Chapter 6 discusses the recommended implementation aspects of the community plan including plan adoption, amendments to other County land use regulations, potential capital improvement projects (CIP) and their priorities, potential funding and financing options, operational requirements as well as indicators and ongoing monitoring to determine the effectiveness of the plan recommendations.


6.1 COMMUNITY PLAN ADOPTION

Adoption of the South Kaua’i Community Plan (SKCP) will require repealing and replacing the existing Kōloa-Po’ipū-Kalāheo Development Plan. It will involve review by the Planning Commission and adoption by the County Council, including revisions to Article 6 of KCC Chapter 10, “Special Development Plans” to implement the three proposed Special Planning Areas (SPAs) that will reference Appendix C for the FBC regulations. The public review draft has been unveiled at “open house” meetings in Kōloa and Kalāheo and public hearings will be a part of the Planning Commission and County Council review processes.

The County Planning Department will also take a proactive role in supporting zoning amendments and State Land Use District Boundary Amendments (SLUDBA) as required to implement the CP whether it is part of the State’s 5-year boundary review process as required by HRS §205-18, or submitted as individual applications and petitions. There may also be another opportunity to implement large-scale redistricting should the task force convened by the State Office of Planning recommend revising the SLUDBA process to include comprehensive boundary redistricting whenever the counties update their long-range plans such as the general plans and community plans. This effort is currently underway and may or may not be completed by the time this CP is adopted. However, it should be monitored as the County continues to update its GP and CPs.

6.1.1 General Plan Recommendations

The County Planning Department will be initiating the General Plan update as this CP goes through draft review and plan adoption. The GP was last updated in 2000 and its planning horizon is the same as this SKCP and the Līhu‘e CP’s, which is 2035. Because the regulatory maps within the GP are expected to change, the primary recommendation is to be consistent with those of this CP. Also the concept and potential application of Transfer of Development Rights is recommended to be explored and possibly adopted as part of the next GP update. Lastly, the three proposed SPAs that do not have regulating plans should initiate their master planning processes to establish their transect zones and have their SPAs and regulating plans adopted through the GP update.

6.1.1.1 Transfer and/or Purchase of Development Rights

The concept of Transfer of Development Rights (TDR) was introduced during the CAC meetings as a potential tool to help protect certain areas rich in natural and/or cultural resources from development. TDRs allow the landowner to shift the allowable density for land uses that are otherwise permitted based on existing zoning from areas with sensitive natural or cultural resources to other properties they own elsewhere within the Planning District that may be more appropriate for development. This would result in a “density bonus” in the receiving parcels which is intended to incentivize the relocation of the proposed development. The Planning Department determined that TDRs should be addressed on an island-wide basis as part of the General Plan update. However, two specific sites were identified as potential candidates for TDRs: 1) the “historic property” highlighted in yellow on the Eric A. Knudsen lands in Po‘ipū mauka of Po‘ipū Road by CSH (see Figure 6-1), and 2) the coastal area of Māhā‘ulepū shown in the “Natural” Land Use Designation on the Land Use Map (Figure 4-1).

The concept of Purchase of Development Rights (PDR) involves the actual purchase of a property’s development rights based on the fair market value of those potential developments in order to similarly protect sensitive resources. A conservation easement or some other limited development would run with the land once the PDR is completed.

6.1.1.2 CP Land Use Map Updates via the General Plan Update

As part of the GP update, the three future SPAs that do not have transects identified for them—Lāwa‘i Cannery, Po‘ipū Gateway Mixed-Use Village, and Numila—should be master planned and appropriate transects should be identified and adopted as regulating plans. If this is accomplished, this should, in turn, amend those areas of the Land Use Map in this CP from Large and Small Villages to the respective Neighborhood Center, Neighborhood General, and Neighborhood Edge designations.

6.1.1.3 Land Use Entitlement and Approval Processes

Related to the above, consideration for streamlining the entitlement process for zoning amendments and subdivision approvals should be considered for proposed projects which are consistent with the updated community plans. Potential incentives could include shorter review periods or administrative rather than discretionary approval processes.

6.1.2 County Code Amendments

Chapter 10, Kaua‘i County Code 1987, as amended, will be amended to create three Special Planning Areas (SPAs) for the areas where the Form-Based Code will apply. In addition, their boundaries will be added to the zoning maps. This will be coordinated with Council approval of the CP.

