

## MINUTES

### SPECIAL PLANNING COMMITTEE

January 25, 2018

A meeting of the Special Planning Committee of the County of Kaua'i, State of Hawai'i, was called to order by Mason K. Chock, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Thursday, January 25, 2018, at 8:34 a.m., after which the following Members answered the call of the roll:

Honorable Arthur Brun  
Honorable Mason K. Chock  
Honorable Ross Kagawa  
Honorable Derek S.K. Kawakami (*present at 9:12 a.m.*)  
Honorable JoAnn A. Yukimura  
Honorable Arryl Kaneshiro  
Honorable Mel Rapozo

The Committee proceeded on its agenda item as follows:

Committee Chair Chock: *Aloha*, everybody. Welcome to our humble office where we make decisions here at the County Council. I would like to call to order the Special Planning Committee Meeting. Please note that we have a quorum. Councilmember Kawakami will be arriving at 9:00 a.m. this morning. Thank you for being here today. The Planning Committee will be introducing and voting on amendments to the General Plan Update draft that was approved by the Planning Commission and transmitted to the Council, and thereafter amended by this Planning Committee during the December 13-14, 2017 meeting. At this time, I ask that everyone pay attention carefully as I will provide the overview of the process that will be followed today.

Because the Planning Department presentations have concluded, we will begin the meeting now with public testimony. The way public testimony will work is that everyone has the opportunity to choose the one (1) time when they would like to speak. You have two (2) options to speak. You may either speak now, or you may waive your opportunity to speak now and instead speak after all—of at least most—of the Councilmembers' amendments have been introduced.

What will happen is Councilmembers will provide or introduce amendments one at a time and I believe what we are planning on doing is if we can introduce Councilmember Yukimura's amendments upfront this morning. We will start with hers, followed by the Planning Department's amendments. There is a requirement of parliamentary procedure, which is the process that governs our meetings. Staff has informed me that there are two (2) large amendment "packets" this time, compared to the nine (9) packets we had in December. As each amendment is introduced,

Councilmembers and the public will receive a hardcopy. However, in order to conserve paper and because some amendments include maps printed in color, we ask that you try to share copies with each other or review a master copy that staff will have available for you to borrow. Please be patient with our staff as they work to assist you with copies. We do not want to be wasteful by producing more copies than we need and ask that everyone please *kōkua*.

So, a Councilmember will introduce his or her amendment, and a “second” is needed for the motion to become active. When an amendment is active, the Committee can discuss the amendment and ask questions of the Planning Department and others. We do have a list of resource people that we can call upon.

Normally, the vote will be taken on each amendment immediately following discussion. However, given the importance and widespread public interest of this issue, it has been decided that the Committee will refrain from voting on the amendment until the public has been afforded one (1) opportunity to speak on the amendments that have been proposed. The way to accomplish that is by introducing an amendment, allowing Councilmember discussion and questions, and then withdrawing the amendments before any vote is taken. We will then move on to introduce the next amendment and withdraw it before any vote—and so on—until all or most Councilmember amendments have been introduced. Once that process concludes, the second and final opportunity for the public testimony will be provided for anyone who did not speak at the beginning of the meeting.

After the second opportunity for public testimony has concluded, the various amendments will then be reintroduced and voted on, so we will wait until the very end for all votes, basically, is what I am saying. It is my hope that as we go through this “second round” of amendments, Councilmembers remain focused on the actual vote, which means we are going to have all of our discussion upfront. When we get to the votes, we are just focused on the votes. Additionally, please be aware that the Committee may introduce new or altered amendments after all public testimony has concluded, if that is where the discussion leads.

Please note that this may be a lengthy process, and it is possible that we will not reach the second opportunity for public testimony until this afternoon. There is no way to know when that will happen, because it depends on the number of amendments and the length of discussion. It is also my intention that today will be the last day for amendments and that we move this General Plan out of this Committee. This is an extension meeting from what we had planned initially. As the next step in this process is second and final reading for this Bill No. 2666 before the full Council, and it is the policy and practice of this body that amendments take place here in this Committee. Although staff has informed me that we may require minor “housekeeping” amendments during the February 7, 2018 Council Meeting, depending on what amendments are approved today and how they fit into the plan,

my past announcements have indicated that today should be the last day for the amendments.

Remember, if you wish to speak now before you see the specific amendment language and you may have to because you do not have time to stay for the entire day, you may do so. Council Rule 11(c)(6) remains in effect, which states: "Oral testimony shall be limited to three (3) minutes per person." We thank you for your participation and cooperation on this.

At this time, may I have a motion to approve Bill No. 2666 and a second for discussion purposes?

Councilmember Yukimura moved to approve Bill No. 2666, seconded by Councilmember Brun.

Committee Chair Chock: Thank you. Unless any Councilmembers have questions for me, I would like to begin now with public testimony.

Councilmember Yukimura: I have a question.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: Thank you, Chair, for outlining the process. So, if I heard you correctly, when we put the amendments forward, that will be the time for questions and answers with Department and other expert witnesses and then people will have the second possibility for testimony...oh, wait—so, we take all the amendments back and then we put...

Committee Chair Chock: That is what I meant. At the end, if all the amendments have been discussed, then we will have public testimony.

Councilmember Yukimura: Okay, yes.

Committee Chair Chock: Then we will reintroduce it and vote.

Councilmember Yukimura: I just want to say that I know we tried to keep all amendments and all our work in Committee, but it is not an absolute prohibition. Our rules allow for amendments if necessary, right, at the Council-level, but we do try to do our work in Committee.

Council Chair Rapozo: Let me just make a comment on that. If it is a new amendment, I will entertain it, but if it is a rehashing of an old amendment, that did not pass, I will not entertain that. If you cannot get it past this Committee, which there are seven (7) Members, we are not going to waste the time in the Council

and revisit it because there is just no need to do that. I would suggest getting everything done that you want to get done in the Committee.

Committee Chair Chock: I would say further, the expectation and what I had mentioned is that if there are additional amendments at the final reading, that at least what I am looking towards, is more “housekeeping” and necessary things that we might pass today that need work on.

Council Chair Rapozo: Yes, I am not saying we would not—of course, we would entertain amendments at the Council, whether housekeeping or even substantive, if it is something that is new. We are talking about a week away. If you lose today, you lose today. You will not be allowed too much bites of the apple. Unless there is some new information that surfaces between now and then, but aside from that, we are not going to waste Council time rehashing an amendment that did not make it to the Committee.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: Speaking of amendments that were already voted on, I noticed that through testimony from the public, I assume somebody is doing an amendment on an item that we already voted on. If I recall at the last Committee Meeting, we decided that we would no longer entertain the same amendments that were voted on. Has that rule changed?

Committee Chair Chock: Thank you. My understanding when the interest for this amendment came up—the technicality was that the amendment was broader, meaning it reached out to not only ‘Ele‘ele, but also further down the coast on the west side to Waimea. This is a different amendment, as how I interpreted through what was given to me by staff and that is why it was allowed.

Councilmember Kagawa: Okay. I just thought if we make a ruling that we try to stick by it, but I understand that it is different.

Committee Chair Chock: I appreciate that, I think what we were talking about, and what Council Chair is saying is like, “Let us move on if we know where these things sit.” Councilmember Yukimura.

Councilmember Yukimura: I just want to say regarding this amendment that I think the Vice Chair is referring to, which is on the “Provisional Agriculture,” there has been a lot more information that has surfaced about that also. The Chair’s point about new information is relevant, I think.

Committee Chair Chock: Okay. Are there any further questions? If not, we will take public testimony.

DARRELLYNE M. CALDEIRA, Council Services Assistant II: The first registered speaker is Anne Thurston, followed by Gabriela Taylor.

There being no objections, the rules were suspended to take public testimony.

ANNE THURSTON: Anne Thurston. I am testifying on the petitions that we have been developing on the General Plan Update and also the Hokua Place; letters of support or letters against. As you know there was widespread community concern that the draft General Plan produced last June did not offer enough real solutions to the pressure on Kaua'i natural resources and built infrastructure. A "Fix the Plan" petition has been circulating since last summer and I have been updating you on it as we have gone through this process. Just one (1) last update. We have nine hundred eighty-nine (989) hard copy signatures, six hundred twenty-six (626) online signatures, or one thousand six hundred fifteen (1,615). I would just like to say how much we appreciate your willingness to engage with us in this process and we hope we have demonstrated to you our genuine concern for the future of the island. We are going to watching obviously the next steps very closely and looking for an even closer relationship with the Council. Turning to one (1) specific issue that is of great concern to us. This is the planned subdivision at Hokua Place. There are obviously different opinions in the community. Some have very high hopes and high expectations for what the sub-development will provide, but others are very deeply worried about the impact on roads, sewage, landfill, drainage, and water, et cetera. So we are hoping very much that separate hearings can be held to determine the potential impact and the infrastructure needs, and we hope that this issue can remain outside the General Plan until the facts are better established.

For now, after an extension search of the files of the Hawai'i Land Use Commission, the Planning Department, the Planning Commission, and the County Council, I can report to you that the majority of letters received over the last three (3) years are strongly and consistently opposed to the development. Of the letters and submitted testimonies that I have examined, the results were as follows: Opposed over the three (3) years, one hundred ninety-one (191) testimonies and letters; and In Favor, forty-nine (49) testimonies/letters plus fifty-seven (57) form letters with digital signatures; this. The bulks of the letters are oppose; I cannot even lift them. In addition, we have got a second petition relevant to the development of Hokua Place, which was launched this month and has quickly gathered momentum. So, Gabriela Taylor will present that in her testimony. Thank you.

Committee Chair Chock: Councilmember Yukimura, do you have a clarifying question?

Councilmember Yukimura: Anne, I have a question.

Ms. Thurston: Yes, Councilmember Yukimura.

Councilmember Yukimura: In your counting of the testimonies, did you remove duplications?

Ms. Thurston: I know I personally have written to each of the different agencies of the period, so yes, some of the same material will be covered, but this covers four (4) agencies and I did not make any attempt to pull anything out. Similarly with this, I did not make any attempt to pull anything out.

Councilmember Yukimura: Okay.

Ms. Thurston: So, hopefully an objective search.

Councilmember Yukimura: Thank you.

Committee Chair Chock: Councilmember Brun.

Councilmember Brun: How much signatures did you have at the end against Hokua Place?

Ms. Thurston: Against, we have one hundred ninety-one (191).

Councilmember Brun: Out of that one hundred ninety-one (191), how much is from Kaua'i?

Ms. Thurston: Oh, from Kaua'i. I would say the bulk of it.

Councilmember Brun: No real number out of that one hundred ninety-one (191)?

Ms. Thurston: I was not aware of anyone who was writing outside from Kaua'i.

Councilmember Brun: Thank you.

Ms. Thurston: They might have been one (1) or two (2), but...

Councilmember Brun: I am assuming that the signatures are from the area around Hokua Place.

Ms. Thurston: Oh, absolutely.

Councilmember Brun: Okay, thank you.

Committee Chair Chock: Just to clarify the numbers again. You said one hundred ninety-one (191), forty-nine (49), and then fifty-seven (57).

Ms. Thurston: Yes, fifty-seven (57) form letters that looked like they were produced on an iPad and people signed with their fingers.

Committee Chair Chock: What did the forty-nine (49) represent?

Ms. Thurston: Forty-nine (49) were letters of testimony on file.

Committee Chair Chock: Okay. Thank you very much.

Ms. Thurston: I know you do not really want this, but it is just to see it compiled in one (1) place as opposed to...

Committee Chair Chock: Thank you. Next speaker, please.

GABRIELA TAYLOR: Good morning, Honorable Councilmembers. Let the record show that the community has come out against Hokua Place development in its current configuration and location. In addition to the volumes of past testimony presented against Hokua Place, by Anne Thurston, I want to submit the signatures collected on two (2) petitions against up zoning the land to accommodate seven hundred eighty (780) dwellings proposed by the developer. Four hundred (400) were from a paper petition that three (3) of us passed around at the Farmers Market and different meetings and neighborhoods. We collected it from residents and one hundred eighty (180) are from an online petition, totally five hundred eighty (580) signatures against Hokua Place. Both petitions will be submitted to the County today. Residents are intensely stressed now because traffic is so debilitating in Kapa'a that we have to more than double the driving time that it used to take to get to Lihu'e in order to make appointments on time. It will only get worse when three (3) already approved resorts in the Wailua corridor are constructed. Two, we all agree we need affordable and workforce housing; however, it needs to be truly affordable, be maintained as affordable housing permanently and built with an inventory of suitable size, scope, and location considering the already over taxed infrastructure and environment we are living in Kaua'i today. Three, until we have a clear understanding and the ability to adequately scrutinize the size, scope, and particulars of this project, it should be taken out of the General Plan. The history of the commitments made by the developer in regards to this project have been inconsistent, unsubstantiated, and seemingly unrealistic in terms of actual delivery. Going along with the recommendation of Councilmember Yukimura, I support scheduling a full Council discussion solely about Hokua Place, so everyone can hear everyone else, and we can look at a body of documented facts together. We really

have not had that opportunity and this is a huge, huge project. Thank you for your consideration.

Committee Chair Chock: Thank you. Next speaker.

DON CUNNINGHAM: Good morning, my name is Don Cunningham. I am a resident of Princeville and I regret entering into this so late in the process, but just a few days ago, I heard that you have a proposed amendment already contained in the General Plan that would change the designation of the Princeville community from Resort to Agriculture (Ag). I do not have petitions; I do not have formal support. I have talked to a number of other residents in the last few days and it is just very puzzling to us what benefit changing that designation to Agricultural will really bring to us or to the island. Land in Princeville is so expensive. I cannot believe that there would be any real meaningful agriculture going on there. It would be really hard to do real farming there and turn a profit with what the land prices are in that area. My question would be and again, I maybe way too late for you to actually consider making amendments to the plan, but as you go about administrating this plan, at the very minimum, I would like you to consider some of the questions that we have. One is ultimately if there is not going to be real farming going on, who is going to benefit from this? Our suspicion is it is going to be "gentlemen farmers" Silicon Valley types with wealthy people coming in, buying their farm, putting up their mansions on it, and getting a great tax subsidy from the rest of us because they would be able to take advantage of the agricultural tax rate. I believe there are some risks entailed in that kind of a farming operation as well. Typically, we homeowners, we do not know how to apply fertilizers, pesticides, fungicides, and we way over apply them. I do not expect many professional farmers up there and my concern is if that entire area is a part of the 'Anini Stream Watershed and whatever is applied there is going to run right down 'Anini Stream and out into the 'Anini reef area of the ocean. The only really significant portion of that land that is currently developed is the Princeville Golf Course. Golf courses, by practice, follow an integrated pest management practice that as a result of a lot of research by the United States Golf Association (USGA), whose purpose is to make golf courses more sustainable...

Committee Chair Chock: Thank you, Mr. Cunningham. I am sorry to cut you short, but I appreciate your testimony. For the record, the developer actually made the request to keep it in its current designation.

Mr. Cunningham: Oh, good news. Thank you.

Committee Chair Chock: Ken Taylor.

Council Chair Rapozo: Hang on real quick. What Committee Chair Chock just said was that it is in Ag right now. It is in Ag. There was an attempt to make it Resort and we went through the process a couple months ago, the developer,

the owner, requested his request to convert it to Resort. So, it is in Ag and that is where it will remain, at the developer's or at the owner's request, not the Council.

Mr. Cunningham: Okay, thank you.

Committee Chair Chock: Ken.

KEN TAYLOR: Chair and Members of the Council, my name is Ken Taylor. While you have done some great work on the General Plan, I still have not received answers to my questions. As I have said a number of times, I think buildout of the General Plan could increase everyone's taxes around five hundred sixty-five dollars (\$560) or more per year. As the community continues aging, this is not affordable and certainly not affordable for young people. Do not take my numbers. Do a cost study. If my numbers are correct, then let us make changes to the plan now to something we can afford. The plan is not sustainable. I have asked you to remove all wording on sustainability. I have laid it out on my written comments—let us not kid ourselves. We are only shortchanging the young people of today. If I am wrong, please show me. Traffic is another problem that I do not believe is being properly addressed. It has been made quite clear that a moratorium is out of the question, so we must not include any changing to Ag parcels in the General Plan at this time. Please show the community and me your leadership. Thank you.

SHARON GOODWIN: Good morning. Sharon Goodwin, for the record. We all know that this week Governor Ige has been the focal point of a lot of the local news and not just because of the incorrect missile alert, but also because of his address to all of us citizens. The thing that struck me was that he is saying that O'ahu wants to build ten thousand (10,000) new units, he did not identify the kind of units, but ten thousand (10,000) residences for people and that forty percent (40%) of those, he wants to see be affordable. I thought that was really putting himself out. Of course, it is an election year, so it sounds good, but I want to talk about Hokua Place. I wrote three (3) long letters since 2014 to the Planning Department about Hokua Place. Yes, I have testified about the infrastructure, water, sewage, solid waste, and the landfill; what would happen with all the construction debris? I have testified about affordable housing in these letters, the traffic, and especially since I live in Wailua Homestead, not just the traffic on the bypass, but for those of us coming down on Olohena, that really wicked place where you come up and there are two (2) other adjoining roads; Ka'apuni and Olohena. Then, there is a new development right there and the school. All of these things are huge issues; however, I just learned recently that there may be a neighborhood association fee for the people who even have the ability to have a spot in Hokua Place. Boy, when I hear about a homeowners association fee, I get all worried, really worried. I think that when you make your decision, take into consideration what that fee could be because it could exclude a lot of people.

Committee Chair Chock: Thank you.

Ms. Goodwin: Okay, thank you.

LINDA HARMON: County Council, my name is Linda Harmon and I live in Hanapēpē. I am here to voice my dissent against the Aloha Nui Loa Project. It is eight hundred twenty-four (824) acres of development. They want to convert Ag land to Residential and Commercial. I just heard about this specifically and the passing of this amendment that would allow for it just the other day. If we are to survive global warming, we need to grow our own food and by doing so, we restore the health of the land and its current population. Thank you.

Committee Chair Chock: Thank you very much. That is the end of our public testimony. Would anyone else like to testify now? If not, those of you who have not testify, you will have a chance, but it will be after all of the discussion on all amendments have taken place. Going once. Okay. Come on up.

ELAINE VALOIS: What agenda are you referring to?

Committee Chair Chock: Just so you know, you will have one (1) chance to testify and if you are choosing now, you can proceed and then you will be done, or you can wait until the end of all our discussion.

Ms. Valois: I would rather do it now.

Committee Chair Chock: Okay, thank you. Just state your name for the record and you will have three (3) minutes.

Ms. Valois: Elaine Valois. I just wanted to paint a picture for you about Hokua Place and all the others because they all have to be addressed, but the picture I would like to paint for you right now. Let us say that all those homes were built or were being built and we would absolutely be forced to enlarge or widen the roads. Can you imagine what that would be like to have roads under construction with the traffic problems we have now? It would be hellacious. I just wanted to point that out to you that the consequences of an action that is not in favor of sustainability will cost a lot of money. The revenue you hope, we hope, to have to further advantage the community will be spent in ways that are not favorable because it is just a struggle of keeping up and keeping up. There is no end to it until there is no possibility to go back. This island is very special. All over the world, we have these beautiful special places that are being trashed by too many people, too many cars, and not enough infrastructure. Is there a way for all of us to put our fingers in the dike and stop it from happening any further in Kaua'i, which is one of the most beautiful places on Earth. It is worth saving, it is worth more than revenue. Thank you.

Committee Chair Chock: Thank you very much.

LES GALE: Good morning. My name is Les Gale. I live on Kawaihau Road. This morning, it was pretty easy getting down here, but it has taken me forty (40) minutes to get from where I live down to Kawaihau Road with the bypass road, which people use the bypass road so we do not have to go on Kūhiō Highway to get to Kapa‘a. Hokua Place, where the man wants to put in seven hundred eighty (780) homes, I have got nothing against homes, I understand that, but he is not building them for people here. He is building for people coming from the mainland, who have the money to buy. You folks live here, you know. People work two (2) and three (3) jobs just to make it and they do not want to leave, but they are leaving because they cannot find homes. They cannot find a place to live. I was part of the thing in Orange County, California, which was very much like this place was when I got here in the late 1950s or early 1960s. A lot of work there now, but I do not want to live there anymore. I do not want to live with the people that have come to live there. Anyway, I am assuming some of you have traveled through Kapa‘a to get to work. If you come early enough, you miss the traffic. We do not have the infrastructure to handle what they want to put in and bless their hearts, the developers are kind of what makes it tick, but I do know they will tell you what you want to hear to get what they want. That is all I have to say.

Council Chair Rapozo: I have a clarifying question. Thank you for showing up today. You said that the developer is building seventy hundred sixty (760) homes.

Mr. Gale: Seven hundred eighty (780), is it not?

Council Chair Rapozo: You said that all of the homes are going to be built for people that do not live here.

Mr. Gale: With the prices that they are going to charge for the units.

Council Chair Rapozo: I am asking you to clarify what prices are you...

Mr. Gale: I do not believe they are building them for the people here.

Council Chair Rapozo: Okay. I just need to know based on what you said, what price ranges have you heard that these homes are going to be sold for?

Mr. Gale: I have heard between four hundred thousand dollars (\$400,000) to nine hundred thousand dollars (\$900,000).

Council Chair Rapozo: For all seven hundred eighty (780)?

Mr. Gale: No.

Council Chair Rapozo: Okay.

Mr. Gale: Five hundred (500).

Council Chair Rapozo: For five hundred (500) homes.

Mr. Gale: That is what I have heard.

Council Chair Rapozo: Okay. I guess what we have been presented is entirely different in which a vast majority...

Mr. Gale: Okay.

Council Chair Rapozo: Never mind, I am done.

Mr. Gale: No, no.

Council Chair Rapozo: No, no...I tried to respect you, you laughed at me.

Mr. Gale: Council Chair Rapozo, please enlighten me to what you heard.

Council Chair Rapozo: I am done. I will have it passed out, because bottom line is this, the developer is going to tell us, we got to hold them to that. We got to hold them to that. I am going to bring him up here and state it on the record, but I guess what I am concerned about is we are getting a lot of E-mails saying these homes are being built, and excuse me for going on, but I think we need to clarify some things. We are getting a lot of E-mails from people saying that the houses are for people off-island. The numbers I see do not say that and we are going to clarify that today.

Committee Chair Chock: We will get that cleared.

Mr. Gale: Well, you have sat behind that desk longer and you know what goes on.

Committee Chair Chock: Thank you for answering his question as best as you can and I think that is what that is for.

Mr. Gale: *Mahalo.*

Committee Chair Chock: Would anyone else like to testify who has not had a chance to this morning? Annette.

ANNETTE ODA: Annette Oda, for the record. First of all, I would like to look at the big picture because it is a big picture that is going to make a big difference. I am really disappointed in this Council. I really had felt that you truly have the heart for the people on Kaua'i, but when I see things like the development in Hanamā'ulu, starting from four hundred thousand dollars (\$400,000), really? Our residents cannot afford that. Our grown kids cannot afford it, majority of them. If you look at all the development, none of our residents can afford it. You are talking four hundred thousand dollars (\$400,000). I think the mortgage monthly payment alone is something like five thousand dollars (\$5,000) a month. It is ridiculous and we, the people, know that it is ridiculous. You call it affordable. They even say it is affordable, it is not affordable, no way. Another thing is Kaua'i, when it first started what is the big draw? It is peaceful, it is slow-paced, it is the culture, the country, and you know what, you folks are destroying our culture. There are too many problems. You heard all of them say, "Why do you not stop?" You folks have the power now to stop it, stop development. I do not care what you think. Moratorium, you have to stop it. You have to stop the leak, stop the blood from gushing out, and save Kaua'i. Take care of Kaua'i. We, the people, are going to remember you who stood boldly for Kaua'i. You are not standing boldly for Kaua'i for having income and then all of a sudden it was set for repairs of the roads and how dare you. You turned around and say, "Let us cockroach a little bit for homeless, let us cockroach a little bit for we need this other thing," and the end result is that money that was targeted for repairs, you folks are a bunch of "bs." You folks are not helping us. Help Kaua'i, stop all this development, and there is a lot in the loophole.

*(Councilmember Kawakami was noted as present during Ms. Oda's testimony.)*

Committee Chair Chock: Thank you.

Ms. Oda: There are a lot of things that are building up and you have to stop it. I mean seriously, stop it.

Committee Chair Chock: Anyone else would like to testify?

Councilmember Kagawa: I just want to clarify that the Hanamā'ulu site was approved in the 1980s. It was a lot of Councils ago in the 1980s or 1990s who

approved the Hanamā'ulu deal, but had it been built then, it would probably be affordable.

JESSE BROWN-CLAY: My name is Jesse Brown-Clay. I am twenty-six (26) years old and have grown up in Wailua all my life. I just wanted to say that I understand that the issues in front of you and the decisions that you have to make about the growth and future of this island are complex. They have to be balanced. There are economic considerations, quality of life considerations, and the pressures of the future with climate change as well as how industry will develop on this island. I just want to say that I understand that it is not so simple. I hear a lot from these testimonies and from public opinion that there is a lot of anti-development or do not want to see too much growth, maybe newcomers, and things like that. I had similar sentiments all my life not wanting to see Kaua'i change, but I understand that it is not that simple and that there are a lot of considerations. I think the interesting thing I hear a lot from the people is that they do not feel that their interests are represented by public officials often these days anymore, so what I am really interested in is understanding what are the interest of the people and issues that they are concerned about, and potential solutions to address those issues. I am working really hard this year during this election year to raise awareness around those issues and encourage people who will represent those interests to become elected. I wish you all well during this complex time.

Committee Chair Chock: Thank you. Anyone else like to testify, here is your chance. If not, I will call the meeting back to order.

There being no further public testimony, the meeting was called back to order, and proceeded as follows:

Committee Chair Chock: We can start to entertain amendments. Councilmember Yukimura, I think you asked to address your amendments first and I would like to honor that. I think Councilmember Kawakami, you are excused from noon today?

Councilmember Kawakami: 12:15 p.m., but I will be coming back.

Committee Chair Chock: Okay, thank you. We are just looking at who might be here for voting since we are taking the votes at the very end. Councilmember Yukimura.

Councilmember Yukimura: Thank you. I have a packet of amendments and per the procedure, I would like the approve...

Committee Chair Chock: Move to amend.

Councilmember Yukimura moved to amend Bill No. 2666 as circulated, and as shown in the Floor Amendment which is attached hereto as Attachment 1, seconded by Councilmember Kaneshiro.

Councilmember Yukimura: I wonder can we put them up as I talk about the amendments. Thank you. I will go through them one-by-one. Where there is substantial discussion to be had, I will call resource people or the Planning Department, et cetera. The first amendment...and we will put it up, so if we do not have enough copies, you can watch it. The first proposal or the amendment is a pretty simple one. It says, "In order to administer an ongoing General Plan implementation and monitoring program, the capacity of the Planning Department will need to be increased." I think throughout the discussion about the General Plan and what it lays out for this County over the next twenty (20) years and our desire to actually achieve our goals of a sustainable, beautiful place of equity and...what is the fourth one? We have one (1) statement that I have heard no disagreement about is the overall mission and in order to achieve that, we are going to need a Planning Department capacity that is expanded. The overarching vision is a sustainable island, a unique and beautiful place, a health and resilient people, and an equitable place with opportunity for all. That is a very big and beautiful vision for the island, that is our goal for the next twenty (20) years, and we have been grappling with the details about how to achieve that. We know as the last speaker Jesse said it is very complex and challenging. That is all it says that we will have to expand the capacity of the Planning Department.

Committee Chair Chock: Are there any questions?

Councilmember Kagawa: Have you worked with the Human Resource Director and Mayor to see if they are willing to support that amendment? I know that we are facing tough times with the budget, we are trying to do more with less, and we do not want to add bodies to this already large County force that we have of one thousand three hundred (1,300) employees is always the last step. Have you confirmed with the Human Resource Director and the Mayor if they have reached that last step where they feel they need to add and we cannot do more with less?

Councilmember Yukimura: I wanted to get from the Planning Department more specifics about how many positions and how many divisions and what they would want to do, but they were not able to come forth with that and without that, we cannot even calculate what the expansion will be. It was not possible to really talk to Human Resources and anyway, Human Resources is not the decision-maker. The Council and the Mayor are the decision-makers about positions. Those questions were in my mind as we considered recently the police raises, which will take seven million dollars (\$7,000,000) over the next four (4) years.

Councilmember Kagawa: Police pay raises have nothing to do with this question.

Councilmember Yukimura: Oh, but they do.

Councilmember Kagawa: This question is asking have you checked with the Human Resources Director and the Mayor for their support in adding positions when we are facing tough times as a County and we are asking all County employees and all County Departments to do more with less because we do not want to add more bodies.

Councilmember Yukimura: And the answer is no, I have not checked with them because it would be a hypothetical question that they could not answer.

Councilmember Kagawa: Thank you.

Committee Chair Chock: Just to confirm, you mentioned that you inquired with the Planning Department as to what that "capacity" would entail and at this time, we do not have an answer for that. Okay, thank you very much. Are there any further questions on this amendment? Just to note, for those of you who have a copy of the amendment there is a column on the right-hand side that says, "Support." That is from the Planning Department's standpoint on this. You can see on their stance on each one of these and obviously, they support this one. Councilmember Kaneshiro.

Councilmember Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: Yes.

Councilmember Kaneshiro: Looking through this first amendment, my thought process is, "Is this a substantive amendment and will it make a difference?" My question for you is, whether we have this language in here or not, does it make a difference when it comes budget time if it is in the General Plan or if the Planning Department comes up during budget and just says, "We are having a difficult time implementing and we would like to add a body"? For me, putting a sentence like this into a plan that is over three hundred (300) pages, I do not feel like it is that substantive or completely necessary being that during budget time, they are going to come in. If we gave every single department the opportunity to add in language if they needed more bodies, then we would probably add this language in for the Department of Public Works and infrastructure, we would add this language in all over the place. Going through the amendments, my thought process is, "Is it really necessary for us to have this in here?"

Councilmember Yukimura: Well, it is all about the commitment to the planning process for the island and I just read out the goals. They are major goals. If we are serious about achieving them, we have to recognize them and all this statement does is to recognize that we will need to increase the capacity of the Planning Department. I think it is important to put that in, that it is part of this package because we are not going to be able to achieve this plan without having capacity to implement and monitor.

Committee Chair Chock: Just to clarify this amendment. You are asking for capacity for the implementation of the plan and nothing else. It is just to build capacity to implement the General Plan. It is not the build the Planning Department in other areas. That is what it says as I read it.

Councilmember Yukimura: That is correct. The Planning Department has two (2) major missions; right? They have long-range planning so that we are not doing everything ad hoc, I guess you can look at Houston and elsewhere where they just do not have a plan, so it is case-by-case, helter-skelter, and it is very expensive. One of the reasons we plan is for more efficient services. That is our long-range plan and the second thing is to permit permitting and that is to do it in accordance with the plan.

Committee Chair Chock: Okay, thank you.

Councilmember Yukimura: Have I answered your question?

Committee Chair Chock: Are there any further questions?

Councilmember Kaneshiro: Yes, I was just trying to see how important it was. When I think about it, I almost think it is not super important to have it in here being that the time that they are going to be asking for a position is during our budget meeting. That is when they come in. If they can get it approved to the Administration to get that position and then they have to further come here and state why this position is needed to do this, but I do not know...

Councilmember Yukimura: Well, I think it depends on whether you think this plan is important and the implementation of the plan is important. We each make our decisions about that, but as far as I am concerned, why have a plan if we are not going to implement it?

Councilmember Kaneshiro: This sentence says nothing about not implementing the plan. I am just saying...

Councilmember Yukimura: It is saying that...

Councilmember Kaneshiro: ...based on the budget process...

Councilmember Yukimura: It is talking about the capacity.

Committee Chair Chock: Let us take turns.

Councilmember Yukimura: Okay.

Councilmember Kaneshiro: I am saying based on the budget process, which is the time they come in and ask for additional positions. Putting it in the General Plan does not mean that they automatically get new positions in the Planning Department to implement the plan. It has nothing to do with...I want the plan to be implemented, but I guess we are not getting each other right now.

Committee Chair Chock: I get it. Council Chair Rapozo.

Council Chair Rapozo: It is kind of offensive to say, "If you do not support this language, you do not support implementation of the plan." I think that is totally inappropriate. This commits future Councils to funding of increasing the Planning Department prematurely. When you look at the General Plan, we have a Planning Department as certain roles and functions, and their job is to implement the plan. I do not know if they have enough people there today. I could not make that determination today, "This says, 'will need to be increased.'" I do not know that. In fact, if you ask me today, I believe they have enough staff to make sure...if they do their job in the permitting, inspections, and so forth, and the processing of the applications. The General Plan does not create more work for the Planning Department. It just forces them to do their job. Like Councilmember Kaneshiro says, if in fact the implementation of the plan becomes burdensome and they need more people, they will come to the Council during budget, but to come in now and say, "In order to administer an ongoing General Plan implementation and monitoring program, the capacity will need to be increase." I do not agree with that right now or today and I definitely do not think it should be in the General Plan. That goes without saying. If the Planning Department needs help with manpower, they will come to the Council, so I do not think it is necessary. What will happen is like Councilmember Kaneshiro said they will say, "Your General Plan says we need to increase the staff," and we may not need to increase the staff. I think it is premature. Thank you.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: I just want to put up a quick overhead and you can see how much positions—just so that the public gets an idea how much positions are in the Planning Department. For a lot of you, you will be astounded as we have a good size Planning Department with a lot of personnel. Just to arbitrarily say that we do not have enough staff...there you go. That is how much people in the Planning

Department. That is why we question. When you add the benefits and everything, you can almost double that amount. If they are getting paid fifty thousand dollars (\$50,000), it is about one hundred thousand dollars (\$100,000) for us. Let us not pull the trigger on saying we need more staff when we have that much people already. Let us wait until the budget and let us make a really wise financial decision whether we want to add more to our County workforce. We have one thousand three hundred (1,300) that work for the County of Kaua'i. Thank you.

Committee Chair Chock: Councilmember Kawakami.

Councilmember Kawakami: I agree with some of the points that were made. I would just like to point out that I do not know what the intent of the language is and if it was just to add new employees to the Planning Department staff, but the way I am reading it is that it can be ambiguous enough to including deploying of new technology.

Councilmember Yukimura: That is right.

Councilmember Kawakami: Because we do not necessarily need to add new bodies to our government, but you are seeing it all over the place where operations are becoming more efficient by deploying technology, existing technology, and innovation. I think it is ambiguous enough, but if I were to read it with that intent, I could support this. If it strictly to say we are going to add to government, it would be a tough pill to swallow at this time.

Committee Chair Chock: Is there any further discussion? Again, Members, I want to get through all discussion, so that when we get to the votes at the end, we will had our chance to state our place and vote on this. Councilmember Yukimura.

Councilmember Yukimura: Thank you Councilmember Kawakami, because it does include capacity. One of the biggest things...and it is tied to other departments is the geographic information system (GIS) system and our ability to gather statistics and keep track of specific docket and the parcels and the permitting process. That will be part of increasing capacity. This is a growing community and planning of this community are critical. It affects all ways of life and we have to be committed to the process. You are right that at budget time, we do actually make the final decisions, so this does not make any commitments whatsoever. It just acknowledges and recognizes that this will be a critical part of our planning process. We have a lot of language throughout the General Plan that you could say, "Oh my goodness, we cannot do that, we cannot do this—there are so much," but that is not the nature of the language in a General Plan. All this is saying is that this is an integral part of doing a plan. If you cannot implement it, you are not planning.

Committee Chair Chock: Is there any further discussion on this item? Okay. I will say that I am in support of this amendment. I believe that in my time working with the Planning Department, I have seen some of their needs and I acknowledge that there are some needs for help in this department. The reason why I support this particular plan...but I totally hear the concerns and staffing would probably be the last of my interest. When I read “capacity,” I do read the same interest of building tools and technology, which I think they need in order to do their job. But as it relates to the plan, we are talking about—when I read this plan and in criticism of the last plan that we have so much of, is that we wrote a lot of things and it did not get done nor did we have a way to implement or evaluate it. That is what my concern is. When I look at this, it tells me, “You know what, we got to try to put some energy into following up on the plan no matter what it is.” If it is a new software, a person even, in order to see it through, then we will not be back here in twenty (20) years looking at each other and saying, “What happened? Why did we not get it done?” and that is why I support this. That being said, thank you for the discussion and we can move forward. Councilmember Kagawa.

Councilmember Kagawa: I know we would like to tackle every issue as lengthy as this because one can see all of them being important. However, I think there are two (2) items that I would like to see us cover thoroughly: the Provisional Ag Designation for Alexander & Baldwin (A&B) properties in the ‘Ele‘ele community, as well as Hokua Place. I think a lot of people are here for those items and I would like to see us, as much as possible, spend less time on the *manini* items and let us spend more time on the “whales.”

Committee Chair Chock: Sounds good to me.

Councilmember Yukimura: I would too.

Committee Chair Chock: Next.

Councilmember Yukimura: The second amendment has the support of the Planning Department and we did it with our South Kaua‘i Community Plan. We developed a regional traffic circulation plan and it is really critical to do that because otherwise you have a land use plan that does not connect to a traffic plan and everybody is complaining about that. That is when we get a lot of traffic problems. That is what this amendment is all about.

Committee Chair Chock: Are there any questions or discussion? Next.

Councilmember Yukimura: The next three (3) or four (4) amendments are on housing. I would like to do it when our Housing Director is present.

Committee Chair Chock: She is here.

Councilmember Yukimura: Oh, I did not see her.

Committee Chair Chock: I know she is short, but she is here. Can you introduce it first?

Councilmember Yukimura: The first housing amendment is to amend the policy statement on page 39. It just tries to do a “big picture” of how we need to approach housing recognizing the key factors so a fair and effective housing ordinance, adequate capital, effective partnerships, clear policy guidelines, infrastructure policy, a “housing first” approach, a timetable for action, and some background about the housing costs indicating its complexity. The Planning Department is in support of it and I know that the Housing Agency has said to have “no position,” but I spoke to the Housing Director and I just wanted her to come forward and give us the position of her Agency.

Committee Chair Chock: Okay, now I am not sure if she is here. Oh.

Councilmember Yukimura: She is here.

Committee Chair Chock: Oh, okay. We got her till 9:30 a.m.

Council Chair Rapozo: This is 9:30 a.m.

There being no objections, the rules were suspended.

KANANI FU, Housing Director: Good morning.

Committee Chair Chock: Are there questions for Kanani on this particular amendment?

