

Department of Planning

Fiscal Year 2019 Annual Report July 1, 2018 – June 30, 2019

> Ka<u>ʻ</u>āina S. Hull Director of Planning

DEPARTMENT OF PLANNING

I. MISSION STATEMENT

To provide, through an open and public process, a long range vision for physical, social and cultural growth, enhancement and preservation of our unique past and present rural island lifestyle and values for future generations, and to implement this vision.

II. DEPARTMENT GOALS

- A. To preserve and protect our unique resources through sensible development of our economy and built environment.
- B. To preserve our diverse historic and cultural resources.
- C. To provide regulatory and enforcement efforts to achieve the long-range vision.
- D. To provide open communication with the people of Kaua'i and all levels of government.
- E. To remember that we serve the people of Kaua'i.

DUTIES AND FUNCTIONS

Article XIV of the Charter of the County of Kaua'i provides that:

1. The Commission shall:

- A. Advise the Mayor, Council, and Planning Director in matters concerning the planning program for the County.
- B. Review the general plan and development plans as well as zoning and subdivision ordinances and amendments thereto developed and recommended by the Planning Director and transmit such plans and ordinances, with its recommendations thereon, through the Mayor, to the Council for its consideration and action.
- C. Hear and determine petitions for varying the application of the Zoning Ordinance.
- D. Prepare a capital improvement program with the advice of the Mayor.
- E. Adopt regulations having the force and effect of law pertaining to the responsibilities of the Department.

The following are the members and officers of the Planning Commission during this period:

Commissioners

Term of Appointment

Kanoe Ahuna	01/10/17-03/27/19
Roy Ho	01/01/18-12/31/20
Kimo Keawe	01/01/18-12/31/20
Sean Mahoney (Chair 2019)	01/10/17-12/31/19
Glenda Nogami-Streufert	03/08/16-12/31/18,
	01/01/19-12/31/21
Donna Apisa	01/01/17-12/31/18,
	01/01/19-12/31/21
Elesther Calipjo	09/25/18-02/12/19

2. The Planning Director shall:

- A. Prepare a general plan and development plans for the County.
- B. Administer the zoning and subdivision ordinances and regulations adopted thereunder.
- C. Prepare zoning and subdivision ordinances, zoning maps and regulations and any amendments or modifications thereto for the Council.
- D. Consolidate the lists of proposed capital improvements contemplated by the several departments in order of their priority for the County.
- E. Advise the Mayor, Council, and Planning Commission on matters concerning the planning programs of the County.
- F. Perform other related duties such as the administration and enforcement of the State Land Use Commission Rules and Regulations, the Shoreline Setback Rules and Regulations, Special Management Area Rules and Regulations, and "plan approvals" of building permit applications.

III. PROGRAM DESCRIPTION

ADMINISTRATION AND PLANNING

This program is responsible for operations of the department and administers and staffs the Kaua'i Planning Commission, the Kaua'i Historic Preservation Review Commission, the Public Access, Open Space, and Natural Resources Preservation Fund Commission and other special citizen's advisory committees as may be formed. The Planning Director oversees administrative reviews and applications for zoning/building permits, sign permit reviews, subdivision recommendations, enforcement of land use ordinances, statutes and rules, landscape plans, County and State clearing-house reviews, CDUA and EA/EIS reviews, Special Management Area minor permits, provides recommendations on various permit and related issues to the Planning Commission, Mayor and Council and serves as a party to State Land

Use boundary petitions pertaining to Kaua'i. Other responsibilities include general and community planning, protection of cultural resources, data collection, consolidation of the capital improvement program of the County, mapping, special projects and providing the public with information and assistance on matters within the department's jurisdiction. The Planning Department also collects revenues from various permit processing fees and park dedication/environmental impact assessments. The Planning Commission reviews and acts on applications for use, variance, Class IV, project development, subdivisions, special management area major and shoreline setback variance permits and State land use special permits. The Commission also recommends actions for changes in zoning, general plan designations, district boundary amendments, hears, and determines appeals from the decision of the Planning Director regarding zoning and subdivision matters. Rulemaking, review and recommendations on land use ordinances and amendments, issuance of declaratory rulings are additional duties of the Commission.