For reference, the zoning maps to be amended are:

- Kalāheo (ZM-KL 300)
- Kōloa (ZM-KO 300)
- Lāwa‘i Bay-Kuku‘ula (ZM-KU 300)
- Po‘ipū (ZM-PO 300)
- Hanapēpē Planning Area (ZM-200)
As discussed in Section 4.1.1, there are six specific areas identified for SPAs and the application of the FBC (Appendix C) which will amend Chapter 10 of the Kaua‘i County Code:

- Kōloa Town
- Kalāheo Town
- Lāwa‘i Cannery
- Po‘ipū Roundabout
- Po‘ipū Gateway Mixed-Use Village
- Numila

These areas outlined in purple in Figure 4-1 will be designated as Special Planning Areas (SPA) and the intent is to identify transect zones and regulating plans to these areas where the FBC will apply. Three of them require additional master planning processes to develop their respective Regulating Plans with transects. Ideally, this can be accomplished in conjunction with the upcoming General Plan process, but it may come as a separate process that could include other future SPA areas from the other CPs. These three areas are the Lāwa‘i Cannery, Po‘ipū Gateway Mixed-Use Village, and Numila. The other three areas, Kōloa, Kalāheo, and the Po‘ipū Roundabout, have Regulating Plans completed with transects identified in the FBC (see Appendix C).

Any development within the SPAs must follow the development standards, allowable land uses, and procedures described in the FBC (Appendix C) rather than those of the underlying zoning district unless the FBC is silent on those matters. Similarly, if there are standards described in the FBC which contradict with those in the Subdivision Ordinance (KCC Chapter 9), then the FBC will supersede those described in the Subdivision Ordinance for the SPAs.

**6.1.2.2 Future Zoning District Amendments**

**State land.** There is a State-owned parcel TMK 2-8-022:006 that is recommended for downzoning from R-6 to Open. Discussion with the DLNR Land Agent regarding the first parcel indicated that there are no concerns as there are no projects slated for the land. It is currently under a long-term agricultural lease for ranching till the year 2030.

**Industrial.** The roughly 160-acre area around the historic Kōloa Mill is designated for industrial use and a zoning amendment should be sought for the area indicated on the Land Use Map (Figure 4-1) in conjunction with a State Land Use District Boundary Amendment to Urban.

**6.1.2.3 Visitor Destination Areas**

The County’s Visitor Destination Area (VDA) boundary shall be amended to include the areas within the Resort Land Use shown on Figure 4-1.

**6.1.2.4 Error on Existing Zoning Map**

There is an error on the Kōloa Zoning Map ZM-KO 300 that should also be corrected. There is the letter “A” floating in the area of TMKs 2-8-14:01 and 23 which should be an “O” for the Open District. See Figure 6-2 and Figure 6-3. This should be corrected on the amended Kōloa Zoning Map ZM-KO 300.
6.1.3 Special Planning Areas
Chapter 10 of the KCC describes the Special Development Plans for areas that have special development requirements. The new SPAs identified in this SKCP will be mapped on the County zoning maps and described in Chapter 10. The development standards in the FBC (Appendix C) will be adopted by reference and apply to these SPAs.

6.1.4 Subdivision Requirements
Similar to the development standards within the CZO, there are requirements within the FBC which will override the subdivision standards (KCC Chapter 9) within the SPAs. These mainly impact park dedication requirements and street, block, and driveway standards within the SPAs.

6.2 CAPITAL IMPROVEMENT PROJECTS
The following section summarizes various capital improvement projects (CIP) described in this plan. Future capital improvements will be driven by the County’s financial situation. However, the following provides information on priorities and order-of-magnitude cost estimates as well as potential financing alternatives to support their implementation. CIP projects should be directed to support the proposed growth areas of the plan.

6.2.1 General CIP Priorities
During one of the last CAC meetings, attendees were asked to rank their priorities for CIP improvements by County agency and by location. CAC members who were not in attendance were emailed or mailed a copy of the survey and their responses have been incorporated into the following summary of the results. All results are ranked from highest to lowest priorities. The survey and detailed results are provided in Appendix E.