Councilmember Yukimura: Do you have any objections to this?

Ms. Fu: Good morning. Kanani Fu, for the record. Councilmember Yukimura, which amendment are you referring to?

Councilmember Yukimura: It is number 3 on page 2.

Ms. Fu: To clarify where the Housing Agency is coming from, just to give you an idea and I spoke with Councilmember Yukimura about it was as we went through the General Plan process, our Housing staff including myself, we went through several of the meetings. In the first draft of the document what was produced—there were a lot of instances where we would have pushed our methodologies or opinions into the General Plan. The Housing Agency held back, including a lot of the details and facts of housing and intricacies of it more

so because they are always changing the tool box of housing and developing always changes. We were supportive of the current General Plan draft because of the generalized nature of the Housing section. The amendments that Councilmember Yukimura has provided are all factual. We agree with most of the methodology of how we develop housing, the need, and the strategies. Like the Planning Department, we support those policies and we support the methodology of how to get towards more affordable housing that are prescribed in these amendments. We support that. We just did not want to come back in and like what Councilmember Kaneshiro has mentioned earlier is editing an entire section of housing and where does it stop—where do we stop editing? That is where we stand. What is in front of you are factual and agreeable. Whether you want to put it in the General Plan, we will leave up to the Council.

Committee Chair Chock: Okay. Any further questions on this amendment? Council Chair.

Council Chair Rapozo: Thank you for being here. I do not see a problem with the language in this amendment, but I am not in the Housing Agency. Does this amended language hinder your efforts in providing housing for the people of Kaua'i? That is all I really need to know because as I read it, it seems like it is an improvement, it seems like it clarifies a lot of things, but no sense passing something that is going to provide an obstacle for you and your department as you have your directions. I just want to know does any of these amendments hinder your...

Ms. Fu: The amendments does not hinder the way we develop and do housing. It will not. However, to point out, the financing, tools, and the mechanisms that are being proposed in this General Plan may change and that is because of housing and how we develop changes. The only kind of comments that we had and they are minor, if you look under—we are on amendment 3 in Section “b.”

Council Chair Rapozo: What page?

Committee Chair Chock: You said “b”?

Ms. Fu: The amendment number 3 that is being proposed, I have this handout, so it is what you folks have.

Committee Chair Chock: What letter or number?

Councilmember Yukimura: “B.”

Ms. Fu: We are on 3(b).

Councilmember Yukimura: Page 4.

Ms. Fu: The proposal is, “Amending page 115 by amending item A.1. as follows.” I would like to suggest that with Councilmember Yukimura’s amendment, we just remove the last sentence, “At minimum,” from there down. That has a lot to do with the requirements of the Housing ordinance should be left up to the Task Force to come to a decision. First and foremost, there should be a Task Force. The Task Force has not convened and it has to do with we are doing a nexus study, the residential study in determining what housing requirements should be. I think based on that study, the Task Force should then make the Housing ordinance recommendations and not at a minimum we have to have developers give land and infrastructure. It is just removing that sentence.

Councilmember Yukimura: So, I...

Committee Chair Chock: Hold on. Council Chair Rapozo.

Council Chair Rapozo: I hear her and it just seems to me that that option may be a valid option when you are offering the developer to build less units, but give the County the land and infrastructure. Therefore, we can put up the units utilizing the programs that your office uses with what I call the “creative financing and the tax credits.” We could probably put up more units with that public/private partnership with the land and infrastructure than we could just having the developer build out units. I do not see it as a bad thing and I just need to know if that language stays in, does it hinder or can you get around it? Again, keeping in mind, this is a non-regulatory document, so it is something that the ordinance, we could basically do an ordinance however we wanted to, but this option to me is a very creative option that allows the developer an opportunity. Some of these developers have a lot of land, but they do not have cash. Therefore, for them to buildout affordable housing units—we hear the same story, “Let us build our expensive units first so we can subsidize the buildout of the affordable.” This way rather than going down that road, they can say, “We will limit and reduce your structures, just give us land and infrastructure.” It may work out better and that option to me is a viable on, but again, I do not work in your office so I am not sure. I am not too in tune with the financing options that you folks do so well.

Ms. Fu: That is an option that has been laid out, but that is not the only option.

Council Chair Rapozo: Right.

Ms. Fu: I would prefer for it to be generalized because it provides an avenue for the Task Force to then create the menu of options that a developer can satisfy. I recognize the previous Task Force was very focused on land

and infrastructure as the mechanism to meet their affordable housing. We cannot limit that. We need to have it general.

Council Chair Rapozo: I do not see this as limiting it. I see it as...

Ms. Fu: No, it is just pointing it out as a thing, but I want all options for developers to meet their affordable housing ordinance to be equally important. Like, "Yes, we prioritize land and infrastructure, but I will also take your money and not your land in Kilauea because it is too expensive for us to develop."

Council Chair Rapozo: Right.

Ms. Fu: I want to make sure we do not limit our options by putting this in.

Council Chair Rapozo: Got it. Thank you.

Ms. Fu: Thank you.

Committee Chair Chock: Councilmember Yukimura, are you amenable to this removal?

Councilmember Yukimura: Yes, in fact, I had asked Ms. Fu to give me any suggestions for alteration and that did not come up.

Ms. Fu: No.

Councilmember Yukimura: So it is new to me, but I am fine with removing that. I do think that it is not foreclosing other options because it says, "At minimum," and you could add a lot more other options, but if that is a sticking point for her, I think I am fine with removing that.

Ms. Fu: Thank you.

Committee Chair Chock: Is there any further discussion? I am just going to ask for a friendly amendment when it comes to this.

Councilmember Yukimura: Yes.

Committee Chair Chock: Is there any further discussion? If not, next.

Councilmember Yukimura: Amendment number 4 is just some language and both the Housing Agency and the Planning Department support that language.

Ms. Fu: Yes.

Councilmember Yukimura: Did you have anything that you wanted to say about this?

Ms. Fu: No.

Councilmember Yukimura: Amendment number 5 is also supported by the Housing Agency and the Planning Department.

Committee Chair Chock: Hold on. Are there any questions or discussion on these items before we move forward? If not, next.

Councilmember Yukimura: Amendment number 6, as I was telling Ms. Fu, is actually just an expansion of a description of what the Housing Agency does. I think it is very important information. They do far more than just building houses or administering Section 8 and I wanted people to see that see the track-record and that is all it does. Ms. Fu, maybe you can explain your "No Position."

Ms. Fu: On the last amendment, amendment 6.

Councilmember Yukimura: Yes, the last amendment.

Ms. Fu: Again, this was a public process and if the public was interested in learning and dissecting the Housing Agency, we would have included it, and so we did not. I believe what Councilmember Yukimura is trying to do and we are in agreement of it, was just to create, again, a layout of all the tools that we used to meet this policy or how we are going to address that policy. After speaking with her, we are in agreement of all the context and putting it in the General Plan, if the Council chooses to do so.

Committee Chair Chock: Are there questions on this amendment? We have "No Position" from the Housing Agency for the same reason as the last. If there are questions, is there further discussion on it? Okay, next.

Councilmember Yukimura: Thank you.

Ms. Fu: Thank you.

Councilmember Yukimura: That is it for the Housing Agency.

Councilmember Kagawa: Can I say something?

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: I just want to add for myself, I view "No Position" as a "no" vote. It is a nice way of saying, "We want to work with you no matter what you as the Council can do. You have the power to amend as you wish," however, when I see a "No Position," it feels like a "no."

Committee Chair Chock: Thank you.

Councilmember Kagawa: Because if it was a "Yes," they would say "Yes."

Ms. Fu: The amendments in front of you...

Council Chair Rapozo: I just want to ask if any other amendments will be introduced while the Housing Agency is here, because I understand she has to leave.

Ms. Fu: I do not have to leave. I am good.

Council Chair Rapozo: Oh, she is good.

Committee Chair Chock: She is back at 9:30 a.m. I think that is all for now, though.

Councilmember Yukimura: Ms. Fu, I am hearing you actually changing the "No Support" to a "Yes."

Ms. Fu: Let me clarify because I think it would be a sticking point for Councilmember Kagawa. We are in support of the proposed amendments, the language that Councilmember Yukimura has presented with the removal of the last sentence. Thank you. Support, support, support, support.

Committee Chair Chock: Yes is yes and no is no.

Ms. Fu: Amendment 1 through 6 support.

Council Chair Rapozo: Including six?

Ms. Fu: 1 through 6, yes.

Councilmember Brun: It said you had "No Position."

Councilmember Yukimura: That has changed.

Ms. Fu: We took a “No Position” on the lengthier things that had the details, but as I mentioned those things are factual and can be included.

Councilmember Kaneshiro: I mean...

Councilmember Kagawa: It is written down on this document, your amendment as “No Position,” and so it is verbally changing now, then it is something different. We are reading the document that you provided and not the document I had provided. The document you provided said, “No Position.”

Councilmember Yukimura: And it was just amended on the floor, right? You understand that?

Ms. Fu: Yes.

Committee Chair Chock: I think so. Councilmember Kaneshiro has a question.

Councilmember Kaneshiro: To clarify my thought process and your thought process. Whether this language is in or not, it is not that substantive as far as how Housing is going to do their work, what they are going to do, what their options are, and what their tools are. It is just putting more information into the plan.

Ms. Fu: Yes.

Councilmember Kaneshiro: And that is why you had “No Position,” because it is like, “Yes, we probably could put ten (10) more paragraphs of information and pages and pages more, but it is the General Plan and we keep it general. We are still going to do our job and where does it end as far as putting information into the plan.” I was kind of holding that line that entire time and I kind of hear what you are saying, so I just wanted to get that clarity.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: Ms. Fu, for the first amendment relating to policy, I think we discussed how important...right now the policy says, “Provide local housing.” It does not put the emphasis on affordable and that is the entire issue of affordability.

Ms. Fu: Are you talking about amendment 3?

Councilmember Yukimura: Yes.

Ms. Fu: Yes, we agreed to that. We agreed to the edited language.

Councilmember Yukimura: I think Councilmember Kaneshiro thinks that number 3 is just “window dressing,” but it is not.

Council Chair Rapozo: I thought we were done with that amendment.

Committee Chair Chock: We are on number 6, Councilmember Yukimura, and I understand what you are trying to say.

Councilmember Yukimura: I just hope that that is clear. I do not know that that is clear. Number 3 is not trivial. It is really important and I was glad the Chair thought it was clarifying because we need to be clear in this plan otherwise we do not have any guidance or direction.

Committee Chair Chock: Okay.

Councilmember Kaneshiro: My last comment on it is I understood, we went through the entire plan and I was comfortable the way the plan went. We went through every single section. We knew housing whether it was affordable or not affordable or any type of housing is important because another house adds another body to be in a house, which opens up another house. When we are going through this, we got to be careful because it is kind of like cooking. You cook up a meal and all the ingredients together makes sense and that would be the entire General Plan and then now we start dissecting it and we start saying, “Oh, if you do not agree with onions being good then this...” We look at the entire overall plan and I was comfortable with it and when we start inputting things, it is kind of like you start taking out ingredients and thinking the two (2) ingredients still taste good together when you kind of need the entire thing. That is just the problem with how many amendments—we have gone through over one hundred (100) amendments and you kind of like have this great recipe of a plan and then we start to dissect it, and then you start veering and going away from the overall goal of this whole section of housing. It just said, “Provide local housing,” rather than “affordable housing,” and we are starting to mix and match ingredients that may not really be the main purpose of what the overall body of the section was and that it my only concern. When we start changing a word here or two (2) words here and when you step back, you go, “You know I understood this whole housing section. We went through all these different things about affordable housing and any housing,” and that is just the problem when we go through this and we have one hundred (100) amendments that change little things in this big documents. That is where my comments come from when we start adding a lot of information or changing a little thing and then saying,

“Oh, you do not support this,” but that is not true. We saw the whole thing. We saw what the whole section was.

Committee Chair Chock: Okay. Councilmember Yukimura.

Councilmember Yukimura: It is not a little thing to focus on affordability and this statement is not saying, “Oh, we are not going to also focus on other housing as well.” It says, “Provide affordable housing while facilitating a diversity of privately-developed housing for local families.” I was thinking of the additional rental units (ARU) bill and the fact that you have to have a mix of both affordable and market housing in order to make things work. This statement actually embraces both and that is what our housing policy should do, but it cannot be devoid of a focus on affordability and that is what most of the...the South Kaua‘i Community Plan hardly mentions affordability. The chart...can I have that chart? The chart that shows...

Committee Chair Chock: If I can just interject. I feel like Councilmember Kaneshiro was just trying to state his position on it and not so much argue the merits of your amendments.

Councilmember Yukimura: He is. He is saying the amendments are trivial and they do not make a difference.

Committee Chair Chock: He does not like the flavor and the approach and I do not think you can change his mind at this point by explaining it further. I would like for us to move. We have had a chance talk through each one of these and if I can, I would like to excuse Ms. Fu at this time to move forward on this next big item. Is that okay?

Councilmember Yukimura: That is fine.

Committee Chair Chock: Thank you very much.

Councilmember Kaneshiro: I just do not want...it is the second time that she said, “Oh, if you do not vote for this, then you do not agree with affordable housing,” but that is not true.

Committee Chair Chock: Alright.

Councilmember Kaneshiro: We are concentrating on a specific ingredient, I guess.

Council Chair Rapozo: My only advice, Committee Chair, is that as we move forward for Members introducing amendments, when your amendment is

on track to passing, you should probably leave it alone and move on, rather than rehash and start making other Members rethink their position. When you know you have their votes, you should probably move on, and get to the vote as quick as possible because things change on this table.

Committee Chair Chock: Okay.

Councilmember Brun: Just a word of advice. Committee Chair Chock, can we just move on?

Committee Chair Chock: Thank you very much.

Councilmember Brun: Affordable housing was not an issue the last thirty (30) years and all of a sudden it is.

Committee Chair Chock: I am going to ask Mike to come up for number 7. Councilmember Yukimura, would you like to introduce number 7?

Councilmember Yukimura: I have three (3) amendments to the Land Use Map for Hanapēpē-‘Ele‘ele, but out of respect for the developer and the Planning Department, I think it is important to hear from them first to understand what their proposal is. Maybe I misunderstood something, so I would like to ask Tom Shigemoto to come forward, too, because my initial questions are for him and he is a resource person.

Committee Chair Chock: Councilmember Yukimura, so I get a sense of timing are you going to take each one individually?

Councilmember Yukimura: I was thinking of talking about all three (3). We should first then have the map of...yes, that is the Land Use Map...no, those are the amendments. Can I have the map of the community plan? Thank you. That is one page 229 of the Planning Commission draft, but as modified by the boundary change that we made in our last round of decision-making. I guess I will start. My questions are first for Tom Shigemoto. Tom, do you want to introduce yourself?

TOM SHIGEMOTO, Vice President of A&B Properties: For the record, Tom Shigemoto, representing A&B Properties.

Councilmember Yukimura: Last week, you submitted some information about A&B's plans...

Mr. Shigemoto: As requested, yes.

Councilmember Yukimura: ...for 'Ele'ele and Numila. You submitted a 2011 plan, is that the most recent then?

Mr. Shigemoto: That is the most recent plan.

Councilmember Yukimura: Okay. I am going to put the plan up.

Mr. Shigemoto: Sure.

Councilmember Yukimura: But I want to first...this is the Hanapēpē-'Ele'ele plan as stated in the Planning Commission's draft that is before the Council for approval now. The dark green that is striped is the "Provisional Ag." I do not have the legend on there because we wanted a clear map and there was not room, but the issues that are brought up by my amendments will be the Provisional Ag and then the lime green is Neighborhood General. This is the Provisional Ag and let me orient you here. This is the main highway coming down to Port Allen, 'Ele'ele and goes through Hanapēpē Town, and goes on west. Waialo Road is the road that goes down from Kaumuali'i Highway to Port Allen, so this is Port Allen here. Actually, the development right now is where the orange is, I believe, the existing development. All of this going east is expansion. Right here is Lima Ola and Habitat, of course the longstanding development that is along Kaumuali'i Highway and there is Habitat's one hundred seven (107) homes, 'Ele'ele Iluna, and then there is Lima Ola, and so these represent the coffee fields that are east of Lima Ola and this is the Wahiawa Gulch. This is Halewili Road that goes to Numila, and then on to Kalāheo, the bypass road. That is the orientation. Can we put up now the 2011 map for A&B? Do you have that? It is in overhead. Jenelle, do you have the first document? It was the three (3) I put in your box today. Is this it?

Mr. Shigemoto: That is correct.

Councilmember Yukimura: Okay. Let me orient everybody and Tom, correct me if I am wrong. This is Kaumuali'i Highway coming into 'Ele'ele. Waialo Road, which goes down to Port Allen. Halewili Road.

Mr. Shigemoto: No.

Councilmember Yukimura: Oh, sorry, up here.

Mr. Shigemoto: Yes.

Councilmember Yukimura: Halewili Road that goes to Numila, but Numila is way over here. This is the Wahiawa Gulch, right?

Mr. Shigemoto: Yes.

Councilmember Yukimura: This is the conceptual plan that A&B is looking at for developing these lands that are east of...

Mr. Shigemoto: That is right.

Councilmember Yukimura: This is Lima Ola, right?

Mr. Shigemoto: Right.

Councilmember Yukimura: What is this?

Mr. Shigemoto: That is a twenty (20) acre future park.

Councilmember Yukimura: Oh, future park, okay. It has mixed uses.

Mr. Shigemoto: Yes.

Councilmember Yukimura: Do you want to explain further?

Mr. Shigemoto: No.

Councilmember Yukimura: Because it is conceptual.

Mr. Shigemoto: It is conceptual, but there are some Commercial/Industrial/Institutional-type uses that are intertwined inside of the proposed residential area. The yellow areas, all this in here are residential. This light brown is some type of Industrial or light industrial use. This is, I believe, I do not remember exactly what this is, but I think this is more Commercial-oriented, the blue is...

Councilmember Yukimura: That is the town center.

Mr. Shigemoto: Okay. This is more like civic, public-type uses in this blue. This area in green along the coastline is supposed to remain in Open for future park.

Councilmember Yukimura: Okay.

Mr. Shigemoto: And above Halewili Road, in this controversial "Provisional Ag" area, is all residential.

Councilmember Yukimura: Okay. What is buildout time for this proposal?

Mr. Shigemoto: There is no specific buildout period. It all depends on how soon we can get entitlements and we develop as the need occurs. I really cannot give you an exact timeline for our development.

Councilmember Yukimura: This town center, we are proposing to create a new town center for 'Ele'ele and Hanapēpē?

Mr. Shigemoto: Maybe not necessarily new, but to create uses that may not be already in the town center.

Councilmember Yukimura: I think in a letter that you sent to the Planning Department, you talked about a satellite urban center from Līhu'e. Is that your intention here?

Mr. Shigemoto: My letter to the Planning Department has always been that they should consider perhaps creating a satellite second city, whether it is on the west side or the east side, in Kapa'a, it does not matter, but they should consider it. And of course, because I wrote the letter, I am saying that we have the land, we have the resources, we will have to develop our infrastructure, but the land area around here with the port creates an opportunity for a second city. If the Council and County concurs, then that is what our plan is based on because you have to create opportunities for employment before you start talking about building homes. As I said, 'Ele'ele has a Wastewater Plant, water has to be developed, but it does lend itself to this so-called second city concept, plus you eliminate traffic from people on the west side having to move to Līhu'e to go to work. It would alleviate some of the traffic concerns that is currently being experienced.

Councilmember Yukimura: Do you mean like Kapolei eliminated traffic for Honolulu?

Committee Chair Chock: Councilmember.

Councilmember Kawakami: I would like to make a comment on that, but I think the specific point that we are speaking of is to create the job opportunities first and that is what Kapolei and the Ewa Plain did not do. They infiltrated that area with housing with no jobs and so they found themselves having to drive into town and only recently, have they started bringing education like University of Hawai'i (UH) West O'ahu and trying to create economic development on the west side. That is the biggest difference. This is not apples to apples and that is why he specifically said the importance of creating a second city is to make sure you have the job opportunities first.

Committee Chair Chock: I would like to keep this portion to...

Councilmember Kawakami: I do not want to mislead the public with our statements by saying, "This is Kapolei," because it is not.

Committee Chair Chock: Thank you.

Councilmember Yukimura: Well, I wanted to have a distinction made.

Councilmember Kawakami: That was a lousy distinction.

Councilmember Yukimura: What will the traffic impacts be of the total buildout of your plans?

Mr. Shigemoto: I cannot answer that either. There will be...when fully developed, obviously, there will be traffic created, but as I said, if the intent here is to create an employment center where people do not need to travel, it will mitigate it. Traffic is a problem now, Councilmember Yukimura. Right now without one (1) more house being built, one (1) more commercial building being built, so it is going to add. Any time you build more homes and build more businesses, it is going to add, but how you mitigate it is a function of what the State highways does, what the County does, and that has been the problem. The County and State have not kept up with the traffic infrastructural needs of the County.

Councilmember Yukimura: So, do you feel that the taxpayers should pay for the traffic impacts that are caused by A&B's development?

Mr. Shigemoto: No, no. Absolutely not, but where else are you going to get the funds to improve the highways and your transportation systems?

Councilmember Yukimura: That was my next question, is A&B willing to pay all of the costs that of expansion of public infrastructure that is necessitated by the buildout of your plans?

Mr. Shigemoto: When we apply for district boundary amendments or do our developments, the State Highways and the County's Department of Public Works are always consulted as to what their needs are, what we have to do, the Planning Department imposes conditions on developers on what they need to do. Do we need to a (inaudible) to address the very concern that you just raised? We are subject to whatever the government tells us we have to do and obviously, Councilmember Yukimura, we are not going to be improving and widening roads from here to Līhu'e if that is where it is...or here to Po'ipū, because there is no nexus and there are other people who use this road and other businesses and other developments beyond...

Councilmember Yukimura: Oh, no, it would just be your share.

Mr. Shigemoto: Yes, we are always willing to pay our fair share and somebody needs to tell us what it is.

Committee Chair Chock: Councilmember Yukimura, I see us moving in a different direction and that is why I asked you the question about what it is that you are trying to present, out of the three (3), and putting them together. I really want us to get on track to the amendment on hand, so if you could lead those questions in that direction, I would appreciate it, because to go back and forth...you need to include us in this conversation.

Councilmember Yukimura: What are the expected impacts on Salt Pond?

Mr. Shigemoto: I do not know.

Councilmember Yukimura: What are the impacts on 'Ele'ele School?

Mr. Shigemoto: When we developed this plan, we had the Principal of 'Ele'ele School on our advisory committee and she felt that 'Ele'ele School is large enough to accommodate the growth that we have proposed.

Councilmember Yukimura: What is the growth that is going to occur from this? What is the population? What are the housing units?

Mr. Shigemoto: This is too conceptual for me to give you any idea of how many units, so I cannot...if there will be an impact, I cannot tell you exactly how much it is or what it is.

Councilmember Yukimura: You do not have an estimated population that this land use will accommodate?

Mr. Shigemoto: No, as I said, if you look at the map, it says, "Single Family, Multi-Family..." we do not know even if it is going to fall into that particular land pattern, but that is a conceptual plan. To give you densities at this time would be premature.

Councilmember Yukimura: Okay, then what...

Committee Chair Chock: There is another question.

Council Chair Rapozo: It is not a question. We are turning this into a zoning hearing. This is not a zoning hearing. That is conceptual. I think he said that, I think I counted eight (8) times since I came back from the bathroom. Conceptual

means, this is what the concept is. The questions are questions that we would be asking of the developer when he is applying for a zoning change. I can see if this Provisional Ag was Provisional Urban or Provisional Commercial, but it is Ag. There is no zoning change right now, but we are asking questions that are specific to densities and impacts...how can anyone be expected to answer that until they have figured out what they want to do.

Councilmember Yukimura: So...

Council Chair Rapozo: I would like to...

Councilmember Yukimura: So...

Council Chair Rapozo: I would like to finish, first of all.

Committee Chair Chock: Go ahead.

Councilmember Yukimura: Apologies.

Council Chair Rapozo: The question is "Provisional." That is the hang up right now and that is what I think we should be discussing from Mr. Shigemoto, "Why the necessity for 'Provisional' from the Planning Department and from the public?" That is what is on the agenda right now and not "what are you going to do and what is the impact to the school?" How in the world can he answer that when we do not even know? At some point, they might say, "You know what, hemp may be legalized and we may convert that to a hemp farm," but we do not know. I think we should limit the questions to what is on the proposed amendments and stay away from the zoning questions. That is very premature.

Committee Chair Chock: Councilmember Yukimura, I think what we are getting is a distaste for the approach in your process. We want to get to the reasons for the amendment and if you could get there quicker, I think is what we need.

Councilmember Yukimura: The reasons...

Committee Chair Chock: If you are trying to make a point through the questions through Tom, then I think is a different thing.

Councilmember Yukimura: The reason for my amendments should be based on what the implications are of the proposed land use designations.

Committee Chair Chock: Please state those.

Councilmember Yukimura: I am trying to determine that because I have not proposed those designations. They are proposed by Mr. Shigemoto and they were adopted by the Planning Department as a recommendation to the Planning Commission, which then based on the Planning Department's recommendation, adopted these land use changes. I have seen at General Plan amendments these kinds of questions. That is why when a developer makes a separate application that is not part of a community plan, he is required to do an Environmental Impact Statement (EIS), and we do not have an EIS in this community plan process. We do not have the information. My question to all of us is how can we approve those General Plan designations without knowing what the implications...what we are approving, what we are enabling, what we are giving momentum to happen, and that is why it is really important.

Committee Chair Chock: Thank you so much and that is what we are looking is what it is your intention is because it is through the questioning that we are feeling is being undermining. There is a follow-up from Councilmember Kawakami.

Councilmember Kawakami: It is a statement. My statement is based on feedback I have been getting from friends that have been talking about this Provisional Ag that is included in the General Plan. Some people are under the understanding that Provisional Ag automatically entitles this property to be urbanized and that is not the case. As elected leaders, we have to speak the truth and the truth is Provisional Ag—this designation, all it does from my understanding is it sends it back to the community for the community to determine what they want to see with this land. I can tell you, my roots are on the west side and my friends on the west side want to live next to their mom and dad and they want their kids to live and establish themselves on the west side. We do not have a crystal ball on the needs of the west side, but when we look at growth and we look at what is out there, the question is, does it make sense to continue to have housing in areas that are next to jobs, in areas that are next to schools, in areas that are next to existing housing, and that is what the Provisional Ag designation provides. It does not give any entitlements. The developer would have to go and get this included in the community plan, which could take five (5) years and then they would have to go to the State Land Use Commission where the public has a chance to chime in once again, which could take several more years. Then they would come back to the County and then there needs to be funding. All this does is keep the options open and people have been out there saying that this entails or leading people to believe...and that is where we are using fear and divisiveness on an issue where all we want to say is, "West Kaua'i..." to the young folks especially, we continue to look at things in only our lifetime. What about our kids? What about our grandkids that want to stay on the west side? Are we really thinking about them by eliminating this option at this table? I think it is unfair at this table to eliminate that option. I would rather go back to west Kaua'i, have Hanapēpē and 'Ele'ele decide whether or not they want to include this and that

is all this Provisional Ag, in this General Plan, actually does. It says, "Hey, when we went through the process, there was no clear consensus, so let us send it back to the people to decide." We need to speak truth on these things and stop using fear and leading people to believe that this is an automatic approval. Furthermore, we are blaming traffic on the developers. We are the ones to blame for traffic. When we decided in our infinite wisdom that, "We should put housing all in this area and all the retail in this area"; now that creates traffic. This is live, work, and play. When you want to talk "smart growth," creating areas where you can live, work, and play and not need to drive into Līhu'e, that is smart growth. Let us start speaking truth to the matter and not mislead people and striking fear into what is going to happen.

Committee Chair Chock: Okay. Let us move into discussion. We have some people here, too, so I want to get those questions out of the way. We will go to Council Chair, Councilmember Kaneshiro, and then Councilmember Yukimura.

Council Chair Rapozo: A few weeks ago, I introduced the amendment to remove "Provisional," because I knew that term, which does not commit as Councilmember Kawakami just so eloquently explained, does not provide an advantage to anyone, would cause so much confusion and fear that we should just remove it. That amendment did not pass and it is sad that it is back on again, but it is what it is. My point is I do not even know where the definition of that word is. I do not know where it says it is a placeholder, I am not sure where it says, "This provides an easier path for the developer," because you still have a whole ton of stops along the way before you get that thing built. Mr. Shigemoto, if all the planets lined up tonight, what would be the buildout? Let us just say that that was your plan. What would be the buildout time for that project? Ten (10) years? Fifteen (15) years? Twenty (20) years?

Mr. Shigemoto: Probably longer than twenty (20).

Council Chair Rapozo: Yes, so we have to understand that this is a twenty (20) year plan and the buildout for a lot of these projects are decades away because of the land use, because of the County permitting regulation, who knows what is going to be the regulation in five (5) or ten (10) years. Again, the "Provisional" causes confusion and fear and I agree with Councilmember Kawakami that a lot of the calls that I received was because they were under the impression that the term created an entitlement, which simply does not exist. I do not know how else to make that more clear to the public. Thank you.

Committee Chair Chock: Councilmember Kaneshiro.

Councilmember Kaneshiro: No.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: If “Provisional” does not mean anything, then why have it? Because you can at the community plan and you can look everywhere to see where it is best to grow. Can we go back to the land use plan? What it does is it says, “Hanapēpē-‘Ele‘ele should grow in the direction to A&B’s land. We should not do infill, we should not stay within the urban footprint, and we are going to go on very primary Ag land.” The urban footprint of Hanapēpē-‘Ele‘ele is like this. All of this is agriculture. What we are saying is this is the direction of growth and it is going to be almost as big as the existing footprint for Hanapēpē-‘Ele‘ele. If that is not what it means, then do not put it in right now. We know how difficult it is to get General Plan designations removed. Princeville Resort’s designation stayed there for what thirty (30) years and so did Nukoli‘i. It is not that easy and when it is there, they will go before the Land Use Commission and say, “The County wants it to go in that direction, so therefore, please also do it at the State-level.” The question for Tom is what is A&B’s plans for the Provisional Ag designation *makai* of Halewili Road?

Mr. Shigemoto: As part of the package of the things that I sent over to the Council in the slides and PowerPoint we provided, there is a similar master plan for that area. As you know, that area really belongs or is in the South Kaua‘i Development Plan planning area.

Councilmember Yukimura: The Council did not agree with that and so the Council has moved the boundary. There were a lot of testimony...

Mr. Shigemoto: Has it been done yet? Has the boundary been moved?

Councilmember Yukimura: Yes.

Mr. Shigemoto: When?

Councilmember Yukimura: Well it was decided in Committee.

Committee Chair Chock: Last amendment.

Councilmember Yukimura: It was December 13<sup>th</sup>.

Mr. Shigemoto: Alright.

Councilmember Yukimura: All the testimony we received is that Numila has culturally, historically, and economically, been part of the Hanapēpē-‘Ele‘ele community and there was very little dissent about that and...

Mr. Shigemoto: Okay, Councilmember Yukimura, I will not argue that point, but it was in the South Kaua‘i Development Plan planning area and

at the time the South Kaua'i Development Plan was adopted, that was recognized as a placeholder to be entertained when the Hanapēpē-'Ele'ele Community Plan was updated. Now in the General Plan Update, I think that just carries over into what the Provisional Ag intent was or is.

Councilmember Yukimura: So the intent of the Provisional Ag is to really develop this as an Urban corridor?

Mr. Shigemoto: No. Ultimately, yes, if the community agrees and if the Council, at that particular point in time agrees that if and when that area needs to grow, that is where it is going to grow. There was another slide that I sent to you was the lands that we designated Important Ag Lands (IAL), Councilmember Yukimura. Do you remember that act and you remember what landowners were...

Councilmember Yukimura: But that is not...

Mr. Shigemoto: ...able to do?

Councilmember Yukimura: ...that is not the discussion right now.

Committee Chair Chock: Let him finish his statement.

Councilmember Brun: Can we let him talk? Why is he up here if she keeps on interrupting? Might as well we just listen to her and not him.

Councilmember Yukimura: Because Important Ag lands...

Committee Chair Chock: Let him finish.

Councilmember Yukimura: Okay.

Mr. Shigemoto: Let me explain as to why that cross-hatched area and the area we are asking for or the Planning Department has included for future urban expansion is because we left those areas out because we had plans developed for them. If you look at the IAL map, you will see the majority of the Ag lands that we own have been zoned IAL, so I think that is more than can be expected of any large land developer. I think we designated something like fifty-three percent (53%) of our lands to IAL. We are just now showing the Council and we show the Planning Department what our future long-term plans are.

Councilmember Yukimura: Okay.

Committee Chair Chock: Councilmember Yukimura, I just want to interject real quick. There are a couple questions around the table as well, but you have the floor.

Councilmember Yukimura: How much of Kaua'i Coffee's lands will this area remove from agriculture operations if it is built-out? How many acres?

Mr. Shigemoto: It is on the map that I sent. Hang on.

Councilmember Yukimura: I do not know which one.

Committee Chair Chock: Councilmember Yukimura, would you like to entertain the next series of questions or do you want to stay on this?

Councilmember Yukimura: While Tom is looking for the information?

Committee Chair Chock: Yes.

Councilmember Yukimura: Except that if he has to answer the question, he will not be able to look for the information.

Committee Chair Chock: Why do we not do this, we will take the caption break now and come back to it.

There being no objections, the Committee recessed at 10:27 a.m.

The meeting was called back to order at 10:40 a.m., and proceeded as follows:

*(Councilmember Kawakami and Council Chair Rapozo were noted as not present.)*

Committee Chair Chock: We are back in session. Councilmember Kagawa, you have the floor.

Councilmember Kagawa: Oh, I thought Councilmember Yukimura had the floor.

Committee Chair Chock: She is (inaudible).

Councilmember Kagawa: Mr. Dahilig, just to clarify, there is a lot of concern about the west side community not having had the public meetings and invitations to educate them on what is this new "Provisional" status that we have created in this General Plan process. They are worried that the Provisional status does work like an entitlement and that their will when they meet will not be heard if

at the time they say, "We do not agree with the General Plan and its Provisional status." If the Provisional status stays in, what is going to be their power in this?

MICHAEL A. DAHILIG, Director of Planning: Let me turn you to page 10 of the Plan and that is the definition in the plan that talks about Provisional. It has been a term that has been passed around and brought up. In Planning practice what is paramount for us is to be able to engage the community and when you are talking about an island versus talking about a regional area like Hanapēpē or 'Ele'ele, there are varying levels of regional intensiveness that we have to provide for. For example, this Plan is a fifty thousand (50,000) foot plan, but what we need to do for Hanapēpē to 'Ele'ele is do something some that is at the ten thousand (10,000) foot view. We have not had that opportunity to do that nor are there any documents that provide that direction because the last time a plan was done for that area was in the 1970s and that was before I was born, just to provide some relativity there. What we also heard was this desire to make sure the plans can be implemented and what is the concern with the plan not being implemented is that we do not align the regulatory checks. What Provisional was meant to do is say, "We, as the Planning Department, cannot reach a conclusion as to what this area should be and the community, through a proper community planning process at a ten thousand (10,000) foot level, needs to go through that, and come to some consensus as to where it goes." That is all we are saying at this point. Once that process happens, this map should be flexible enough to implement that community will sooner than having to wait until the next update for this plan, which could be another twenty (20) years. That is the balancing element that our Department is trying to attempt to do with this definition is provide for more timely implementation of regional will and recognize that we cannot make a decision and recommendation for the community on certain areas because we just do not have enough regional information.

Councilmember Kagawa: I am hearing a little bit that the community has not been properly informed of the meetings regarding Hanapēpē-'Ele'ele plans and I guess cooperation with the Planning Department to make sure that everything is clear in this entire process with General Plans and with Hanapēpē-'Ele'ele community groups. Is there going to be an improved communication going forward?

Mr. Dahilig: Thanks to this Council, we have moneys to start a West Kaua'i planning process, which will include the areas of Hanapēpē and 'Ele'ele and Waimea and Kekaha. That process is meant to be very intensive and actually from a budgetary and manpower standpoint, we will almost mimic the amount of effort put into this General Plan, because we understand that a regional planning process is more intensive. If the Council does pass this plan out, our intention from a departmental standpoint is to immediately move into a community planning process for the west side, so that we can update their community vision, one that is almost forty (40) years old. Therefore, have those community vision elements be available for consistency with this General Plan sooner than later.

Committee Chair Chock: Just as a follow-up, is the designation of Provisional area of Ag in this case something that was created by the Planning Department or taken from specific principle or guideline that you use? I am trying to get a sense in not knowing what to do with this piece or where that came from.

Mr. Dahilig: This practice is primarily hinged on the State law requirements that we have to follow as part of our zoning authority. It was crafted by our Department to primarily meet that objective. There is not really a best practice given. Every State has very different zoning enabling acts and very different zoning requirements, so this was meant to be consistent with Hawai'i Revised Statutes (HRS) 46-4 in order to facilitate what we believe is going to be more efficient consistency with implementing the plans versus having to wait for another planning iteration in the interim by this document. I will be very clear, it is not something that we have lifted off of another jurisdiction, it was something that we felt as a bridge between what the State law requires and what the community's needs are, at this point.

Councilmember Yukimura: I have a follow-up.

Committee Chair Chock: Okay.

Councilmember Yukimura: Mike, if you say that the Planning Department could not make a decision, then why did it make a decision to put in Provisional Ag?

Mr. Dahilig: What we understand as the many moving parts of a community include community voices as well as what the landowner needs, as well as what statistics are, it would be irresponsible for my Department to be the arbiter of saying, "Okay, we are going to color this entire area in Residential community." We did not get community support for that, but at the same time, we have not had the opportunity to go into the community and layout the statistical information for the region, explain the demands on infrastructure, explain the demands for housing, explain the demands for competing community needs, and actually go through a similar community process like we would with the South Kua'i and Lihu'e. That decision to not recommend is consistent with the Planning philosophy that is best practice. Why we put the Provisional area in; however though, is to ensure the landowner's wishes are highlighted as a point of starting a conversation, so that everybody knows that these areas are something that the landowner may be wanting to move on. However, whether the community concurs with the landowner and all the different questions concerning what is the impacts on Salt Pond, what is the impacts of the transportation system, what is the impacts to the school—all those items have to essentially be communicated between the landowner and the community right now. That has not happened yet. That is why we are saying with "Provisional" is this area is intended by the landowner to do

something with it, but at the same time, there still needs to be more community process because it is sensitive to the overall regional planning picture.