A. Objectives

- 1. To provide expertise and staff to administer and enforce the County's comprehensive zoning ordinance, subdivision ordinance, special management area and shoreline setback rules and regulations and related State and Federal mandates; to ensure that projects reviewed are in conformance with County policies as expressed in the Kaua'i General Plan and appropriate Community Development Plans; to provide for prompt processing of all permit applications and continuous improvement of the permitting process and related policies.
- 2. To assist the public in understanding the regulatory codes, ordinances and programs relating to land use and to respond to requests for information in a courteous and timely manner.
- 3. To facilitate planning efforts with the Planning Commission, Administration and Council and to assist in the dissemination of information relating to all planning issues by coordinating with all other departments, agencies, boards and commissions that may need accurate and appropriate planning information for the administration of their respective programs.
- 4. To promote efficiency in operations and activities and exercise sound personnel management practices and policies to maintain a high level of moral and work output from department employees.

B. Highlights

West Kaua'i Community Plan:

In FY 2018-2019, the Planning Department launched the public process for the West Kaua'i Community Plan (WKCP). The purpose of the project is to update Kaua'i County Code Section 10-3, "Hanapēpē-Eleele Development Plan," and 10-4, "Waimea-Kekaha Regional Development Plan," to implement the General Plan and ensure development is

compatible with the environmental, social, economic, and cultural needs of the West Kaua'i region.

Public Process

The process formally launched on August 4, 2018. Phase I of the process, entitled "Discovery", included informational open houses and small group meetings. The purpose was to inform the public, build capacity, raise awareness, and identify issues. A project website was launched, along with social media campaigns including educational videos. Planning Department staff met with organizations such as churches, community groups, senior centers, and business associations (Table 1). Four open house events were held in August and September of 2018 (Table 2).

Phase II of the process, called "Dialogue", included community design and topical workshops. In October 2018, a multi-day community design workshop examined the form and character of West Kaua'i 's town centers including issues related to housing, shared spaces, connectivity, and traffic circulation. The events included walking tours, an open design studio, and presentations (Table 3). The focused workshops, held between November 2018 and March 2019, addressed the following topics: shared spaces, housing, heritage resources, transportation, and economic development (Table 4).

Table 1: Small Group Meetings

	Organization Name	Meeting Date	Location
1	West Kaua'i Business Association	May 2018	Waimea
2	Hanapēpē Economic Alliance	May 2018	Hanapēpē
3	Waimea Senior Center	May 2018	Waimea
4	West Kauaʻi Hongwanji	May 2018	Hanapēpē
5	West Kaua'i Rotary Club	May 2018	Waimea
6	No Ka Oi Landscaping	May 2018	Hanapēpē
7	Kekaha Senior Center	May 2018	Kekaha
8	Hanapēpē-'Ele'ele Community Center	May 2018	Hanapēpē
9	West Kaua'i United Methodist Church	May 2018	Kaumakani
10	St. Theresa Catholic School	June 2018	Kekaha
11	West Kaua'i Business and Professional	June 2018	Waimea
	Association		
12	Hoola La Hui Hawai'i, The Queen's Trust (formerly QLCC), Alu Like Kupuna Council	June 2018	Lihue
13	St. Theresa Catholic Church and Sacred Hearts of Jesus and Mary Catholic Church	July 2018	Kekaha
14	Waimea Alumni and Friends Association	July 2018	Waimea
15	Kaua'i Path	July 2018	Līhu'e
16	Kekaha Host Benefits Citizens Advisory Committee	August 2018	Kekaha
17	E Ola Mau Na Leo O Kekaha	September 2018	Kekaha

Table 2: Open House Events

Date	Location

August 18, 2018	Hanapēpē Library
August 21, 2018	West Kauaʻi Technology and Visitor Center
September 10, 2018	Kaumakani Neighborhood Center
September 12, 2018	Kekaha Neighborhood Center