6.2.1.1 Department of Parks and Recreation Priorities
1. Fix existing parks and facilities (no redesign)
2. Change the mix of recreational facilities (see Section 4.6.1 for a list of proposed facilities)
3. Build more community centers/meeting rooms
4. Acquire land for new parks
5. Replenish sand at beaches

6.2.1.2 Transportation Agency Priorities
1. Add Pē'pū resort circulator
2. Increase capacity on Kōloa Shuttle route
3. Change Kōloa Shuttle route to include ‘Ōma‘o Road
4. Add more bus shelters
5. Increase capacity on Kekaha-Līhu‘e mainline

6.2.1.3 Public Infrastructure Priorities for Kalāheo
1. Multimodal roadways
2. Regional wastewater treatment plant
3. Drainage improvements
4. Potable water resources

6.2.1.4 Public Infrastructure Priorities for Kōloa
1. Multimodal roadways
2. Regional wastewater treatment plant
3. Drainage improvements
4. Potable water resources

### 6.2.1.5 Public Infrastructure Priorities for Po‘ipū

1. Multimodal roadways
2. Drainage improvements (same average ranking as above)
3. Regional wastewater treatment plant (very close third)
4. Potable water resources

### 6.2.1.6 Public Infrastructure Priorities for ‘Ōma‘o

1. Multimodal roadways
2. Drainage improvements
3. Regional wastewater treatment plant
4. Potable water resources

### 6.2.1.7 Public Infrastructure Priorities for Lāwa‘i

1. Multimodal roadways
2. Drainage improvements
3. Regional wastewater treatment plant
4. Potable water resources

### 6.2.1.8 Kalāheo Town Roadway Improvements

1. Papalina Road/Kaumuali‘i Highway intersection improvements
2. Sidewalks and bike lanes on Kaumuali‘i Highway
3. Sidewalk on Papalina Road
4. Sidewalk on Pu‘uwa‘i Road
5. Wider sidewalk on Pu‘u Road

### 6.2.1.9 Kōloa Town Roadway Improvements

1. Sidewalks on Kōloa Road
2. Construction of Northerly Leg of Ala Kalanikaumaka
3. Separated bike/pedestrian path on Hapa Road
4. Connect Lopaka Paipa Boulevard through to Ala Kalanikaumaka
5. Separated bike/pedestrian path on cane road
6. Roundabout at Maluhia Road/Ala Kinoiki
7. Sidewalks and bike lanes on Ala Kinoiki

### 6.2.1.10 Po‘ipū Roadway Improvements

1. Bike/pedestrian path on Lāwa‘i Road
2. Coastal pedestrian access easement
3. Bike/pedestrian path on Ho‘ōnani Road
4. Sidewalks on Pē‘e to Po‘ipū Road
5. Sidewalk and bike lanes on Kapili Road
6. Bike/pedestrian path on Ho‘ōnili & Ho‘ōnani Roads

### 6.2.2 Order-of-Magnitude Cost Estimates

This section is a compilation of projects and the order-of-magnitude cost estimates recommended in various sections of this Plan.

#### 6.2.2.1 Multimodal Roadway and Streetscape improvements

The multimodal roadway improvements ranked the highest of all CIP-type projects for all of the major communities within the Planning District. The following table includes order-of-magnitude costs for both the improvements proposed in Section 4.3.4 and previously recommended roadway projects that are still relevant to this Plan. It includes a 25 percent contingency to cover any restriping and resurfacing but does not include any planning, design, or operations and maintenance (O&M) fees. Detailed calculations for the SKCP estimates are provided in Appendix F. The only State-owned facility on the list is Kaumuali‘i Highway through Kalāheo Town. There are only two projects on the STIP at the time of this report—Po‘ipū Road and the Northerly Leg of Ala Kalanikaumaka.