Councilmember Yukimura: Why would you put in something from the landowner, which violates the principles of form-based code and your five (5) and ten (10) minute walk concentric circle, the principle of infill, and all of that?

Mr. Dahilig: The area, at the end of the day, is going to be also...going back to the basic premise of the General Plan, you have the textual policy and you have the mapping policy. At the end of the day, the maps that come out of the regional process may not match what this exactly says. We have to give freedom for the community to actually define the maps on a regional level. We are not making a judgment call as to what the maps should ultimately look like at the end. What we are saying is we have this information that has come in from the landowner and again through our community process—and for the General Plan, we have contacted all the landowners and said, “What are you folks planning on doing so we know.” This has been an ability to highlight it and say, “We need to talk about this. Let us take a look at what needs to be done. Community, are you okay with it? Do you want it smaller? Do you want it more intense? Do you not want it intense?” That is the conversation we need to have and we could not afford as part of this process.

Councilmember Yukimura: I thought that a General Plan and a community plan is supposed to be community plans that give guidance to landowners about what the community design should be and not a conglomeration of the landowner plans.

Mr. Dahilig: I agree one hundred percent (100%) with that statement, but what the difference here is that we are not implementing the landowner’s plan. What we are saying is the landowner has this idea in mind, we need to go through our regional process, “Community, what do you think before we start talking about any type of designation.”

Councilmember Yukimura: When you put it in the plan as a designation, you are incorporating the landowner’s plan.

Mr. Dahilig: I disagree.

Councilmember Yukimura: And what about the non-community issue, but the islandwide issue of a second city? That is not only for the Hanapēpē-‘Ele‘ele community to decide. It is a major decision that appears to me that contradicts the whole thrust of this General Plan that the growth should be focused in Līhu‘e where the present jobs are and people are having to come in and causing a lot of traffic and putting the houses there. That is a major principle that I see of the Līhu‘e Community

Plan, the islandwide plan, and a second city would be a very different approach. How are you reconciling that?

Mr. Dahilig: The phrase “Second City” is not a phrase that our Department is adopting nor characterizing as a buildout potential for this area. From a form-based code standpoint or from a smart growth standpoint as you made reference to earlier, the basic premise of that is that you want to put housing as close to jobs as possible. What we do know is that the job center is in Līhu‘e, but there is also the potential for job center where there is infrastructure and where there is infrastructure right now is at Port Allen. We have a functioning port that is run by the State Department of Transportation that can facilitate job creation. Looking forward and being cognizant of the need for putting jobs and housing close together, that is where our primary focus has been in recommending certain areas in this area to be looked at. It is the same analysis that this Council went through similarly with Lima Ola and the State Land Use Commission also took with Lima Ola as well, so we have gone through that as a recommendation. If the Council decides not to concur with that philosophy, it is within your prerogative as a body to concur or not.

Committee Chair Chock: Before we get to another question, there are some follow-up questions, but I have to apologize, Councilmember Kawakami, you did also state that you want to...but if it is not in the same lines, I would like to move with the other follow-ups.

Councilmember Kawakami: I was just bringing to your attention that I saw Ms. Souza and it seemed like she had some input to add in, so I was going to ask her if she had anything to say on this matter. While we are talking about the community plan process, Director Dahilig, how do you plan on going out and getting input from younger families, which are going to be impacted, in my opinion, the most? The families that are just having children, just got married, are working two (2) to three (3) jobs that eventually are going to have grandchildren, what methodology do you take to make sure you are getting their input?

Mr. Dahilig: What we have done with this plan knowing that this actually affects that generation more so than other generations is that we made a concerted effort to look at social media, web-based platforms, and direct surveying as a means to take temperature checks. The traditional means that has always been are hold community meetings, send them a bunch of flyers, and expect people to come to you, but the reality is that does not provide us a good picture as to what community sentiment is. Marie has been very diligent in actually going out into the community through things like “Pop Up” events at Farm Fairs, “Pop Up” events at football games, and those types of things. We are actually going to the community and getting that information. That is where we are trying to make sure that we are aware and present of where our families are going to be and try to solicit their input that way.

Councilmember Kawakami: I would commend your efforts, but what was the outcome of using social media? Was it successful? Are there other ways? I only say this because each and every one of us on this table, we attend thousands of events. We go to baseball games, we go to senior softball games, and people think that we are just going out there and “showing face,” but this is where we are doing our reconnaissance and you go talk to those guys that are coaching baseball at Hanapēpē or ‘Ele‘ele, the younger folks. I asked them “Where do you want to live?” “Right here where I was born” and that is eighty-five percent (85%) of the time. The other fifteen percent (15%), they might want to live in Līhu‘e because it is closer to where they work, but most of them that I have talked to said, “I want to live here next to mom and dad,” and do you know what? You take a look at the reality as a graying of society happens, we have a lack of assisted living facilities, so you ask these folks, “Well, why do you want to live here?” “I grew up here and it is close to mom and when she gets old, I can take care of her.” I just encourage all of us to think beyond our lifetime and when we are doing that community plan to be innovative and we are going to have to put a little bit more sweat in it, but then we will be able to get a real good snapshot of what these folks really want to see. That is all I am going to say moving forward.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: No questions about the Provisional thing, but I think Councilmember Kawakami has hit this entire issue, he has hit it right on the head about leaving the option open and the community has the power in the end. Do we want to instead take it out, as Councilmember Yukimura is saying and not have that option until 2035, I mean that is what I am hearing; I want to leave that option and power in the hands of the community. Some of them are shaking their head, but they do not speak for the entire community. My family is from that community too. I do not think they want to shut off the idea until 2035, so let us let the community have the power with the option. That makes most sense. I want to move back there as soon as I retire. I do not fish here. Līhu‘e is not my fishing grounds. Let us get real and let us leave the community with the power and option. That is all I hvae to say and I am ready to vote on this.

Committee Chair Chock: Council Chair Rapozo.

Council Chair Rapozo: So ironic I wrote this as part of what I was going to say at the end, but I wrote down, we cannot assume anything. We must let the future leaders and future community members determine their fate at that time based on the current circumstances when it comes up. What I want to hear, Mike is, if I had a sheet of paper, because I do not think taking out Provisional does anything as far as community input. It does not take away the right, but I want to know if you had a sheet of paper and you cut it in half and you wrote down “Provisional Ag” and then “Ag.” As it relates to process with the community and what needs to happen, what would be the difference?

Mr. Dahilig: The difference with...

Council Chair Rapozo: As it relates to the community.

Mr. Dahilig: I want to be clear and saying this without running...I tend to run in circles sometimes.

Council Chair Rapozo: Do not do that. Just tell me the difference.

Mr. Dahilig: I want to quick. The only difference here in order to comply with Section 46-4 of HRS is that...

Council Chair Rapozo: Which is?

Mr. Dahilig: Which is the zoning enabling act, which allows the Counties to zone.

Council Chair Rapozo: Okay.

Mr. Dahilig: That if the community planning process comes out with an outcome of wanting to convert this area into more intensive use, on the "Provisional Ag," it would not have to amend the General Plan again. Under regular "Ag," it would have to amend the General Plan again. That is the difference. That is it. I think if there were a concern regarding when an EIS would be triggered, an EIS would be triggered on agricultural land at the time you need to amend the General Plan. For Provisional Ag, an EIS would be triggered when you go to the State Land Use Commission. Neither process eliminates the need for an EIS...

Council Chair Rapozo: Neither process?

Mr. Dahilig: Neither process eliminates the need for an environmental impact statement. The only difference is you do not need to go through the effort of amending the General Plan again. That was the distinction in that it actually provides for implementation of the plan sooner than later, if that is what the community desire is.

Council Chair Rapozo: Okay, define to me "if that is what the community desired."

Mr. Dahilig: We are going to go through a community planning process. We do not go out with recommendations, we go out with surveying, giving the statistics out, we do the information—gathering, we bring it to a CAC as well as we bring it to community events, and say, "Here is what we think may work."

Then we bring it to the Planning Commission as a draft plan, it comes up to the Council as a plan like the South Kaua'i or Lihu'e, the Council would then have to adopt that regional plan by ordinance, and then that regional plan will be actionable. It removes, in effect, the requirement that you have to change this plan and then go forward with everything.

Council Chair Rapozo: Okay. HRS has a provision in there regarding "Provisional"?

Mr. Dahilig: No. HRS has a requirement that any zoning ordinance that this Council wants to pass has to be consistent with a comprehensive General Plan.

Council Chair Rapozo: Okay.

Mr. Dahilig: That is it.

Council Chair Rapozo: I guess I am confused. Where do we get this...I guess it would be an advantage now as you explained it that way.

Mr. Dahilig: Yes.

Council Chair Rapozo: Where do we get that? Is it an interpretation of how you read HRS or is that the law? I do not see any kind of legal definition of "Provisional," so it is still Ag. It is going to be Ag and it will be Ag whether you put "Provisional" in front of it, in the back of it, it is still Ag. What authority...I am just trying to educate myself right now. As far as the community is concerned, because you said earlier that you kind of designed this with the "Provisional," basically, for the developer and the community may not agree. That is kind of like not what the process is supposed to be. It is supposed to be the community drives the plan, so I guess I was concerned when you made that statement. I do not think you meant what you said. I hope you did not mean what you said. The community should be driving the plan. I do not understand. If all the communities say one thing, and take this issue out of it, because it could be any issue in this General Plan, the Planning Department will basically say, "Sorry. We do not agree, tough, and we are going to go down this road." I do not think that is what you meant, but I am just trying to figure out as far as the community is concerned and their opportunity to determine what happens where they live, because I agree with Councilmember Kagawa and Councilmember Kawakami. When we are out in the community, I think there are a lot of people that want to live over there. A whole bunch of people want to live on the west side. You cannot judge everything based on how many E-mails we receive, but I do not know that and there is going to have to be a process in place that is going to make sure we figure out what the community wants. I just want to know what the

difference between these two (2) columns on the paper for the community and their ability to determine what they want at the time, what is the difference.

Mr. Dahilig: From an operability standpoint, I refer you to page 10 of the General Plan, just so that...I am couching my explanation within what is in black and white and explanatory within the Plan. Just to reiterate, we do not have this particular "Provisional" designation as something that is best practice across the nation. It is something that is meant to mold consistency with HRS 46-4. We have heard many times that if a plan is in place, the ability to implement it in a timely matter has been a concern of the community as well. What we are trying to do in this case is get the best information out to the community and have the community through a regional planning process as described on page 10 be undertaken by that process. We felt that this language is meant to be very clear about what that word means to say that it is not designating anything other than we recognize it has to go through a community planning process first and that is all.

Council Chair Rapozo: And without the "Provisional" in there, it would not go through the community planning process?

Mr. Dahilig: It will still have to go through the community planning process, but the community planning process in order for it to be implemented, you have to come back and amend the General Plan again.

Council Chair Rapozo: Got it.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: When you pass the community plan; that is an amendment of the General Plan.

Mr. Dahilig: No, it is not.

Councilmember Yukimura: I believe it is.

Mr. Dahilig: If it was, it would make my life easier.

Councilmember Yukimura: You would change General Plan designations in a community plan and that is the subsequent law that is an amendment to the General Plan. The community plan is an amendment to the General Plan.

Mr. Dahilig: I would refer you to the County Attorney.

Councilmember Yukimura: That is how it has always been.

Councilmember Kawakami: I have a follow-up question.

Council Chair Rapozo: Does it make it right?

Councilmember Yukimura: The Līhu‘e Development Plan changed the General Plan for Nukoli‘i. That was when the General Plan was amended. You do not have to go back and you can do both zoning and General Plan amendments together and if Tom and A&B does not want to wait for the General Plan or a community plan process, then they can submit an independent application for General Plan and zoning amendments. They have been done over and over again.

Committee Chair Chock: Let us get the response.

Mr. Dahilig: I will let the County Attorney answer, but I will say that if it is the case, then it would make my Department’s life a lot easier, but I do not believe that that is the case without consistency with the General Plan.

Committee Chair Chock: (inaudible).

Councilmember Yukimura: Mike, did we not make General Plan amendments in the community plan?

Mr. Dahilig: No.

Councilmember Yukimura: I believe we did in Līhu‘e and in the South Kāua‘i. We changed the Ag north *mauka* of Weliweli to Ag rather than Urban. So the question for Mauna Kea, the question is whether a community plan is an amendment to the General Plan to the extent that it changes General Plan designations of property within the community plan jurisdiction.

MAUNA KEA TRASK, County Attorney: Let me orient myself.

Councilmember Yukimura: To go off the Chair’s question about what difference does it make whether it is Provisional Ag or Ag. I think the Planning Director is saying that once the community plan is done, then there has to be a General Plan amendment subsequent to that, but if the community plan changes Provisional Ag to Neighborhood General, then that is an amendment. You do not have to do another General Plan amendment.

Committee Chair Chock: Mauna Kea, do you need some time on this question? We can move forward because we have other questions.

Mr. Trask: I will just sit over here and try to work this out.

Councilmember Kawakami: I want to add on to this discussion. We are trying to be more transparent in the process and I tell you this “Provisional” designation makes it very clear what certain members of a community are tied up on. If we do not want to be transparent, then just leave it in Ag and when it goes to the community plan, then these developers can come in and try to change it back. This is very upfront and transparent. I am hearing a debate on whether we should be transparent or not. Let us just take it out. Let us just pretend like they do not have a plan for this section of the island, that is what I am hearing. It is hard for me to grasp as to why we would not want to be upfront in this map and in this designation, so when it actually goes to the community planning process, which has not happened, that people actually have an idea of what the intent was. If we want to be ostriches and stick our head in the sand and pretend, “Hey, you know what. Let us take the path of less resistance, let us take out the Provisional and pretend it is just going to be Ag,” then that is fine.

Committee Chair Chock: Who initiates this Provisional Ag designation in this process and how was that, in this case? Will the landowners’ interests always initiate it and future plans or is it done another way?

Mr. Dahilig: I will say that it depends.

Committee Chair Chock: How will it depend?

Mr. Dahilig: When we initially proposed as part of our rollout draft, the removal of Kīkīaola’s Resort area from the map. Part of our recommendation to put it back in as Provisional Resort even though it had the designation present, it was based off of a very large amount of community outcry saying, “You are taking away our job center.” We were competing (inaudible) with these tensions with, “We do not want any more resort designations, we want to limit our resort areas, we want to limit our resort areas, and we do not want them expanding.” We first responded that way, but we went through the drafting process, you had (inaudible) of people coming to our community meetings saying, “Wait a minute, do not foreclose our ability to create jobs on the west side.” That is when we realized we are not going to be able to resolve the community sentiment through one (1) or two (2) community meetings. We have to actually get in there and really understand do they need the resort and should they have the resort, and so that is why you will see a similar crosshatch with Kīkīaola that we are having this competing tension between less expansion or resort issues versus jobs. It is not one way or the other. It is really meant to say that it has led our Department to a conclusion that there are proposals on the table that need to be fleshed out whether it be coming from the community or the developer.

Committee Chair Chock: Thank you.

Council Chair Rapozo: In the example you stated with Kīkīaola, it is already in Resort.

Mr. Dahilig: Yes.

Council Chair Rapozo: So why would you put "Provisional"? Is there a plan to change the designation?

Mr. Dahilig: We had initially planned to take it out.

Council Chair Rapozo: Okay, but you did not.

Mr. Dahilig: When we went through the drafting process, initially our temperature was "okay, take it out of Resort," but because people wanted it in, we were like, "We are hearing competing issues," and so we do not know whether it should stay in or come out. It just needs to be going through another community discussion.

Council Chair Rapozo: But for the reasons you stated for this designation here, which is Ag and the Provisional Ag is in the event that the land designation will change to a different designation. Kīkīaola is not the scenario; it is already in the designation. Are you saying that you put "Provisional" in there in the event that the owner or developer wants to take it out?

Mr. Dahilig: No, in the event that the community wants to take it out, because we also heard competing issues with the community that they do not want expansion of resort areas.

Council Chair Rapozo: But it would not be expansion.

Mr. Dahilig: It is not built-out yet.

Council Chair Rapozo: Right.

Mr. Dahilig: So there is nothing. It is a potential for additional density in our Resort inventory. That was the competing tension that we were left with was we want...

Council Chair Rapozo: So, why are we not using Provisional on every single plot of land in the General Plan?

Mr. Dahilig: That is a good question.

Council Chair Rapozo: I need an answer. I am not trying to be funny. I am just trying to apply what you are telling me and it is like specific to certain projects, but if your analysis or your explanation, very reasonable Mike, but it applies to everybody's property. Why only these specific ones?

Mr. Dahilig: Let us take for example South Kaua'i and West Kaua'i. Those areas have gone through a regional planning process and the policies were endorsed by this Council very recently, within the past two (2) to three (3) years. We have a great degree of certainty from a planning will standpoint of the community where the consensus has gone regarding a regional process. If you look at these areas that have had those regional plans, that is why you will see that, but as we started getting away from these areas, the only other regional plan that we have had as recent in terms of a regional policy was the Kilauea Town Plan that was done about a decade and a half ago. Other than that, across the rest of the island, we do not have deep community understanding concerning regional policy. The "Provisional" really is meant as a stop gap for those areas that we have not had that opportunity to go through an intense regional process and leaving the stubout for that regional process to be able to be implemented. That is why other areas, you may not see these areas of disagreement be highlighted because relatively there was not much.

Council Chair Rapozo: What about Hokua Place? That will come up later.

Mr. Dahilig: We had taken it out.

Council Chair Rapozo: Why is "Provisional" not there?

Mr. Dahilig: We could.

Council Chair Rapozo: I am not suggesting it. I am just saying that...I am trying to apply your mentality to the different projects and it is not consistent. That is all I am trying to say. I do not have any more questions.

Mr. Dahilig: Okay.

Committee Chair Chock: Mauna Kea, do you have a response to the question? (inaudible).

Mr. Trask: The General Plan is general. The development plans are a detailed scheme for the replacement or use of specific facilities within the framework of the General Plan and they implement the General Plan. For Kaua'i County Code Chapter 7 within Title 4, covers the amendment to the General Plan under Article 3. If you were to list something in General Plan and then

later change it, you could not do it via development plan, you would have to amend the General Plan, but the development plan could specifically implement and discuss facilities therein. That is the answer to that question.

Council Chair Rapozo: I just want to make sure that you are saying that the community plan does not trump the General Plan.

Mr. Trask: No, it specifically implements the general portion. You know like a lot of things you heard on the floor from the community is, "The General Plan is not specific enough."

Council Chair Rapozo: Right.

Mr. Trask: And so the development plan takes it that next step.

Committee Chair Chock: Any further questions on this?

Councilmember Yukimura: When the Līhu'e Development Plan was done, part of that plan showed a Resort district at Nukoli'i and I do not remember any other amendment.

Mr. Trask: Those are definitely issues to explore, but I cannot speculate. I do not know. I am not familiar with it, so I would have to go look whether or not that is what happened or (inaudible) and circumstances, I just do not know. I am not able to speak about what the Līhu'e Development Plan had treated Nukoli'i at any given time in the past. I am not sure.

Councilmember Yukimura: We adopt the General Plan by ordinance and we adopt community plans by ordinance. They are the subsequent ordinance. We are changing the General Plan designation from what I understand.

Mr. Trask: Yes, so the General Plan can be amended via ordinance and that is how you do it. Only an ordinance can amend an ordinance and the General Plan is ultimately adopted as an ordinance. I am just saying that in any ordinance, as long as the title addresses the same subject matter, which may be the Līhu'e Development area, you could possibly in that ordinance simultaneously both amend the General Plan as appropriate to track the development plan, but I do not know. I would have to go look at that ordinance to see what specifically happened. If I could just add, like Mr. Dahilig said, the "Provisional," which is the term we are using right here is novel. It is not really provided in any place. I, myself, do not know how to treat that legally from any perspective, but under the Charter the Planning Director has the authority to interpret and advise the Mayor, Council, and the

Planning Commission on planning matters within the County. That is kind of the extent to what I can treat legally “Provisional” because it is the term (inaudible).

Councilmember Yukimura: In the community plan for South Shore, there were the lands that are adjacent to Weliweli Tract were designated...they were switched from the General Plan designation from Residential to Agriculture. Is that not an amendment to the General Plan? We put in form-based codes...so Neighborhood General is a General Plan designation and you do not need another designation change in order to go for zoning. You do not have to go get a separate Neighborhood General amendment after the community plan is done or after this plan is done.

Committee Chair Chock: I would like to bring us to a point that there is some discrepancy and obviously in terms of what comes first. That being said, if it makes a determination on how you vote, Members, that is what I think is important at this point.

Councilmember Yukimura: Well the thing is that I think Mr. Dahilig is saying that there is an advantage to putting “Provisional Ag” in this General Plan and I still do not know what that advantage is.

Committee Chair Chock: I think that was his explanation for it and whether or not you agree with it is different.

Councilmember Yukimura: If the community plan decides that it should be Neighborhood General, if the community plan is not a General Plan amendment and they have to go get a separate amendment, there is no advantage.

Mr. Dahilig: Is that a question?

Committee Chair Chock: Do you want to pose a question?

Mr. Trask: I do not want to argue.

Committee Chair Chock: Mauna Kea has responded and I think you have heard.

Councilmember Yukimura: Because people are going to vote one way or the other based on this idea that it is going to give an advantage to the developer, that it is going to speed up the implementation process.

Mr. Trask: Finally, all I can say is in trying to understand these concepts myself, I spoke with the Planning Department and what I have been told is that the “Provisional Ag” is a placeholder for discussion to be had by the

community later, like Mr. Dahilig said. It tries to simultaneously acknowledge the current state of affairs and the fact that in the future according to smart growth policies: live, play, and work, housing shortages, et cetera; that the designation sits right at the edge. Therefore, in a development plan according to the Planning Director's advice and how he understands and is in charge of the planning process for the County, the development plan could in specifically implementing his term of "Provisional" implement placing of affordable housing product there without having to go through a General Plan amendment. That is my understanding of what he is saying and because Provisional Ag does not exist in a case or anything like that, I would be as your lawyer depending upon what the Planning Department is saying it is in order to implement what the law says. That is the best I can say because I am not a Planner. To that respect, I defer to the policy statements and the *kuleana* of my client, in this case the Planning Department.

Committee Chair Chock: Any further questions on this item? What I would like to recognize that Jean Souza is here.

Councilmember Yukimura: I wanted her to speak too. I have some questions for the Planning Department.

Committee Chair Chock: Okay, let us move through this.

Councilmember Yukimura: I want to start with the two (2) clear policies in the Planning Commission draft, which is before us. May I have page 9 or 7, which is the Allocation of Growth. It is the separate document and you can put it on the overhead. That is Planning policy, I presume. It says, "Growth Allocation by Planning District." It shows for Hanapēpē-'Ele'ele eight hundred eighty (880) of the nine thousand (9,000) units.

Mr. Dahilig: If I can get clarification of the word, "Planning Policy," what do you mean by the word "Planning Policy"?

Councilmember Yukimura: That is the target additional density that we want in Hanapēpē-'Ele'ele of the nine thousand (9,000) units that are projected in terms of demand.

Mr. Dahilig: It is not a policy or target. It is a statement on our social economic consultant projecting out rates of growth. We have taken it to say, "Okay, let us try to meet these allocations," but it is not a hard and fast policy. It is a projection.

Councilmember Yukimura: So, it is determining a minimum.

Mr. Dahilig: Not a minimum, but it is giving a snapshot as to if the social economic trends continue and adjust as they predict, this is what we can see on the island as a demand.

Councilmember Yukimura: What does it provide as part of the General Plan then?

Mr. Dahilig: It gives us an idea of...

Councilmember Yukimura: How much we need to accommodate.

Mr. Dahilig: Potentially. It does not drive the policy per se, because ultimately there are other factors that need to be considered like for instance directed growth, things like environmental issues, and those types of things. It was a starting point that was developed as part of our technical studies to have a trend analysis as to what this would look like if certain trends were to continue without any type of policy adjustment.

Councilmember Yukimura: So, it means that we need to provide eight hundred eighty (880) houses at least in the Hanapēpē-‘Ele‘ele area in the next twenty (20) years?

Mr. Dahilig: That is based off of trends. If the trends were to continue without any type of steering or steered growth, that comes with a consequence of amend the General Plan. You have to understand this data was developed prior to any of the rest of the document being fleshed out. This is a foundational point of information on if this happens and this continues without any type of steering through a General Plan, this is what it could look like.

Councilmember Yukimura: Okay, and if you want to steer the growth in Hanapēpē-‘Ele‘ele, what are the goals of the General Plan?

Mr. Dahilig: Well the islandwide goals are that you want to reduce traffic, so you want to try to create job centers that have housing next to them or enhance job centers that have more housing next to them. You want to have an islandwide target of approximately nine thousand (9,000) new housing units across the island and you want to make sure that your growth and infrastructure is not to a point where it is financially and sustainable for the island and does not damage the environment.

Councilmember Yukimura: That is an interesting combination of goals. Okay, then we will go to the second goal. This comes from the text in the Planning Commission draft for Hanapēpē-‘Ele‘ele. If you see in the middle highlight, Hanapēpē

is in an appropriate location for incremental change and as we know from form-based code, it is a degrees of change is a really important planning tool; right?

Mr. Dahilig: Right.

Councilmember Yukimura: So is it the policy of the General Plan that for Hanapēpē and ‘Ele‘ele and we can go to the next page, which talks about ‘Ele‘ele, it says the same thing. Next page. It is this context of these two (2) things aiming for eight hundred eighty (880) units at minimum to at least meet the trends and incremental change as defined by...or why do you tell us what increment change is?

Mr. Dahilig: It means that some degree of change is acceptable to the community, but not something that is on the scale of it being transformational.

Councilmember Yukimura: What does informational mean?

Mr. Dahilig: It is a relative term, so when we went out and got these degrees of change items from the community, in an abbreviated community process through our form-based code consultant. We are just trying to get a temperature check as to what were people feeling as to how much change is palatable for the... Why this is put out? If you look at the header on page 7, it says, "Preliminary Vision and Priorities." It is meant as a preliminary temperature check that needs to go through a further regional process.

Councilmember Yukimura: I do not think anybody will disagree with the idea of incremental change in Hanapēpē-‘Ele‘ele. When I remembered the workshop, people wanted to protect the west side lifestyle, they wanted to have access to their beaches, they wanted to have affordable housing, but they did not want a lot of tourism or major growth in the area, and that it was quiet and peaceful, things like that. I remember the words that were brought up at the workshop. I would like to have my slide now on the Opticos 2016 Report. The PowerPoint presentation. We hired consultants to help us with form-based codes because we think that might be a really good way to preserve our neighborhoods and towns and we paid them one hundred thousand dollars (\$100,000) to be consultants to us. These were their recommendations and that was included in the first draft that came out on the General Plan Update from the Planning Department to the Planning Commission and the public. Can you explain that?

Mr. Dahilig: Yes, I am going to turn that over to Marie and we may need the pointer to better explain.

MARIE WILLIAMS, Planner: The map you are looking at right now is the conceptual map that was presented at the end of the Hanapēpē-‘Ele‘ele place-typing

workshop that was held in November of 2015. About fifty (50) to sixty (60) people participated in this workshop that lasted over several days, but we started with kind of a kick off launch where people came and we presented some of these concepts and also tried to ascertain what the vision could be for this area and what the issues were pertaining to growth. We showed those projections as well and we wanted people's input on what they thought of these population allocations. We also did a bus and walking tour where we looked at areas of potential change, we really focused on where the town center is, and we wanted to define where that center was as well. At the end of that multi-day workshop, we did reconvene everyone and our consultant did present some of these very draft conceptual maps, so what you see here in the dark red with the bold edge is basically what we determined through the workshop what the center would be. Therefore, obviously, a very important town center is here in Hanapēpē Town, but what was interesting because this was not necessarily shown in our existing General Plan map is that we realized that there is potential for Port Allen area to also function as a center as well. Once we were able to "right size" what those centers were, we simply conceptually applied the quarter mile walkshed and then the half-mile walkshed. I know that "walkshed" is not a term that is frequently used, but right here is the quarter mile and right here, the lighter shade of red is the half-mile. What that is meant to show is that that is the area that basically if someone lived there, they could easily walk to town. That if there was a neighborhood there that was truly connected to the town, if we had parks, if we had roads that supported it, that it is just something we should think about when we are looking at the future and developing the future land use map. That is why you see it as-is. They simply applied the walksheds and of course, we left out the Conservation District areas. This really was our first cut that we took out to the public at-large and we sent an addendum to the people who attended the workshop, we also sent it out to our mailing list, and we presented it at "Open Houses," as well. We also had meetings with our CAC where we sought to get their thoughts on this and then we reached out to Department of Hawaiian Home Lands (DHHL) and we sought to refine this map. This was kind of our starting point map.

Councilmember Yukimura: Thank you, Marie, and correct me if I am wrong, the form-based codes' process or theories worked from transects that say, "You work from an intense use and you work outward to lesser, lesser use."

Ms. Williams: Yes, that is...

Councilmember Yukimura: Less density/less intense.

Ms. Williams: Essentially, one of the great things about form-based code is that it seeks to support the town core as a really important place. It also really involves the public and the community to come together to craft what that code is based on the outcomes they would like to see, which in a planning context, it would be the vision; what is our future vision for this place?

Councilmember Yukimura: It is also something, I think Mr. Dahilig mentioned about efficient infrastructure and cost, so by working outward rather than leapfrogging all over and having multiple town centers or an indistinct town center, than you just get more efficiency as well as synergy.

Ms. Williams: It can support infill development, that is true.

Councilmember Yukimura: The town core is the dark orange; the light orange is the five (5) minute walk.

Ms. Williams: This is the five (5) minutes radius and then the lighter (inaudible) is the ten (10) minute walk, the half-mile radius.

Councilmember Yukimura: If you had supportive infrastructure.

Ms. Williams: Yes.

Councilmember Yukimura: Okay, thank you. That is from Opticos' recommendations, it came to the draft that came out, the Planning Department actually included that in their first draft for Hanapēpē-‘Ele‘ele?

Ms. Williams: Yes.

Councilmember Yukimura: And then with a lot of input from the community and public hearing, then the Planning Department recommended changes to the Planning Commission, which resulted in being adopted. That is what is before us right now.

Ms. Williams: That is correct.

Councilmember Yukimura: If I recall correctly, the ten (10) minute walk is around here.

Ms. Williams: Yes.

Councilmember Yukimura: So, these two (2) are really outside of the walksheds—dramatically outside of the walkshed.

Ms. Williams: Yes.

Councilmember Yukimura: Okay. There is no explanation in the Planning Commission draft for these changes, none at all, there is no explanation for "Provisional Ag." Am I mistaken?

Mr. Dahilig: In terms of the document itself or in terms of this course that was going on between the Commissioners at the time of the deliberation.

Councilmember Yukimura: No, in terms of the draft. I see nothing in the text on Hanapēpē-‘Ele‘ele that explains this decision. This now, is Neighborhood General, two hundred thirty (230) acres of Neighborhood General that goes far beyond the walkshed and goes all the way up to Wahiawa Gulch. This is outside Lima Ola and this is all the way to Numila. There is nothing in the General Plan text that explains why that is being proposed.

Mr. Dahilig: I would refer you to the South Kaua‘i Community Plan where there is much discussion concerning the boundary, the potential for development out there, and the discussion of whether or not that should be part of the Hanapēpē discussion or the South Kaua‘i discussion. Therefore, I would refer you to the South Kaua‘i Community Plan for that.

Councilmember Yukimura: But if this is part of Hanapēpē-‘Ele‘ele and part of the planning process, it needs to have some explanation about how it relates to the town.

Mr. Dahilig: Again, as you mentioned in a discussion about two (2) hours ago, Councilmember Yukimura, the boundary changed. When the South Kaua‘i Community Plan came through, the larger area of Provisional Ag that you are pointing out was within the South Kaua‘i planning boundary. The discussion that happened during the South Kaua‘i community process was that the community said, “We do not feel comfortable making recommendations on land use that is actually is closer to Hanapēpē and ‘Ele‘ele.” That is what the community process lead to was this shifting of the boundary, I guess deferring to another community to say, “Hey, why do you folks not talk about this.” In December, that was fully endorsed at the request of Mr. Souza to have that boundary redrawn and so we are kind of a transitional policy limbo here where you have an area that was just part of South Kaua‘i and now part of an area that needs community process.

Councilmember Yukimura: Okay, well there is no explanation about this, which was...

Mr. Dahilig: If I can get the pointer back, I can explain why.

Committee Chair Chock: We have a follow-up from Councilmember Kawakami.

Mr. Dahilig: I am going to go back to this discussion here. The reality is when we go through a planning analysis what you see here is a gulch. It is a geographic feature that is going to create a situation where the physical interaction with the land is going to be highly influenced by how you interact with that gulch. When you look at the walksheds, you will notice that there are slivers of agricultural land that as a consequence of the gulch being right nearby, could become marginalized as a consequence of a more intense urbanization. Why this also came into play was that Lima Ola, which is here, got passed in the interim of while this plan was being developed. Therefore, when we went to this plan, what we said is this gulch here is going to create a potential where you have a small piece of agricultural land becoming marginalized as a consequence of urbanization from right next door. We need to understand from the community whether or not you want to create this as a hard and fast boundary and leave this in agriculture or look at flex space and whether or not this should be entertained as future developable land. You have a natural boundary here that creates the gulch, so that analysis for this was separate and apart from this. Hence, I just wanted to explain that that is why we were saying in our analysis, we need to have a discussion about how to look at the growth pattern in this area because we know Lima Ola has been fully entitled for development.

Committee Chair Chock: Let us include everyone. Councilmember Kawakami.

Councilmember Kawakami: Can we go back to the walkshed? The dark area if our "right there, easy to get to," and then the slightly lighter areas, are a five (5) minute walk.

Mr. Dahilig: Ten (10) minute.

Ms. Williams: Yes, ten (10), five (5), and the center.

Councilmember Kawakami: Since we are such big fans of multimodal transportation, where is the "bikeshed,"—people can still bike. Just because you are out of the walkshed...in our own General Plan when we are designing new communities for equity and health, yes, we want to create walkable communities, but we also are saying we want people to be able to bike in. Where does that line extend to when we say something is feasible to get to by bicycle? We are promoting that thing actively. We are doing "Rice Row," we are creating bikepaths, we are creating bike lanes, so let me know, just because we are outside of that walkshed does not mean it is not smart growth. Let us be very clear on that. Where does that walkshed line extend to?

Mr. Dahilig: The analysis for a "bikeshed," and I will probably in the interim want to bounce this question over to Lee Steinmetz who is not here at this time. The focus on "walkshed" versus "bikeshed" is bikeshed focuses

more on connectivity of the infrastructure versus “Point A” to “Point B” types of access to a town center. I do not know what this map would look like. We did not do a connectivity analysis per se.

Councilmember Kawakami: But we should.

Mr. Dahilig: Yes, I think that is something that when we go into the regional process for West Kaua‘i, we should definitely integrate that.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: Okay, thank you. If we can go back to the existing plan, how did you get Neighborhood General there? Can you point to the two hundred thirty-five (235) acres? I am looking at the Opticos Report—there is Neighborhood Center, which is commercial, civic, institutional, park, and residential, it is neighborhood center/main street, and then there is Neighborhood General, which is residential, home occupation, civic, and institutional, and the Neighborhood Edge, which is residential. Now, we have gone from the least intense to the most intense of the three (3) that I mentioned for two hundred thirty-five (235) acres.

Mr. Dahilig: The Neighborhood Center is the most intense designation, not Neighborhood General.

Councilmember Yukimura: Right. Well, I am only reading three (3) that are here. Of the three (3) that I mentioned, Neighborhood Center is the most intense.

Mr. Dahilig: Right.

Councilmember Yukimura: So, you have moved from what was designated as “Neighborhood Edge,” which is least intense and the middle one, “neighborhood...” Oh, I see, excuse me. Explain how you get to Neighborhood General.

Mr. Dahilig: I think Marie is better able to explain why you do not see Neighborhood Edge as part of the designation area and we can go from there.

Ms. Williams: As you are aware, we did some of the workshops just like this one that came up with the conceptual map for several areas. We basically went to every town that did not have an up-to-date community plan. As you can already see that when a year or after this report was produced, we came out to the public with what we called a discussion draft where before we went to the Planning Commission, we really wanted to test the map through a series of Open House events to get feedback on whether this really was true for people. You can see

that from this initial draft map, we did refine the map, but what we found is that when we did our Open House events, that this concept of the center, the general, and then going out to the edge, seemed to confuse people. They were not too sure why their town map suddenly looked so—it just seemed to be confusing and it was not clearly communicating what the policy was, which is to strengthen our cores and then also ensure that the neighborhoods around our town cores can support and strengthen our town cores as well. Based on the comments we received at the time and we receive a close to one thousand (1,000) in November and December of 2016, we did make a call to actually take out Neighborhood Edge and then we also realized that Neighborhood Edge as it was defined was really very similar to how Residential Community was defined. We, ourselves, were not sure what policy direction Neighborhood Edge would really be providing us and so what you see here is the reflection of that where we removed Neighborhood Edge and instead focused on Neighborhood General as being descriptive of what we would like to see in the neighborhoods that surround our town centers.

Councilmember Yukimura: How does putting two hundred thirty-five (235) acres in Neighborhood General protect the town core?

Ms. Williams: Going back to this map, you can see that the ten (10) minute walkshed on this area did in fact go on to that plateau right here.

Councilmember Yukimura: Right.

Ms. Williams: And then in our discussion draft, we kept that in and then with the departmental draft—I am sorry it is not there. When we removed Neighborhood Edge, we put it back in Residential and then the change was made through the Planning Commission process that rather than have Residential Community here that it makes sense that it is all Neighborhood General. If in fact we were going to move all the weight east to the gulch.

Councilmember Yukimura: There is also Neighborhood General that is *mauka* of the main highway in ‘Ele‘ele Heights around the school. Does that mean they can have Commercial in that area too?

Ms. Williams: Yes, we do not know what the zoning outcome would be.

Mr. Dahilig: All we are suggesting is that a different way of zoning needs to be looked at because it is in an area that deals with better connectivity to our cores.

Councilmember Yukimura: I am sorry, “better connectivity to our...”?

