agricultural parks. The Olson Trust isn’t operating an agricultural park on its lands off of Wood Valley Road, per se – it is leasing portions of large parcels to growers and providing them some supports (e.g., water) as part of their lease agreement.

Most agricultural parks are State-run, and all of them in Hawai'i County are leased out. According to Randy Teruya, Agricultural Land Asset Manager (<http://hdoa.hawaii.gov/arm/agricultural-parks/>), local farmers need to organize a group and approach the HDOA. The Board of Agriculture would then likely appoint a task force to explore possibilities, identify potential sites, etc. HDOA has flexibility in where parks are established, including joint ventures with private entities, the County, etc., so options are not limited to existing state-owned parcels. Depending on the local needs, the costs of subdivision would have to be considered. However, farm subdivisions are possible if infrastructure and farm dwellings aren't needed.

6.3.5 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.



6.4 Develop Community Renewable Energy

6.4.3 County Action

Policy 141 Encourage the development of alternate energy resources, providing they complement existing agricultural uses and preserve ecologically and culturally significant areas. (GP 3.3(a, b, e, k, l), 14.2.3(u))

This is an affirmation of the following General Plan policies:

- 3.3(a): “Encourage the development of alternate energy resources.”
- 3.3(b): “Encourage the development and use of agricultural products and by-products as sources of alternate fuel.”
- 3.3(e): “Ensure a proper balance between the development of alternative energy resources and the preservation of environmental fitness and ecologically significant areas.”
- 3.3(k): “Strive to diversify the energy supply and minimize the environmental impacts associated with energy usage.”
- 3.3(l): “Continue to encourage the development of geothermal resources to meet the energy needs of the County of Hawai‘i.”
- 14.2.3(u): “Encourage other compatible economic uses that complement existing agricultural and pastoral activities.”

For more information, see pages 31-40, 80-81, and 120 of Appendix V4C.

Policy 142 Amend the Zoning Code to require Use Permits for commercial renewable energy projects, mills, and major processing facilities in the County Agricultural Zone.

Currently, industrial-scale agricultural and renewable energy facilities are a permitted use in the State and County agricultural zones, possibly only requiring plan approval and building permits from the County. Use permits are permits for certain permitted uses in zoning districts that require special attention to ensure that the uses will neither unduly burden public agencies to provide public services nor cause substantial adverse impacts upon the surrounding community. The Planning Commission considers use permits, and public hearings are held for all Planning Commission applications.

Related definitions from the Zoning Code include:

- “Agricultural products processing, major” means activities involving a variety of operations on crops or livestock which may generate dust, noise, odors, pollutants or visual impacts that could adversely affect adjacent properties. These uses include, but are not limited to, slaughterhouses, mills, refineries, canneries, and milk processing plants.
- “Agricultural products processing, minor” means activities used for crop production, which are not regulated as major agricultural products processing and which involve a variety of operations on crops after harvest to prepare them for market, or further processing and packaging at a distance from the agricultural area. Included activities are cleaning, milling, pulping, drying, roasting, hulling, storing,

packing, honey processing, poi-making, selling and other similar activities. Also included are the facilities or buildings related to such activities.

Though “mill” isn’t defined in Chapter 25, the only other references are to “saw mills.” It is assumed therefore that a coffee mill would be considered the “milling” including in the list of minor ag products processing.

For more information, see pages 126-127 of Appendix V4A and 39-40 of Appendix V4C.

6.4.4 Advocacy

6.4.4.1 Legislature

- Amend Hawai’i Revised Statutes §205 to exclude commercial renewable energy projects, mills, and major processing facilities as permitted uses in areas designated “Rural” on the County of Hawai’i’s Land Use Pattern Allocation Guide (LUPAG) map.

Currently, industrial-scale agricultural and renewable energy facilities are a permitted use in the State and County agricultural zones, possibly only requiring plan approval and building permits from the County. Though in the State Land Use Agriculture district, communities in Hawai’i County that are designated “Rural” on the Land Use Pattern Allocation Guide (LUPAG) map are, for all intents and purposes, rural residential neighborhoods. Industrial scale enterprises are not appropriate in such communities.