<table>
<thead>
<tr>
<th>Description</th>
<th>Length (LF)</th>
<th>Source</th>
<th>Order-of-Magnitude Cost Estimate</th>
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</thead>
<tbody>
<tr>
<td>Kaumuali‘i Highway ('Opū Road to Hokua Road)</td>
<td>2,050</td>
<td>SKCP</td>
<td>$750,000</td>
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<td>Papalina Road (Kaumuali‘i Highway to Waha Road)</td>
<td>6,380</td>
<td>SKCP</td>
<td>$1,052,700</td>
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<tr>
<td>Pu‘uwa‘i Road (Kaumuali‘i Highway to Kalawai Park)</td>
<td>1,515</td>
<td>SKCP</td>
<td>$258,500</td>
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<tr>
<td><strong>KŌLOA</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northerly Leg of Ala Kalanikaumaka (STIP)</td>
<td>2,108</td>
<td>FAHTP</td>
<td>$20,000,000</td>
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<td>Gateway Roundabout at Maluhia Road/Ala Kinoiki</td>
<td>N/A</td>
<td>KPACP+ SKCP</td>
<td>$672,000</td>
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<td>Kōloa Road (Maluhia Road to Post Office)</td>
<td>600</td>
<td>SKCP</td>
<td>$324,700</td>
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<tr>
<td>Kōloa Road (remainder of Po‘ipū Road to Waikomo Road)</td>
<td>770</td>
<td>SKCP</td>
<td>$359,900</td>
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<tr>
<td>Weliweli Road (Kōloa Road to Waikomo Road)-Alternative 1</td>
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<td>$522,100</td>
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<tr>
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<td>SKCP</td>
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<tr>
<td>Weliweli Road (Waikomo Road to Hapa Trail)</td>
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<td>Ala Kinioki-Alternative 1</td>
<td>15,375</td>
<td>SKCP</td>
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<tr>
<td>Ala Kinioki-Alternative 2</td>
<td>15,375</td>
<td>SKCP</td>
<td>$4,851,900</td>
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<td>Hapa Trail Shared Use Path (Po‘ipū Road to Weliweli Road)</td>
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<td>Cane Haul Road Shared Use Path (Ala Kinoiki to Po‘ipū Road)</td>
<td>3,751</td>
<td>KPAACP</td>
<td>$571,900</td>
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<td><strong>PO‘IPŪ</strong></td>
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<tr>
<td>Po‘ipū Road (Lāwa‘i Road to Ala Kinoiki Road)-bike lanes, sidewalks, and intersection improvements (STIP)</td>
<td>15,519</td>
<td>FAHTP</td>
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<td>Lāwa‘i Road Shared Use Path (Spouting Horn to Po‘ipū Road)</td>
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<td>Ho‘owili Road</td>
<td>1,070</td>
<td>SKCP</td>
<td>$331,900</td>
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<td>Kapili Road (Widen existing sidewalks)</td>
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<td>SKCP</td>
<td>$189,300</td>
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<tr>
<td>Lopaka Paipa Boulevard Connection</td>
<td>941</td>
<td>KPAACP</td>
<td>$608,600</td>
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</table>
6.2.2.2 Transit Cost Estimates

Current estimates for increasing capacity for transit either involve larger buses or more frequent service. According to the County Executive on Transportation, the vehicles currently used for County’s Kaua‘i Bus service are cutaway vehicles which can carry between 29-33 passengers. They cost about $180,000 to purchase and have annual operations and maintenance (O&M) costs of about $60,000 for fuel, repair and maintenance, and labor. Unfortunately, their service life is shorter than typical transit buses. A 40-passenger transit bus is much more expensive at $600,000. However, its service life is 10 years compared with 5 years for the cutaways. Annual O&M is estimated at $75,000 for the 40-passenger transit bus. A 50-passenger transit bus is estimated to cost $950,000 with an estimated $80,000 O&M annual cost and 12-year service life.

6.3 POTENTIAL FINANCING AND FUNDING ALTERNATIVES

The Planning District has been a unique testing ground for innovative financing. It is the first in the State to implement a Community Facilities District (CFD). It is also at the forefront of implementing a version of impact fees—a novel and progressive community association took the lead to finance an infrastructure study and has taken steps to finance the improvements identified in that study through a “voluntary” impact fee agreement that could be superseded someday by an officially adopted county-wide impact fee program. The CFD and voluntary impact fee program are described in more detail in this section, together with other potential funding sources. The objective is to identify a range of funding alternatives that could be flexibly earmarked and combined to deliver the public facility and program requirements identified in this plan.

6.3.1 Financing Guidelines

The following guidelines are intended to help the community and decision makers select the appropriate funding source based on a rational assessment of fairness, reasonableness, and prudence in determining who should pay, when, and how.²

1. Fairness: Those who benefit (nexus) should pay their proportionate share.

2 Adapted from Goodwin Consulting Group, 2011. Financing Plan for Public Facilities and Backbone Infrastructure for the Kona Community Development Plan. Prepared for the County of Hawai‘i.

1. General infrastructure or public facilities that serve a region should be paid by an appropriate broad base such as general taxpayers (e.g., arterial or collector streets, backbone water system, wastewater treatment and collection system). Infrastructure that serves a defined area should be paid by the users who benefit by the local infrastructure or facility (e.g., local roads, water distribution system connecting to properties, sewer collection laterals and local collection system).

2. Reasonableness: Developers and property owners must be able to support the assessed burdens. The bottom line should be does it work for all parties—public sector and private sector, residents and businesses already located in the area, and future residents and businesses.