Mr. Dahilig: Our town cores or town centers. If you look at that area in 'Ele'ele, it is adjacent and very close walking proximity to the current 'Ele'ele Shopping Center. What we are highlighting as part of the map is to designate these areas that as Marie mentioned, strengthen the town cores. Ultimately, you cannot have a Commercial area that is going to be vibrant and active without people that are going to be patronizing it. The two (2) have to work hand-in-hand where you have a sufficient intensity of residential development that feeds into the ability to have flexible mixed use to provide economic activity. That is where the two (2) of symbiotic in nature. Neighborhood General goes beyond just the density, it goes into the type of housing, it goes into the connectivity, and how the form and character of how a community will look. All of these things have to be defined through the community process that is similar to what we went through the South Kaua'i that created the South Kaua'i form-based code. Compatibility; all those different items still have to be discussed, so the question concerning whether or not Commercial could be allowed in the 'Ele'ele area is really up to the community to define through a new regulatory code for this region. That is the intent—creating a new regulatory code for this region. What we want to highlight is that these areas very close to the core has a special significance because of its proximity to the core areas.

Councilmember Yukimura: How did you do that on the other side of Hanapēpē?

Ms. Williams: On the west side, right here, we really did defer to what the Kaua'i Island Plan for DHHL is and we did consult with them several times throughout the process. Ultimately, this reflects what their plan calls for in terms for future home sites.

Councilmember Yukimura: Okay. I want to go back to the question that I asked Tom, which is how many acres of Kaua'i Coffee land are going to be taken out of agriculture if the Provisional Ag becomes Urban?

Mr. Shigemoto: Four hundred eighty (480) acres.

Councilmember Yukimura: Four hundred eighty (480) acres.

Mr. Shigemoto: Right.

Councilmember Yukimura: How many acres do they have?

Mr. Shigemoto: Three thousand (3,000).

Councilmember Yukimura: Kaua'i Coffee is cultivating three thousand (3,000) acres?

- Mr. Shigemoto: Yes.
- Councilmember Yukimura: They are cultivating three thousand (3,000) acres?
- Mr. Shigemoto: Yes.
- Councilmember Yukimura: Wow that is a lot. Okay. This is an aerial map and it is showing these are all Kaua'i Coffee fields. I do not know the date of the map, but that is the four hundred eighty (480) acres that will be taken out.
- Mr. Shigemoto: Four hundred eighty (480) is just east of the gulch.
- Councilmember Yukimura: East of Wahiawa. Is there no coffee fields here?
- Mr. Shigemoto: There are, but that is not in the area east that you were asking about.
- Councilmember Yukimura: Okay, but your plan is all of this, right?
- Mr. Shigemoto: Yes, that is outlined in red.
- Councilmember Yukimura: If this is four hundred eighty (480), then it is another...and they are up here too, right?
- Mr. Shigemoto: That is the Provisional Ag area.
- Councilmember Yukimura: Yes, but there in coffee too.
- Mr. Shigemoto: Yes.
- Councilmember Yukimura: And so is Lima Ola.
- Mr. Shigemoto: Yes.
- Councilmember Yukimura: All in coffee. So, the total loss of Kaua'i Coffee's acreage—do you know what that is?
- Committee Chair Chock: Councilmember Yukimura, can you move us in the direction?
- Council Chair Rapozo: I am trying to figure out where are we going.

Councilmember Yukimura: If this area becomes urbanized, which is what the...

Committee Chair Chock: So why do you not come up for air once in a while and show us where you are headed with this because we get lost with your process.

Councilmember Yukimura: I am sorry. It seems obvious to me that we would want to know how much of a very viable industry right now we would lose.

Committee Chair Chock: I would like to know as it relates to the amendment and so I am just asking you to stop for a minute and consider the rest of us as you move through a process of questioning so that we are in touch of where you are headed with it as it relates to this.

Councilmember Yukimura: Did I not just explain that?

Committee Chair Chock: No. You are counting Ag coffee fields, is what I am seeing.

Councilmember Yukimura: Coffee fields that...

Committee Chair Chock: Relate it back to it, is my request.

Councilmember Yukimura: Coffee fields that will be replaced by the Urban designation.

Committee Chair Chock: Then stop and mention that, please.

Council Chair Rapozo: Committee Chair Chock.

Councilmember Kaneshiro: I mean...

Council Chair Rapozo: I think I stated earlier this is conceptual and could change in a month, it could change in a year, we are holding a rezoning meeting right here. The issue is a very simple one. Whether the body believes Provisional should stay in or stay out. I think Mike has made it very clear what the Provisional word means, that if in fact, the community process determines that this is what they want, then it does not require an amendment to the General Plan. That is what it is. This is crazy to go through coffee fields and...

Councilmember Yukimura: Excuse me.

Council Chair Rapozo: The community will make that determination at that time. Today, we are debating a term and whatever happens in that community will be determined by that community, and not the seven (7) of us today. That is not even on the table. It is conceptual.

Committee Chair Chock: Councilmember...

Councilmember Yukimura: Conceptual is on the table. It is like you said, Council Chair, what is the difference if you do not have it there? It can be produced. In my experience of General Plan amendments, these questions are asked galore. That is why when a General Plan amendment is proposed by a private developer, an EIS is required with all of this information. I feel like it is very important questions that we should ask because it should determine whether or not we want to designate that as a direction for growth.

Committee Chair Chock: I just need you to get to the point. Councilmembers are not engaged with your process.

Councilmember Kagawa: I am ready to vote. Do we have a process that on this particular item, we can call for the question to end discussion on this amendment? I really want to spend a lot of time on Hokua Place because I am up in the air on what we are going to do with that one.

Councilmember Yukimura: Chair...

Councilmember Kagawa: On this one, she is not changing my mind. I made my mind up. If her purpose is to change our minds to get consensus, I do not think it is working. I just think it is dragging something out. She could have a year of questions and what would that accomplish if we are not changing our minds. Yes, there are two (2) thoughts on this issue and it is totally understandable because she has one (1) or two (2) votes behind her, however, I believe that this issue is over. We need to spend time on the issues that have a significant chance of being changed.

Committee Chair Chock: I am just asking you to consider those requests.

Councilmember Yukimura: For one, I think putting it on the record is important what this is and asking these questions, the General Plan is very important to the future of this island and to the future of this community. All of this discussion could happen at the community level if we just decide not to put it in the plan right now and let the community address all of those issues.

Council Chair Rapozo: Let me...

Councilmember Yukimura: I will cut short my presentation. I just have three (3) more slides.

Council Chair Rapozo: Let me make a point. Right now, I support removing "Provisional," but the more this discussion goes on...I will be honest, more and more, I am beginning to realize that "Provisional" may have to stay in. Let me just say that because I am tired of this game. We went through this the last time. We went through this again today. It is 12:00 p.m., and we are not even—we are talking about something that is conceptual. We are talking about that as I stated earlier, the future community is going to have to make those determinations at the time it surfaces and not today in 2018 when the buildout could be ten (10) years or fifteen (15) years. The coffee thing...

Committee Chair Chock: Thank you.

Council Chair Rapozo: Tom, let me ask you real quick. What you are stating is that set in stone? What you are stating today about the four hundred fifty (450) acres, could that change?

Mr. Shigemoto: Sure.

Council Chair Rapozo: I have been doing this a long time, too, and I have seen developers change depending on what the community wants.

Mr. Shigemoto: Well let me just say this, too, though. The four hundred eighty (480) acres, aside from the area west of the valley, that is really our very long-range future expansion plans. When you do planning, you have to consider the whole. You have to look at the areas that you want to develop in the future as a whole, instead of looking at it "only east side, west side."

Council Chair Rapozo: Right.

Mr. Shigemoto: Because we need to build our own infrastructure, water specifically, and then we have to determine, "Okay, if we have to expand the sewage plant," which we probably have to, that is why we plan these areas. We know that it is not going to happen in the next ten (10) to fifteen (15) years, but we do have to and that is why we left it out of the IAL, because this is an area...

Council Chair Rapozo: Unlike the County, you folks actually look long-range.

Mr. Shigemoto: We look long-range. We know we are not going to get all of it, but as I said, we showed the community, we showed a lot of the government agencies that after we have finished our plan, what we had projected.

We even talked to, at the time, the Kaua'i Coffee employees and the management on what our future plans were because we know we are going to impact the coffee fields. That is my comment. What we are talking about now is just west of the valley.

Council Chair Rapozo: Right. The area that is in "Provisional."

Mr. Shigemoto: That and as well as below.

Council Chair Rapozo: I am talking about the "Provisional" because that is why we are here today on this amendment, but as far as the community's ten (10) years from now, eight (8) years from now, I do not know how long you will be there, Tom, but you will probably be there forever.

Mr. Shigemoto: I will be dead.

Council Chair Rapozo: I mean, the community can come forward and I would assume that they are going to have a say in what A&B wants to do with their land.

Mr. Shigemoto: Sure. In all our planning efforts, we never exclude the community. We had an advisory committee help us with developing this plan and I think I sent the communications to you folks.

Council Chair Rapozo: Thank you.

Committee Chair Chock: Let us try to get through this.

Councilmember Yukimura: If this is a long-range, it may be more appropriate to just zone for...where is Waialo Road? Right here is Waialo Road going down to Port Allen. Just for a portion and not for all of this, if that is beyond the twenty (20) year scope, otherwise, it will happen, like Vice Chair was saying, that a decision is made and then twenty (20) years later, they go, "Well, I did not make that decision. How come that decision was made? It was not me who made it." But we are all bound by it. Okay, I am going to go to the next. That is just an example of...I will skip it.

Councilmember Kagawa: I was talking about the Hanamā'ulu Subdivision that Annette was talking about when I said that decision was made in the 1980s or 1990s. I was not talking about a "Provisional" placeholder tag.

Committee Chair Chock: Yes.

Councilmember Kagawa: Let us compare apples and apples.

Councilmember Yukimura: But the decisions that were made...

Councilmember Kagawa: The Hanamā‘ulu one is totally separate from this type of decision.

Councilmember Yukimura: Well, it is affecting us today and they were made in the past.

Committee Chair Chock: Let us keep to the questions.

Councilmember Yukimura: This is the 2011 plan that we talked about earlier, A&B's, right Tom? I calculated the densities based on the acreage and I believe at one Committee Meeting, you actually gave corresponding densities per plot, like seven (7) acres for single-family, seven (7) units per acre, and R-10 for multi-family. These are the potential densities based on your acreage and based on the minimum and maximum. There is one thousand eighteen (1,018) to one thousand five hundred ninety-eight (1,598) units that would be accommodated by that plan, which is here is Waialo Road, here is Halewili Road, and this is the Wahiawa Gulch, so just that part that does not include that whole stretch to Numila would create one thousand eighteen (1,018) to one thousand five hundred ninety-eight (1,598). If you add that to the other development areas where Lima Ola has five hundred fifty (550) maximum, Habitat for Humanity has one hundred seven (107), DHHL has two hundred fifty (250) and two hundred thirty-four (234). The plan talks about infill so I do not know what that is, but it is a buildout analysis, plus other infill if the ARU bill passes and Hanapēpē Heights wants to put in ARUs—that is a total of two thousand one hundred (2,100) to two thousand seven hundred (2,700). Is that the kind of growth that we are looking at? This does not even include the eight hundred forty-four (844) acres that are going to be designated “Provisional Ag.” It is all along here. I guess it goes like this, wherever the gulch is. This land here and Neighborhood/Commercial, the rule of thumb I was told is about a minimum of eleven (11) units per acre. If there is two hundred thirty-five (235) acres here of Neighborhood/Commercial, and a minimum of eleven (11) per acre, that is two thousand (2,000) units.

Mr. Shigemoto: Wait. You are saying that all of that is going to be developed for Residential?

Councilmember Yukimura: Neighborhood General.

Mr. Shigemoto: It allows Residential, but not all of that is going to be developed for Residential.

Councilmember Yukimura: Correct, but the rule of thumb that I got from Opticos, the consultant, said you can count on an average. Some will be more dense

and there will be a lot of other uses. I was asking that question because it is hard to calculate density from a mixed use, but there is a rule of thumb that is used.

Committee Chair Chock: I would ask...

Councilmember Yukimura: But even if I do not use that rule of thumb and I just use your conceptual plan, the densities are that.

Committee Chair Chock: I am gathering that you want to confirm if those numbers are true to their plan. Am I correct?

Councilmember Yukimura: All of it is conceptual.

Committee Chair Chock: Do you have a question for Tom in confirming this or not? Okay. It is part of your statement, then.

Councilmember Yukimura: It is part of the calculations. If Tom thinks there is anything wrong about that, yes, let me know.

Mr. Shigemoto: I do not know how Opticos can figure out our densities when we do not know what our densities are.

Committee Chair Chock: Okay.

Councilmember Yukimura: It is just generally from Neighborhood General, that is what it comes, but we do not have to use that. It is either this—one thousand (1,000); this is using your densities, your acreages. How many acres is that?

Committee Chair Chock: I would like for him to be able to respond on the statement that she is making.

Mr. Shigemoto: On the densities?

Committee Chair Chock: Yes, she is saying how many units you will be making.

Mr. Shigemoto: I cannot answer.

Council Chair Rapozo: He said that two (2) hours ago.

Mr. Shigemoto: I do not know.

Council Chair Rapozo: Two (2) hours ago, he sat there, "I do not know the density. I do not know the traffic impacts. I do not know...I do not know." He

should not know because—we can go around this circle, I do not think he is going to change his answer.

Mr. Shigemoto: That happens when you...

Councilmember Yukimura: I am not trying to change his answer.

Mr. Shigemoto: That happens when you apply for zoning. We would have to know then what kind of zoning we would be applying for.

Councilmember Yukimura: Correct. But when you do General Plan changes, you have to know approximately...most often when General Plan changes are applied for, they are applied for with zoning and the developer has a plan from which you can indicate the impacts.

Mr. Shigemoto: Not necessarily.

Committee Chair Chock: Your point is taken, Councilmember Yukimura. Councilmember Brun has a question.

Councilmember Brun: The question is for you, Committee Chair Chock. I am new to the Council. I have been here one (1) year, but are we doing anything different. We have the experts up here to ask them questions. I think we had five (5) questions in three (3) hours, and two (2) hours and forty-five (45) minutes of just pushing somebody's agenda. Enough already. Basically, it changed my mind. I was going to vote one way and I basically changed it to the other one. It is happening. These folks are sitting up here. These folks all have stuff to do and we are just trying to intimidate them to change their mind. Tom gave the same answer two (2) hours ago, maybe you can phrase it in a different way, Tom, and maybe it will change and we will get the answer we need. Enough is enough, Committee Chair Chock. How much more are we going to go with this? It is in and let us just vote on it. I say we vote on it right now. I am ready to go.

Committee Chair Chock: We do have a process and I believe we are following that process. I think it is how we are following that process that I have a question on. Again, Councilmember Yukimura, I think you hear the concerns of the Members in terms of their engagement and the questions that have been asked already. For the record, I have given a lot of latitude in terms of how it has been presented, it has been presentation and questions, to that degree, and so let us wrap this up. I think people want to see it come to an end in terms of questions.

Councilmember Yukimura: I do too. The only reason I am doing this is because I guess I approach General Plan amendments with the need to know what the implications of the General Plan amendments are. It has been my experience

that General Plan amendments have given the public enough information so they know what the implications are of putting on a designation. I am done, but I think we want to have Jean Souza come and share the community input.

Committee Chair Chock: Do you have specific questions for Jean Souza?

Councilmember Yukimura: No.

Committee Chair Chock: Okay. I would like to use our expert or resources as a source of trying to make a point or get to an answer. If you would pose a question at the very least that you would like to see happen or question to the community resource, that would be appropriate. I am going to ask Ms. Souza to come up. Thank you, Tom.

Councilmember Yukimura: Thank you, Tom.

Committee Chair Chock: There was a request from Councilmember Yukimura to have Jean Souza as a community resource. Councilmember Yukimura, you have the floor.

Councilmember Yukimura: I guess my question is whether the community has been able to analyze the proposed changes to the General Plan that are in the draft that is before the Council and what kind of concerns they have about that?

JEAN SOUZA: The disclosure of the information that we are talking about that A&B has proposed and that has come to light in the last week, has not been well disseminated or well discussed within the community. However, when I submitted my resume and was asked to be available as an expert in planning, as a result of the questions that I heard from other Councilmembers, I have some information that I am willing to share if you would like to hear it beyond just what the community feels. I believe with testimony that has been submitted in writing and that will be presented verbally. I think the community sentiments will come out. I am here, if you would like, to provide some information related to land use planning and regional planning, which is my background.

Council Chair Rapozo: Committee Chair?

Councilmember Yukimura: I would like that.

Council Chair Rapozo: I think we are on an amendment that the discussion should be limited to the amendment. No offense to Jean and on another day, I would like to sit down with you and discuss land use training, but today, we

are talking about amendments. For me, I want to hear from the community regarding this “Provisional Ag,” because that is what is on the agenda.

Committee Chair Chock: Yes.

Council Chair Rapozo: And I think we need to confine our discussion and questions pertaining—and that is the Sunshine Law, that is not “Mel’s” law, Sunshine Law, to the topic and the agenda item.

Committee Chair Chock: Thank you. I would agree as well.

Ms. Souza: I am here at your disposal.

Committee Chair Chock: As it relates to the amendment that we are talking about, I would love for you to be able to expand on that, but please keep it in that context, please. What are the findings as it relates to this amendment?

Ms. Souza: The two (2) amendments that I would like to address would be the “Provisional Agriculture,” and the “Neighborhood General,” *makai* of Halewili Road between the solar farm and Wahiawa Gulch. Those three (3) areas are significant. We found out today that it presents a landowner’s vision of a second city. From a planning perspective and from a General Planning process, I think we should be concerned that this idea of a second city, second only to Līhu‘e, was not in the discussion draft, was not in the departmental draft, was not in the commission draft, and was not discussed in the Land Use Commission’s deliberation on Lima Ola when they changed the Agricultural designation to Urban. One would think that the idea of a new second city should be something that we should all have been talking about two (2) to three (3) years ago when the General Plan process first started. The last public meeting that was held in Hanapēpē to present the draft of the plan made no mention of a second city. During the Opticos workshop on place-typing that Marie talked about, there was no mention of a second city. I am questioning the validity of the process and the keeping the public in the dark about this. Maybe some of you folks knew about it and maybe there are a handful of people in the community that knew about it, but the general community did not know about it and there has been no opportunity to discuss it. That is my concern.

Committee Chair Chock: Thank you.

Ms. Souza: The other thing that I think we need to consider is General Plan’s is a planning horizon. This is not a fifty (50) year plan. This is a twenty (20) year plan and today, it is a seventeen (17) year plan. This second city project seems to be conceptual in nature at this point and into the future. Should we not be considering in the General Plan those projects that are more concrete that

could be acted upon within the seventeen (17) year planning horizon? Otherwise, should we not be deferring it for action to future generations—that is one point.

Committee Chair Chock: Okay.

Ms. Souza: The third point I have is if I could talk about the “Provisional Ag” versus the “Ag,” the Chair asked the question: what is the difference? For the General Plan, landowners have the option to provide a proposal or to submit a proposal to change the General Plan designation at any time. They do not have to wait for this kind of comprehensive review. That is not the case for community folks. Residents who are not the landowner of the property, cannot suggest a change or cannot initiate a change whether it is for upzoning or downzoning. For this one, the “Provisional Ag,” let us say the community decides to go in the other direction, they have no recourse that they can initiate to change it back to Ag, so for the duration of the plan, it shows that the expectation that this property could be developed.

Committee Chair Chock: Okay.

Ms. Souza: Another point is that, for the community planning process, there is no restrictions on which lands the community can look at or study or address, so it does not need the “Provisional Ag” designation. Even if it is an “Ag,” the community could look at it. I think that was a misunderstanding.

Committee Chair Chock: Okay, thank you.

Ms. Souza: Those are my...I have other points, but I am just keeping it simple at this point.

Committee Chair Chock: Thank you. Any further questions? We have a question here.

Councilmember Brun: Community—taking out “Provisional,” how many people did you folks consult with in the west side community? I live in Waimea, I am in the west side community every single day and I have a lot of people that I know in Hanapēpē, and I had one (1) person call me yesterday, which she called every Councilmember. I respect her. She is a really good friend and she wanted to take it out. I never had any other call. People just did not care because they wanted to keep the Waimea thing in. They wanted to make sure the “Provisional” stayed in for Waimea.

Ms. Souza: I have no problem with that.

Councilmember Brun: For Hanapēpē-‘Ele‘ele, how many people are we talking in your group that is “the community”; how many people are you representing that does not want this in?

Ms. Souza: You have to realize that our conversations about the General Plan have spanned over two (2) years. The “Provisional Agriculture” designation, as far as I can recall, was not in the earlier drafts, but we did talk about what we wanted for Hanapēpē-‘Ele‘ele; what kind of community did we want; the idea that there would be continued separation between communities; and the idea that there would be preservation of active agriculture and successful agriculture between communities was important. There was a strong sentiment that we needed to make the ‘Ele‘ele Commercial area and especially the Hanapēpē Town area better to infill, to provide the kind of support that would result in a more viable community.

Councilmember Brun: Okay.

Ms. Souza: This proposal for the second city and the “Provisional Ag” detracts from those priorities, so although we did not as a whole talk about this new thing called “Provisional Ag,” we did talk about what did we want to see for the community. We have had continuing discussions with economic alliance folks and the businesses in the Hanapēpē, and I know that you have received testimony from Judith Page, who is the President of that Association. I think there has been a lot of dialogue within certain individuals and within certain groups, but I could not give you a number.

Councilmember Brun: I would like to attend one of your meetings and see how much of the housing people that live in Hanapēpē and ‘Ele‘ele and get their concerns. I am not too sure that this is the whole community or if it is just ten (10) of you folks in this, because I never heard of nothing of this until yesterday when one (1) person called me against it and to take out this word. I would like to attend to see how big of a group, because you folks are coming here and saying, “Hanapēpē-‘Ele‘ele community,” but I just want to see how big that group is, so I can get a better understanding. For us here on the west side, I live out there and I want to do what is right for the west side, but I want to make sure that I am representing every single person and not just ten (10) people.

Ms. Souza: A bunch of folks have been testifying against the “Provisional Ag,” for a number of hearings already.

Committee Chair Chock: Okay, thank you. Any further questions for Jean? If not, thank you so much. Any further discussion on this item, I would like to move on to the next item, if not. We have a few more minutes before lunch. Can we move on to the next item? Councilmember Yukimura, seven (7), eight (8), and nine

(9) cover the "Provisional Ag" discussion on 'Ele'ele; is that correct? We will move to number ten (10).

Councilmember Yukimura: Number ten (10) is the Implementation and Monitoring. This is being introduced by request and perhaps if we bring for Anne Walton to explain how these amendments would work.

Committee Chair Chock: Can I just confirm that there was not an amendment that was circulated in the last round in December on implementation. Some of the verbiage that I see is similar in nature. Has it changed since the last iteration and how?

Councilmember Yukimura: I believed it was tweaked.

Committee Chair Chock: Okay. Please come up, Ms. Walton. We just have a few minutes, but we want to maximize what we have.

Ms. Walton: Do you want to ask questions?

Councilmember Yukimura: Yes. Can you tell us what this amendment attempts to do?

Ms. Walton: I will give you a synopsis of it rather than walk you it, is that okay?

Councilmember Yukimura: Yes.

Ms. Walton: The main idea is that as stated in the General Plan there is the intention to create at Kākou Committee and the idea of that committee would be that it would have oversight on the implementation, monitoring, and the evaluation of the General Plan. Basically what this amendment does is that it really moves towards some clarification on what the role of that committee would be. There are three (3) components to that. One is, as you know, as we have spoken, this is a very ambitious plan. There are over five hundred (500) actions in the plan, so it would help to prioritize what those actions are. There should be initially implemented based on some of the issues that are found to be the most urgent along the lines of affordable housing, for instance. It is not called out in there. Another example is traffic congestion and those types of issues. It would be a prioritization of what those five hundred (500) activities in the plan, so that the Planning Department would know where to get started. The second piece on that is to really create some clear indicators. It is one thing to implement the plan, you can check the box on that, you can see what the Planning Department is doing, but is what they are implementing getting the results that we want? Are we improving the inventory on affordable and workforce housing? Are we improving congestion and traffic flow? Is

there a change actually taking place? If not, maybe what we are doing is not the right type of activities to implement, so it is a way to evaluate that. The next piece of that is that you would adapt if what you are doing is not effective, then you would change the activities to find an activity that is going to get you the kind of results that we want. This is very basic to any kind of planning process whether it is strategic plan, a General Plan, a management plan, so this part of the model is an important part of that. I know this is very dry and hard to listen to, but this is where the rubber meets the road. If this is not a part of a plan, then basically it ends up like the 2000 plan, and the biggest complaint was that that was a damn good plan, but it did not get fully implemented because there was no implementation or monitoring piece to it. This just takes a standard model and fits it in to the format of the General Plan and works with what the Planning Department had already put in the General Plan and that was to create actually an oversight committee that would be responsible for this. All that does is articulate what some of the initial responsibilities would be of that committee.

Committee Chair Chock: I am looking at this side-by-side, but if you can help me because I am more familiar with what was introduced that last time. If you can just share what tweaked? We can look at this and then come back to it.

Ms. Walton: Yes. Part of it was in the introduction to the implementation...I am doing this from memory now, I do not have anything to compare it to. In the beginning of the Implementation and Monitoring Section of the General Plan, it was all the reasons why implementation and monitoring is very complicated and why we cannot do that. We have budgets that are changing budgets, we do not the staffing to do it, and all the reasons why always say we cannot do implementation and monitoring, and this is standard jargon—believe me, for anybody wants to put a plan together. It is like, how do you back out of having to be accountable for it? I recommended some language that just replaced that with the reasons why it is important to actually create an implementation and monitoring plan and that is what you see in the first gray area on page 11 of 18.

Committee Chair Chock: Okay.

Ms. Walton: And then Implementations of the actions in the General Plan, on the top of page 12, again it just lays out the fact that there are so many, what I had said earlier so I will not repeat it, but there are so many activities, how do we prioritize these and know where to get started. Before we had asked that to be in the plan itself, that prioritization, so it would be done prior to the release of the plan. What is different here is we say, “No, in fact, maybe the Kākou Committee should have the responsibility of working with the community and the Planning Department on doing that prioritization.” It just parks that responsibility, takes it out of the General Plan, and gives it to the committee to take oversight responsibility. The other pieces are just about the objectives for each sector and then

the measures of success, which are what we call “indicators” or “measures.” What do you measure to know if you are getting the results that you wanted?

Committee Chair Chock: Okay.

Ms. Walton: Again, this takes us...we wanted it in the plan itself before and we just said, “Well, this probably realistically is not going to happen in the plan, so let us give it to the oversight committee.” The Kākou Committee would be a committee that includes the Planning Department and then people of different types of expertise of authorities or responsibilities for joint implantation of the plan.

Committee Chair Chock: We have a question. Councilmember Kagawa.

Councilmember Kagawa: This amendment is proposed by Councilmember Yukimura and I guess she worked with you to come up with this amendment, so why does the Planning Department oppose it?

Ms. Walton: I think you will have to ask Mike.

Councilmember Kagawa: It is obvious that if they do not support it, you have a very difficult chance of getting it passed because it seemed like micromanaging and you have to have a good reason for micromanaging. When you change something that has been worked on by our Department professionals, along with their staff, along with the communities that they have worked with, and they come up with this original language and if they want to change it and they do not want to support it, then the answer should be obvious as to why they do not support it. But if you rather him answer.

Ms. Walton: It is not considered micromanaging, it is considered good planning. It is a part of all good effective plans and just as you know in business, for those of you who are in business, if you are not producing, if you are not providing the service, if you are not creating a profit, then why would you stay in the business? Therefore, you have checks and balances to understand whether you are successful here or not. This is basically the same thing. It is not micromanaging by any means whatsoever. It is putting some checks and balances so that how the Planning Department, and it is not the Planning Department alone, but how you are spending your time in terms of managing on behalf of the County for the County and for the community, it is getting the results that you anticipate.

Councilmember Kagawa: I am only speaking for myself.

Ms. Walton: Yes.

Councilmember Kagawa: I see a lot of Councilmember Yukimura's amendments as being micromanaging and it is just my opinion.

Mr. Dahilig: The concern that we are starting to run into with this Implementation Section and we all agree that we need accountability and we need monitoring—I do not disagree that those (inaudible) of information are a shared goal between what Anne is talking about and what our Department ultimately wants to achieve. The struggle we have been running into is when you over-memorialize the procedures in the General Plan, it may not fit once you actually start seeing the General Plan starting to be implemented. It has to be adaptive, it has to be flexible. Our concern is with the continued addition of language and it has been going on through the amendment process is starting to look a bit “Frankensteinish,” where there is more procedure that may necessarily conflict with each other. We have communicated to Councilmember given that the Council's timeline was that the method that is being proposed in these amendments is starting to conflict with what is already amended language in the plan that has been adopted by the Council; the amendments that have been adopted by the Council, sorry, not the whole plan. At some point, it starts to be appendices that do not have a coherent goal that I think for us, we do share, which is transparency, communication, and accountability. I think that should be left to this Kākou Committee that we agree on is something that should be convened to flesh out and communicate those priority sets of information to the Planning Department to continue to resolve. We want it to be flexible. That is our goal.

Councilmember Kagawa: So, you are saying that some of these...this amendment contains may be unnecessary wording explanations that are not going to be helping the plan, which is why you oppose?

Mr. Dahilig: The structure of the proposed monitoring plan that is here—we are starting to see is conflicting with the existing language that is in the plan. Call it a consequence of the amendment process, but it is just looking “Frankensteinish” at this point. I think that is our concern.

Councilmember Kagawa: Thank you.

Committee Chair Chock: We are going to pose one (1) question and then go to lunch. Council Chair.

Council Chair Rapozo: My question is for you to digest over lunch, so I do not expect an answer right now. What parts of this amendment would hinder your ability to implement the plan? I looked up “Frankensteinish” and I have not found that one either, Mike.

Committee Chair Chock: Members, just so we are clear, we have Hokuia Place coming up and we still have the Planning Department's amendments, we have public testimony, those who have not spoken yet, and then we will take final votes. I only scheduled for today. Mike Dahilig is not here tomorrow. We cannot schedule a meeting for tomorrow. My plan is to get through it today and I just want to make sure that everyone is aware of that. We will come back at 1:30 p.m.

There being no objections, the Committee recessed at 12:38 p.m.

The meeting was called back to order at 1:40 p.m., and proceeded as follows:

*(Councilmembers Brun, Kawakami, and Yukimura were noted as not present.)*

Committee Chair Chock: We are on amendment number 10, which is on the Implementation section. Are there any more questions, Members, as we move forward? If not, is there any further discussion on this amendment? No more discussion on this amendment? Okay. Where is Councilmember Yukimura? We are going to move to amendment number 11. I think we can all read. This one is on Hokuia Place and also discussion on designation. I know we also called to have some resources. Mr. Allen, from the development, is here and I know we have questions, so I would like to move on those questions. Is that okay? I will suspend the rules.

There being no objections, the rules were suspended.

Committee Chair Chock: Mr. Allen, can you come up? Thank you for being here. There have been some questions, I think you heard, about clarifying or confirming the unit numbers and price ranges. I think if you could speak to those, it would get us off to a good start.

GREG ALLEN: Thank you. Greg Allen, can I invite Ron Agor up also, who is our planner for this project?

Committee Chair Chock: Yes, I will allow that. Mr. Agor.

Mr. Allen: Do you want me to explain the status of where it is at this point in time and answer some of those questions?

Committee Chair Chock: Yes.

Mr. Allen: Okay. Basically, Hokuia Place is a seven hundred sixty-nine (769) unit residential development that is being proposed in north Kapa'a, the corner of the roundabout is one (1) corner of the property and the road with the school is another corner or side of the property. The property originally was planned to be a development for fifty (50) agricultural homes when some friends and I bought a few of those proposed lots. At that time, Mayor Baptiste was the Mayor and actually Mayor Carvalho was the Parks Director. They called us in and said, "Hey, would you please not do an agricultural subdivision here. Would you please do housing? We have a desperate need for housing." So being very naïve, I said, "Sure,

I will try and do the right thing,” and then along the way, we discovered that you needed water. Water was a three (3) year issue where we finally drilled and successfully built a well that produces three (3) to five (5) times as much water as that project needs. That water well system, we have plans and we have tentative agreements already drafted by Belles Graham Proudfoot Wilson & Chun, LLP to go to the Water Department to donate the water to them, which would go into their stables tank. That tank has never been over half full because they do not have the ability to get it over half full. It has five hundred thousand (500,000) gallons of capacity. Our actual use per day would be about one hundred fifty thousand (150,000) gallons. If I get too detailed, tell me go faster, okay?

Committee Chair Chock: We might interject if you do not mind, and ask some specific question.

Mr. Allen: Okay. Do you have any questions about water?

Committee Chair Chock: I think most of our questions are really around, as you know, the community has many concerns. One of them is traffic conditions and also affordability, because I think for most of us, we value the fact that we could provide some housing for our local community. We just want to validate and confirm that so that we can move in the right direction.

Mr. Allen: Okay.

Council Chair Rapozo: Committee Chair Chock, can we start with the breakdown of the units and the costs, because I have seen the literature?

Committee Chair Chock: Please, have the floor.

Council Chair Rapozo: I think you were here this morning when the gentleman was testifying. When I gave him my numbers, I guess he thought it was funny.

Mr. Allen: Yes.

Council Chair Rapozo: I rely on the numbers that I have been given and like I said this morning, we are going to have you come up and state what the proposal is for the units and price.

Mr. Allen: So the count of the units in the draft plan for the project, which is based upon communication with the previous Planning Department, is seven hundred sixty-nine (769) units. That would consist of fifty-two (52) or fifty-three (53) multi-family buildings. Those multi-family buildings would equal six hundred eighty-three (683) townhouses. The townhouses will consist of one (1) to five (5) bedroom units, but because they are townhouses, by the irrefutable law of economics, they are going to always be less expensive than a single-family home and that is part of the reason that we committed to so many townhouses. When we looked at Ordinance No. 860, which came out of a previous

County Council, it is the current affordable housing ordinance for the County of Kaua'i, it required that we sell the units that we build between eight percent (80%) and one hundred forty percent (140%) of the median income. You folks are all familiar with that. When we looked at that and the median income is Kaua'i is so high, it is over seventy thousand dollars (\$70,000) and interest rates are low, that still puts a single-family house out of the reach of most normal people. We said, "How are we going to do something that is truly affordable?" I have four (4) kids, four (4) sons, and they cannot buy a six hundred thousand dollar (\$600,000) house. So our idea is, and our market study shows, the absorption of one-, two-, and three-bedroom units in the two hundred thousand dollar (\$200,000), three hundred thousand dollar (\$300,000), or four hundred thousand dollar (\$400,000), which is something that would be indexed to inflation and stay that way throughout the future. It would always be cheaper than a single-family home, so that is something that we are trying to do to be affordable in addition to complying with all of the requirements of Ordinance No. 860. Now, getting down to a specific price, we are really not there yet. As you know, currently as we sit here today, Hokua Place is in the Urban Center designation in the existing General Plan. The General Plan you are working on is going to replace that, and when we go to the next step, which would be the Land Use Commission, I will let Ron talk about our Environmental Impact Statement (EIS) and getting there, we will come back to the County Planning Department for details of units, heights, and road designs and then we will be right back to you folks for specifics of the zoning. "If we give you this zoning, can you do this affordable or that affordable?" It is something that we work on together. It is not something that I...

Committee Chair Chock: Council Chair Rapozo, I know you have the floor, but these figures you are talking about here, seven hundred sixty-nine (769), what plan are they based on?

Mr. Allen: The numbers that I just gave you, they are...

Committee Chair Chock: What assumption are they based on?

Mr. Allen: They are assumptive numbers based on a market study. We have had three (3) market studies done by Ricky Cassidy, and they determined the current price of product in the market and absorption of that product.

Committee Chair Chock: I guess my question is around, what is your assumption based on what designation? Is it the previous or the one that you know is being questioned?

Mr. Allen: That you are working on?

Committee Chair Chock: Yes.

Mr. Allen: It is on the previous, on the Urban Center destination.

Committee Chair Chock: Okay. Thank you.

Mr. Allen: What I am trying to get at is the prices are going to be determined specifically at the time that this happens. If this happens in a year or two (2), they are probably similar to the prices in the market study. If this takes five (5) more years, we would come before you again, and you will say, "We would like a current market study so we can look at the prices," and this is what our affordable housing ordinance says. I am just trying to give you the concept that building ninety percent (90%) or eighty-five percent (85%) of the our project out as townhouses, which Kapa'a does not have that product, if you are a young married couple or somebody who is trying to get started, you are faced with looking at single-family homes, and the competition for that is with everyone; people that do not live here. There is no product that is less expensive, and that is why we are trying to do two (2) things; comply with Ordinance No. 860 and work with you on the affordability, but also build a product that by its nature...all government ideas, tax credits, help with the first person in the door, everything. I am from Maui. I saw that. You get a housing subdivision, they build the whole thing up, and ten (10) years later, all of the houses will be sold at market price. It did not stay perpetually affordable, so we want to do something that stays perpetually affordable. Did I answer that question?

Council Chair Rapozo: I know it is difficult because we do not even know, like we had the discussion with A&B earlier. The build-out could be ten (10) years or eight (8) years. We just do not know. I think to tie this to a number is really not accurate, number one, but what is stable throughout time is the percent of median. One hundred forty percent (140%) is not affordable.

Mr. Allen: No.

Council Chair Rapozo: One hundred forty percent (140%) of median is not affordable. One hundred percent (100%) of the median is not affordable.

Mr. Allen: I agree.

Council Chair Rapozo: What I would like to hear from you as far as your commitment for true affordability is not using numbers, because five (5) years from now, two hundred thousand dollars (\$200,000) is probably not practical, not reasonable, but what percentage? Where on that scale of income are we are looking to ensure affordability in these projects or in these townhouses?

Mr. Allen: That is a great question. My answer is that I want to build a project that makes sense for the developer and for the purchaser, so that generally means something less expensive. There is a concept of zero-lot-line houses where one (1) wall of the house is a sound dead and solid wall, then there is a ten (10) foot yard, then you house with windows and doors, and your back wall is a solid wall, the next house. They are next to each other. There are tiny houses. There are townhouses. Everything is on the table with us to try and do the most we can to help with affordable housing. Right now, in our EIS as we have gone through it, the commitment that we have put in the EIS is to meet the County's affordable Ordinance No. 860, but that gets determined to a large degree by you folks. It has variations, right, so the concept is do we generally want to plan? Councilmember Yukimura's

amendment says that we need nine thousand (9,000) houses. Do we generally want to plan for houses in this area, and if we do, let us generally plan it and then I have to come back to you for the details. You can see all of the commitments that we have made so far, which is a pretty big commitment, is six hundred eighty-three (683) townhouses, the majority of it being townhouses, not high-end single-family house, and that is driven on doing affordable. Did I skate your question?