Table 3: Community Design Workshops

Date	Event
September 14, 2018	Kekaha Walking Audit
September 14, 2018	Kekaha Opening Presentation
September 15, 2018	Waimea Walking Audit
September 15, 2018	Waimea Opening Presentation
September 15, 2018	Hanapēpē-'Ele'ele Walking Audit
September 15, 2018	Hanapēpē-'Ele'ele Opening Presentation
September 16, 2018	Transportation Presentation – Lunch
September 16, 2018	Kekaha Open Design Studio
September 16, 2018	Kekaha Open House
September 17, 2018	Sea Level Rise Presentation - Lunch
September 17, 2018	Waimea Open Design Studio
September 17, 2018	Waimea Open House
September 18, 2018	Form Based Code Presentation – Lunch
September 18, 2018	Hanapēpē Open Design Studio
September 18, 2018	Hanapēpē-'Ele'ele Open House
September 19, 2018	Kekaha Closing Presentation
September 19, 2018	Waimea Closing Presentation
September 20, 2018	Hanapēpē-'Ele'ele Closing Presentation

Table 4: Focused Workshops

Date	Topic	Location
November 13, 2018	Shared Spaces	Hanapēpē Hawaiʻi an Congregational
		Church
November 14, 2018	Shared Spaces	Kekaha Neighborhood Center
December 11, 2018	Housing & Infrastructure	Kekaha Neighborhood Center
December 12, 2018	Housing & Infrastructure	Hanapēpē Library
January 23, 2019	Heritage Resources	Hanapēpē Library
January 24, 2019	Heritage Resources	Kekaha Neighborhood Center
February 26, 2019	Transportation	Hanapēpē Library
February 27, 2019	Transportation	Kekaha Neighborhood Center
Sept. 17, 2018	Economic Development	Kekaha Neighborhood Center
March 27, 2019	Economic Development	Hanapēpē Library

South Kaua'i Community Plan Implementation:

The division led a three-day Staff Form Based Code Training in September XII-5

2018 that was facilitated by Opticos Design. The purpose of the training was to help County staff (planners and technicians) to better understand how to administer the Form Based Code.

General Plan Implementation:

The Long Range Planning Division provided support for several amendments to the CZO that help implement the policy of the General Plan to support mixed use communities and infill development. Support included drafting with Director's Reports and conducting spatial analysis and mapmaking. The bills successfully adopted in the FY include the following:

 Ordinance 1051: The Bill's purpose is to amend setback standards in the residential zoning district.

Community Vulnerability Assessment:

The UH Sea Grant Program won a grant to conduct a community vulnerability assessment (CVA) for West Kaua'i which would inform the West Kaua'i Community Plan process. Division staff assisted the CVA team with meetings and stakeholder interviews.

Get Fit Kaua'i - Built Environment Task Force:

The division supports the Built Environment Task Force of Get Fit Kauaʻi . During the FY, the BETF held a summit to create new action teams focused on implementing General Plan policy. Over 60 community members and county staff are involved in the BETF. Activities included a youth-led charrette in Laukona Park so the community could envision improvements to the area.

GIS and Data Analysis:

The division continues to build the department's capacity for Geographic Information Systems (GIS), planning and permitting data analysis, and new planning tools and techniques.

Assistance with State and County Projects:

The Planning Department staff serves as advisory or steering committee members on:

- Kaua'i Tourism Strategic Plan Steering Committee
- State Kaulunani Council
- State Physical Activity and Nutrition Plan Leadership Committee
- State Healthy Hawai'i Strategic Plan Advisory Committee member.
- County LIMS Committee

Presentations and Trainings:

The Department attended the Walk/Bike/Places Conference in New Orleans in October 2018.

In April 2019 at the National American Planner Association (APA) Conference in San Francisco, the Planning Department was awarded the 2019 Daniel Burnham Award for the General Plan Update for the County of Kaua'l (Kaua'i Kakou). The APA's Daniel Burnham Award is the most prestigious honor the organization bestows recognizing the recently adopted General Plan Update for its excellence in comprehensive planning.

CERTIFIED LOCAL GOVERNMENT PROGRAM

Since 1986, Kaua'i County has been a Certified Local Government (CLG) under provisions of the National Historic Preservation Act of 1966, as amended. The CLG program provides funds and standards for historic preservation from the Department of Interior via the State Dept. of Land & Nat. Resources to local governments. Both the funds and standards are used to assist local governments in promoting historic preservation endeavors. To qualify as a CLG, local government preservation activities must include public participation and use of a qualified local review commission (Kaua'i Historic Preservation Review Commission), survey and inventory of historic resources and participation in State/Federal preservation activities. Kaua'i County alternates with Maui County in receiving the Hawai'i CLG grant funds.