3. Prudence:

   a. Consider debt capacity and risks for longer-term borrowing. No financing should be initiated that may adversely affect the County’s credit rating.

   b. Consider cash flow reliability:

      i. Sporadic. These funds are received infrequently and without any solid level of predictability. These funds could be accumulated over time and used for acquisition and/or improvements. Examples are: exactions; general obligation bonds; Federal programs/grants.

      ii. Frequent but Irregular. These funds are received typically throughout the year and/or on an annual basis, but the amount is more or less difficult to forecast. These funds could also be accumulated over time and used for design and construction or, in some instances where there is near certainty that at least a minimum amount will be collected each year, used to provide a steady stream of revenue for ongoing maintenance. Examples include: user fees; concession revenue.

      iii. Frequent and Predictable. These funds are received throughout the year and/or on an annual basis, and the amount can be predicted with reasonable accuracy. This regular stream of revenue can be used to meet annual maintenance requirements or debt service, with any excess channeled into design and construction. Some examples are: property tax; CFD/business improvement districts (BID) special taxes and assessments.

4. Concurrency: Prioritize critical infrastructure and facility projects and regulate development to ensure that adequate infrastructure is provided when needed.

5. Coordination: Address circumstances where there may be multiple landowners and developers with disharmonious development schedules so that the first one is not unfairly burdened to the benefit of subsequent beneficiaries (e.g., oversizing requirements).

6.3.2 Funding Sources

Typically, General Obligation (GO) bonds are overly relied upon to finance county infrastructure and facilities. This section identifies existing alternatives as well as potential new sources that require further study and/or enactment.
6.3.2.1 Existing Sources

6.3.2.1.1 General Obligation Bonds, General Fund (CIP), Bond Fund

General Obligation (GO) bonds are governed by the State Constitution and Hawai‘i Revised Statutes (HRS) Chapter 47. The security for these bonds is the full faith and credit of the County, and the principal and interest payments on the bonds are a first charge on the general fund of the County. Total funded debt (outstanding GO bond debt and other debt such as state revolving fund loans) cannot exceed 15% of the total assessed value of real property in the County. Although not State law, but probably more pertinent, sound fiscal policy endorsed by the Government Finance Officers Association (GFOA) dictates that debt service on funded debt not exceed 15% of total general fund revenues. GFOA is a large professional organization of state and local finance officers in the Unites States and Canada that supports financial management of government agencies by developing financial policies and best practices and by offering education, training, and networking opportunities.  7

Based on 15% of the net assessed valuation, the 2012 debt limitation was $2.4 billion. As of June 30, 2012, the current outstanding debt applicable to the debt limit totaled $185 million or 5% of the County’s debt limit.  4

GO bonds that finance revenue-generating facilities are considered reimbursable GO bonds to the extent that the revenues are actually used to reimburse the general fund for debt service payments it has made. Reimbursable GO bonds may also fund facilities that do not generate revenue; instead, these bonds are reimbursed by revenues created with another funding source, such as special taxes from a CFD (see below). Reimbursable GO bonds are generally excluded from the 15% debt limitation identified above.

Since the debt service for GO Bonds is paid from the General Fund with taxes paid by residents island-wide, appropriate facilities to be financed from this source are those that provide some kind of regional or environmental benefit, or assist the County in meeting specific public policy goals related to workforce housing, economic development, or other similar objectives. The debt service is accounted for in the General Fund, capital expenses financed by the General Fund are accounted for in the General Capital Improvement Fund, and GO Bond proceeds used for capital improvements are accounted for in the Bond Fund.  3

6.3.2.1.2 Development Fund

The Trust Fund for Contributions by Developers (also known as the Development Fund) is a special fund to deposit exactions imposed upon developers. 9 "The annual CIP budget ordinance shall contain a trust fund account to include all contributions made by developers and others for the purpose of relieving impacts created by developments. The Council shall, in making the appropriations in the budget, identify the projects and cost estimates for the project similar to other Capital Improvements Projects. Capital improvement may include plans, land acquisition, structures, roads, sewers, equipment and other public facilities." 6 Appropriations from this fund are limited to capital improvements and excludes operational expenditures. The ordinance exacting the contribution needs to be checked for any limitations on the use or area of the contributed amount.