Council Chair Rapozo: I know it is a difficult question because again, times will be different then and it is very hard to predict the future. But for me and what I am hearing for the community, is they are really concerned about affordability and that the comment that was made this morning was actually seven hundred eighty (780) homes built for people that are not from here.

Mr. Allen: Well...

Council Chair Rapozo: Again, that was what was said.

Mr. Allen: They also said that we had forty-six (46) people in favor of the project. When the Planning Department took this out of the General Plan, we went to the Planning Commission. In one (1) week, we collected three hundred (300) signatures and letters, which I just had resent to you folks. You can walk down the street in Kapa'a and virtually out the ten (10) people, eight (8) or nine (9) of them will say, "I want housing." The demand is so pent-up. The few people that already have a house and that already have plenty of food are concerned about how long it takes them to drive to Costco. They are the ones that do not work that are here every day pounding away at you folks. If we have another hearing, if you say, "Let us have a specific Hokua hearing," you want to see the local community, I mean, that can happen. It would be great if it was at night because they are all working today and they have two (2) jobs, but they need a house to live. They are crying and they are leaving the island. We talk about it and we talk about it. I am going to do fifty (50) houses, rich man's estates, because I was a second-mortgage holder of a piece of land that went upside down, and the County says, "Do the right thing." I say, "I am going to report to the man someday, I am going do the right thing." My partners are about doing the right thing. You do not want to say something...

*(Councilmember Brun was noted as present.)*

Council Chair Rapozo: It is just really the way your current structure or your plan is set up at this moment is you are going to have some rich expensive homes, and I would assume that is to subsidize the construction of the affordable.

Mr. Allen: Yes. There are eighty-three (83) single-family homes and I would say that probably twenty (20) of them would be expensive, because there would be unblockable whitewater views. I am going sell them for as much as I can. Then, I am going to have fifty-two (52) or fifty-three (53) townhouse buildings and I want one hundred eighty thousand dollars (\$180,000) single-bedroom units with a penthouse on top that sells for money. But it makes it so that you have a mixed community. You have the person with the money and you have to have the

person that is hungry trying to make a start for his family. They are all in the neighborhood with lots of green space, parks, bike paths, and connectivity to the Kapa'a Town, and a County pool that is open to the public. Somebody mentioned that you are going to have the fees to live there, the only fees that I know that we have ever talked about is a bus fee because we looked at the Transportation Agency and they said that they will give us bulk bus passes if we can get everybody in there to buy them at once. I said, "We make it so if a family buys a bus pass, anybody in that family can ride the bus." So instead of one (1) person paying forty dollars (\$40), a family pays...

*(Councilmember Yukimura was noted as present.)*

Council Chair Rapozo: Again, that would not really affect the mortgage. I think the question was the association fees.

Mr. Allen: Right.

Council Chair Rapozo: Are there any plans to create a homeowners' association, which would charge these folks monthly fees, at this point?

Mr. Allen: I do not want to see that happen. I want to see a regular community where people build their own house, develop, maybe three (3) or four (4) different developers do some infrastructure in different areas, and somebody builds a slap-board side house and another person builds a tile house. A real community where it is not homogeneous, but it is local style. That is what I want to see. That is what we are trying to do.

Council Chair Rapozo: At this point, you do not see the necessity of charging an association fee?

Mr. Allen: The only reason there has ever been any talk about that was the main road through the project at one time, was going to have to remain private, and in order to maintain the road, we would have to have some kind of fees for that road. My hope is that when I come back to you folks and say, "We are going to do all of this and we are going to do all of that, can we donate the road to you because we are donating the water to you? Will you take the road?" Then, you folks go, "Yes, we will take the road." Then, there is no need for a fee.

Council Chair Rapozo: Okay. That is all I have.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: Greg, thank you for being here and thank you for doing an EIS. That is very helpful. How are you going to maintain a swimming pool?

Mr. Allen: We have had discussions with the County. The County's pool is down in Kapa'a, it is built in coral, and because of the environment, it cannot be expanded to be made to a competition-sized pool or a

regular, proper today's standard swimming pool. So the idea is that we will donate a three point one (3.1) acre park adjacent to the school and we will work with the County to get that pool built, then we will turn it over to the County. It will be a County pool.

Councilmember Yukimura: Okay.

Mr. Allen: We do not want to maintain a pool forever. If we did, we would be back to the same thing about needing money every month.

Councilmember Yukimura: But the pool is going to be located...

Mr. Allen: It has been in our plans for twelve (12) years. It is on all of the maps. It is right next to the school.

Councilmember Yukimura: Okay.

Mr. Allen: It is right next to the school where we have bus parking and Ron can talk to you about the EIS if you want to know more about that.

Councilmember Yukimura: What is the total acreage?

*(Councilmember Kawakami was noted as present.)*

Mr. Allen: One hundred sixty-three (163) acres.

Councilmember Yukimura: One hundred sixty-three (163) acres. What is the total number of units?

Mr. Allen: The total parcel acreage is one hundred sixty-three (163), sixty-six (66) acres of it are remaining in agricultural production, and about seven (7) acres of that is already a large solar farm that we got approved and then had a mortgage-holder build and it provides us with a zero (0) carbon footprint. That land will have various agricultural uses on it. Then, the remaining ninety-seven (97) acres is what is currently on the General Plan to become Urban Center. Urban Center, from what I understand, was a designation that allowed up to two thousand (2,000) units. In our discussions with the previous Planning Department, we went in with four hundred fifty (450) single-family homes and they came back to us and said, "Hey, we want eight hundred (800) to one thousand (1,000). We need affordable housing," and that is when we agreed to the townhouses.

Committee Chair Chock: I have a follow-up on that as well.

Mr. Allen: Pardon me?

Committee Chair Chock: I have a follow-up question from Councilmember Kagawa.

Councilmember Kagawa: Regarding the pool, is the plan to donate the land so County can build the pool or are you folks planning to build the pool and donate everything after that?

Mr. Allen: This is our goal today, to stay in the General Plan, right? Our next goal is to go to the Land Use Commission with your backing saying, "We need to be able to provide houses," then we are going to go to the Planning Department and detail a lot of those things out that we are asking about, and then we are going to be back to you and you are going to say, "Will you pay for the pool?" Then we are going to say, "Okay. Well, we are paying for the well, we are paying for the road, and we are donating the bypass highway." It is on the table is what I am trying to say. I do not want to, on the record, say, "Oh, yes. We are paying for a pool or the County is..."

Councilmember Kagawa: I think if you build a pool, then the prices of the houses go up.

Mr. Allen: I would rather...

Councilmember Kagawa: I would rather see we provide the affordable housing, and I think providing the land for the pool would be a lot...while we would welcome having a brand-new pool to replace the one that is in the tsunami zone, trying to meet the affordable housing need, then building a pool would take away from that.

Mr. Allen: Thank you. We would like to work that way, too.

Councilmember Kagawa: Alright. Thank you.

Committee Chair Chock: Are there any further questions?

Council Chair Rapozo: Real quick, can you explain one of the questions we have been receiving about the bypass road? Who owns the bypass road?

Mr. Allen: We do.

Council Chair Rapozo: The whole bypass?

Mr. Allen: No. We own the bypass road from the roundabout past the white tent church to the first bridge where the little ditch is. We have owned it outright. About fifteen (15) years ago when the people that were trying to develop it as "gentlemen estates," got in trouble financially, I am the second position mortgage with the Hui and we went in and started paying, but first, we went to the County and the County said, "Do this affordable thing." I went to Belles Graham Proudfoot Wilson & Chun, LLP and I said, "What can I do to leave the gate open," because I was running into the closed gate. We did a Memorandum of Understanding (MOU) with the State and we have left the gate open ever since. The perception among the public is, "Oh, my gosh. Look at these eight hundred (800) houses *kama'āina*. No, do not let them do it. Traffic, traffic." Yet, you are going to

put nine hundred (900) hotel units in the corridor that do not do anything for the road. We are donating the road, not only are we donating the road, we are donating an extra one hundred (100) feet for the width to be doubled and we have been allowing its use for free and we pay the taxes on it.

Council Chair Rapozo: So right now, you have an MOU with the State to keep that bypass road open?

Mr. Allen: Yes, and we have done four (4) traffic studies and all four (4) traffic studies say that our impact actually...I am going to qualify this. The four (4) studies have different parts of impact. There is "A" to "F" on traffic studies, "F" being the worst. There are some "F"s, "E"s, and some "C"s. We are building a new road from the bypass by the white tent church up to the Olohena intersection. At the intersection, we have designed a new intersection that would improve the traffic flow there. In addition, we are donating the bypass road. If you look at our new road from the bypass up to Olohena and fixing that intersection, we significantly improve traffic flows even with the eight hundred (800) houses there, fully-loaded. If you look at the bypass and the load that it has going to the roundabout, we do not change its rating because of the other road. So we can get away with saying, "We do not significantly negatively impact traffic." You cannot tell that to the general public because they are like, "How can you say that? Eight hundred (800) houses is going to impact traffic," but we are doing a lot of things and these studies do not even include "no bypass or bypass." A few years ago, there was a flood that broke one (1) of the ditches on the bypass. The road was closed for a day or two (2). I work on the North Shore sometimes and traffic coming back was two (2) to three (3) hours. That bypass is imperative and we have allowed its use for free for fifteen (15) years. We are about the community. We are about doing the right thing. So all of the public hears again, I do not get to make the decisions. We make the decisions. You folks hold a lot of control and that is fine. That is how it should be because we are doing something in a public place for the public.

Council Chair Rapozo: Thank you.

Committee Chair Chock: Is there any further discussion, I mean, questions?

Councilmember Kagawa: Yes.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: I have a follow-up. I discussed with the Kaua'i Board of Realtors and we talked about some of the percentages of recent sales. The number they gave me roughly, is new houses are going sixty percent (60%) to locals and forty percent (40%) to newcomers, new coming residents. So if it follows that trend, then definitely unless there are already newcomers that are renting that are buying that we have to take out that number, but I guess my point is the hope is that it meets affordability so if residents stay in Kapa'a or living two (2) to three (3) families in a house are the ones that are buying into this new development, your development, basically there is no traffic impacts because they already live and drive

in Kapa'a. Basically, they are just moving from Kapahi to that area, and so I guess if we hit that goal of truly being affordable for local residents, then I think I feel safer. But then, there is a question mark of will that actually happen or will it become where the price is too high and the only people that can afford are people from the mainland?

Mr. Allen: I thought about this. How do you be fair and non-prejudiced and make sure that locals get a shot at a house? Ordinance No. 860 does it and they have to be ready to go ninety (90) days before the product is built. But I have also talked to realtors and I have talked to our legal people, and there is no problem with one (1) day, all of a sudden publishing everywhere on every radio station and newspaper that we are taking reservations for one hundred dollars (\$100). I will tell you what, I put that out there that day, got an office set up somewhere, every single one of those things is going to be reserved that day. You know it is true. Now, a lot of those people are not going to make it. They are going to try, right, but some are not going to qualify, and they are not going to make it. But it is like saying who is going to walk in the ice cream shop first; the person that has to fly to the ice cream shop or the person that is there? Those are my two cents worth. I want Ron also, because there was some comment about they talked about it but they do not do anything. It is a pretty long process and I just wanted Ron to tell you, because he is our planner and he is doing our EIS, our third and final version.

RON AGOR: My name is Ron Agor. As you know, we are going to go in front of the Land Use Commission for an amendment to the zoning, but prior to that, we have to complete the EIS process. In about three (3) weeks, we are going to be turning in the final EIS to the LUC for their acceptance of that EIS, and that is going to be a public forum and people are going to be able to testify on that. Once we get acceptance of the EIS, then the application for the amendment can proceed. So, that is where we are right now. It is a very long process.

Councilmember Kagawa: I have a question. I am trying to tie in the traffic issue or the traffic concerns. For me, the traffic concerns were worse than anything else above the price and everything. I believe the last update we had from the State Department of Transportation Highways Division, their goal was to begin construction of four (4) lanes in 2019. So that would basically create a permanent...what we have with the contraflow would be permanent, two (2) lanes at all times.

Mr. Agor: Correct.

Councilmember Kagawa: When would your project start moving people in at the soonest, because I am thinking if we have those four (4) lanes in 2019 or 2020, and that is really hoping, but then if your project comes in after that, then it would basically be perfect timing. You folks are pushing through a long process, but what is the goal? When would it be built in?

Mr. Agor: After we get the LUC approval of the amendment, then we have to go to the County for the entitlements from the County. So we are looking at being able to submit for building permits no sooner than two (2) years.

- Councilmember Kagawa: Thank you.
- Committee Chair Chock: Are there any further questions?
- Council Chair Rapozo: No sooner, but what is a realistic number? I have had this discussion with Greg as far as build-out, and it was significantly longer.
- Mr. Agor: I think that is plausible. I am being conservative giving nine (9) months for the LUC and then a whole year for the County entitlements. I think that is pretty plausible.
- Council Chair Rapozo: Very optimistic. Anyway, I will leave there. Thank you.
- Committee Chair Chock: Councilmember Yukimura.
- Councilmember Yukimura: Do you have a written list of your commitments?
- Mr. Allen: Yes, it is a four hundred fifty (450) page document called, "The EIS" and every single thing we have committed to doing is in there.
- Councilmember Yukimura: Well, an EIS is a disclosure document. It is not mandatory or anything.
- Mr. Allen: It has our plans in it. It has our maps in it. It has our market studies in it. It is so complete. In fact, this is interesting because what happened to us was the property had no negative impacts according to the Office of Environmental Quality Control (OEQC). We went to OEQC when the County said, "Switch from doing agriculture houses to doing urban and building affordable housing and helping our housing situation." We went to OEQC, and they said, "You do not need any EIS or EA because you have no negative impacts." So we submitted and of course, staff said, "You are crazy, you need an EA."
- Councilmember Yukimura: Which staff?
- Mr. Allen: The State Land Use Commission staff said, "Hey, this is not going to fly. This is too big of a deal. You need at least an EA." So we did an EA and then the Planning Commissioners all changed during the Abercrombie governorship and they were all new. The staff said, "Geez, you really should change your EA to an EIS." Basically, what happened is during the EA process, the State said, "We want a traffic study" and then another. We have done four (4) now. They wanted bird studies. We just had to do an invertebrate study. They wanted agricultural studies, drainage studies, and all of these studies, so we did them all during the EA, which is not normal. Then after the EA, we switched to an EIS. Usually you publish the EIS and say, "We plan on doing something." We published ours with detailed reports on everything as a preparation notice and then

we published it as a draft. So it has been really detailed and complete for the whole time, and this final one coming out, different from a normal final EIS, is that it has a couple extra studies and a little bit of extra things, but the draft that is out there right now is really pretty complete.

Councilmember Yukimura: Well, I have to say in comparison to what we had in terms of A&B's intentions, it is commendable that you have this EIS.

Mr. Allen: I was listening to that and I thought about it. Ours was different. We are in the current GP and we were asked to do this, so we have been at it for almost fifteen (15) years.

Councilmember Yukimura: Yes.

Mr. Allen: The reason that we have submitted testimony was after the Planning Department took the project out and made it Agriculture, we went to the Planning Commission with a lot of testimony and they put it back in as Neighborhood General, but when they put it in as Neighborhood General, it had a quarter (1/4) mile walkshed distance on it. The (1/4) mile walkshed distance on their map, which I sent you folks maps, reduces our project area by about thirty percent (30%). So we have water, roads, and I did not touch on sewer, but I can if you have questions about it. We have all of the infrastructure ready to go and we are sitting here faced with, "Let us reduce the land opportunity by thirty percent (30%)." As I look in the General Plan Draft on page 10, it says that the walkshed can be a quarter (1/4) to a half (1/2) mile, but in the section specific to Hokua Place, it says the walkshed specifically quarter (1/4) mile. So I am hoping that you folks will vote to say, "Make it a quarter (1/4) to a half (1/2) mile like everything else" so we can have the whole chunk of land to discuss when we come back to discuss that with you.

Committee Chair Chock: Are there any further questions?

Mr. Allen: Do you want to know about sewer?

Committee Chair Chock: I am sure we do, but let us let the Members get their questions out of the way.

Councilmember Yukimura: In terms of housing, you are committed to meet the requirements of the existing affordable housing Ordinance No. 860, and that does have alternatives and so forth. Will that be negotiated with the Housing Agency and I guess, approved at the time of zoning?

Mr. Allen: And if it is financially viable and possible, none of us have any problem with completely exceeding that. That is the example I gave of the zero-lot-line houses, the tiny houses. We want to do a retirement street so you can have a nurse on staff on a street and somebody can push a button, they can run over to your house. There are all kinds of options, but the first thing we have to do is decide that we have to build some houses. I think that is where we are at right now, and you have quite a bit of commitment from us about being affordable. We are committed to the amount of townhouses. That is in our EIS and that is in the

LUC approval. That cannot go away. So it is not going to all of a sudden be, "Oh, great. We got Urban and now we are doing one hundred seventy (170) one million dollar (\$1,000,000) houses," that cannot happen.

Councilmember Yukimura: Okay, but you say Neighborhood General that is proposed would reduce what you have right now in the General Plan by thirty percent (30%)?

Mr. Allen: The project right now in the current General Plan, not the one you are working on, is Urban Center. I have a map, which she can put on the overhead so everybody can see it, if you want.

Councilmember Yukimura: Okay. While you are doing that, so basically you say if the Council turns down the amendment, you are going to have an Urban Center instead?

Mr. Allen: No.

Councilmember Yukimura: That is the existing...

Mr. Allen: You are going to make a new General Plan. It is going to go through, right? That is going to happen, right?

Councilmember Yukimura: Yes.

Mr. Allen: What the amendment that Gabriela Taylor wrote is to switch it back to Agriculture, do not build houses for *kama'āina*. What we are saying is that currently in draft GP that is in front of you folks...

Councilmember Yukimura: The Planning Commission Draft?

Mr. Allen: It has changed Urban Center to Urban General, which is fine. We do not care. But it says a quarter (1/4) mile walkshed, and the quarter (1/4) mile walkshed reduces the top part of the project because it is more than a quarter (1/4) mile and that takes about thirty percent (30%) of the project out. If you think about thirty percent (30%) of the project, that is two hundred thirty (230) or two hundred forty (240) townhouses. You cannot see it. On your maps, you can see it, Councilmembers. You can see a different color of yellow right here right from this arrow down. This side over here is what is proposed in the draft that you are working on to stay as Urban General. Over here, there is a part on this side, this area right over here, that is out of the walkshed distance. Now you can start to see it. What we are saying is, if this is a quarter (1/4) mile to town, right here, this is another little tiny bit, I do not know, five hundred (500) yards. Leave it in. Then, we have the land to build houses. If we do not have land generally planned for houses, we just limit our opportunity to create housing.

Committee Chair Chock: Okay. Thank you.

Councilmember Yukimura: That is kind of what the Planning Department did for A&B when it moved it to the geographical ravine, gulch.

Mr. Allen: Our project comes all the way back here. All this area back here is where the solar farm is. All of this is where the agricultural houses are. This red line, the red outline, is what is in the current Urban Center plan. It is the ninety-seven (97) acres. If you go with the proposal by the new proposed General Plan, it drops that to about sixty (60) acres. That is all I am saying. You can drop it. They talk about creating greater density and keeping the same number of houses. I do not know why you would keep the same number of the houses if your concern is traffic. We are a rural community. If you have another thirty (30) acres, why do we not build the same number of houses? For me, it does not really matter. Let us say you make it the sixty (60) something acres and I put eight hundred (800) residences on it, I probably would make the same amount and I have thirty (30) acres left to sell as agriculture gentleman estates, but why? Why not put houses on them for the people?

Councilmember Yukimura: Okay. Well, you are not planning to build all of the eight hundred (800) at once are you?

Mr. Allen: No, it is a ten (10) year build-out.

Councilmember Yukimura: Thank you for at least having a timetable.

Mr. Allen: And that is published in our EIS.

Councilmember Yukimura: Okay. A ten (10) year build-out, eight hundred (800) units...

Mr. Allen: I want to point something out, too. Somebody said that four hundred thousand dollars (\$400,000) would cost five thousand dollars (\$5,000) a month. On a four percent (4%) note, a four hundred thousand dollar (\$400,000) house is one thousand nine hundred nine dollars (\$1,909). Right now, I have employees that are paying three thousand five hundred dollars (\$3,500) for a small 3-bedroom house.

Mr. Agor: To rent.

Mr. Allen: Rent. Yes, they do not even own, they rent. Four (4) years ago, it was one thousand six hundred dollars (\$1,600). Now, it is three thousand five hundred dollars (\$3,500). Again so the public hears it, this is a General Plan designation that still has to be vetted by the Planning Department and the Council so that you can police us to do the best thing we can for the community within the constraints of the laws of economics. It is really where we are at, right? I had one (1) question for the Council, Kapa'a. I did not mention sewer, but they built a twelve (12) inch pipe from this project all the way to the wastewater treatment plant. That is the reason why the effluent has a smell to it by Kintaro Restaurant. The sewage in the pipe is staying in there five (5) days because there is not enough flow. They built the pipe in anticipation of this project by the school. So if water, sewer,

roads, solar energy, our own well, and we donate the bypass road where else can you think of that would be a better place to build houses anywhere on the island?

Committee Chair Chock: Thank you.

Councilmember Yukimura: Is the well built already and tested?

Mr. Allen: The well is tested, yes.

Councilmember Yukimura: That is good. Thank you.

Committee Chair Chock: Are there any further questions for Mr. Allen?

Councilmember Kagawa: Are you saying that once everything is built-out, the smell will no longer be there?

Mr. Allen: That is the plan. I am not promising, but that is what the Sewer Department tells me. I said, "What do you need?" They said, "We need more sewage."

Councilmember Kagawa: Okay.

Mr. Allen: And their treatment plant is a one million five hundred thousand (1,050,000) gallon plant operating at less than five hundred thousand (500,000) gallons a day. It is only at one-third (1/3) capacity.

Councilmember Kagawa: I work at Kapa'a High School, so I drive there every day back and forth. I love my food, but that turns off my appetite.

Mr. Allen: They spent a bunch of money on an ozonator to try and stop that, but what they need is flow.

Committee Chair Chock: Does anyone else have any questions?

Mr. Agor: I would like to make one (1) more point about keeping the costs down for these homes.

Committee Chair Chock: Yes.

Mr. Agor: Reducing the ninety-seven (97) acres would mean that the units would have to be built closer together. A lot of areas are sloped lands and the closer you build together, the more digging, and the more retaining walls that will be needed. If you stretch it out over ninety-seven (97) acres, you can slope the land so that you will not need retaining walls. Retaining walls could cost each unit twenty thousand dollars (\$20,000) more.

Committee Chair Chock: I just want to clarify, what you folks are asking for is an additional amendment to what is being proposed right now. It is not

the amendment that is being discussed right now. So you are asking for something different.

Mr. Allen: Yes, we sent it in writing.

Committee Chair Chock: I am just saying that it is not being proposed right now.

Mr. Allen: Would one (1) of you please propose it?

Council Chair Rapozo: But you are asking that the designation remain as it was in the 2000 plan, correct?

Mr. Allen: Yes. In addition to that, we did it before this Planning Commission and they approved it. It happened, but when the draft came back out, it had this quarter (1/4) mile walkshed on it. We asked for the video. It was Thursday and they did not have it. We asked for the minutes of the meeting and they did not have them. So the Commission already saw the logic in keeping the ninety-seven (97) acres.

Council Chair Rapozo: The Commission?

Mr. Allen: The Planning Commission.

Council Chair Rapozo: The Planning Commission kept it in?

Mr. Allen: It was out completely. It was Agriculture and they said, "No, put it back like in the Urban plan," because we have this new designation, Neighborhood General. The Planning Department accomplished that by putting it in Neighborhood General, which they want to use, that is fine. But they put on a specific quarter (1/4) mile walkshed, which cuts it down from ninety (90) to sixty (60) acres.

Council Chair Rapozo: I got it.

Mr. Allen: What I said what was interesting was in their own document on page 10, it says walksheds are quarter (1/4) to half (1/2) a mile. So it is really easy. Let us just take out quarter (1/4) and put half (1/2) mile in there, and we are good. They get the Urban General that is a better designation for what we are doing, it fits it better, and it is not a half (1/2) mile, it is less than that. But it is just logical.

Committee Chair Chock: Thank you. Are there any further questions?

Councilmember Kawakami: I have one (1) simple question. Mr. Allen and Mr. Agor, thank you for being here. Do you have any experience building these types of communities on Kaua'i or in the State of Hawai'i, and if so, could you name some of the projects? I am a very visual type of person, so I kind of want to see what we are working with or what you have worked with previously.

Mr. Allen: I do not.

Councilmember Kawakami: And that is fine.

Mr. Allen: I have built several homes, I rebuilt Harbor Mall and have run it for the last eighteen (18) years. In the mainland, I have built projects, not a subdivision. My partners have built multiple subdivisions. They are HG Kaua'i Joint Venture, LLC (HG Kaua'i). I am a minority partner at this point, but I am the person that lives here. Robert Roche is my main partner and he is the majority owner of the project. He owns sixty-seven percent (67%) of it. He has developed residential communities in the mainland. He also has a hotel line. He also imports gas and oil. He has a shipping line. He has a train line. He has the QVC of China and Japan and imports seafood from Norway to China. Jake Bracken, who is the project manager for this project, has done development in Hawai'i.

Councilmember Kawakami: Which ones?

Mr. Allen: I will get you the name. It is on O'ahu. I think it was only...

Councilmember Kawakami: Do they have a website? I can just look at the website.

Mr. Allen: I do not. He just told me he did an eight (8) unit complex on O'ahu and that was fifteen (15) years ago. When he did that, he realized the difference in the dynamic in working in Hawai'i versus working in the mainland, which I appreciate him knowing.

Councilmember Kawakami: So he is running the numbers. Because I am hearing a lot of things that I like. I am just trying to figure out, is this thing going to pencil out? It is not my business to see if it is going to pencil out. That is between you and whoever is providing the finances, but we are looking at some of the takeaways that we are going to be able to get. We are going to be able to get housing, the bypass road, a pool, and I think people on Kaua'i oftentimes have been overpromised and under-delivered. So I am just trying to get background on who is behind the project, who is running the numbers, and then just to see some comparable types of developments that they have been able to do. When you get that list, just send it to me later on, and I can take a look at it.

Mr. Allen: I will.

Councilmember Kawakami: Thank you, Mr. Allan. Thank you, Committee Chair Chock.

Committee Chair Chock: Are there any other questions?  
Councilmember Yukimura.

Councilmember Yukimura: What is the significance of a walkshed? Did it say, "Because of the walkshed, your property..." Oh, they designated it lesser than the original, is that what happened?

Mr. Allen: Yes.

Councilmember Yukimura: I see. What was approved by the Planning Commission?

Mr. Allen: What I understood the Planning Commission to have said was to re-designate the whole project for Residential.

Councilmember Yukimura: Okay. Are there no minutes?

Mr. Allen: No.

Councilmember Yukimura: There are no minutes?

Mr. Allen: No.

Committee Chair Chock: We can verify with Planning.

Mr. Allen: We asked for them.

Committee Chair Chock: Let us ask whatever questions you have for Mr. Allen.

Councilmember Yukimura: Okay, and then will we get Planning up?

Committee Chair Chock: Yes.

Councilmember Yukimura: Okay. Thank you.

Committee Chair Chock: Thank you very much.

Mr. Allen: Thank you.

Committee Chair Chock: Can I have a representative from Planning on this item? I think you heard the concern of the missing minutes.

Mr. Dahilig: I will say that I have checked with my Office of Information Practices (OIP), who sits to my left, Manager Marisa Valenciano. We have not received a single OIP request from Mr. Allen. I want to be very clear that the impression that our Department was asked for information and was not forthright is completely false. With that, I am checking right now in terms of the actual minutes if they are up on the website, but they were part of a regular Commission Meeting and we have been diligent about making sure the minutes, as they are approved by the Planning Commission, are posted on our website.

Council Chair Rapozo: Can I ask a follow-up?

Committee Chair Chock: Please.

Council Chair Rapozo: Putting the minutes aside, what is your recollection of the Planning Commission's recommendation?

Mr. Dahilig: The Planning Commission has had this Hokuia Place discussion at the time going through various iterations of what to do about it.

Council Chair Rapozo: What was the last one?

Mr. Dahilig: What they voted on was a map that showed what you currently have right now, which is the Neighborhood General designation that is slightly smaller than the 2000 General Plan.

Council Chair Rapozo: Was that the final action of the Commission?

Mr. Dahilig: Yes, it was.

Council Chair Rapozo: So, that is not what Mr. Allen was just saying?

Mr. Dahilig: I do not agree with what Mr. Allen is representing as what actually happened.

Council Chair Rapozo: Thank you. I guess we will wait to see the minutes.

Committee Chair Chock: Thank you very much. Councilmember Yukimura.

Councilmember Yukimura: Was that vote the one that they voted to accept all of the technical changes that had to be made pursuant to it was actually the day they made that substantive decision?

Mr. Dahilig: Well, that is what I am pulling up in terms of minutes. We have a PowerPoint, as part of our process presentation to the Council that showed that it was, I believe, May 23<sup>rd</sup> that was the date that we had had the Commission adopt the specific map, but there is 151 pages of minutes here that I am trying to peer through right now to confirm your question, Councilmember.

Councilmember Yukimura: Okay. Marie, did you have something to say?

Ms. Williams: The amended map would not be in the summary of what occurred at the meeting. You would have to refer to the staff report that showed the attachments that illustrated what was actually being adopted as well, so we would have to look at that, too.

Mr. Dahilig: All of the staff reports and everything had been transmitted to the Council as part of our enrollment package when it come over from the Planning Commission.

Councilmember Yukimura: Right. All of the minutes have been transmitted to us, too, right?

Mr. Dahilig: And Director's Reports.

Councilmember Yukimura: Okay. I am just asking because of that multimodal issue.

Mr. Dahilig: Right.

Committee Chair Chock: Are there any other questions for Planning on this item?

Councilmember Yukimura: The walkshed application that Mr. Allen referred is those maps done by Opticos Design, Inc. and you applied them, so you did not let development go beyond that walkshed?

Ms. Williams: That is correct. Again, as was pointed out earlier in the Hanapēpē-'Ele'ele future land use map context, originally, the initial conceptual maps did show Neighborhood General, which is the five (5) minute walkshed, and then Neighborhood Edge, which is the ten (10) minute walkshed, but ultimately, the plan involved where we just get Neighborhood General. When the call was made to put back in Hokua Place, we did, of course, apply the Neighborhood General, which is the quarter (1/4) mile walkshed to the area.

Mr. Dahilig: I also want to point out that through discussions on walkshed, we had concerns raised by Jean Souza at a discussion on the walksheds concerning the walkshed radius running up into Hanapēpē Heights. The concern that when you are talking about a five (5) minute walkshed, you are talking about five (5) minutes and flat elevation. The similar analogy can be used in this situation where you are going *mauka* from the town core. Inasmuch as you are talking about five (5) to ten (10) minutes, you are actually going uphill from the town core, so again, these things are not an exact science when it comes to walkable speed. But again, we believe that the reach of walkability is what is kind of the generally represented in this diagram here.

Councilmember Yukimura: But in the case of Hanapēpē-'Ele'ele, you extended the Neighborhood General beyond the five (5) minute walk and even beyond the ten (10) minute walk.

Mr. Dahilig: Well again, as it relates to this particular question, Councilmember Yukimura, all I can suggest is that these walksheds are rough estimates as to somebody's walkable speed at five (5) minutes and at ten (10) minutes, but we concurred with the situation if you are going *mauka*, it could take longer.

- Councilmember Yukimura: Okay. Thank you.
- Committee Chair Chock: Councilmember Kagawa.
- Councilmember Kagawa: I am picturing that walk and it is like “green” walking down, but for me going up, it is like a flat tire already.
- Mr. Dahilig: I am reminded of a wedding in Positano, Italy that made me walk up and down stairs quite a bit.
- Committee Chair Chock: Are there any further questions for the Planning Department or any other resource people?
- Council Chair Rapozo: Was that May 23<sup>rd</sup>? Is that what you said?
- Mr. Dahilig: May 23, 2017. I can send you the link.
- Council Chair Rapozo: No, I have it up.
- Mr. Dahilig: Okay.
- Council Chair Rapozo: I am just trying to find it. Was it more towards the end?
- Mr. Dahilig: It is 151 pages, Council Chair Rapozo.
- Councilmember Yukimura: Are we...
- Committee Chair Chock: I am going to go to discussion now. I would like to hear some feedback from Members on where they are on this, and then we can decide.
- Councilmember Yukimura: Okay.
- There being no objections, the meeting was called back to order, and proceeded as follows:
- Committee Chair Chock: Would you like to start, as the introducer?
- Councilmember Yukimura: Well, I think, at least for me, the hesitancy for reversing or undoing the designation for housing comes from the fact that we need housing so much and the traffic is a problem not only of this development, but of many of the developments that are pending in the Wailua-Kapa‘a area. So to say that because of the bad traffic, we cannot provide housing is a problem for me, and to even say that it should be one hundred percent (100%) affordable is not conceptually correct either because a private developer cannot just do everything affordable as we define it, which is one hundred forty percent (140%) of the median income, but the real need is about one hundred twenty percent (120%) of median income and lower.

As I have said before, that requires approximately a two hundred thousand dollar (\$200,000) subsidy per unit because an average cost of a unit is about four hundred fifty thousand dollars (\$450,000), and to make it affordable, you have to subsidize it by about two hundred thousand dollars (\$200,000). To put that all on the private developer is not even workable because they will not develop then. So meeting the affordable housing requirement in our current ordinance is what we can ask for, I think, and that is thirty percent (30%). I think there are things that we can do to improve the ordinance so that it is a win-win and produces more housing, and even requires permanent affordability, which would really help because if we have housing going into the market out of the affordability range as fast as we are building housing or faster sometimes, we are never going to solve the problem. So that was part of the discussion on the affordable housing policy that is in one of the amendments. I think a lot of the requirements or tying down of the commitments will come at time of zoning, and I am grateful that we have a lot more information about the implications of this General Plan than we did in the case of A&B. The result is pretty clear, it is housing. So I feel that at least in voting on this issue, no matter which way you are voting, what we are voting on is clearer. I appreciate that very much. I also think that the story that Mr. Allen tells us about the permitting process is a developer's nightmare and raises a lot of the cost because we are not clear because we tell them one thing and then later on tell them to do another thing, and that is very, very expensive and comes into the cost of developing housing. So, streamlining that process, which does not need, I think, to diminish the environmental controls or some of...we have to distinguish between what is needed and what is unnecessary red tape. I think there is a lot of room for doing that, but we have to do it so carefully because so often the instinct, as I felt happened in Lima Ola is, "Oh, well, it is housing and therefore, no need any requirements, and ignore our planning principles and things like that." That is not the way to really solve the problem. Anyway, those are my thoughts at this point.

Committee Chair Chock: Is there any other discussion, Members, or your position on this? If not, we are going move on.

Council Chair Rapozo: Well, we still have public testimony. I would want to reserve my comments until...I do not want to burn up your folks' time. My idea was after we get the public testimony, at that point, then I will have some comments. I am not sure what you prefer.

Councilmember Kagawa: Let us vote.

Committee Chair Chock: Our plan was that we would have all questions and discussion prior to the vote.

Council Chair Rapozo: Okay. If this is an opportunity, then I am assuming that every Councilmember will have this opportunity only.

Committee Chair Chock: Absolutely.

Council Chair Rapozo: Okay, then I will make some comments.

Councilmember Yukimura: That is per amendment though, right?

Committee Chair Chock: We have had that opportunity.

Councilmember Yukimura: Okay. Alright. Then that means that we do not respond to the public input?

Committee Chair Chock: The process as outlined this morning is that we would finish our discussion, hear public testimony, come back for a vote, and I intend that will be the process that we will keep.

Councilmember Yukimura: Alright. So right now, we are in discussion on Hoku Place and the assumption is we finished our discussion on the other amendments?

Committee Chair Chock: Correct.

Councilmember Yukimura: Okay. I just have one (1) issue because during the lunch break, I did look at the law and I wanted that to be clear or at least my position on it, regarding the Provisional Agriculture. I want to ask Mike Dahilig one (1) question about that.

Committee Chair Chock: What is your question?

Councilmember Yukimura: My question is what provision in HRS 46-4 does not give the effective of law to a community plan amendment?

Council Chair Rapozo: I would ask that be directed to the County Attorney.

Committee Chair Chock: It sounds like it.

Council Chair Rapozo: That is a legal question that needs to be addressed.

Councilmember Yukimura: Okay. I just do not see anything in HRS 46-4 that requires that.

Council Chair Rapozo: Neither do I, Councilmember Yukimura, but what I am saying the proper person to ask would be the Attorney and not the Planning Director. Just pretend the Planning Director is not an attorney. I think that is why we get into issues because he is an attorney and the Planning Director, but we should leave the legal discussions to Mauna Kea and the planning discussions to Mike.

Councilmember Yukimura: Right, but both Mauna Kea and all of us need to know which provision the Planning Director is relying on.

There being on objections, the rules were suspended.

MAUNA KEA TRASK, County Attorney: For the record, Mauna Kea Trask, County Attorney. Like I said, nothing in HRS 46-4 discusses Provisional Agriculture, but if you look at HRS 46-4(a) and I am not trying to speak for Mike or what he intended to say, but HRS 46-4(a) talks about comprehensive and long-range planning initiated by and not primarily, but the starting point being a General Plan. So I think within the context of land use policy and all of that, the only real place in HRS 46-4 is where it could be, I think, long-range planning.

Councilmember Yukimura: Mauna Kea, I also looked at our CZO, our Planning Ordinances, and it says that the General Plan shall be amended by ordinance.

Mr. Trask: Yes, that is what I said earlier, too.

Councilmember Yukimura: And a community plan is a plan adopted by ordinance.