The Kaua'i Historic Preservation Review Commission, which consists of nine members, meets on a monthly basis and is staffed by the Planning Department. Meetings usually entail project reviews at which time the KHPRC provides recommendations on various aspects of archaeological and building design review of historic resources and in-fill development. Other issues relating to the promotion of historic preservation on Kaua'i are also discussed.

The following are the members and officers of the KHPRC during this period:

Commissioners Term of Appointment

Althea Arinaga	01/01/16-12/31/18
Lawrence Chaffin Jr.	01/01/15-12/31/18
James Guerber (CHAIR)	01/01/17-12/31/19
Gerald Ida	01/01/18-12/31/20
Deatri Nakea	01/01/16-12/31/18
Anne Schneider	01/01/16-12/31/18
Aubrey Summers	01/01/18-12/31/20
Victoria Wichman	01/01/18-12/31/20

A. Objectives

1. To provide recommendations to the Planning Department and Commission regarding projects that may impact historic resources.

- 2. To expand the listing of historic resources in the County of Kaua'i.
- 3. To promote historic preservation and provide information and educational opportunities.
- 4. To facilitate listing of historic structures on the State and National Registers of Historic Places.

B. Highlights

The CLG program continues its efforts to update the listing of historic buildings in the County of Kaua'i and offers assistance and brochures to property owners on techniques and advantages of rehabilitation of historic buildings. The KHPRC meets on a monthly basis at which time they provide valuable input on design and preservation treatment on projects before the Planning Commission and Planning Department which may impact historic resources. Past CLG funding has been also used to co-sponsor educational programs in the form of speakers' series, training, conferences and Archaeology Week activities, County listing of historic resources.

PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND COMMISSION (PAOS)

In November 2002, Kaua'i voters approved a ballot measure amending the County Charter to create the Public Access, Open Space, and Natural Resources Preservation Fund, which received a minimum of one half of one percent (0.5%) of Kaua'i's certified real property taxes. In December 2003, Ordinance 812 was signed into law, adding Article 14 to the Kaua'i County Code establishing procedures for the administration and priorities for expenditure of monies in the fund. Effective, July 1, 2013 the minimum percentage of Kaua'i's certified real property taxes was increased to one and one half of one percent (1.5%) by Ordinance 936 signed into law on December 14, 2012. In May of 2015, Ordinance 986 reduced the minimum percentage of Kaua'i certified real property taxes back to one half of one percent (0.5%).

Article 14 also established the Public Access, Open Space, and Natural Resources Preservation Fund Commission, a nine member volunteer advisory commission whose charge is to work with the Planning Department to solicit public input to develop an annual list of priority projects to be considered for funding. Two contract Planning Department staff-the Open Space/Public Access Planner and the Open Space/Public Access Support Clerk-are assigned to the program.

The following were members of the Commission during the fiscal year:

<u>Commissioner</u> <u>Term of Appointment</u>

Theodore Blake	01/01/16-12/31/18
Karen Ono (Chair 2019)	01/01/16-12/31/18,
,	01/01/19-12/31/21
Dorothea Hayashi	01/01/16-12/31/18
Jett Japser	01/01/18-12/31/20
Shaylyn Kimura (Chair 2018)	01/01/17-12/31/19
Herman Texeira	01/01/17-12/31/19
Erica Taniguchi	01/01/18-12/31/20
Nancy Kanna	01/01/18-12/31/20

A. Objectives

- 1. Work with the Public Access, Open Space, and Natural Resources Preservation Commission to develop a biennial list of priority of projects to be considered for funding.
- 2. Support the Public Access, Open Space, and Natural Resources Preservation Commission's solicitation of public input on development of the biennial list of priority projects to be considered for funding.
- 3. Work to improve and expand beach and mountain access opportunities for Kaua'i's residents and visitors.
- 4. Strive to preserve Kaua'i's natural resources and open spaces for the enjoyment of current and future generations.
- 5. Networking and partnership building with outside agencies like The Trust for Public Lands (TPL) and Hawai'i an Islands Land Trust HILT and community associations to establish involvement in community projects relating to and that align with the mission and goals of the Open Space Commission to include additional funding opportunities and support.
- 6. Reorganization of the commissions communication and reporting process to better align with the commissions ordinance, missions and goals and the newly adopted Amendment to the Rules and Practice and Procedure of the County of Kaua'i Public Access, Open Space, and Natural Resources Preservation Fund Commission by adding New Chapter V, Report Process, Relating to the Process of Receiving

B. Highlights

During the fiscal year, the commission conducted five (5) regular commission meetings.