6.3.2.1.3 Public Access, Open Space and Natural Resources Preservation Fund

The Kaua‘i County Charter established a special fund called the Public Access, Open Space and Natural Resources Preservation Fund. 6 "The moneys in this fund shall be utilized for purchasing or otherwise acquiring lands or property entitlements for land conservation purposes in the County of Kaua‘i for the following purposes:

1) Public outdoor recreation and education, including access to beaches and mountains;
2) Preservation of historic or culturally important land areas and sites;
3) Protection of significant habitats or ecosystems, including buffer zones;
4) Preserving forests, beaches, coastal areas and agricultural lands;
5) Protecting watershed lands to preserve water quality and water supply;
6) Conserving land in order to reduce erosion, floods, landslides, and runoff;
7) Improving public access to, and enjoyment of, public land and open space;
8) Acquiring public access to public land, and open space.
9) Conserving land for open space and scenic values.  " 7

6.3.2.1.4 Special Trust Fund for Parks & Playgrounds

Every subdivider as a condition precedent to approval of a subdivision shall dedicate land for park purposes and/or pay an in lieu fee. Fees paid are deposited in the park and recreational trust fund. "All monies received shall be used for the acquisition and development of park and recreational facilities, facilities replacement and maintenance equipment to serve the district in which the subdivision is located. Monies received may be expended on neighborhood community facilities in reasonable proximity to the subdivision. Where a public park and playground presently serves a subdivision, such fees may be used for the purpose of providing additional facilities for that park or playground. The County Engineer shall determine the various park areas for funding purposes."  8

6.3.2.1.5 Bikeway and Highway Funds

The legal source establishing the Bikeway Fund is not clear. If similar to other counties (e.g., City & County of Honolulu), the bicycle license fees are deposited into this fund and used exclusively for bicycle related projects and programs. By ordinance, any resident of the County who rides or propels a bicycle "on any street, highway, alley, road, sidewalk, or upon any public path set aside for the exclusive use of bicycles" is required to have the bicycle licensed. 9

The Highway Fund receives the County's share of the fuel tax pursuant to HRS §243-6. The funds may be used for the acquisition, design, construction, repair, and maintenance of County streets or bikeways, or functions related to transit.

6.3.2.1.6 Sewer Trust Fund

Fees collected pursuant to KCC Chapter 25 (Sewers) are deposited in the Sewer Trust Fund. Fees collected from connection charges and assessments for wastewater treatment capacity are restricted to capital expenditures, including repayment of State Revolving Fund loans. 10

1 Id.
3 Id.
4 Kaua‘i County Code Chapter 6 (General Provisions Relating to Finance), Article 8.
5 Kaua‘i County Code §6-8.2.
6 Kaua‘i’s County Charter 19-15.C.
7 Kaua‘i’s County Code §6-14.1.
8 Subdivision Code (Kaua‘i’s County Code §9-2.8).
9 Kaua‘i’s County Code §16-16.1.
6.3.2.1.7 Revenue Bonds
The Kaua‘i County Charter authorizes the County Council to issue revenue bonds “for the purpose of initiating, constructing, acquiring, extending, replacing or otherwise improving any revenue-producing facility as provided by law.”¹³ Revenue, or enterprise, bonds are also governed by the State Constitution and HRS Chapter 49. The security for revenue bonds is the County general fund, an enterprise fund (e.g., a fund collecting bi-monthly consumer water charges), or some dedicated revenue stream of the County or an enterprise. The Department of Water Supply is the most likely candidate able to issue revenue bonds secured by their revenue stream of customer charges.

6.3.2.1.8 Land-Secured Financing

**Improvement District** (ID) financing is governed by HRS §46-80 and Kaua‘i County Code (KCC) Chapter 24. The security for these bonds is an assessment levied on property inside the specified boundaries of an ID, which is typically repaid in annual installments. Because the ID assessment must be based on a finding of special benefit, the ID can usually fund only local improvements. Also, every parcel within the ID is subject to the assessment. The rezoning approval for the Kukui’ula development included several infrastructure and public facility requirements as conditions of approval (Ordinance No. PM-2004-370):

- Major Project Road—Lāwa‘i Connector to ‘A’ Entry
- Recreation—Shoreline Recreation Improvements, including $360,000 contributions to County-constructed shoreline recreational improvements
- Public Safety—sirens
- Other
  - County designated projects which may include but not be limited to special improvements related to streets, roadways, roads, drainage improvements, water facilities (improvements and equipment), sewer facilities (improvements and equipment), public safety facilities (improvements and equipment), bike and hiking trails, parks, beach land acquisition and improvements, signals, traffic signage, transit improvements, landscaping, tax exempt housing or other designated special improvements selected by the County for CFD funding pursuant to the Acquisition Agreement.
  - Additional special improvements to be acquired from the Petitioner reasonably related to the Kukui’ula Development Project, including but not limited to streets, roads, hiking trails, bike trails, medians, median landscaping, roadways, parks, beach improvements, signals, traffic signage, flood control, water and sewer improvements and other wet and dry utilities and transit improvements.