Mr. Trask: Yes, but again, this is where you get in the conflicts of law situation. Repeal by implication is disfavored, so if you are going to amend or repeal something, you should make it clear. That is why when I was talking about where you give me instances about previous ordinances and their effect on the General Plan, I do not know the circumstances. But you could, in a subsequent ordinance, make a development plan and possibly at the same time simultaneously for legislative economy via ordinance, amend part of the General Plan. But I do not want to speak too much about things I do not know. Ordinances can repeal and/or amend other ordinances, but to do so by implication is disfavored because you want to read all ordinances *in pari materia* together so as to effectuate everything. Only when there is an irreconcilable conflict and/or when reading them leads to an absurd result would you say, "Well, then this one repeals that via the rule of primacy." That is generally how it goes.

Councilmember Yukimura: Okay. Thank you.

There being no objections, the meeting was called back to order, and proceeded as follows:

Committee Chair Chock: Okay. Before we go further, I hate to do this, but because I gave some latitude on it, I just want to make sure we can move forward and not go backwards.

Councilmember Kagawa: I really want to go to the next amendments. I know Rupert has been waiting from the morning for the public testimony portion. I think when we get into questions and answers when we know it is not going to change the sentiments around the table on certain issues, I think we just...we are basically wasting time. Let us work on that we need to work on and at some point, if we win or lose, we just have to accept the vote.

Committee Chair Chock: Alright. We have another amendment package.

Councilmember Kawakami: But the time to speak on this particular Hokua Place would be now?

Committee Chair Chock: That is correct.

Councilmember Kawakami: Or forever hold your peace.

Committee Chair Chock: That is correct.

Councilmember Kawakami: Okay. I have a comment just because people that are watching utilize these Council Meetings as an educational opportunity to learn what is going on.

Committee Chair Chock: Yes.

Councilmember Kawakami: I just want to be clear about the differences since we are comparing one apple to an orange, what the reality is. Hokua Place sounds like a great project. They are going to provide housing and they have all of these studies done. But let us be clear that they are at a different level and a different stage of their development than the previous development that we talked about. They are ready to move on a project, and so some of these requirements and information that they have were required because they are ready to move on a project. So it is at different levels of infancy right now and they are turning into a teenager, almost an adult, and this thing is ready to go. So let us be clear when we are comparing one to the other, that the people know that it is in different stages. I mean, this one is ready to move. The other one has not even had the community plan, so there is this information that is not available because quite frankly, they said they are not ready. So do you know what I mean? I just want the public to know that when we say things, that we give them the whole story so that they are not being judgmental on one part of the aspect of something that is being said. Thank you, Committee Chair Chock.

Committee Chair Chock: I appreciate that. Is there any further discussion on this item? Council Chair Rapozo.

Council Chair Rapozo: I just want to say that it has been a difficult issue. Again, obviously we have received a lot of E-mails and several meetings with the public/community about the lack of support for this project. This morning we heard from the public about the concern about building-out 'Ele'ele. I think Councilmember Kawakami made a great point about the difference between the second city, Honolulu, and 'Ele'ele that, in fact, it will be near a job center with job creation and people who would want to live around there. Then, you hear that the community does not want any houses built in Kapa'a and yet at the same time, the politicians are all saying, 'Hey, we have to build houses.' If nobody wants houses in any district, what are we to do? That is the frustration. I had one (1) E-mail that I am not sure if the person is even in the room, but he talked about why we cannot build in Kapa'a because he has a wedding planning business and his customers are

often late and all of his clientele is from the mainland. I am going to read it. I have three (3) minutes or five (5) minutes. I am going to read it because this is what we deal with. At the same time, we have to tell our kids like my two (2) that live in Oregon, "I am trying." My daughter just had to move to another place and as difficult as it may be to find housing in Oregon, she was able to find one at a very reasonable price. I could not do that here. But no houses in Kapa'a, no houses in 'Ele'ele. Where are our kids going to go? I know where mine went. Is that fair? Should we punish our kids and their kids because our State and our Counties could not get their act together and fix our damn roads? I do not think that is fair. So the solution is, "Sorry kids." Earlier today, somebody said imagine...I am going to be real. "Can you imagine," and they painted this picture of a lot of traffic and all of that, well, can you imagine all of our kids leaving? Can you imagine this island becoming purely a tourist destination? Can you imagine this island is just a playground for the rich? That is what is going to happen if we are not building homes for our kids. Mr. Allen, maybe he and I do not get along all the time. We have some issues. He is stepping forward and coming up least with an idea and a plan that can help our solution. "Oh, we can build six (6) houses here, eight (8) over here. Oh, maybe we can put twelve (12) tiny units here and stuff our kids in a three hundred (300) square foot sardine can." I hope you appreciate my passion because I do not speak for myself. I have a seven hundred twenty (720) square foot home that I am perfectly happy in, but one thing is missing—my kids—because they cannot afford stinking nothing, not even a lot. I will read this just so the public can understand the mentality of some of the people that we have to deal with. You folks laughed and that was only part of it. But for me, it is very simple. We have to start looking out for our kids. We have to start looking out and working with partners, I do not care who. Take the names and personalities out of it, and we have to start looking at solutions because to keep talking about "studies this and that" is not going to build units. Again, it is just frustrating. I know that these comments are upsetting a lot in the audience, but at the end of the day, what are we doing for our kids? Anyway, I am sorry. That is the one. I am going read it really quickly. "We simply cannot add any more hotels or homes to the Kapa'a area until something is done to first fix the traffic. Who going to add more road outlets to bypass road? Many questions must be answered before more people are brought into horrendous traffic. All of my clients come from the mainland, sometimes they miss weddings or miss a photoshoot because they get stuck in Kapa'a traffic. No kidding. Many would not return just because of the traffic and say it is just as bad as L.A." Do you think that is as bad as L.A.? Really? Again, is this as bad as L.A.? Absolutely not. You tell your client, "Hey, we are going to have traffic today, so you might want to leave half an hour early." My point is this, this person has no concern for our families and kids that live here. Zero. His concern is his clients who all come from the mainland and are late to a wedding photoshoot. That is his concern. That is not my concern. Pal, you want to open a wedding business here, deal with it. Our job on this body on this table here is to come up with an opportunity to provide housing whether you like Mr. Allen or not, whether you like A&B or not, is to provide the structure and an opportunity to provide some houses so your kids do not have to move to Oregon like mine did. Thank you.

Councilmember Kagawa: I just want to comment on some of my efforts. I decided to run the issue of traffic congestion on this Council floor even though it is a state issue. In late February, we are going to have a Committee Meeting that we

are going ask the State Department of Transportation Highways Division to be here and they are going to give us an update on the two (2) lanes. We want to make sure that happens as soon as possible so the permanent contraflow would be happening, which flows well, but they can stay open all day, especially afternoons, they are never open. So we are going to work on those two (2) lanes both ways, have an update on that, and also, I want them to discuss some of the options about the west side traffic. There are two (2) particular points that I want them to look at; the Kalāheo traffic light and possibly a roundabout could help, preferably the traffic light with at least with two (2) additional lanes, and that may require some condemnation or what have you, but we need to look forward. I mean, we have had these same roads from, I believe the 1940s and 1950s from the west side coming in. The only significant improvements have happened from Kaua'i Community College (KCC) to here right before we hit Rice Street. Also, the area that is congested is after the tunnel of trees where it meets the State highway. There is an alternate one-lane route that goes behind from the beginning of the tunnel of trees roads that hits Kīpū, that is the cane haul road, I believe. So there are other alternatives, but to just go out and say, "Well, we will see," and not have anything concrete going, I believe at this point, is not responsible. Like our General Plan looking forward, we need a congestion plan that is going forward. So we will have it in February, if you are interested, look for that date. I believe it is about the 28<sup>th</sup> or so. Thank you.

Committee Chair Chock: Is there any further discussion on this item?

Councilmember Kaneshiro: I will make any comments really quick. I have heard all the concerns and I think for all of us, the bottom line is we need housing. We constantly hear, "We need housing. We need housing. We need housing." Then on the other hand, we hear, "We should not build, the housing prices are too high, and we need a moratorium." I think we need everyone to think if we did a moratorium, what would happen to the housing crisis now on the island? It would skyrocket because there are no houses available. It is hard. There has to be a balance. There has to be housing so that people can buy into a house. If we do not build at all, then our housing crisis will only get worse and we will have even less people that are going to be able to stay on-island and live. That is all, I think. I do not know. It is hard because we hear it all the time. It is like, how do you get housing, but keep the prices low, but do not build? It is impossible. Then, how do you get the house to be affordable, and everybody has a different number for affordable. If you look on real estate and things online, you cannot even buy an empty vacant lot for two hundred thousand dollars (\$200,000). So for people to expect us to be able to have a house ready and built on land for two hundred thousand dollars (\$200,000), we really have to look at what we are doing. We have to be realistic. We need to know that housing prices are going to be high, but let us try to work with a bigger development that can maybe do some higher-end things and then subsidize the lower-end things. It is not easy because it all costs money to do. If we want a cheaper house, then either the government is going to have to subsidize it or the developer is going to have to subsidize it. But I can guarantee you that no one is going to build a house if they are going to lose money on it. No one is going to say, "Let me go buy a lot, develop it, and sell it to people because I want affordable housing, but I lose two hundred thousand dollars (\$200,000) to three hundred thousand dollars (\$300,000) on doing all of that." We just have to be realistic and, for me, I will be voting against

this amendment because I am voting for housing. We need housing, and that is the bottom-line.

Committee Chair Chock: Thank you. Is there any other discussion?  
Councilmember Yukimura.

Councilmember Yukimura: I totally agree that we need to build housing. I think though, that people have seen housing built, but it is not affordable, it is not limited to first-time owners, it goes into the market in ten (10) years or twenty (20) years, and it is located far from jobs causing traffic. So how we build that housing is really important, and that takes a lot of attention to detail. I do not believe traffic is just a State issue because it is a County issue based on how we do our land use and where we put things. If we put a lot of housing that are far from the job centers, it is partly our fault. Councilmember Kagawa talking about needing traffic solutions, I agree with that to the extent that you have to increase efficiencies, but to increase capacity, it sounds like we are starting the Kapa'a discussion for the west side now. They wanted a bypass over Kapa'a-Wailua, that is six hundred million dollars (\$600,000,000) and we just do not have the money to build it. Land use and County responsibility is a part of traffic. Then, I just want to say 'Ele'ele is not a matter of the no housing. That is not the issue in 'Ele'ele at all. We already have five hundred fifty (550) to six hundred (600) houses coming up in Lima Ola and Habitat for Humanity, and as I pointed out with Department of Hawaiian Home Lands (DHHL), there is one thousand one hundred (1,100) units that are already going to happen in Hanapēpē-'Ele'ele and that does not even begin to talk about the infill in Old Hanapēpē Town, which would be so wonderful and other infills. It is not a matter of no housing. It is a matter of actually of increasing the urban footprint of Hanapēpē-'Ele'ele almost one hundred percent (100%). It is nine hundred (900) acres right now and the Provisional Agriculture is looking at eight hundred (800) acres of Urban, ultimately.

Committee Chair Chock: Alright. Thank you.

Councilmember Kagawa: For me, when you have your population double with the same amount of roads, same road that you had before, adding more lanes for capacity, especially going through traffic lights, you have double the efficiency going through a green light, it is a no-brainer. The buses and bikes are not going to solve it when your population doubles. It is double or triple the vehicles. Again, Councilmember Yukimura and I see a lot of things different and this is just another example.

Committee Chair Chock: Okay.

Councilmember Kaneshiro: My final comment on housing, I know it is scary to look at the plan and think, "Oh, my God. There is going to be houses all over the island," but I can guarantee not every single house in this plan is going to be built within twenty (20) years. I can almost guarantee that because we have projects in here coming from the General Plan from twenty (20) years ago that are still on that that have not been built. All this does is provide an opportunity and again, the community will have an opportunity to vet it once it goes. This is not an entitlement

document. This is a planning document, so there will be a lot of input on it and that might be the reason why a project does not get going. I just want people to realize that I know there is a big shock factor that, "Oh, there is a project going on here and our traffic is going to be horrible." What we have to realize is these projects will take time and not all of them will be built by the time this General Plan probably needs to be redone. I just do not want people be super afraid of knowing that we need to build houses. What we are trying to do here is trying to provide the opportunity for people to be able to build. They still need to go through the process, which is still very tedious, very hard, very difficult, very time consuming, and costs a lot of money. What is the reality of those coming to fruition? I do not know. We will see, but we are just providing an opportunity in this General Plan to see where we would provide growth and where we need housing.

Committee Chair Chock: Thank you. For me, out of all of the amendments presented today in this package, Hokua is probably the most difficult because while I really actually liked the things I heard from Mr. Allen, I am a little skeptical if they can get done as we can get them planned. That being said, housing for me, is really high on my priorities as well. The question is really about the infrastructure and the traffic and I am not quite convinced that we can get that done in the kind of timing that I heard spoken today on the floor. We have some ways to address that, and my expectation is that those are...I am happy to hear Councilmember Kagawa talk about diving deeper into it. I think, for me, that balance has to be had here and we do need housing on this island, and the kind of housing that Mr. Allen is talking about is going to be important. So that being said, I would like to ask that we can actually withdraw the amendment package and then we will introduce Planning's.

Councilmember Yukimura withdrew the motion to amend Bill No. 2666 as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 1. Councilmember Kaneshiro withdrew the second.

Councilmember Kaneshiro moved to amend Bill No. 2666 as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 2, seconded by Councilmember Kagawa.

Committee Chair Chock: Thank you. What I have asked is for Planning to come up and present the whole package at once. Members, if you have specific questions on any of them, then we will go that route. If there is one (1) question that leads us on a specific item, then I will try to take all of the questions on that and move on. But again, these are all being presented by the Planning Department and based on normally things that were brought up throughout our discussion, so less significant. My hope is that we would move through this one a little bit more quickly.

There being no objections, the rules were suspended.

Mr. Dahilig: As mentioned at the last meeting in December, there were a number of amendments that came through that ultimately could create kind of the that Rubik's Cube domino effect type of situation that we had to go back and cleanup some things. The first set of amendments regarding

housekeeping relates to those previous amendments that were adopted by the Council and have created that shifting effect within the plan. The second one relates to tourism. We had further input from many members of the public concerning the validity of our numbers. We went back to our consultant again, and were able to actually verify from our consultant that what many members of the public had been bringing up considering our growth projections actually could be true if it were not for infrastructure throttles that are currently in place, mainly the Līhu'e Airport. We worked with Sue Kanofo to add more information and data as well as explanation to the validity of some of those projections on if not for the current throttle that is there with the Līhu'e Airport. We have aligned, in a transportation amendment, something concerning how the Department of Transportation or the State Department of Transportation is now moving forward with its budgeting. They are moving forward with budgeting in a performance-based evaluation process, so we are trying to align transportation policies to meet our competitiveness with DOT's Federal moneys. We are cognizant that the plan tends to bridge a period of time, and what we found significant was that we had both the coming home of the Hōkūle'a and the Hikianalia as well as the launching of the Nāmāhoe. We have tried to do it as an introductory paragraph for the plan. It is meant as a kind of a cue for the document. If the plan does pass, we have an image package that we will be including as part of the cover as well as the inserts in the beginning concerning the launching of the Nāmāhoe as a way to provide the symbolic nature of this document being a navigational type of document for our land use. We do have another amendment that came in at the suggestion of Mehana Blaich that we worked on with the Office of Hawaiian Affairs as well as the Ka Huli Ao Center for Excellence in Native Hawaiian Law at University of Hawai'i Richardson School of Law. This is to address some of the items that have come out concerning what happened with the Zuckerberg transaction and the Kaua'i title action. So what we want to do is make sure that the proper historic preservation protocols are in place in order to ensure that *kuleana* lots are valued and protected as part of our County policy. The second to last batch of amendments are a rehash of the Kaua'i Watershed Alliance items that were brought back or, I guess that were brought forward in the last meeting, but were deferred to this meeting, so we worked within the reconciliation between what we found as watershed amendments from other people that were submitting as well as with All—n Rietow and tried to come up with common language to ensure that we are not overlapping watershed policy. Then, the final one was regarding the proposal is from Blaich again, at the last meeting that we cleaned up some more concerning, our special places, wahi pana, and ensuring that the language in the plan is clear, directing the Open Space Commission as to what the protocols are, and just again, providing the value behind preservation of our historic places. That is the gist of our amendment batch, Committee Chair Chock.

Committee Chair Chock: Thank you. Here is what I would like to do, I am going ask that we take our caption break now. We will have a ten (10) minute break, come back for questions, and we will get through the questions. Ten (10) minutes.

There being no objections, the meeting recessed at 3:09 p.m.

The meeting reconvened at 3:22 p.m., and proceeded as follows:

Committee Chair Chock: We are back in session. If I could have the Planning Department back up. I just want to open it up for any questions regarding the package from the Planning Department. I did try and at least get some indication from Members as to where they are on it. I think the sentiment is that there is agreement on these amendments, but again, Members, are there any questions here?

Councilmember Kagawa: Yes.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: I just want to thank Planning. There were a lot of amendments from the community that Planning went back and realized that the community was adding language that could improve the plan, and also recognizing that the community had suggestions that we are overlooked and now being added. I can appreciate that. Thank you, Mike.

Committee Chair Chock: Thank you. Are there any further questions? No? There is one that, I think, might have fallen through the cracks here as I look at it, and on the break, I talked to Mike. It is regarding drainage. I think we agreed on some verbiage that really would move us in the direction of being a little more organized on it. I am sorry to say that I did not see it in it, because I know that some people are here to testify on it today. I think that is something that I might look forward to if the full Council would entertain it to look at. Councilmember Yukimura.

Councilmember Yukimura: Thank you. I am just looking at the testimony of the Hanalei Watershed Hui about the Watershed Alliance. I thought we were working towards a group that was going to combine landowners with other stakeholders. Is that not in there? This is amendment number 3, page 2. No, that does not look right. Can you help me? Is it page 13?

Committee Chair Chock: What specific verbiage were you looking for?

Councilmember Yukimura: I do not know because the testimony refers to amendment number 3, but apparently, that is not corresponding to this packet of amendments from Planning. It looks like the relevant ones are on page 13 and it looks like "4" at the top and almost under "g," is the proposed amendment right now. Maybe we can wait until public testimony, or do you have an answer or response?

There being no objections, the rules were suspended.

Mr. Dahilig: Honestly, Councilmember, I am not quite sure as to what the question is.

Committee Chair Chock: Can you restate the question that was based on testimony that you wanted to address?

Councilmember Yukimura: Okay. Where you say, "6. Support the establishment of community-based councils to assist with watershed management

issues,” and then up above, you have “utilize best practice watershed management plans.”

Mr. Dahilig: Right.

Councilmember Yukimura: Well, I do not see...I am sorry. Was there any reference to the Kaua‘i Watershed Alliance?

Mr. Dahilig: Well, if you look at page 12 under 23, there is...

Committee Chair Chock: It is number 2.

Mr. Dahilig: Yes, “2. Through appropriate county departments, support KWA members in the development of future watershed management plans.”

Councilmember Yukimura: Number 2 on what page?

Committee Chair Chock: Page 12.

Councilmember Yukimura: Amendment number 2 on page?

Mr. Dahilig: Amendment number 23, page 12 of the package, subsection “a.”

Councilmember Yukimura: Okay. I guess Maka‘ala is not here.

Mr. Dahilig: Yes. She said she had to run to a State meeting.

Committee Chair Chock: She had to leave.

Councilmember Yukimura: Okay. Well, maybe, another amendment.

Committee Chair Chock: I can say that the Kaua‘i Watershed Alliance is here and that the Planning Department did confer with them as well as Maka‘ala on the amendments. Did you have specific questions on it?

Councilmember Yukimura: No.

Committee Chair Chock: My understanding, just in terms of this, is the specific question that we had and we were struggling with was really about the establishment of the Watershed Council, and in which section. I believe that suggestion was moved to the Middle Watershed. Is that correct?

Mr. Dahilig: Yes.

Committee Chair Chock: Okay.

There being no objections, the meeting was called back to order, and proceeded as follows:

Committee Chair Chock: Are there any other questions on that? If not, Members, I am going to move into discussion on these amendments before we take public testimony. Do you have any discussion on these? No? I will say that I also want to thank the Planning Department for taking these on. I was actually part of the process, and I really appreciated the back and forth in order to obtain the best language. I am speaking particularly on not only the Watershed Alliance amendment, but also the *kuleana* lands and the Ka Huli Ao Center amendments as well as Mehana Blaich's, which is the *kuleana* lands. Thank you for that process. I wish those processes would happen like that all the time, but it takes so much time and effort, and I know it took extra time right up to the last-minute. Thank you. Is there any other discussion on it?

Councilmember Kagawa: I want to thank you, Committee Chair Chock, for your work in improving the document with the work with the community. I want to thank the community, too, who worked with Committee Chair Chock and the Planning Department, because certainly, we always want to improve it, but to improve it with the blessing of Planning makes it a lot easier. Thank you.

Committee Chair Chock: Thank you. Council Chair Rapozo.

Council Chair Rapozo: I just want to say the numbers were always a problem. From when the first draft came over, the tourism numbers were just a huge problem, and to have a General Plan based on data that was not accurate, I thought was going to pose a huge problem. It was fixed on the first go around and then, I know Mr. Imperato and a lot of the people in the community still did not agree with the numbers. I did submit an amendment which Planning did not approve of. However, after spending some time with the numbers, and I want to thank Mike and the Planning Department for coming up with language that incorporated Carl Imperato's requests and putting them in the document, which now when I look at the text, it is actually exactly where it needs to be. It does not fudge the numbers and it paints the picture as it really is, that we have an issue. We are nearing capacity, if we have not gotten there already, and we have to accept that and address it going forward. Thank you to the Carl and of course the staff, Jenelle, for being the facilitator merging the two (2) sets the data to come up with a compromise that could be accepted by all. Thank you, Jenelle and Mike. I appreciate that.

Committee Chair Chock: Thank you. If there is no more discussion, I will suspend the rules for public testimony at this time.

Councilmember Kaneshiro: Should I...

Committee Chair Chock: Oh, sorry. We have to withdraw.

Councilmember Kaneshiro: And then they are going to testify on everything?

Committee Chair Chock: Yes.

Councilmember Kaneshiro withdrew the motion to amend Bill No. 2666 as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 2. Councilmember Kagawa withdrew the second.

Committee Chair Chock: Who is our first testifier?

Ms. Caldeira: Susan Remoaldo, followed by Anne Walton.

There being no objections, the rules were suspended to take public testimony.

SUSAN REMOALDO: Good afternoon. My name is Susan Remoaldo. I live in 'Ele'ele and I am testifying in support of the amendments to the Kaua'i General Plan, Planning Commission Draft for the Hanapēpē-'Ele'ele Planning District. Despite minds already being made up and discussions earlier today, I will still continue. In particular, the degree of change noted in the plan for both communities is "incremental." Incremental can mean, and I am using dictionary definitions, "the process of increasing in number, size, quantity or extent; or a slight barely perceptible augmentation." Therefore, incremental change can result in either drastic sweeping changes or adjusting/adapting to whatever already exists. To change the land use designation from Residential Community to Neighborhood General for the entire area between Kaumuali'i Highway and 'Ele'ele Elementary School will devastate a valued, stable, and existing residential community. A medium intensity mixed-use environment for 'Ele'ele is better suited and belongs in the neighborhood center. To justify this Neighborhood General designation only because it is within a quarter mile (1/4) or supposed five (5) minute walk from the neighborhood center lacks thoughtful deliberation to the effect this will have on this long-time established residential neighborhood. Regarding the new Provisional Agriculture designation without broad knowledge and access to information about the areas that appeared in each successive General Plan draft, one sense is this is but a disguise for who knows what in the future. The definition for Provisional Agriculture in the General Plan draft says it is an area to be defined and designated via a future community planning process due to the sensitivity of its potential regional impact. If this definition is accurate, then leave these lands in agriculture. There is no need to change this land use yet, as this will be discussed during the community planning process. This new Provisional Agriculture designation pre-supposes a planning direction before the community even has an opportunity to ponder its future. 2018 marks forty-four (44) years since the last Hanapēpē-'Ele'ele community plan. The General Plan and community plan are supposed to function hand in hand. While other Kaua'i communities have had the benefit of an updated community plan to rely on during the General Plan process, Hanapēpē-'Ele'ele has not. This change in land use designation can wait. Lastly, the definition of a "stakeholder" has evolved over time from a term associated only with business to now include any individual, social group, or participant who possess an interest...

Committee Chair Chock: I am sorry to stop you. So close.

Ms. Remoaldo: One (1) sentence.

Committee Chair Chock: Okay, go for it.

Ms. Remoaldo: ...a legal obligation, a moral right, or other concern in the decisions or outcomes of an organization typically a business, firm, corporation, or government. Stakeholders either affect or are affected by the achievements of an organization's objectives. That means that we are all stakeholders who need to be considered in the decision-making process. Thank you.

Committee Chair Chock: Thank you.

Ms. Caldeira: Anne Walton, followed by Wayne Souza.

ANNE WALTON: *Aloha*, Planning Committee members once again. Thank you for taking the time over the last three (3) months to hear the General Plan and making it a priority for the Planning Committee. As we are in the time throes of this review process, there are at least two (2) outstanding issues that require additional time, and as such, should be amended to defer them to other venues to ensure that they have receive due consideration. Like Susan stated before me, I know you have all made up your minds on these amendments today, but nonetheless, I will go ahead and state my position. The first issue is that of Hokua Place. As we have listened to the testimony over the past year, it is clear that there are grave concerns by the community of adding more pressure to an already overburdened infrastructure, traffic situation, and overall loss of quality life for eastsiders without any of the clear benefits of adding sorely needed affordable and workforce housing to the inventory. The size, scale, and scope of the project lacks clarity. The promises made about benefits and resources added for the community have been unsubstantiated, and the basic need for providing truly affordable housing has yet to be proven. As such, and in order to fully understand the parameters of this project including the costs and benefits to the community as a whole, at this time, it would be best to remove the consideration of Hokua Place from the General Plan and allow it to be fully vetted through the eastside development plan process. Send it back to the community to make their own decision about future development. Secondly, the implementation monitoring component of the General Plan has yet to be fully developed. Rather than burden the General Plan with this task, amend and assign within the plan to the Kākou Committee the following tasks: one, review and revise each sector activities to ensure that they are clearly articulated and measurable objectives working with within the confines of language of the General Plan; two, based on the intent to meet the objectives, prioritize the actions in the General Plan in order to address our most urgent issues first such as housing, infrastructure, and traffic congestion; and three, develop performance indicators as a way to evaluate whether the actions that are being implemented are actually solving the problems and achieving the anticipated results. Thank you for your consideration of these amendments. I hope that you can show the interest and courage to make thoughtful decisions in this final review of the General Plan. Thank you for your time.

Committee Chair Chock: Thank you. Next speaker, please.

Ms. Caldeira: Wayne Souza, followed by Jean Souza.

WAYNE SOUZA: Good afternoon. My name is Wayne Souza and I am testifying on behalf of the Hanapēpē-‘Ele‘ele Community Association. We are testifying in opposition to the land use map designation of Provisional Agriculture to certain lands in the *ahupua‘a* of Wahiawa and the *‘ili* of ‘Ele‘ele. It appears that the landowner’s plan for a massive urban development on these agricultural lands currently planted in coffee. This proposed development is inconsistent with the Planning Commission draft of the Kaua‘i County General Plan. It is inconsistent with the policies to manage growth to preserve rural character. Specifically, to preserve Kāua‘i’s rural character by limiting the supply of developable lands to an amount adequate for future needs and to ensure new development is compact. The growth allocation of the Hanapēpē-‘Ele‘ele planning district is for eight hundred eighty (880) new housing units. The proposed development project will develop thousands of housing units and will sprawl along the coastline. It is inconsistent with the policy to protect Hawai‘i’s scenic beauty, specifically to protect the island’s natural beauty by preserving the open space and views between towns. The proposed development will replace the coastal open space with an urban landscape from Port Allen to near the Kalāheo community. Thus, almost merging the Hanapēpē-‘Ele‘ele community into the South Kaua‘i planning district. It is inconsistent with an incremental degree of change for Hanapēpē-‘Ele‘ele. The proposed development would bring about a transformational degree of change for our community. It is inconsistent with the future land use objective to protect rural character by ensuring new growth is designed to be compact and focused around existing town cores. The proposed development is linear and away from existing town cores. It is inconsistent with the future land use objective to locate residential growth in and near major job centers. Hanapēpē and ‘Ele‘ele are not major job centers. Of great concern to us is that this proposed urban development plan has not been disclosed to our community residents and business people. Our community deserves to be informed and consulted on matters that affect our community lifestyle and livelihood well before it is submitted to decision-makers like you. We recommend that the lands designated as Provisional Agriculture in the Planning Commission draft of the Kaua‘i General Plan be changed back to agriculture and that this matter be deferred to the upcoming community plan.

Committee Chair Chock: Thank you.

Ms. Caldeira: Jean Souza, followed by Bruce Hart.

*(Note: Jean Souza was not present.)*

BRUCE HART: Good afternoon, Council. Bruce Hart, for the record. I am going to contain my testimony to the Hokua Place amendment. I want to speak to you in a somewhat personal way, most of you know me. You have known me for quite some time. I have known Mr. Allen, his wife Joann, and his four (4) boys for almost eight (8) years now. I attended the Kapa‘a Ward and there is not time to go into how I ended up there, but I believe that the Lord called me there. Mr. Allen was teaching a Bible study class and I went to it. He is also an overseer, what I call

an overseer, of the youth program at the Kapa'a Ward. I have been familiar with this development almost since I have known Mr. Allen. I have always been for it. I want to assure you that I believe that considering the commitment that Mr. Allen and his backers have already made to the project, that I believe when he says that he will finish it, he will. I believe that it is good for the community in the sense that we need the housing. It was one the alternatives that I spoke about yesterday. I do not believe that any project like this will not have some problems, but I believe that they will be overcome and I believe that this is a good place to begin. I believe we should stay diligent, which does not mean we are going to open the floodgates to a lot of development. I believe that we should seek to even have developers offer us more than what Mr. Allen is offering. In other words, we set a standard, we set a benchmark, and we go forward to try and cure the problem that has been created by not enough development. I am amazed that this is the first time in my life I have ever spoken in favor of development, so I want you to understand that it is somewhat emotional for me. But I believe that considering the need for housing, we have to go ahead with this at some point. Thank you very much.

Committee Chair Chock: Thank you.

Ms. Caldeira: Rupert Rowe, followed by Maka'ala Ka'aumoana.

RUPERT ROWE: My name is Rupert Rowe. I want to make my short speech on the General Plan. I noticed that there is nothing in the language of what happened this year. All developments that come down should have a hurricane and bomb shelter place on their project to keep the people from moving out on the roads. That is the key to their projects. Secondly, when we talk about affordable homes, that left Hawai'i back in 1960, so we should not be lying to ourselves that we are getting affordable homes. That is a joke. Secondly, if you have seven hundred (700) homes going down, I think they should pay a fee for the rubbish that will be generated on each one of these projects and not put the burden on the County for rubbish that is generated by all developments on this island. The last thing I want to say is, I want to see the General Plan for drainage at the Po'ipū site of Kāneiolouma. There is no language in there, because the language that is in this plan on updating the drainage things that is taken care, it does not speak about slopes and direction of slopes that will enter into the *heiau*. I need to see that drainage plan for this particular area because I know there is no drainage plan. They said there is, but there is none, because it is not in here. The water will all go in the *heiau*. That is all I have to say. That is my opinion.

Committee Chair Chock: Thank you.

Mr. Rowe: Thank you.

Committee Chair Chock: For the record, I was mistaken. I thought it was withdrawn, but we did pass the drainage amendment. We can take the next steps we need to, separately. Next.

Ms. Caldeira: Maka'ala Ka'aumoana, followed by Felicia Cowden.

Committee Chair Chock: She had to leave. I do not see Felicia as well.

Ms. Caldeira: Sandra Herndon.

SANDRA HERNDON: Good afternoon. Kaua'i's future is bright if we do the smart thing. If sprawl, the continuous spreading of poorly planned fiscally draining development is the problem resulting from land use, transportation policies, and regulations of the twentieth century, Smart Growth is the new millennium planning solution. Smart Growth is in forefront of Hawaii's planning awareness. All the lessons learned from past mistakes in land use, transportation, and environmental and social planning are collected and integrated in smart growth principles. Good news, the Kaua'i General Plan includes Smart Growth principles. The General Plan update sets forth many key Smart Growth policies. Some of the main principles imbedded in the document include: calling for coordination between State and County; promoting growth in existing communities; encouraging mixed land uses; preserving open space, rural character, agricultural use of agricultural land; and keeping our unique identity by conserving Native Hawaiian sites and perpetuating cultural practices. Bad news, the General Plan promotes sprawl. Unfortunately, despite the many Smart Growth policies espoused in the proposed plan, it also encourages more sprawl along with the policies to direct sound development, the plan will adopt a map showing areas to be developed over the next twenty (20) years. The left-hand discourages sprawl while the right allows more non-contiguous development of housing, commerce, and visitor accommodations long before the need is actually documented. It is important to have general foresight for awareness of where growth may be appropriate in next two (2) decades. But for large landowners, being on the General Plan map is a critical first development link in the approval chain. Mapping greatly increases the odds that the State Land Use Commission will confer needed redistricting. Being on the map is valuable in dollars and cents, as well as politically.

Committee Chair Chock: Sorry, Sandy.

Ms. Herndon: I just want you to know that this is excerpted by an article by Beryl Blaich and Barbara Robeson. It was published in *The Garden Island* (TGI) newspaper in November 24, 2000. Here we are eighteen (18) years later.

Committee Chair Chock: Thank you.

Ms. Herndon: This could have been published today.

Committee Chair Chock: Thank you.

Ms. Herndon: I just want to leave you with a question. Can we make more progress this time, please?

Committee Chair Chock: Thank you. Is that it?

Ms. Caldeira: Yes.

Committee Chair Chock: Does anybody else want to testify who has not had a chance to? This is your final opportunity to testify. I am sorry. We are only going one (1) time. I think you went this morning. Anyone else? If not, I will call this meeting back to order and I will ask that we reintroduce amendments.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Committee Chair Chock: Can we take Councilmember Yukimura's amendment first? I need a motion to amend.

Councilmember Yukimura moved to amend Bill No. 2666, as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 1, and to take the items ad seriatim, seconded by Councilmember Kaneshiro.

Committee Chair Chock: What I would like to do is take these amendments ad seriatim. I think I will ask for roll call on some of the big ones, but there are a few we might be able to get together. Do we need a motion to take them ad seriatim?

Council Chair Rapozo: She made it a part of her motion.

Committee Chair Chock: I am sorry. Thank you. Okay. So on Item #1, all those in favor signify by saying aye? Do you want roll call on that?

Council Chair Rapozo: Which one?

Committee Chair Chock: Item #1, yes. Let us do a roll call on Item #1. Sorry.

The motion to approve Item #1 as shown in the Floor Amendment, which is attached herein as Attachment 1 was then put, and carried by the following vote:

FOR ITEM #1:	Kawakami, Rapozo, Yukimura, Chock	TOTAL - 4,
AGAINST ITEM #1:	Brun, Kagawa, Kaneshiro	TOTAL - 3,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Committee Chair Chock: 4-3, motion fails.

Councilmember Yukimura: It passes.

Ms. Caldeira: It passes.

Councilmember Yukimura: Four (4) of us said, "yes."

Committee Chair Chock: Did you say, "yes"?

Council Chair Rapozo: Yes.

Committee Chair Chock: Oh, you changed?

Council Chair Rapozo: Let me explain why. When I read the amendment, I thought "money," and after the discussion, it became clear it was not simply money. It was the "capacity," it could mean the function, or the technology.

Committee Chair Chock: Thank you.

Council Chair Rapozo: That is why I think the discussion is important.

Committee Chair Chock: Thank you. It did pass. 4:3, motion passes. Roll call on Item #2.

The motion to approve Item #2 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put, and carried by the following vote:

FOR ITEM #2:	Brun, Kagawa, Kaneshiro, Kawakami, Rapozo, Yukimura, Chock	TOTAL – 7,
AGAINST ITEM #2:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Committee Chair Chock: 7:0. Motion passes. Item #3.

The motion to approve Item #3 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put, and carried by the following vote:

FOR ITEM #3:	Kawakami, Rapozo, Yukimura, Chock	TOTAL – 4,
AGAINST ITEM #3:	Brun, Kagawa, Kaneshiro	TOTAL – 3,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion passes.

Committee Chair Chock: Motion passes. There is a friendly amendment that I need to recognize. It was a request by the Housing Agency. Kanani suggested the final sentence on page 4.

Council Chair Rapozo: On "b."

Councilmember Yukimura: I accepted that as a friendly amendment.

Committee Chair Chock: Yes.

Councilmember Yukimura: Thank you for it.

Council Chair Rapozo: You probably need to unwind it because the friendly amendment needs to be made before the...

Councilmember Yukimura: Oh, that is true.

The motion to amend Item #3(b) as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put, and unanimously carried.

Committee Chair Chock: Motion passes.

The motion to amend Item #3, as amended, as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and carried by the following vote:

FOR ITEM #3:	Kawakami, Rapozo, Yukimura, Chock	TOTAL – 4,
AGAINST ITEM #3:	Brun, Kagawa, Kaneshiro	TOTAL – 3,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Committee Chair Chock: 4:3, motion passes. Item #4.

The motion to amend Item #4 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and carried by the following vote:

FOR ITEM #4:	Brun, Kagawa, Kaneshiro, Kawakami Rapozo, Yukimura, Chock	TOTAL – 7,
AGAINST ITEM #4:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion passes.

Committee Chair Chock: Motion passes, 7:0. Item #5.

The motion to amend Item #5 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and carried by the following vote:

FOR ITEM #5:	Brun, Kagawa, Kaneshiro, Kawakami Rapozo, Yukimura, Chock	TOTAL – 7,
AGAINST ITEM #5:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Committee Chair Chock: 7:0, motion passes.

The motion to amend Item #6 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and carried by the following vote:

FOR ITEM #6:	Kawakami, Rapozo, Yukimura, Chock	TOTAL – 4,
AGAINST ITEM #6:	Brun, Kagawa, Kaneshiro	TOTAL – 3,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion passes.

Committee Chair Chock: Motion passes.

Ms. Caldeira: We are on Item #7.

The motion to amend Item #7 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and failed by the following vote:

FOR ITEM #7:	Rapozo, Yukimura, Chock	TOTAL – 3,
AGAINST ITEM #7:	Brun, Kagawa, Kaneshiro, Kawakami	TOTAL – 4,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Committee Chair Chock: 3:4. It does not pass.

Ms. Caldeira: We are on Item #8.