Commission accomplishments include:

- Amendment to its Rules of Practice and Procedure of the County of Kaua'i Public Access, Open Space and Natural Resources Preservation Fund;
- Development of a reporting process similar to that of Planning Commission on all recommendations received by the public for possible acquisition;
- Continual development of Commission's dossier process (in the form of an Acquisition Plan) to update and communicate to Council in its biennial recommendations year encouraging support to move forward on any proposal from the Commission's recommendation list;
- Development of Commission's Acquisition Plan as part of its Biennial Report for their priority recommendations;
- Continuous discussions on new development ideas for open space, public access and unresolved access issues "Opala List";
- Continual dialogue and education sessions with the County and State departments and non-profit organizations on working as a partner on public access, open space and natural resources preservation for Kaua'i;
- Ongoing strategies for biennial report and public input process withoutreach to neighborhood communities and hosting of meetings within these communities, hosting commissioner and staff presence at monthly community association meetings;
- Investigate and update current Kaua'i Public Access List last update by outside vendor in 1991;
- Update and development of GIS map for Kaua'i Access List.

COASTAL ZONE MANAGEMENT (CZM) PROGRAM

The Coastal Zone Management Program is responsible for administering ongoing monitoring and enforcement for ensured compliance with the Hawai'i Coastal Zone Management program sub-grant agreement between the State of Hawai'i and the County of Kaua'i and for implementing the objectives, policies and guidelines in Chapter 205A, Hawai'i Revised Statutes to guide and regulate public and private uses in the designated Special Management Area of the County. The program also provides project monitoring for compliance to permit conditions and regulations, preparation of semi- annual reports, facilitates, where possible, the development review process, and participates in statewide coastal zone management issues.

A. Objectives

The program objectives are to guide and regulate public and private land use development in compliance with the scope of services the coastal zone management area by:

- 1. Administering development permit activities within the Special Management Area (SMA) through major and minor permits and shoreline setback determinations to ensure the protection of coastal resources and the provision of public access to those resources.
- Administer ongoing monitoring and enforcement programs to assure compliance with Chapter 205A, SMA and shoreline setback ordinance requirements and to prevent or minimize environmental and ecological degradation.
- 3. Support by attendance and participation in CZM related meetings, workshops and seminars.

IV. BUDGET BY PROGRAM

General Fund (Administration & Planning):\$2,964,794.00PAOS/General Fund:\$54,160.00Grant Revenue (CZM):\$323,645.00Total Departmental Budget:\$3,342,599.00

V. ACCOMPLISHMENTS/EVALUATION

As shown by the tabulation of permits, applications, meetings, etc., that follow, staff activities involve daily administration of the Subdivision and Comprehensive Zoning Ordinances, General Plan and Development Plans, State Land Use Commission Rules and Regulations, Shoreline Setback Rules and Regulations, as well as the SMA Rules and Regulations. These activities include review and processing of all building, zoning, use, variance, and SMA permits, as well as General Plan and zoning amendments and subdivision applications. Other duties include review and recommendation to the State Board of Land and Natural Resources of all applications for uses located within the State Conservation District, recommendations to the State

Clearing-house Review for all Federal-funded projects affecting the County of Kaua'i and coordinate the County Clearinghouse process for grading permits.

CURRENT STATISTICS

SUBDIVISION

A total of 19 subdivision applications were received and processed during the fiscal year. These applications involve a total of 131 lots, of which 81 lots are within the Urban District; 10 lots within the Rural District; 40 lots within the Agricultural District, and there were no lots within the Conservation District.