6.3.2.1.8.2 Kukui‘ula CFD
Ordinance No. 872 created the first CFD in the State. CFD No. 2008-1 encumbers parcels within the boundaries defined in the Ordinance corresponding to the Kukui’ula Development Project. Facilities authorized to be financed by the proceeds of the special tax and/or the proceeds of a CFD bond, as set forth in the Ordinance, include:

- **Water system**
  - ‘Oma‘o 16-inch transmission main
  - Piwai Well No. 2 & 3 and 0.1 MG reservoir
  - Pa‘anau 0.5 MG reservoir
  - Mahana‘uhou reservoirs

- **Roadways**
  - Roundabout
  - Western Bypass Road
  - Major Project Road—entry to Club Drive
  - Major Project Road—Club Drive to Lāwa‘i Connector Road
  - Lāwa‘i Connector Road
  - Lāwa‘i Road Widening
  - Northern Leg of Ala Kalanikaumaka Road, including $278,760 contribution to County-constructed portion of the Northern Leg

- **Recreation**
  - 20-acre active regional/community park—develop, dedicate, perpetually maintain including multi-purpose fields for baseball, football and soccer, and pavilion(s); dedication shall satisfy park dedication requirements pursuant to KCC §9-2.8
  - 100-foot buffer along mauka side of Lāwa‘i Road west of Lāwa‘i Beach Resort for beach parking and pedestrian/bike paths

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¹³ Kaua‘i County Charter §3.15.
• Pedestrian and biking trail system throughout the Project opened to the public with easements dedicated to the County; perpetually maintain
• Lateral public beach access (minimum 20 feet wide) along Kukui'ula Bay shoreline
• Beach park on TMK 2-6-11:13, 2-6-11:14, 2-6-11:15, and 2-6-11:16 (1999)—develop, dedicate, perpetually maintain; specific improvements to be decided by County Parks Division in consultation with community; improvements may include additional boat launch ramp, additional parking, pavilions, landscaping (shade trees), shower facilities, and playground area.
• Contribution up to $500,000 or improvements creditable to EIA fee requirements in the following priority:
  ▪ Boyden’s Pond area—Dedication of land or easement together with public beach parking lot consisting of at least 20 parking stalls with credit up to $140,000
  ▪ Acquisition by County of at least one beach access in consultation with Kūloa Community Association and Public Access, Open Space, Natural Resources Preservation Fund Commission
  ▪ Poʻipū Beach Park Expansion
  ▪ Poʻipū Beach Park improvements—if the Boyden Pond area improvements or County beach access acquisition not accomplished within three years of ordinance enactment (enacted July 28, 2004), then funds to be used for Poʻipū Beach Park improvements
• Shoreline public pedestrian access west of Spouting Horn pursuant to Project’s Conceptual Trails Master Plan
• Dedication of lands adjacent to the Prince Kūhiō Park to the Royal Order of Kamehameha I Kaumualiʻi Chapter credited to the park dedication requirements
• Golf course made available to County residents at special fees and four consecutive tee times commencing at 12 noon on weekdays and 11 am on weekends/holidays

• Affordable housing
  ▪ 75 units for first-time homebuyers who are employees of Project or County allocated as follows with 90-year buy-back restriction:
    ▪ 25 units 80-110% of median income
    ▪ 25 units 111-140% of median income
    ▪ 25 units 141-180% of median income
  ▪ Dedicate to the County a limited equity housing cooperative (LEHC) on 5-acre TMK 2-6-4:11, 2-6-4:12, and 2-6-4:63 (1999) provided release obtained from Department of Education and Land Use Commission for elementary school site
• Dedicate 4 acres to the County for future expansion of Paʻanau Village
  ▪ Provide wastewater service
  ▪ Construct stormwater interceptor ditch
  ▪ Construct 6-foot wide pathway from 20-acre park to the Paʻanau Road extension
  ▪ Construct extension to Paʻanau Road to provide access to 4-acre parcel

• Public Safety—Install 2 civil defense sirens to provide coverage in high hazard areas within and adjoining the Project