The motion to amend Item #8 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and failed by the following vote:

FOR ITEM #8:	Yukimura, Chock	TOTAL – 2,
AGAINST ITEM #8:	Brun, Kagawa, Kaneshiro, Kawakami, Rapozo	TOTAL – 5,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion fails.

Committee Chair Chock: Motion fails.

Ms. Caldeira: We are on Item #9.

The motion to amend Item #9 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and failed by the following vote:

FOR ITEM #9:	Yukimura, Chock	TOTAL – 2,
AGAINST ITEM #9:	Brun, Kagawa, Kaneshiro, Kawakami, Rapozo	TOTAL – 5,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion fails. We are on Item #10.

The motion to amend Item #10 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and failed by the following vote:

FOR ITEM #10:	Rapozo, Yukimura, Chock	TOTAL – 3,
AGAINST ITEM #10:	Brun, Kagawa, Kaneshiro, Kawakami	TOTAL – 4,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion fails. We are on Item #11.

The motion to amend Item #11 as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put and failed by the following vote:

FOR ITEM #11:	None	TOTAL – 0,
AGAINST ITEM #11:	Brun, Kagawa, Kaneshiro, Kawakami, Rapozo, Yukimura, Chock	TOTAL – 7,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion fails.

Committee Chair Chock: Motion fails. Thank you. Packet #1 done.  
Can I get a motion?

Councilmember Kaneshiro moved to amend Bill No. 2666, as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 2, seconded by Councilmember Yukimura.

Committee Chair Chock: Can we take them all at once?

Council Chair Rapozo: Yes, I would do it in one (1) shot. Is this Councilmember Kaneshiro’s one?

Committee Chair Chock: Yes.

Councilmember Kaneshiro: It came from Planning.

Council Chair Rapozo: Yes.

Councilmember Kaneshiro: It was reviewed by Planning. It is not mine.  
It was by request.

Committee Chair Chock: We are taking it all at once.

The motion to amend Bill No. 2666, as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 2 was then put, and carried by the following vote:

FOR AMENDMENT:	Brun, Kagawa, Kaneshiro, Kawakami, Rapozo, Yukimura, Chock	TOTAL – 7,
AGAINST AMENDMENT:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion passes.

Committee Chair Chock: Alright everyone, that concludes...

Councilmember Yukimura: Final vote on the Bill, as amended.

Committee Chair Chock: We need a vote to approve.

Councilmember Yukimura: The main motion, as amended.

Councilmember Yukimura moved to approve Bill No. 2666, as amended, to Bill No. 2666, Draft 1, seconded by Councilmember Kaneshiro.

Committee Chair Chock: Okay. Roll call.

The motion to approve Bill No. 2666, as amended, to Bill No. 2666, Draft 1 was then put, and carried by the following vote:

FOR APPROVAL:	Brun, Kagawa, Kaneshiro, Kawakami, Yukimura, Rapozo, Chock	TOTAL – 7,
AGAINST APPROVAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Caldeira: Motion passes.

Committee Chair Chock: Motion passes. This will move to the full Council February 7<sup>th</sup>, I believe. I want to thank everyone for their patience, participation, and willingness to not skip over some important controversial issues, but dive deep into it. At this time, I would like to conclude the business...

Councilmember Yukimura: Committee Chair Chock, can I say something?

Committee Chair Chock: Yes.

Councilmember Yukimura: I just want to thank you, Committee Chair Chock, since this is moving out of Committee, because you have done a herculean job shepherding this plan through the Committee. I just want to acknowledge and thank you for that.

Committee Chair Chock: Thank you very much.

Councilmember Brun: Yes, Committee Chair Chock, I want to thank you for your hard work. I know you put a lot of time in this, and also Jenelle, for all you folks did for this. Thank you very much.

Committee Chair Chock: Jenelle did a lot of work and so has Planning in this process. Thank you and thank you to the community as well. I appreciate that. Anyone else?

Councilmember Kaneshiro: Well, you folks do this when we pass the budget, but I think a thank you is due because we opened up the process and allowed a lot of public input and had a ton of meetings. I cannot remember when we started this. It was at least three (3) months ago. I just want to thank you for being able to steer us through this big project, and I just appreciate what you have done to get us to this point and all of staff's time. We know it was not easy. It was a huge animal. Thank you.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: Thank you. I would like to thank you, Committee Chair Chock, and the staff for their hard work. I just bumped into a former Councilmember who sat on the last vote for the previous General Plan. The Councilmember told me that they did not do any significant work the last time. They basically took the General Plan from Planning and was a basic stamp of approval based on the work that they had done. However, this time around, due to the leadership of Councilmember Chock and Council Chair Rapozo, we dug deep into this item. I know that a lot of the community is not totally happy with the total outcome, but this is a lot better than twenty (20) years ago and hopefully twenty (20) years from now, we will have an even better process. Thank you, Committee Chair Chock.

Committee Chair Chock: Thank you. Councilmember Kawakami.

Councilmember Kawakami: Thank you, Committee Chair Chock. I want to echo the sentiments of all of my colleagues here. Thank you for the tremendous amount of work that you have been able to pull off as far as coordinating and navigating us through this very complicated process. I want to thank our staff, Jenelle, for guiding us and providing us with good information, and the members of the community who took the time to come out at every level, to really touch upon, I think. Our thanks to the Planning Department and the Planning Commission. I cannot recall so much community outreach for a document. I may be mistaken, because I have not been around as long as some of the others, but the amount of

outreach to the community to actually walk the area, to make themselves available to millennials and the younger generation, utilizing and deploying social media, and other innovative ways to get out there and make sure that people had input. I want to commend their efforts. They have stayed up, they have been with us, they have been patient, they have tried to answer the questions that we posed to them, and the level of professionalism that I saw is something that I would like to commend and acknowledge. Once again, this is something that is new to most of us. I did not understand or know which direction we were going to take as far as you being able to manage a document like this and all of the different amendments that came out, but I think you really set the tone as to what it is going to look like the next time we make amendments to this General Plan, and hopefully next time we will not be so delayed. This is long overdue and so a lot of work had to be done. Thank you, Committee Chair Chock.

Committee Chair Chock: Council Chair Rapozo.

Council Chair Rapozo: I have been here a while and aside from our budget process, which is very intensive work, labor-intensive and time-intensive, this is probably the most time we have spent on anything as far as I can remember. I too, would like to thank Councilmember Chock. He was a stressed out dude in the beginning when he found out he had to run this, but I had all the confidence that he could get it done. I want do want to thank again, Jenelle and the other staff members who participated, because the amount of the communication going back and forth between members and the community is incredible. I am positive the community would agree that the responsiveness of our staff was second to none. Go ahead. From our Secretaries and our Clerical people who schedule the appointments, I have spent more time with the community on this issue than any other one. It is our staff that coordinates all of this between seven (7) Members and the public, and then managing the document flow. The work that goes on behind is incredible. I am happy she is still here. I do not know if I would have been able to withstand that. So to Jenelle, and I know it is not just Jenelle, but as far as keeping us in line and making sure that we get the information that we need. Jenelle, thank you very much. I appreciate that. To the public, as Councilmember Kagawa said, not everyone is happy now, but I can honestly say on behalf the Council, that everyone here did what they did because they felt it was best for the community. It was for no other reason. We all want the same result, we just have different paths of getting there. Obviously, I want to thank each and every one of my colleagues here for spending the time that they did and the effort that they put in. It is so much easier when people are familiar with the information, aware of the situation, and then of course the Planning Department. A lot of fun times here in the discussion mode, but at the end of the day, again, we may not agree on how to get there, but I think we all agree on the direction and where we want to end up. Thank you, Mike and your Planners; Marie and all of you. Thank you very much. Again, Committee Chair Chock, thank you for a job well-done.

Committee Chair Chock: Thank you. Councilmember Yukimura.

Councilmember Yukimura: I was remiss in being too brief in my thanks, because I want to thank our staff and especially Jenelle, whose job was done a herculean way also, keeping us organized and keeping the flow of information

through some really rough times. It was so appreciated. I do want to thank Council Chair Rapozo because he said at the very beginning that we are going to take time on this because it is a very important document and he supported Planning Committee Chair in allowing that kind of in-depth...

Council Chair Rapozo: You thought I was joking, right?

Councilmember Yukimura: Oh, I did not think you were joking, but I was going to hold you to it.

Council Chair Rapozo: Well, thank you, Councilmember Yukimura.

Councilmember Yukimura: I do want to thank the Planning Department, because I know this part of the General Plan update process for them has been really exhausting and difficult, and they have come through. I appreciate the help and openness to different ideas. Finally, I want to thank the community because I do not think without the community showing how important this was to them, the community, that this process would have occurred. So it has been a real partnership even though we have not always liked being partners and we have had very different positions, but thank you to all of you who spent so much time in this effort and so much care and *aloha*.

Committee Chair Chock: Thank you. I think I will sleep better tonight knowing that this is under our belt. But really, the thanks does go to our staff, Jenelle, and everyone who has really taken up everything else behind Jenelle because I know it takes everyone and it is a team here in this Office. It is only because of them that we actually got this far. Also, the leadership of Council Chair Rapozo in understanding the depth and breadth of this plan and its importance to allow us to move in this direction and keeping it on-track as well. The community, I think, has a renewed sense of maybe trust, is the word, or ability, or a feeling that this is something that they can probably work with better. This is nothing against the Planning Commission, but I think that everyone around this table said, "We are going to open up the doors and we are going to try our best to hear everyone and to at least acknowledge the differences of opinion and perspective regardless of the outcome." I know the Planning Department struggled. I have seen them in the crowd and on the podium here looking really dejected because there are tough questions that we are posing. They do not feel good. I know Councilmember Yukimura drives us crazy with some of her process, but the truth is I have to thank her because honestly, she is willing to ask some of those hard questions that, I think, are very difficult to ask. In the end, we all have a role and I am just thankful for the participation of all of our Members in getting the best we can. No plan is anything without follow through. I think this is just the first step of many. The other thing is I think that every plan needs to be reviewed and changed very often because as we navigate our way through what the next twenty (20) years looks like, life changes and situations change. We will have another generation here in no time and the outlook could be very different, so we need to constantly look at that. That being said, I just want to thank you everyone for your time and effort. I look forward to this going to full Council. If there is nothing else, I would like to adjourn our Committee Meeting.

There being no further business, the meeting was adjourned at 4:11 p.m.

Respectfully submitted,



Darrellyne M. Caldeira  
Council Services Assistant II

APPROVED at the Committee Meeting held on February 14, 2018:



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MASON K. CHOCK  
Chair, PL Committee

(January 25, 2018)

**FLOOR AMENDMENT**

Relating to Amendments to the General Plan Update Booklet (Kaua'i Kākou - Kaua'i County General Plan (Planning Commission Draft (June 2017)) and Appendices), as amended December 13-14, 2017, as referenced in Bill No. 2666, A Bill For An Ordinance To Amend Chapter 7, Article 1, Kaua'i County Code 1987, As Amended, Relating To The Update Of The General Plan For The County Of Kaua'i (ZA-2017-3))

Introduced by: COUNCILMEMBER JOANN A. YUKIMURA

<p>Amendments Include:</p> <ul style="list-style-type: none"> <li>• Proposals from JoAnn A. Yukimura – Misc. (Items 1-2)</li> <li>• Proposals from JoAnn A. Yukimura – Housing (Items 3-6)</li> <li>• Proposals From Jean Souza (on behalf of the Hanapēpē-‘Ele‘ele Community) (Items 7-9)</li> <li>• Proposal From Anne Walton (on behalf of The Community Coalition of Kaua‘i) – Implementation &amp; Monitoring (Item 10)</li> <li>• Proposal From Gabriela Taylor (on behalf of The Community Coalition of Kaua‘i) – Hokua Place (Item 11)</li> <li>• (Boilerplate amendment language) (Items 12-13)</li> </ul>	
<p><b>AMENDMENT</b></p>	<p><b>PLANNING DEPARTMENT'S POSITION (INFORMATIONAL ONLY)</b></p>
<p><b>PROPOSALS FROM JOANN A. YUKIMURA – MISC. (ITEMS 1-2)</b></p>	
<p>1. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending 216 as follows:</p> <p style="padding-left: 40px;"> <u>“More frequent reporting on performance measures and action implementation will be facilitated through an online dashboard that provides updated information as it becomes available. In order to administer an ongoing General Plan implementation and monitoring program, the capacity of the Planning Department will need to be increased.”</u> </p>	<p>Support</p>

<p>2. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 126 by adding a new B.3. (appropriately renumbered if needed) as follows:</p> <p style="text-align: center;"><u>“In all Community Plans, develop a regional traffic circulation plan that includes all modes of transportation.”</u></p>	<p>Support</p>
<p><b>PROPOSALS FROM JOANN A. YUKIMURA – HOUSING (ITEMS 3-7)</b></p>	
<p>3. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending all of the following:</p> <p style="padding-left: 40px;">a. Amending page 39, adding new footnotes (*), and retaining existing footnotes (with appropriate renumbering as needed) as follows:</p> <p><b><u>“POLICY #2: PROVIDE [LOCAL] AFFORDABLE HOUSING WHILE FACILITATING A DIVERSITY OF PRIVATELY-DEVELOPED HOUSING FOR LOCAL FAMILIES</u></b></p> <p><b><u>[Increase the amount of housing available for local households by focusing infrastructure improvement in growth areas. Eliminate onerous regulatory barriers and form active public-private partnerships.] Recognizing the extraordinary urgency, the County needs to plan for and help facilitate the building of approximately 9,000 housing units by 2035. Factors to consider include establishing: (1) a fair and effective housing ordinance; (2) adequate capital; (3) effective partnerships; (4) clear policy guidelines ensuring cost-effective and energy-efficient homes by design and location; (5) a strategy for providing adequate infrastructure for affordable housing; (6) a “housing first” approach to ending homelessness; and (7) a timetable for action, including a short-term strategy for developing 2000 affordable housing units in the first five years.</u></b></p>	<p>HOUSING: No Position</p> <p>PLANNING: Support</p>

The average price of a single family house on Kaua'i exceeds \$700,000. [The] A large majority of our population, especially low- and moderate-income working families, seniors, and the houseless population, cannot afford such prices. The current housing deficit is approximately 1400 units, and demand is projected to increase by approximately 9,000 units by 2035.

Over 80 percent of the housing demand on Kaua'i comes from families making 120 percent of median income or less, with the largest need coming from families with income equal to or less than 50 percent of median income.\* The median income for a 4-person household is presently \$79,200.\*

Currently the average cost to build a basic house or dwelling unit is \$450,000.\* Whether by private or public developer, the construction of a housing unit must therefore be subsidized by approximately \$200,000. At that level of subsidy, it will take \$1.62 billion of private and public capital over the next 20 years to build 8,100 affordable housing units (80% of the 9,000 units needed by 2035). Besides finding capital and partners to provide some of the capital, efforts must be made to reduce housing costs with design and other innovative solutions such as tiny homes and reducing the environmental footprint.

It is presently best practice to consider household transportation costs with housing costs. A house may be affordable, but if it is located far from jobs, requiring extensive (and expensive) commuting, a family is not well served, while traffic is worsened. Locating affordable housing near job centers will allow families to manage their cost of living, while easing traffic congestion.

The housing crisis is compounded by the fact that 44 percent of all households are already cost-burdened, meaning that housing costs exceed 30 percent of income. [In addition, slow] Slow inventory growth, regulatory barriers, predominantly single family residential construction, fierce off-island [competition in the housing market] demand for second homes, vacation rentals, and investment properties, the rising high cost of building a dwelling unit and [a jobs/housing imbalance] a lack of infrastructure also contribute to [the] a severe lack of housing [crisis].

There is no simple, single solution; rather, several essential strategies need to be deployed concurrently and quickly.

Affordable housing is a pivotal issue that will define life on Kaua'i over the next 20 years. Kaua'i will not be Kaua'i if those born and raised on the island must move away. If not effectively addressed, there will be enormous suffering, with consequences for the economy and the social fabric of Kaua'i County. If the County is committed to achieving its vision of an equitable society with opportunity for all, it is imperative that the County find a way to address this basic need.

*This policy is implemented spatially through the Land Use Map, and through actions for Housing, Transportation, Opportunities and Health, and Infrastructure and Services.*

\* Hawai'i Housing Planning Study, 2016

\* County of Kaua'i 2017 Annual Income Limits

\* 09/13/2016 and 09/20/2016 Minutes of the Kaua'i County Council Affordable Housing Advisory Committee (authorized by Resolution No. 2013-57, Draft 1 on 06/12/2013, amended by Resolution No. 2014-34 on 05/28/2014)"

b. Amending page 115 by amending item A.1. as follows:

"[Increase the supply of affordable rental and multi-family housing by implementing the Housing Ordinance.] Update the County's Housing Ordinance into a workable law requiring all developers to contribute a fair share of resources to build affordable housing in a "win-win" manner. At minimum, the updated ordinance can reduce developers' contributions under the present law by requiring the dedication of appropriately-located land and off-site infrastructure for the building of affordable housing units equivalent in number to a fair portion of the proposed market development, while the County or qualified private nonprofit housing developer is responsible for building the units."

c. Amending page 115 by amending item A.2. as follows:

"[Locate future public] Design and locate affordable housing projects in or near [existing] job centers [so travel times and transportation costs can be reduced.] to minimize household transportation costs, community and household fossil fuel usage, and traffic congestion."

d. Amending page 115 by amending item A.5. as follows:

“Preserve the affordable housing stock [.] by adopting a policy that any units built with taxpayer moneys or required under the Housing Ordinance for the general welfare shall be perpetually affordable to allow the inventory of affordable homes to grow rather than contract (which happens when such units are allowed to be sold on the open market).”

e. Amending page 115 by adding the following new items to category C. Projects and Programs (with any renumbering as needed) as follows:

“8. Pursue and establish a source of capital for the development and maintenance of affordable housing. Possible sources include: earmarking a percentage of real property taxes for affordable housing development; a conveyance tax surcharge on high-priced real estate transactions and earmarked for affordable housing development; an expanded Low Income Housing Tax Credit (LIHTC) that increases availability of the tax credit; and setting eligibility higher than the current 60 percent of median income.

9. Continue and expand County’s efforts to provide and require homeownership classes, including financial literacy, for families potentially eligible for county affordable housing projects.

10. Review best practices from elsewhere and test in pilot programs the methods that significantly reduce the cost of building a home, including infrastructure and system costs. The Mayor and the County Council should work with community to use Hawai’i Revised Statutes Section 46-15 to “designate areas of land for experimental and demonstration projects, the purposes of which are to research and develop ideas that would reduce the cost of housing in the State.”

f. Amending page 121 by adding a new category C. Projects and Programs (after B. Plans and Studies and before newly renumbered D. Partnership Needs,

<p>with any other renumbering as needed) and adding a new item C.1. to that category as follows:</p> <p><u>“1. In addressing homelessness, adopt and implement the Housing First approach to reduce and ultimately eliminate homelessness.”</u></p> <p>g. Amending page 122 (8.2 Ensuring Tax Equity for Resort Uses) by adding a new item A.2. (with any renumbering as needed) as follows:</p> <p><u>“2. Set fines and taxes on illegal and legal vacation rental respectively that remove homes from the local residential market supply. The penalties should be high enough to deter illegal use.”</u></p>	
<p>4. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 112, as follows:</p> <p><u>“[New development and an inclusionary zoning ordinance have not improved the situation.] The lack of housing supply has been due in part to the effects of the Great Recession of 2007-2009. For almost 10 years, large-scale private development of housing has been nonexistent. Only high-end individual homes and several County-sponsored affordable housing projects were built (due to reduced land prices or prior inclusionary zoning requirements).”</u></p>	<p>HOUSING: Support</p> <p>PLANNING: Support</p>
<p>5. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 113, as follows:</p> <p><u>“[Compounding the problem is population growth that continues to out-pace housing supply.] Spurred by internal and external population growth, the growing number of households continues to outpace housing development. [Since 2000, Kaua‘i’s population increased by over 10,000 and yet only 5,000 units were added to the housing inventory between 2000-2014.]”</u></p>	<p>HOUSING: Support</p> <p>PLANNING: Support</p>

6. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 115 as follows:

**“1.2 Supporting [County-Led] County Sponsored or Required Affordable Housing Programs and Projects**

...

In contrast, locally established and funded programs can be customized to serve those who fall between the Federal programs and market-rate units.

The Agency also plays a key role in developing affordable rental projects. A major source of capital for these projects is the Federal Low-Income Housing Tax Credit, which incentivizes the use of private equity through public-private partnerships. The tax credit provides a dollar-for-dollar reduction in the developer’s federal income tax. However, use of these credits are limited to housing for families with incomes equal to or less than 60% of the median income and are limited in availability through a very competitive Statewide process.

Development subsidies also come from development grants and loans. The County’s Housing and Community Development Revolving Fund reinvests income from federal grant programs in housing projects and first-time homebuyer mortgages. These capital investments will be repaid to the revolving fund which provides long-term support for County housing programs.

Federal HOME and CDBG funds also support affordable housing development. To receive federal CDBG grants, HOME program funds and other federal funding, the County is required to prepare and update a Five-Year Consolidated Plan that addresses housing and community development needs and establishes funding priorities. Other sources of funds include USDA Rural Development programs, private foundations, State CIP funds, and County Bond funds.

While the construction of new affordable housing is needed, the preservation and rehabilitation of existing

HOUSING:  
No Position

PLANNING:  
Support

<p><u>affordable housing is equally important. The County should ensure that the affordability of subsidized housing is preserved for the longest term possible. Also, it is generally less expensive to rehabilitate existing affordable housing than to construct new housing. Rehabilitation of existing housing supports and improves existing neighborhoods, and can also provide energy efficient upgrades to units.</u></p> <p>Through active partnerships with landowners and affordable housing developers, the Housing Agency has helped move forward several 100% affordable housing projects in Līhu‘e, Hanamā‘ulu, Princeville, and Kōloa—constructing over 300 affordable rental units since 2000. <u>Since the year 2000, the County has also supported self-help housing at Puhi and Kapa‘a, assisted Habitat for Humanity in developing its 119 units in ‘Ele‘ele, and helped to rehabilitate 173 units at Līhu‘e Court. The County has also acquired 22 properties and converted them to leaseholds, making them far more affordable to qualifying families than fee purchase while perpetuating their affordability indefinitely.</u></p>	
<p><b>PROPOSALS FROM JEAN SOUZA (ON BEHALF OF THE HANAPĒPĒ-‘ELE‘ELE COMMUNITY) (ITEMS 7-9)</b></p>	
<p>7. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, <u>to remove all reference to “Provisional Agriculture,”</u> by amending all of the following:</p> <p style="padding-left: 40px;">a. Amending page 60 (Table 2-2 Major Changes by Planning District, Hanapēpē-‘Ele‘ele District) as follows:</p> <p style="padding-left: 80px;">“[Agriculture designation changed to “Provisional” to allow for a community planning process.]”</p> <p style="padding-left: 40px;">b. Amending page 225 (Figure 5-1 Kaua‘i Land Use Map), page 229 (Figure 5-3 Hanapēpē-‘Ele‘ele Land Use Map), and make all other corresponding graphical</p>	<p>Does Not Support</p>

<p>changes, as shown in the red-colored dotted-line portion of Attachment 1.</p>	
<p>8. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, <u>to amend a portion of the proposed Neighborhood General designation east of Port Allen to Halewili Road, by changing the designation from Neighborhood General to Agriculture</u>, by amending page 225 (Figure 5-1 Kaua’i Land Use Map), page 229 (Figure 5-3 Hanapēpē-‘Ele‘ele Land Use Map), and make all other corresponding graphical changes, as shown in the red-colored dotted-line portion of Attachment 2.</p>	Does Not Support
<p>9. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, <u>to assign the “Residential Community” designation rather than “Neighborhood General” designation to existing residential areas in ‘Ele‘ele and Hanapēpē to maintain community vitality</u>, by amending all of the following:</p> <p>a. Amending page 71 (Neighborhood Centers and Walksheds) as follows:</p> <p style="padding-left: 40px;">“A Neighborhood Center designation was also applied to the core parcels facing Waialo Road in Port Allen, differentiating the potential for mixed-use, pedestrian-oriented development along Waialo Road and the industrial and residential properties to the east and west, respectively. <u>Neighborhood General was only designated on the plateau east of Port Allen and below Halewili Road.</u>”</p> <p>b. Amending page 225 (Figure 5-1 Kaua’i Land Use Map), page 229 (Figure 5-3 Hanapēpē-‘Ele‘ele Land Use Map), and make all other corresponding graphical changes, as shown in the red-colored dotted-line portion of Attachment 3.</p>	Does Not Support

<b>PROPOSAL FROM ANNE WALTON            (ON BEHALF OF THE COMMUNITY COALITION OF KAUA'I)            - IMPLEMENTATION &amp; MONITORING (ITEM 10)</b>	
<p>10. Amend Bill No. 2666 by amending the booklet entitled "Planning Commission Draft" dated "June, 2017," including all Appendices, as amended December 13-14, 2017, by amending all of the following:</p> <p style="padding-left: 40px;">a. Amending pages 213-214 as follows:</p> <p>"[The difficulty with creating and adopting guideposts as these is three-fold: 1) each statistical benchmark may not reflect the reality in its ability to be implemented given the twenty-year planning horizon in this plan; 2) agencies may neither have the resources nor the method to easily glean the information necessary to accurately monitor a prescribed benchmark; and, 3) the benchmarks may distract from the overall big picture on what future state the community wishes to attain and instead create points of fixation lending to myopic and disjointed decision making.</p> <p>Beyond the difficulties monitoring brightline benchmarks, attaining goals remains a function of political and economic realities locally and globally. For example, Kaua'i, like other counties in Hawai'i, faces mounting fiscal constraints resulting from worldwide economic changes and the continued reduction in Federal funding for infrastructure and other programs like earmarks.</p> <p>Kaua'i's small tax base compared to its land mass and long distances between communities make providing public services and infrastructure expensive. However, the expectations for quality public facilities and infrastructure remain high. Although suggested actions for implementation spanned all sectors, their aggregate costs well exceed the community's ability to either directly pay for such implementation or receive external funds as adequate support.</p> <p>Rather than lock in a rigid means of monitoring whether success remains apparent, a more dynamic means of building a sound set of results-based activities for the General Plan is necessary. A common model for evaluating future acts by the public and</p>	<p>Does Not Support</p>

private sector would more easily allow for an overall turn in the directions the community desires through these incremental changes in our society.

Given the stated vision and goals, policies, and actions by sector, this Plan's ideal future state for the island achieves many of the community's objectives by directing growth to existing centers. For example, implementation would gauge whether strong linkages are apparent between the General Plan and capital improvement investments either by project, or as a program.

The evaluation model would allow decision makers the ability to prioritize actions and direct resources toward those most integral in furthering the plan's vision. Finally, shared responsibility and accountability for implementation are imperative to staying focused and to making measurable progress.]

### **Building a Strong Foundation for the General Plan**

To address some of the weaknesses in the 2000 General Plan, this plan starts with a strong foundation—its structure.

This General Plan's structure contains a clear vision consisting of four overarching goals describing the end goal: an island community in 2035 that is a beautiful and unique place where a healthy and resilient community thrives because its natural and human-made systems are sustainable and there are fair opportunities for all. The body of the General Plan is structured with ten sectors or priority areas that pertain to civil society and the trust responsibilities shared among the County of Kaua'i, the community, the State of Hawai'i, and the Federal Government. Within each sector, policies (also known as strategies) and actions are identified. These policies and actions are the means by which Kaua'i will bring about change in order to move toward its desired future.

This new foundation provides a clear compass for directing inevitable growth on Kaua'i, while ensuring a sustainable and resilient future that includes quality of life factors so important to residents of Kaua'i. How the future is to be navigated is articulated through the vision, goals, and policies set forth in the General Plan. The plan is implemented through its actions.

### **Implementation of the Actions in the General Plan**

While this General Plan is hugely ambitious, with over 500 actions laid out across the ten sectors, in order to realistically accomplish meaningful results, these actions need to be prioritized. The first step in the implementation process for the General Plan will be to select and assemble the implementation and monitoring committee (Kākou Committee). The second step will be for the Kākou Committee to establish criteria to evaluate and prioritize the 500 actions, as well as identify any key strategic actions that may have been overlooked. Criteria will be developed to evaluate the practicality of implementation of each action, the urgency of the issue to be addressed by each action, and the net effect of each action across multiple sectors. Once the actions are prioritized, the implementation of the highest priority actions will be scheduled across a 5-year timeline, with oversight responsibility assigned to a person or persons within the County.

### **Developing Measurable Objectives for Each Sector (Measures of Success)**

In order to achieve effective implementation of the General Plan, measurable (quantifiable or qualitative) objectives need to be established for each of the sectors, to determine whether the actions taken are producing the desired results. While objectives provide specific, measurable intended change for each of the sectors, they must also be consistent with the vision, goals, and policies. Additionally, the sum total of the objectives, across all sectors, should reflect the vision of where we want to be by 2035, therefore the objectives should complement one another. The Kākou Committee will also be responsible for identifying the indicators that will measure progress toward meeting specific objectives.

This Chapter discusses approaches and methods available for monitoring and evaluating implementation of the Plan's objectives while providing a framework for keeping all community members abreast of how their community is changing in real time."

- b. Amending pages 216-220 as follows, by adding new sections 4.2.2 and 4.2.5, amending existing wording,

and with appropriate changes in section numbering (e.g., the existing 4.2.2. and 4.2.3.):

#### “4.2 MONITORING PROGRESS

A comprehensive and transparent effort to monitor the implementation and effectiveness of the General Plan will occur every two years and will include 1) performance measure reporting, for both the vision and the 19 policies, [and,] 2) tracking of action implementation [(see Action Matrix, Appendix G and Figure 4-1).], 3) evaluation of whether actions are moving toward the desired future by achieving the objectives, and 4) adaptive management of those actions that are not achieving the desired results. A “Kākou Committee” will be established to guide this process. More frequent reporting on performance measures and action implementation will be facilitated through an online dashboard that provides updated information as it becomes available.

##### 4.2.1 PERFORMANCE MEASURES (INDICATORS)

Performance measures [can] shall be used to track the progress toward achieving the 2035 Vision for Kaua‘i. The General Plan introduces performance measurement into the planning system. During the public process, participants desired greater accountability for the actions identified in the General Plan. Attempts to audit the 2000 General Plan were frustrated by the lack of regular reporting and evaluation in the past. To correct this situation, a reporting and evaluation framework is established based on performance measures and a biennial committee-based evaluation process.

The performance measures [, introduced in Table 4-1,] are tied to the sector objectives. The [draft] performance measures [were] and milestones will be selected by the Kākou Committee and in part based on the accessibility of consistent baseline data along with the use of qualitative and/or quantitative measures (indicators) of success. It is possible that future efforts will refine the performance measures [or establish benchmarks.] and/or milestones. Strategic goals, objectives, and targets set through partner initiatives, such as Aloha+ Challenge, can be integrated into the reporting system. Under the framework, formal reports will occur on an annual basis to the Planning Commission and County Council. The report may include recommendations for improvement in the framework, alternative measures, and/or new actions.

#### **4.2.2 MONITORING AND EVALUATION PLAN**

##### **First Level Monitoring and Evaluation: Is the General Plan Built on a Solid Foundation and Ready for Implementation?**

This first level evaluation serves as the checks and balances for the plan to ensure the plan is built on a solid framework based on a cohesive and complementary set of vision, goals, and policies. These factors then become the blueprint for how the sectors, land use planning, and all related activities are addressed in the General Plan. This model also applies to any new sector challenges and associated activities, or land use developments that occur over the lifespan of the General Plan.

This first level evaluation includes the prioritization of the 500+ actions found throughout the General Plan to determine the most appropriate actions to be taken over the first five years of implementation of the General Plan. This first level of monitoring and evaluation should take place immediately after the General Plan is approved and function as the implementation plan for the General Plan, including a five-year timeline and assigned oversight responsibility for each sector (accountability).

##### **Second Level of Monitoring and Evaluation: Is the General Plan Being Implemented in a Timely Manner?**

The second level of the monitoring and evaluation framework addresses whether the activities laid out in each of the sectors are actually being implemented. In order to make this determination, the General Plan needs to designate someone to be responsible for implementation oversight (the actual implementer may be a different party), and a timeline for implementation. Progress will be reported every six months through a system of self-reporting by the responsible parties, and provided to the Kākou Committee for evaluation. The reporting of the results can be made into a dashboard with the addition of baseline, targets, and timeframes.

##### **Third Level of Monitoring and Evaluation: Are We Achieving the Intended Results From Implementing the General Plan Actions?**

The third type of monitoring and evaluation is based on achieving results as described in each of the 49 objectives found throughout the General Plan. The monitoring and evaluation program is designed to address whether the right changes are occurring in civil society and the environment of Kaua‘i—are we achieving the anticipated results (objectives and milestones)? Neither the planning process nor the performance measures are intended to be exhaustive. To the extent possible, they are representative measures that are readily accessible (that is, data is already being collected). They can be made into a dashboard with the addition of baseline, targets, and timeframes. Performance measures will be reported every two years (dashboard and report), with a more comprehensive evaluation every five years.

Review based on the three levels of monitoring and evaluation will be accomplished through facilitated meetings of the Kākou Committee, as well as interviews with each County agency or other entity responsible for implementation. For the second level of monitoring and evaluation, Planning Department staff will prepare a checklist of actions that each agency or entity is responsible for and indicate whether or not the action is completed, whether it is still applicable, and note any changes. For the third level of monitoring and evaluation, the Kākou Committee will provide guidance and oversight. Final reports for all three levels of evaluation will be presented to the Planning Commission and made available to the public online. It may also be presented to the Mayor and forwarded to the County Council. The release of the reports will be accompanied by community outreach and an open house to keep the public informed and engaged in the Plan’s implementation.

[4.2.2] 4.2.3 COMMUNITY EDUCATION & CAPACITY BUILDING

...

[4.2.3] 4.2.4 UPDATING THE GENERAL PLAN

4.2.5 ADAPTIVE MANAGEMENT

Adaptive management begins with effectiveness monitoring and includes modification of policies and actions based on results of effectiveness monitoring. It is a concept from the early 1970s. Over time it has become an integral part of general, strategic, and management planning. When integrated into the planning

<p><u>process it becomes a tool to indicate whether actions and policies in the General Plan are achieving the desired objectives, and why or why not.</u></p> <p><u>Adaptive management is about responding to the results of the monitoring and evaluation program. If the General Plan actions do not achieve their intended results it is because:</u></p> <ul style="list-style-type: none"> <li><u>•The assumptions were wrong;</u></li> <li><u>•The General Plan policies and actions were poorly executed;</u></li> <li><u>•The conditions on Kaua'i have changed;</u></li> <li><u>•The monitoring was faulty; or</u></li> <li><u>•A combination of the above.</u></li> </ul> <p><u>Adaptive management then means that either the County reviews and changes its assumptions and/or changes the General Plan strategies and actions based on results obtained through the monitoring and evaluation program.”</u></p> <p>c. Deleting Table 4-1 (General Plan Objectives and Draft Performance Measures) on pages 217-219 and throughout, with appropriate renumbering of remaining tables.</p>	
<p><b>PROPOSAL FROM GABRIELA TAYLOR (ON BEHALF OF THE COMMUNITY COALITION OF KAUA'I) - HOKUA PLACE (ITEM 11)</b></p>	
<p>11. Change “Hokua Place” designations to “Agriculture” by amending Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending all of the following:</p> <p>a. Amending page 57 (Urban Center, Changes from the Previous General Plan Land Use Map) as follows:</p> <p style="padding-left: 40px;">“The Urban Center designation is replaced with Neighborhood Center and Industrial in Port Allen, and <u>Agriculture</u> [and Neighborhood Center and General] in Kapa‘a.”</p>	<p>No Position</p>

- b. Amending page 60 (Table 2-2 Major Changes by Planning District, East Kaua'i District) as follows:

[Neighborhood General] Agriculture applied to previous Urban Center designation around Kapa'a Middle School.

- c. Amending page 83 (Kapa'a Town) as follows:

“[The Future Land Use Map moves forward the 2000 General Plan’s higher-intensity designation for the area, but also updates and refines the designation based on the first alternative map scenario and new population projections. The previous Urban Center designation is changed to Neighborhood General, which will require a mix of residential building types and a walkable, compact form where connectivity to the school and Kapa'a Town is emphasized. The size of the future Urban District boundary amendment should consider watershed boundaries and accommodate future housing projections.]

The Future Land Use Map changes the previous Urban Center designation around Kapa'a Middle School to Agriculture. The Kapa'a Middle School area was changed from Urban Center to Neighborhood General.”

- d. Amending page 84 (Land Use Map Changes for East Kaua'i, Urban Center) as follows:

“The previous Urban Center designation on and surrounding the Kapa'a Middle School has been [updated Neighborhood General and refined to be located within a 1/4-mile of the Neighborhood Center designation near the roundabout.] changed to Agriculture.”

- e. Amending page 225 (Figure 5-1 Kaua'i Land Use Map), page 235 (Figure 5-6 East Kaua'i Land Use Map), and make all other corresponding graphical changes, as shown in Attachment 4.

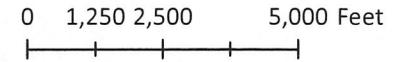
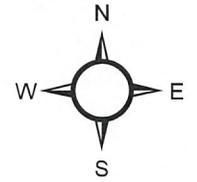
12. If any provision that is amended is also found elsewhere, such language is hereby amended to provide consistency.
13. If more than one amendment to a same section is adopted on this date, all amendments shall take effect to the extent there is no conflict. If there is a conflict, the latest amendment shall be controlling.