Actions taken during the fiscal year are as follows:

Tentative approvals	20
Final approvals	13
Disapproved	0
Withdrawals/Cancellations	0
Outstanding	0
Extensions	9
Modifications	0
Prior Tentatives Revised	2

ZONING PERMIT, USE PERMIT, VARIANCE PERMIT, SMA PERMIT APPLICATIONS

Under procedures established in the Comprehensive Zoning Ordinance and SMA Rules and Regulations, all construction or development within the County require the issuance of a zoning, use, SMA, or a variance permit. This involves detailed review of all building permit applications; use, variance and Class IV Zoning Permits require careful review and analysis of recommendations by other governmental agencies; conducting of public hearings and final decision by the Planning Commission.

Following is a tabulation of applications processed or reviewed and the number of Commission meetings held:

STATE LAND USE COMMISSION MATTERS

Special Permit Applications	5
Boundary Change Petitions:	
State	0
County	_
,	

<u>SPECIAL MANAGEMENT AREA USE PERMITS (SMA)</u>

Major Permits	Processed	3
Minor Permits	Processed1	5

Emergency Permits Shoreline Setback Determinations	Processed Processed	
ZONING PERMITS		
Class I & II Zoning Permits		
GENERAL PLAN AMENDMENTS		0
ZONING AMENDMENTS		9
COUNTY CLEARING-HOUSE		47
STATE DEPARTMENT OF LAND AND N CDUA Reviews PLANNING COMMISSION MEETINGS		0
Regular Commission Meetings	IA d Regulations	
KAUA'I HISTORIC PRESERVATION REV	/IEW COMMISSION	
MeetingsSpecial MeetingsField Trips		0
Planning Commission Project Reviews Other Reviews		

VI. SPECIAL PROJECTS

The Mayor has charged the Department as the primary agency for three projects:

1. Implementing the Līhu'e Town Core Plan

- 2. Expanding the Līhu'e Civic Center Park/Lawn
- 3. Implement Complete Streets island-wide

The Department continues to work over the past year identifying specific projects for implementation furthering the Mayor's vision to grow Kaua'i responsibly.

1. Implementing the Līhu'e Town Core Plan

The Department continues to work with property owners/applicants on permits within the Town Core area. The Department also regularly meets with the Līhu'e Tomorrow Committee of the Līhu'e Business Association and provides them with updates on planning initiatives in the core area.

2. Expanding the Līhu'e Civic Center Park/Lawn

The Department is working closely with the Department of Public Works on the Civic Center Master Plan.

3. Implement Complete Streets island-wide

Department Staff helped create a Kaua'i Complete Streets Action Plan at a County-wide workshop on Complete Streets implementation in October 2011. Since then, the Department has developed a draft amendment to the Subdivision Ordinance to make future residential subdivisions more walkable, and also added a Complete Streets evaluation to the Six-Year Capital Improvements Program. Staff continues to be actively involved in the Built Environment Task Force of Get Fit Kaua'i. The Department is working closely with the Department of Public Works to update the County's standard details for roadways.

PLANNING DEPARTMENT STAFF

Michael A. Dahilig Planning Director (7/1/2018-11/1/2018)

Ka'aina S. Hull Deputy Planning Director (7/1/2018-11/1/2018)

Kaaina S. Hull Planning Director - 11/1/2018

Jodi Higuchi Sayegusa Deputy Planning Director – 1/1/2019

Myles Hironaka Planner VII
Dalmacio Cua Planner VII

Marie Williams Planning Program Manager Michael Laureta Planning Program Manager

Lee Steinmetz Administrative Planning Officer (Transportation)

Leanora Kaiaokamalie Planner VI
Jody Galinato Planner V
Marisa Valenciano Planner IV
Nani Sadora Planner IV
Chance Bukoski Planner III
Alex Wong Planner II

Wesley Masumura

Norman Vea

Romio Idica

Land Use Plan Checker II

Drafting Technician II

Land Use Plan Checker I

Andres Emayo Planning Inspector III

Patrick Henriques Inspector II
Villamor Balisacan Inspector II
Joan Ludington Inspector II

Leslie Takasaki Planning Commission Secretary

Shanlee Jimenez Secretary

Leila Kim Staff Services Supervisor
Duke Nakamatsu Commission Support Clerk
Sherri Patrick TVR Enforcement Specialist
Daezsa Tomas West Kaua'i Plan Assistant

CZM CONTRACT EMPLOYEES

Kenneth Estes CZM Shoreline Management Specialist

Leslie Milnes CZM Enforcement Officer

Britni Ludington-Braun CZM Land Use Permit Technician