6.4.5 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.



6.5 Pilot Payment for Ecosystem Services

6.5.3 County Action

Policy 143 The land and water shall be considered essential resources for present and future generations and should be protected and enhanced through the use of economic incentives and soundly managed for potential economic benefit. (GP 2.2(a, d), 2.3(h), 8.3(g))

This is an affirmation of the following General Plan policies:

- 2.2(a): “Provide residents with opportunities to improve their quality of life through economic development that enhances the County’s natural and social environments.”
- 2.2(d): “Provide an economic environment that allows new, expanded, or improved economic opportunities that are compatible with the County’s cultural, natural and social environment.”
- 2.3(h): “The land, water, air, sea, and people shall be considered as essential resources for present and future generations and should be protected and enhanced through the use of economic incentives.”
- 8.3(g): “Promote sound management and development of Hawai‘i’s land and marine resources for potential economic benefit.”

For more information, see pages 41-51, 80-82, and 122 of Appendix V4C.

6.5.4 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.

6.6 Grow Health and Wellness Services

6.6.2 County Action

Policy 144 Encourage the health/wellness and retirement industries. (GP 2.3(n, x))

This is an affirmation of the following General Plan policies:

- 2.3(n): “Encourage the development of the retirement industry.”
- 2.3(x): “Encourage the health/wellness industry.”

For more information, see pages 51-57 and 81 of Appendix V4C.

6.6.3 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.



6.7 Promote the Creative, Education, and Research Sectors

6.7.2 County Action

Policy 145 Promote and develop the island of Hawai'i into a unique scientific and cultural model. (GP 2.2(h))

This is an affirmation of General Plan policy 2.2(h): “Promote and develop the island of Hawai'i into a unique scientific and cultural model, where economic gains are in balance with social and physical amenities. Development should be reviewed on the basis of total impact on the residents of the County, not only in terms of immediate short-run economic benefits.” For more information, see pages 57-62, 81, and 143-145 of Appendix V4C.



6.8 Develop the Local Visitor Sector

6.8.3 County Action

Policy 146 Encourage the development of a visitor industry that is in harmony with the character of the area and environmental and social goals of residents. (GP 2.3(c), 14.7.5.9.2(a))

This is an affirmation of the following General Plan policies:

- 2.3(c): “Encourage the development of a visitor industry that is in harmony with the social, physical, and economic goals of the residents of the County.”
- 14.7.5.9.2(a): “The development of visitor accommodations and any resort development shall complement the character of the area.”

For more information, see pages 15 and 158 of Appendix V4B and pages 62-69, 82, 123-130, 136, 142, and 175 of Appendix V4C.

Policy 147 Encourage the visitor industry to provide facilities that offer an educational experience as well as recreational activities. (GP 14.7.3(h))

This is an affirmation of General Plan policy 14.7.3(h): “Encourage the visitor industry to provide resort facilities that offer an educational experience of Hawai‘i as well as recreational activities.”

For more information, see page 152 of Appendix V4B and pages 62-69 and 89 of Appendix V4C.

Policy 148 Encourage the development of small family or “bed and breakfast” type visitor accommodations. (GP 14.7.5.9.2(b))

This is an affirmation of General Plan policy 14.7.5.9.2(b): “Encourage the development of small family or “bed and breakfast” type visitor accommodations.” For more information, see the rationale for Policies 42 and 43 and page 82 of Appendix V4C.

Policy 149 Amend the Zoning Code to require Plan Approval for commercial open area recreational uses in the County Agricultural District.

Currently, commercial open area recreational facilities are a permitted use in the State and County agricultural zones, possibly only requiring plan approval and building permits from the County. Use permits are permits for certain permitted uses in zoning districts that require special attention to ensure that the uses will neither unduly burden public agencies to provide public services nor cause substantial adverse impacts upon the surrounding community. The Planning Commission considers use permits, and public hearings are held for all Planning Commission applications.

For more information, see pages 126-127 of Appendix V4A.

6.8.4 Community-Based, Collaborative Actions

See the Community-Based, Collaborative Action Guide for more details about the rationale behind this action and initial implementation steps.