(Material to be deleted is bracketed. New material to be added is underscored.)  
V:\AMENDMENTS\2018\GENERAL PLAN UPDATE Bill No. 2666 (01-24-2018)\JY Floor  
Amendment\Bill 2666 (General Plan Update) FA for JY 01-25-2018 (JA\_aa).docx

# ATTACHMENT 1

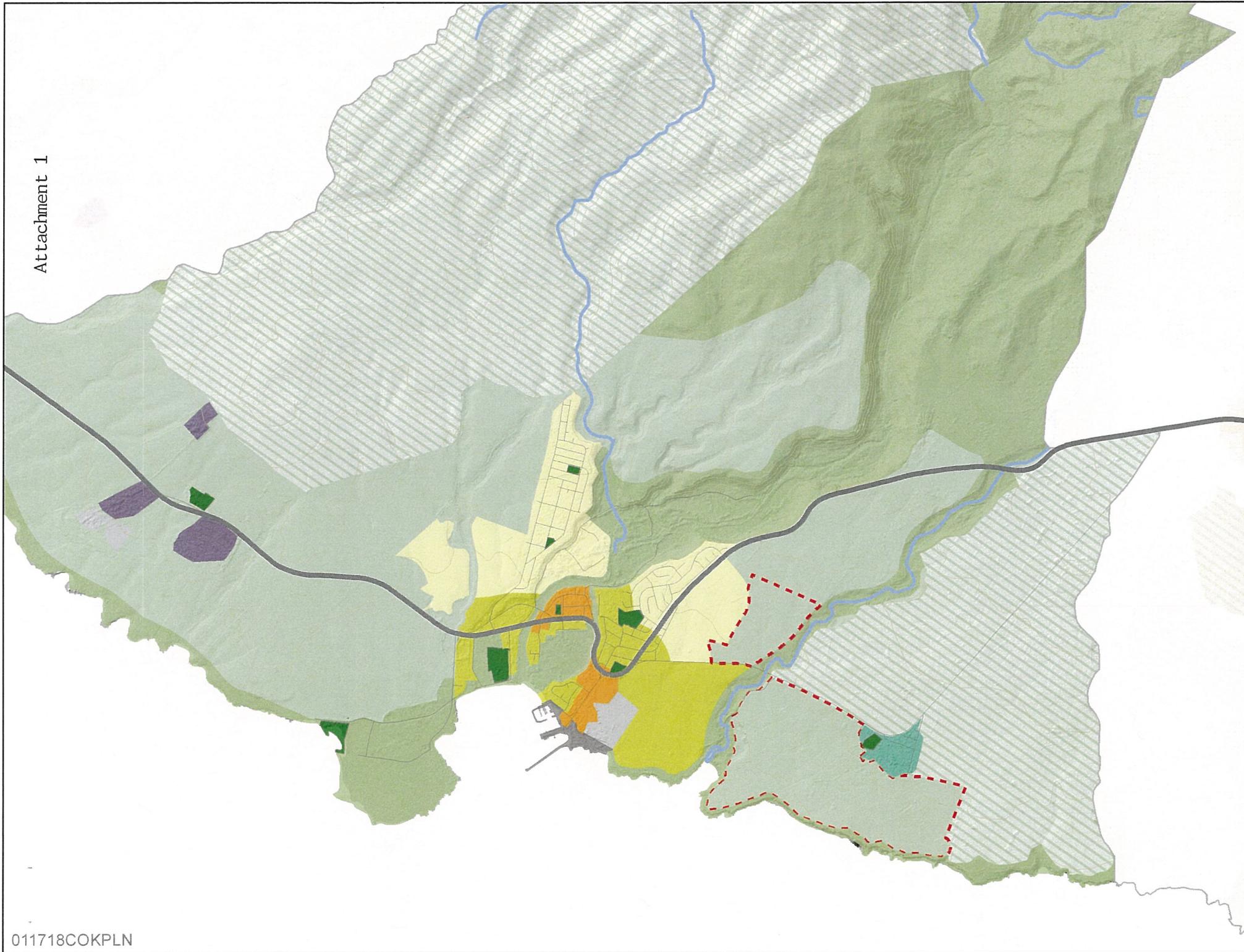
## Proposed Amendment to Revise Draft GP Land Use Map Designations Hanapepe-Eleele Planning District

*Removal of Provisional Agricultural Designation  
from Hanapepe-'Ele'ele District*



### LEGEND

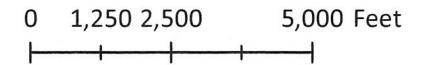
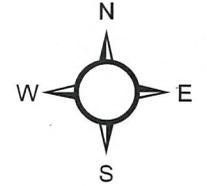
-  Proposed Provisional Agriculture to Agricultural
-  Agricultural
-  Agricultural (IAL)
-  Industrial
-  Natural
-  Neighborhood Center
-  Neighborhood General
-  Parks and Recreation
-  Plantation Camp
-  Residential Community
-  Transportation
-  Urban Center



# ATTACHMENT 2

## Proposed Amendment to Revise Draft GP Land Use Map Designations Hanapepe-Eleele Planning District

*Change specified Neighborhood General  
Designation near Port Allen in the  
Hanapepe-Eleele District*



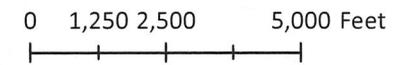
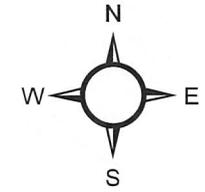
### LEGEND

-  Removal of Neighborhood General to Agriculture from a portion of Port Allen
-  Provisional Agriculture
-  Agriculture
-  Agriculture (IAL)
-  Industrial
-  Natural
-  Neighborhood Center
-  Neighborhood General
-  Parks and Recreation
-  Plantation Camp
-  Residential Community
-  Transportation

ATTACHMENT 3

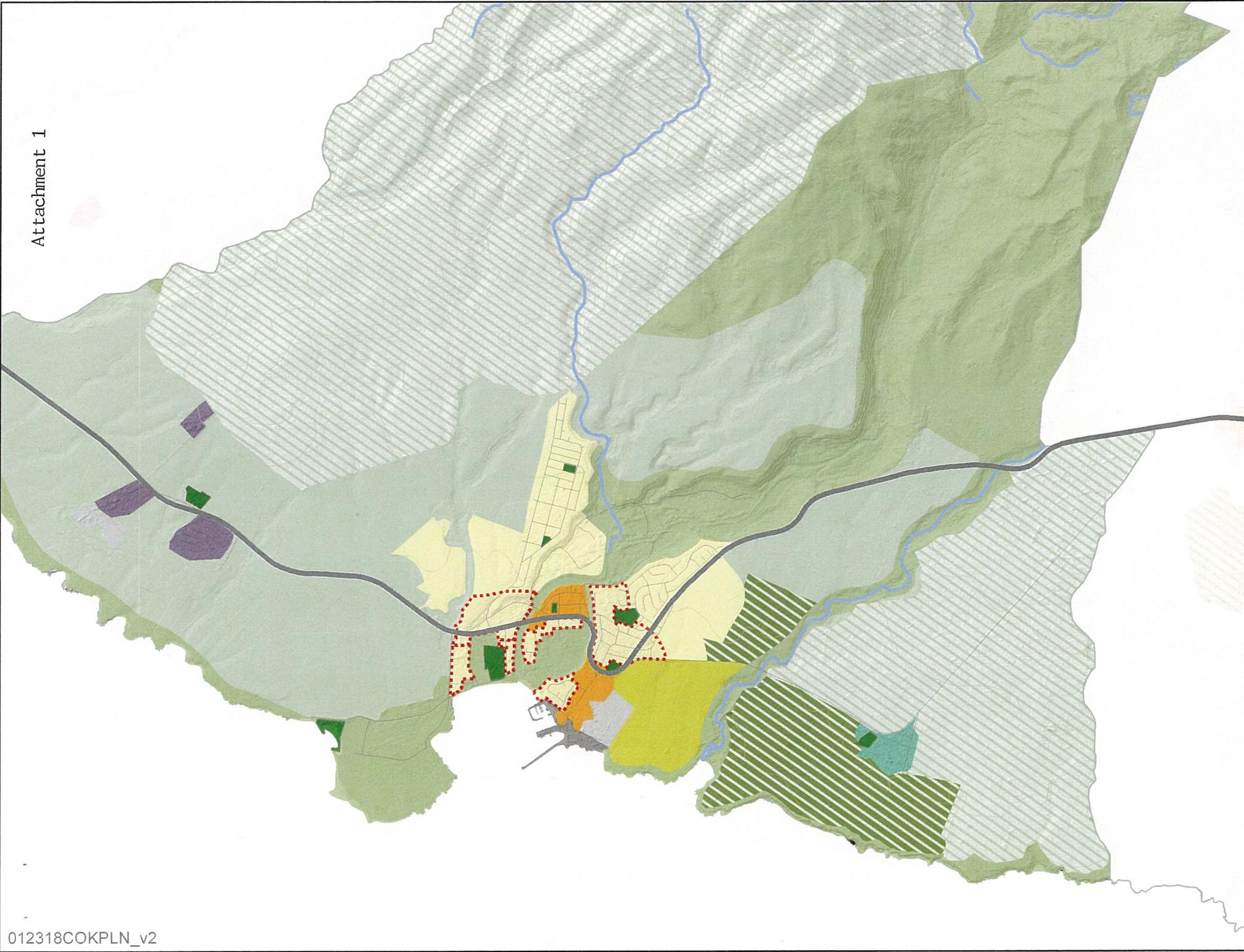
**Proposed Amendment to Revise Draft  
GP Land Use Map Designations  
Hanapepe-Eleele Planning District**

*Change specified Neighborhood General  
Designations to Residential Community  
Designations in the  
Hanapepe-Eleele District*

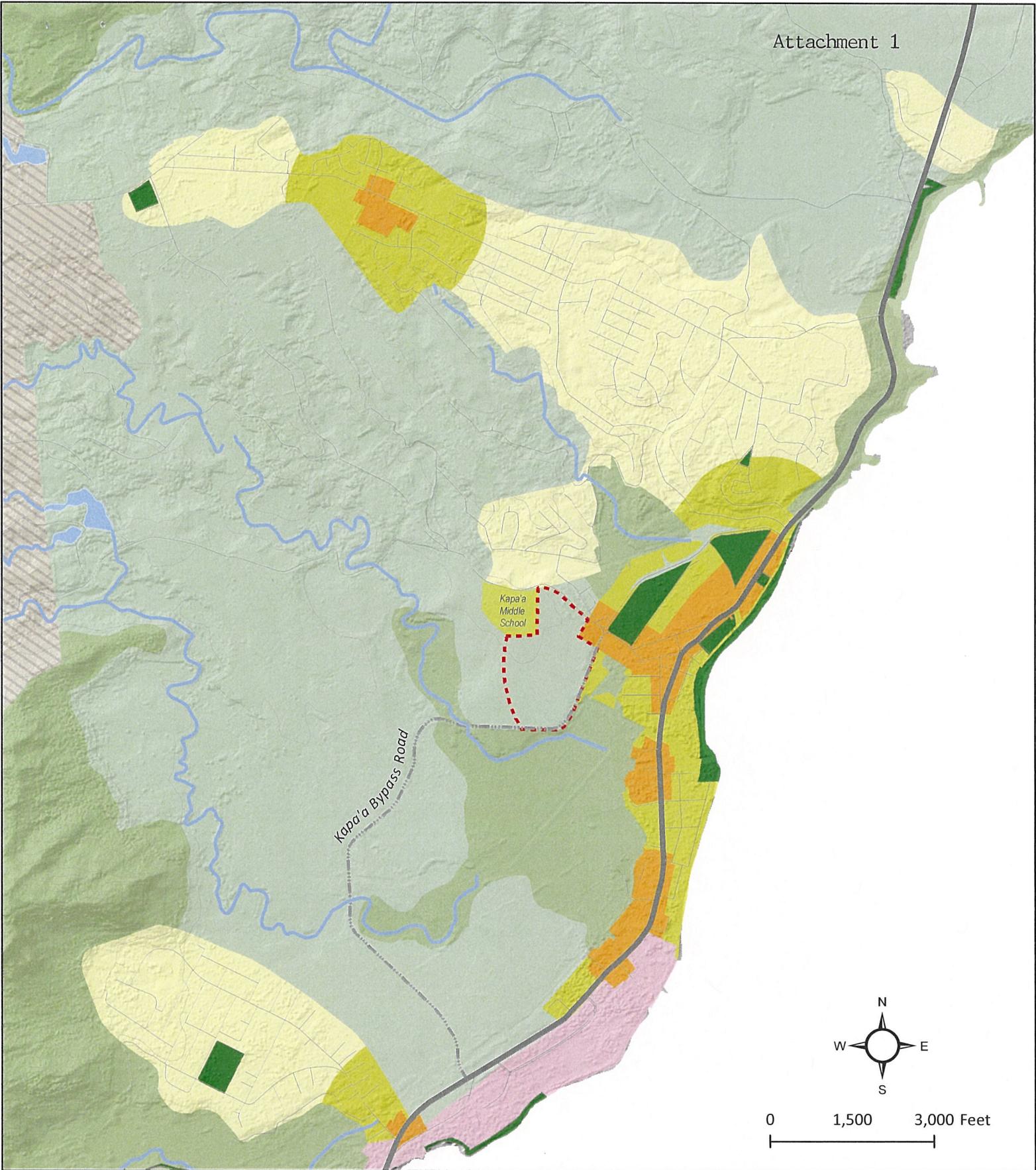


**LEGEND**

-  Provisional Agriculture
-  Agriculture
-  Agriculture (IAL)
-  Industrial
-  Natural
-  Neighborhood Center
-  Neighborhood General
-  Parks and Recreation
-  Plantation Camp
-  Residential Community
-  Transportation



Attachment 1



**Proposed Amendment to Revise Draft GP Land Use Map Designations  
East Kauai Planning District**

*Proposed amendment to remove (draft) Neighborhood General Designation from area referred to as "Hokua Place"*

**Legend**

- Remove Neighborhood General to Agriculture
- Agriculture
- Homestead
- Industrial
- Natural
- Neighborhood Center
- Neighborhood General
- Parks and Recreation
- Residential Community
- Resort

(January 25, 2018)

**FLOOR AMENDMENT**

Relating to Amendments to Bill No. 2666 and the General Plan Update Booklet (Kaua'i Kākou - Kaua'i County General Plan (Planning Commission Draft (June 2017)) and Appendices), as amended December 13-14, 2017, as referenced in Bill No. 2666, A Bill For An Ordinance To Amend Chapter 7, Article 1, Kaua'i County Code 1987, As Amended, Relating To The Update Of The General Plan For The County Of Kaua'i (ZA-2017-3))

Introduced by: COUNCILMEMBER ARRYL KANESHIRO (By Request)

Amendments Include:

- Proposals From The Planning Department – “Housekeeping” (Technical, Non-Substantive) Amendments (Items 1-11)
- Proposal From The Planning Department – Tourism (Item 12)
- Proposal From The Planning Department – Transportation (Item 13)
- Proposal From The Planning Department – Mālama Honua (Item 14)
- Proposals From Oha, Ka Huli Ao Center For Excellence In Native Hawaiian Law (Kapua Sproat), and Dr. Mehana Blaich Vaughan – Kuleana Lands (Items 15-17)
- Proposals From The Kaua'i Watershed Alliance (Items 18-24)
- Proposals From Beryl Blaich (Items 25-30)
- (Boilerplate amendment language) (Items 31-32)

**PROPOSALS FROM THE PLANNING DEPARTMENT –  
“HOUSEKEEPING” (TECHNICAL, NON-SUBSTANTIVE) AMENDMENTS  
(ITEMS 1-11)**

1. Authorize the layout editor of the General Plan Update Booklet (Kaua'i Kākou - Kaua'i County General Plan (Planning Commission Draft (June 2017)) and Appendices), as amended, to:
  - a. Reformat and alter the layout of the text and graphics, if needed, to ensure the flow and readability of the chapters and sections.
  - b. Correct obvious typographical, spelling, and sentence structure errors.

2. Amend Bill No. 2666 by amending SECTION 1 to read as follows:

“SECTION 1. Findings and Purpose. The purpose of this ordinance is to revise the General Plan for the County of Kaua‘i, in accordance with County zoning authority delegated pursuant to Section 46-4, Hawai‘i Revised Statutes and the Charter of the County of Kaua‘i. This revision is based [upon] on the General Plan Update process conducted by the [Department of Planning] Planning Department between the years 2013 through [2017.] 2018.”

3. Amend Bill No. 2666 by amending SECTION 2, Section 7-1.3 Definitions, by amending the definition of “General Plan” to read as follows:

““General Plan” means the General Plan for the County of Kaua‘i, including the vision, policies, implementing actions, and Land Use and [Heritage Resources] other maps.”

4. Amend Bill No. 2666 by amending SECTION 2, Section 7-1.5 Adoption, by amending subsection (a) to read as follows:

“(a) The plan document on file with the County Clerk entitled [“Kaua‘i General Plan,”] “Kaua‘i Kākou – Kaua‘i County General Plan” (Planning Commission Draft approved in 2017, as amended by the Kaua‘i County Council and approved in 2018, and as may be subsequently amended), including the maps and text policies, vision, and implementing actions dated as of the effective date of the ordinance codified in this Article, is hereby adopted by reference and made a part of this Article.”

5. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by ensuring throughout the plan:

- a. The General Plan Future Land Use Map designation entitled “Agriculture” is referred to as “Agriculture” and not “Agricultural.”
- b. “Urban Edge Boundary” is used rather than “Urban Growth Boundary.”
- c. Organize the “Land Use Map Changes for . . .” sections of Chapter 2 by placing the “Other Land Use Changes” section after the “Neighborhood Centers and Walksheds” section so it precedes the “Natural Hazards and Climate Change Resilience” section.

6. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 5 (Acknowledgements) as follows:
  - a. Under **Mayor’s Office**, add:  
“Sarah Blane, Chief of Staff”
  - b. Under **Planning Department**, add:  
“Alex Wong, Planner  
Alan Clinton, Project Assistant”
  - c. Add the following after **Planning Department**:  
“Office of the County Clerk, Council Services Division  
Jade K. Fountain-Tanigawa, County Clerk  
Scott K. Sato, Deputy County Clerk  
Jenelle Agas, Legislative Assistant  
Council Services Staff”
  - d. Under **State Agency Partners**, add:  
“Office of Hawaiian Affairs”
  - e. Under **Consultants**, add:  
“SMS Research”

7. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 57 (Resort) as follows:

***“Changes from the Previous General Plan Land Use Map***

Consistent with the policy to not expand the Visitor Destination Area (VDA), Resort designation was removed [or reduced] in unentitled areas (without County Resort Zoning or VDA) [and] where there was little community support for resort expansion such as Nukoli’i and Princeville (Table 2-1). Further restrictions are required on remaining areas without entitlements, by policy [in Actions by Sector VI Economy Sections 1 Permitting Actions,] in the Tourism subsection, to ensure furtherance of the of the “use it or lose it” policy, and provide a short window for areas like [Princeville and] Kikīaola to [either require the developer to] commit investment toward [using the areas as resort or it will revert to agricultural usage.] the resort use of the area. Otherwise, the designation of the area will revert to Agriculture.”

8. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14,

2017, by amending page 60, Table 2-2 Major Changes by Planning District, by amending all of the following:

a. Amending the title of Table 2-2 as follows: “Major Designation Changes by Planning District”

b. Amending the Līhu‘e Planning District row as follows:

“Addition of the Urban Edge Boundary.

New University Zone applied to Kaua‘i Community College and the surrounding schools.

[Urban Center applied to surrounding Neighborhood Centers and within Urban Edge Boundary.]”

c. Amending the South Kaua‘i Planning District row as follows:

“[Agriculture designation changed to “Provisional” to allow for a community planning process.]”

9. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 72 as follows:

***“Other Land Use Changes***

Seventy-five acres for the planned Lima Ola affordable housing development changed from Agriculture to Residential Community. Additional [Residential Community] Neighborhood General was provided to connect Lima Ola to the Neighborhood General located in Port Allen.”

10. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 78 (Land Use Map Changes for South Kaua‘i, Other Land Use Changes) as follows:

“Due to the General Plan’s policy to not expand the VDA, the Lāwa‘i Road VDA recommendation has been removed and the neighborhood will remain a residential community.

To be consistent with the community’s desire to focus revitalization and development around the town core, sixty (60) acres of State land located above Weliweli Tract was changed from Residential Community to Agriculture.

The SKCP identified the boundaries of a potential growth area to be vetted through the Hanapēpē-‘Ele‘ele Community Plan process. It includes the area surrounding Numila, which is desired by the landowner to be a master planned community supporting the growth of ‘Ele‘ele and Port Allen. Because of the boundary shift between planning districts, it falls within the South Kaua‘i planning district. On the South Kaua‘i Community Plan Land Use Map, it is designated Agriculture and shown as a placeholder to be defined as part of the future Hanapēpē-‘Ele‘ele Community Plan update. No projected residential growth for South Kaua‘i was allocated to the area. In this plan, the Planning District boundary between South Kaua‘i and Hanapēpē-‘Ele‘ele is shifted from Wahiawa Gulch to Kalāheo Gulch. Due to this change, the potential growth area is now included within the Hanapēpē-‘Ele‘ele Planning District.”

11. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 81 (Land Use Map Changes for Līhu‘e, Other Land Use Changes) as follows:

“[Changes to Residential land use designations are made in two areas. Residential designations are removed from several areas in Pū‘ali, south of Puhi as they were far from Neighborhood Centers and did not support the County policy of compact development.] The Residential designation was removed from several areas in Pū‘ali, to the southeast of Puhi, as they were not adjacent to an existing Neighborhood Center.

A new University Zone designation is applied to the Kaua‘i Community College area and the surrounding schools to acknowledge the future expansion of facilities, housing, and uses to better serve students, faculty, and staff. To be consistent with the policy to limit resort expansion, a portion of Nukoli‘i was changed from Resort to Agriculture.”

**PROPOSAL FROM THE PLANNING DEPARTMENT – TOURISM (ITEM 12)**

12. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 157, to provide updated tourism statistics from SMS and to reword and unify multiple amendments that were approved December 13-14, 2017, by amending all of the following:

- a. Amending Appendix C (Growth Trends and Projections), page 325, Figure 11 (Average Daily Visitor Census in Kaua‘i County (1990-2035)) by correcting the figure to show:

- i. “that ADVC will be more than 32,700 by 2030” pursuant to amendment item b. below; and
- ii. other statistical updates consistent with amendment item b. below.

b. Amending page 157 as follows:

### **“1.1 Managing Average Daily Visitor Count and Visitor Impacts**

Every year, over 1.1 million visitors are drawn to Kaua‘i’s beautiful environment and rich array of cultural and outdoor activities. Research shows that most visitors are attracted to the island’s peaceful and unhurried setting. These preferences align well with residents’ desire to preserve Kaua‘i’s natural beauty and small town character.

[Since 2010, the ADVC has grown at a compounded annual growth rate of 4.0% per year.] [(2010 ADVC: 19,548 (Figure 3-9); 2016 ADVC: 24,797 (Table 3-3)). If growth were to continue at that rate by 2035, the ADVC would increase by 112% to 52,600.] [As much as visitors support Kaua‘i’s economy, they also stress infrastructure and increase the demand for public services. For this reason, recent growth in visitor arrivals has been a concern for many residents.]

In 2016, Kaua‘i’s Average Daily Visitor Count (ADVC) was 24,797, which is more than one-third of the 2016 resident population. As much as visitors support Kaua‘i’s economy, they also stress infrastructure and increase the demand for public services. For this reason, recent growth in visitor arrivals has been a concern for many residents. Over the long term, growth in Kaua‘i’s ADVC has averaged [2% a] 2.0% per year. However, since 2010 [, annual ADVC growth has averaged 4%.] the ADVC has grown at an annual growth rate of 4.0% per year. (2010 ADVC: 19,548 (Figure 3-9); 2016 ADVC: 24,797 (Table 3-3)). If growth were to continue at that rate by 2035, the ADVC would increase by 112% to 52,600.

[It should be noted that] However, Kaua‘i’s ADVC is highly variable year-to-year and is sensitive to global economic conditions, political conflict, and growth in other tourism markets. Recent projections by the State and industry experts estimate that ADVC will [near 30,000] be more than 32,700 by 2030. Hawai‘i’s visitor arrivals growth is also constrained by airport infrastructure and the availability and utilization of gates at Daniel K. Inouye International Airport (HNL) and the Līhu‘e Airport (LIH). The Hawai‘i Airports Modernization Program shows the creation of the new mauka concourse in Honolulu to accommodate gate demand during peak hours and the new larger capacity planes. However, the concourse would mainly address the future growth expected from the Asia markets such as Japan which have not been

Kaua'i's target markets. The Modernization Program does not include increasing gates at the Līhu'e Airport.

Without these supply constraints the Kaua'i visitor arrivals and daily census forecast would follow the U.S. GDP growth rate since Kaua'i's source has been the United States and the key variables of U.S. visitors arrivals has been personal income and GDP. The Organization for Economic Co-operation and Development (OECD) GDP forecast for U.S. GDP ranges from +2.8% growth in 2018 to +2.0% growth in 2035. Following along that measure for a high limit boundary the average daily visitor census would reach 39,480 visitors per day in 2035.

As mentioned earlier, the 2010-2016 average daily visitor census growth rate reflects the current strong West Coast economies. Furthermore, recent damage to tourism infrastructure in competitive destinations may spur a short-lived boost in visitors. However, the visitor industry in Hawai'i is historically very cyclical and supply side effects will soon correct the market demands.

Many feel that the current level of tourism growth on Kaua'i is excessive and as a result creates negative social and environmental impacts. For example, the *Kaua'i Tourism Strategic Plan* (2015) [noted] explained that when ADVC exceeds 25,000 [that] there is a notable decline in both the visitor experience and residential quality of life. The traffic congestion along the highway in Wailua-Kapa'a is an oft-cited example. Many feel Kaua'i has hit its "carrying capacity" with regard to certain infrastructure systems, particularly the most heavily utilized parks and road networks. Acknowledgement of a tourism carrying capacity is occurring at the State level as well; the State of Hawai'i Climate Adaptation Initiative (Act 183) calls for analysis of a maximum annual visitor carrying capacity for the State and Counties. Popular destinations such as Hā'ena State Park are actively looking for ways to address overcrowding and other impacts.

[Acknowledgement of a tourism carrying capacity is occurring at the State level as well; the State of Hawai'i Climate Adaptation Initiative (Act 183) calls for analysis of a maximum annual visitor carrying capacity for the State and Counties.]

In order to deal with tourism impacts, government and the resort industry will need to collaborate and engage in tourism management. One important step is to actively monitor and assess visitor impacts on infrastructure and facilities. By quantifying impacts, the County and State can better plan to control the impacts of excessive tourism. Tourism management includes a range of methods, from increasing the supply of recreational opportunities and facilities, reducing public use of certain resources, and changing visitor behavior through education and signage."

**PROPOSAL FROM THE PLANNING DEPARTMENT – TRANSPORTATION  
(ITEM 13)**

13. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices (e.g., page 405, Appendix G – Action Matrix), as amended December 13-14, 2017, by amending page 126, item C.1. as follows:

“1. Establish transportation priorities [based on] using a performance-based evaluation process, which considers the following criteria:

- [a. Support of growth areas as designated in the General Plan and Community Plans;
- b. Support of the County’s mode shift targets;
- c. Priorities identified in Community Plans and other planning documents;
- d. Safety, with a priority on safety for children;
- e. Congestion management;
- f. Cost in relation to available funds; and,
- g. Opportunity to leverage non-County funds.]

a. Safety;

b. System preservation;

c. Economic development/community access;

d. Support of growth areas as designated in the General Plan and Community Plans;

e. Congestion management; and

f. Environmental and cultural impacts.”

**PROPOSAL FROM THE PLANNING DEPARTMENT – MĀLAMA HONUA  
(ITEM 14)**

14. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 3 as follows:

[The theme of this General Plan is “Kaua’i Kākou.” This theme recognizes that everyone must work together to define and implement a shared vision for our island.]

“Mālama Honua—caring for the Earth—extends beyond simply caring for our physical surroundings. Mālama Honua embraces protection and balance in all

things that make up our world and keep it prosperous; thus recognizing the connectedness between all things and of people as its stewards.

It is through kākou—working together—that the crews of the Polynesian Voyaging Society successfully circumnavigated the vast oceans of the world, using the wayfinding tools and knowledge of our ancestors, to inspire Mālama Honua throughout communities worldwide. Without kākou, the Voyaging Society’s vision of inspiring a healthy, vibrant, and unified world would be lost; our legacy wa’a—Hōkūle’a, Hikianalia, and Kaua’i’s very own Nāmāhoe—would never have been given Hā (the breath of life) and the continuing stories of hope and triumph shared through the successful journeys of these global voyagers would never be.

As with navigation, a direction may be set, but the path traveled is rarely straight. However, keeping an eye on the horizon and to the heavens has always allowed our Master Navigators to never lose sight of the destination. In the same way our navigators have set a course, our community has crafted the Kaua’i General Plan to guide our actions and provide a direction toward a shared vision of our island-community’s future.

Let us be confident in the course we have set, and courageous in times of storm and trouble, and look to the stories and lessons of our Hawaiian Voyagers—to kākou—in order to Mālama Honua right here on Kaua’i.”

**PROPOSALS FROM OHA, KA HULI AO CENTER FOR EXCELLENCE IN  
NATIVE HAWAIIAN LAW (KAPUA SPROAT), AND  
DR. MEHANA BLAICH VAUGHAN – KULEANA LANDS (ITEMS 15-17)**

15. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 176 to add a new item A.10. as follows:

“10. Movement of kuleana lands through the subdivision process is inconsistent with their intrinsic cultural and historic value and negatively impacts traditional and customary Native Hawaiian rights and practices, which are protected by the Hawai’i State Constitution. Prior to any decision, any movement requires proper due diligence to ensure any historic value relating to the kuleana’s past land use is identified and protected to the fullest extent possible consistent with Article XII, Section 7 of the Hawai’i State Constitution, the Ka Pa’akai test, and HRS Chapter 6E. In addition, proper notice must be afforded to the State Office of Hawaiian Affairs and

beneficiaries and heirs of the kuleana at issue before any movement is approved.”

(Note to editor: when amended language is added and underscoring is removed, retain underscoring of Ka Pa‘akai.)

16. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 176 to add new items B.2. and B.3. as follows:

“2. Create an inventory of kuleana lands and describe their vulnerability to sale and development.

3. Create a county-level tax break for ancestral family lands that do not qualify for kuleana tax breaks for situations such as hanai (adoption), families without birth and death certificates, and other circumstances.”

17. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 176 to add a new item D.8. as follows:

“8. Implement tax breaks and support programs to prevent foreclosures on kuleana lands caused by failure to pay taxes.”

<p><b>PROPOSALS FROM THE KAUA‘I WATERSHED ALLIANCE (ITEMS 18-24)</b></p>
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18. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, page 98 (Perpetuating the Wisdom of Native Hawaiian Watershed Management), as follows:

“The threats include development, improper agricultural practices, invasive species, erosion, climate change, and natural hazards.”

19. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, page 99 (WAO NAHELE – THE UPPER WATERSHED), as follows:

“In 2011, the State launched “The Rain Follows the Forest”—a management initiative to sustain fresh water resources by doubling the amount of protected watershed area. State initiatives also include the Aloha+ Challenge and Governor Ige’s “World Conservation Congress Legacy Commitment: 30 by 30

Watershed Forests Target” to protect 30% (253,000 acres) of Hawai‘i’s highest priority watershed forests by 2030.”

20. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, page 99 (WAO NAHELE – THE UPPER WATERSHED), as follows:

“In 2003, the Kaua‘i Watershed Alliance (KWA) was [established to bring the State, County, private landowners, and nonprofit partners together to protect the forested watershed through collaborative management practices.] formed. KWA’s members are the Department of Water and the public and private landowners within the State Land Use Conservation District. “The Mission of the Kaua‘i Watershed Alliance is to PROTECT, PRESERVE, and MANAGE our valuable watershed resources for the benefit of our residents, communities, and all future generations through the concerted efforts of its members.” Their projects focus on managing the landscape-scale damage to the watershed caused by feral animals and invasive weeds.”

21. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, page 99 (WAO NAHELE – THE UPPER WATERSHED), as follows:

“Management activities include [outplanting.] planning, strategic animal control, invasive weed control, monitoring of forest health, and constructing and maintaining protective fences. In alignment with the State’s goal in “The Rain Follows the Forest” initiative, the KWA [Strategic] Management Plan calls for fencing and managing 25,000 acres in the next ten years.”

22. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, page 99 (WAO NAHELE – THE UPPER WATERSHED), by amending all of the following:

- a. Amending page 99 (WAO NAHELE – THE UPPER WATERSHED) by relocating the existing paragraph to page 103 (KAHAKAI – COASTAL AREAS AND SHORELINES) and adding the following in its place:

“[Although the priority for conservation activity is the upper watershed, there is also a need to restore Kaua‘i’s native lowland forests which have been largely destroyed by human activity, wildfire, and invasive species. Reestablishment of native habitat could provide scenic values, cultural gathering areas, hiking and other recreational uses, and educational opportunities. Carefully managed forestry efforts also provide opportunities for green energy production, food forests, and materials for local manufacturing.] For the Wao Nahele—the Upper Watershed—to benefit from conservation efforts, the community should carefully

consider the importance of balancing the sustainable use of this area with the sensitivity and uniqueness of these upper native forests. They have to-date survived the fate of our native lowland forests—destruction by invasive species, wildfires, and incompatible uses by humans. They have a great value to all of us, as they make up almost 50% of Kaua‘i’s land area.”

- b. Amending page 103 (KAHAKAI – COASTAL AREAS AND SHORELINES) by relocating existing language (see item a. above) from page 99 (WAO NAHELE – THE UPPER WATERSHED) as follows:

“Making Kaua‘i’s water quality everyone’s kuleana ensures the greatest amount of vigilance to maintaining standards and preserving these irreplaceable resources for future generations (See Subsectors on Water and Agriculture in Chapter 3).

Although the priority for conservation activity is the upper watershed, there is also a need to restore Kaua‘i’s native lowland forests which have been largely destroyed by human activity, wildfires, and invasive species. Reestablishment of native habitat could provide scenic values, cultural gathering areas, hiking and other recreational uses, and educational opportunities. Carefully managed forestry efforts also provide opportunities for green energy production, food forests, and materials for local manufacturing.”

23. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending all of the following:

- a. Amending page 99 (WAO NAHELE – THE UPPER WATERSHED) by relocating the existing B.2. to become C.4. (appropriately renumbered as needed) and adding the following new B.2. in its place:

“[2. Utilize best practice watershed management plans, such as the Hanalei Watershed Action Plan, as examples for other communities to employ.] 2. Through appropriate county departments, support KWA members in the development of future watershed management plans and appropriate studies as needed for the health of the upper native forests.”

- b. Amending page 100 (WAO NAHELE – THE UPPER WATERSHED) by relocating the existing B.2. to become C.4. (see item a. above) (appropriately renumbered as needed) as follows:

“4. Utilize best practice watershed management plans, such as the Hanalei Watershed Action Plan, as examples for other communities to employ.”

- c. Amending page 99 (WAO NAHELE – THE UPPER WATERSHED) by amending C.1. as follows:

“1. Support projects that [restore] conserve and protect our remaining endemic forests and landscapes in the upper watershed.”

- d. Amending page 100 (WAO NAHELE – THE UPPER WATERSHED) by amending D.1. as follows:

“1. [Improve] Support the management and protection of Kaua‘i’s forest resources and upper watershed areas in the Conservation District.”

- e. Amending page 100 (WAO NAHELE – THE UPPER WATERSHED) by amending D.2. as follows:

“2. Support the State’s [goal of doubling the amount of protected and managed watershed areas.] “World Conservation Congress Legacy Commitment: 30 by 30 Watershed Forests Target” to protect 30% (253,000 acres) of Hawai‘i’s highest priority watershed forests by 2030.”

- f. Amending page 100 (WAO NAHELE – THE UPPER WATERSHED) by removing D.5. to relocate it to become a new D.6. on page 104 (KAHAWAI – MIDDLE WATERSHED, DRAINAGE, AND FRESHWATER RESOURCES) (with appropriate renumbering as needed) as follows:

“[5. Support the establishment of community based councils to assist with watershed management issues.]”

- g. Amending page 104 (KAHAWAI – MIDDLE WATERSHED, DRAINAGE, AND FRESHWATER RESOURCES) by relocating existing language (see item f. above) from page 100 to add a new D.6. (with appropriate renumbering as needed) as follows:

“6. Support the establishment of community-based councils to assist with watershed management issues.”

- h. Amending page 100 (WAO NAHELE – THE UPPER WATERSHED) by removing D.7. to relocate it to become a new D.6. on page 108 (KAHAKAI – COASTAL AREAS AND SHORELINES) (with appropriate renumbering as needed) as follows:

“[7. Provide preferred tax status and other incentives to help community groups, non-governmental organizations, and government agencies restore native lowland forests.]”

- i. Amending page 108 (KAHAKAI – COASTAL AREAS AND SHORELINES) by relocating existing language (see item h. above) from page 100 to add a new D.6. (with appropriate renumbering as needed) as follows:

“6. Provide preferred tax status and other incentives to help community groups, non-governmental organizations, and government agencies restore native lowland forests.”

24. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending Figure 3-3 (Hydrologic Cycle) by changing “Surface Runoff” to “Groundwater/Aquifer Recharge.”

<p style="text-align: center;"><b>PROPOSALS FROM BERYL BLAICH (ITEMS 25-30)</b></p>
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25. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 173-174 as follows:

“A traditional cultural property is defined as an area or place associated with the practices and beliefs of a living community. On Kaua‘i these include heiau, burial sites, fishponds, taro fields, and [other areas.] places where multiple archaeological and historic features are located.”

26. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 176 by adding a new C.4. as follows:

“Achieve permanent preservation of highlight significant cultural landscapes where multiple heritage and ecological values are located.”

27. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 178 as follows:

“Preservation of landmarks [and], scenic resources, and heritage places is perhaps the most important aspect of maintaining the historic essence of Kaua‘i over time, regardless of population growth, development, and other changes that will occur.”

28. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 178 by amending B.2. as follows:

“Develop an inventory of scenic resources/views, view planes, visual resources, and key landmarks through joint collaboration of the Kaua‘i Historic Preservation Review Commission and the Open Space Commission.”

29. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 209 as follows:

“In 2002, the County’s [Open Space Commission] Public Access, Open Space, and Natural Resources Preservation Fund Commission was established to manage the “Public Access, Open Space, and Natural Resources Preservation Fund.” This commission is commonly referred to as the Open Space Commission.”

30. Amend Bill No. 2666 by amending the booklet entitled “Planning Commission Draft” dated “June, 2017,” including all Appendices, as amended December 13-14, 2017, by amending page 209 by adding a new C.2. as follows:

“Establish a task force including landowners, land trust experts and attorneys, the Open Space Commission, and others, to study and recommend legal and land use measures to address and ameliorate liability on lands dedicated to managed public uses.”

31. If any provision that is amended is also found elsewhere, such language is hereby amended to provide consistency.

32. If more than one amendment to a same section is adopted on this date, all amendments shall take effect to the extent there is no conflict. If there is a conflict, the latest amendment shall be controlling.

(Material to be deleted is bracketed. New material to be added is underscored.)

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