6.3.2.1.9 State Revolving Fund

The County may apply for various State Revolving Fund (SRF) loans to fund critical water and sewer projects. Examples of SRF programs include the Water Pollution Control State Revolving Fund, Clean Water State Revolving Fund, and Drinking Water State Revolving Fund. These programs fund projects to, among other things, prevent contamination of groundwater and coastal water resources, and to achieve or maintain compliance with drinking water standards. The source of funds to repay the loan is some kind of dedicated revenue source, such as bi-monthly charges billed to and collected from DWS water customers throughout the County, but may also require a pledge of the full faith and credit of the County. This funding is available for specified purposes and at attractive, low-interest loan terms, and funded projects must meet various eligibility and priority criteria. Loan terms typically involve 0.5% to 3.0% interest rates for 20 years, and loan amounts generally range from $1.5 million to $12.0 million.14

6.3.2.1.10 Federal/State Grants

The Hawai‘i Statewide Transportation Improvement Program (STIP) is a multiyear budget of State and County projects eligible for Federal funding. The Federal portion is usually 80% with the State or County providing the balance as matching funds. Roadway projects must have a functional classification of an arterial or major collector.

One type of federal transportation funds allocated through the STIP is for alternative transportation improvements such as trails. In the past, these funds were referred to as the Transportation Enhancement (TE) funds. Effective October 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) replaced the TE Activities with the Transportation Alternatives Program (TAP). The TAP replaced and consolidated the funding from pre-MAP-21 programs including the Transportation Enhancement Activities, Recreational Trails Program, and Safe Routes to School Program. Eligible TAP activities include “on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways.”15

There are numerous funding programs to which a city, county, or private company applies directly to the federal government. For example, the U.S. Department of Commerce, through the Economic Development Administration, provides grants to fund the construction or rehabilitation of essential public infrastructure and facilities necessary to generate or retain private sector jobs and investments, attract private sector capital, and promote regional competitiveness. The current program provides up to $3 million of matching grants, per project. The U.S. Department of Agriculture Rural Development has loan and grant programs to finance water and wastewater projects.

6.3.2.2 Potential Sources

6.3.2.2.1 Voluntary Fair Share Agreements and Impact Fees

In 2007, a report spearheaded by the Kōloa Community Association identified "regional development-driven" transportation projects for the Kōloa-Po'ipū region. This report recommended impact fees as a funding source for these projects:

Impact fees should be used to fund regional development-driven projects. Because the need for these projects is driven by new development, impact fees, which are paid by property developers, are an appropriate funding source for these transportation investments. To be legally sound, impact fees must have a "rational nexus" between the fee charged and the "benefit" of additional roadway capacity funded by impact fees, and can only be used to fund capital investments, not operations and maintenance. Impact fees are governed by HRS §46-141 to 46-148, but also requires a county ordinance to authorize impact fees. Because Kaua'i County does not have an impact fee ordinance, the report recommended "the establishment of a voluntary 'Fair Share Contribution' (FSC) system under which the Kōloa-Po'ipū development community would agree to pay into an impact fee system as a way to fund and move the regional development-driven projects forward. However, the Plan strongly recommends that the County over time adopt a formal impact fee ordinance and that the voluntary FSC structure transition to a traditional impact fee system administered by the County." The commitments under the voluntary FSC structure would be secured by a Voluntary Fair Share Agreement executed between contributing developers in the region and the County.

If and when the county-wide impact fee is set in place, the usual collection of impact fees would occur at the time a building permit is issued, but fees may be collected when final subdivision approval occurs or at other times (e.g., when a certificate of occupancy is issued). Impact fees are a pay-as-you-go mechanism because the fee revenue to fund infrastructure trickles in as development occurs, so it is not useful to finance large components of infrastructure that are needed early in the development cycle. Also, existing infrastructure deficiencies cannot be funded with impact fees; the County would need to identify another source to fund any current inadequacies.
6.4 ACTION PLAN

The following action plan provides a general overview of operational needs as well as steps to implement the CP. It is organized by County agency and provided in table format to show a rough schedule of short-term (0-5 years), mid-term (5-10 years), and long-range (10-20 years) actions.

Table 6-2: Action Plan by County Agency

<table>
<thead>
<tr>
<th>County Agency</th>
<th>Near-Term Actions (0-5 Years)</th>
<th>Mid-Range Actions (5-10 Years)</th>
<th>Long-Range Actions (10-20 Years)</th>
<th>Policies (from Chapter 4)</th>
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</thead>
<tbody>
<tr>
<td>Planning Department</td>
<td>• Adopt the SPAs in Chapter 10.</td>
<td>• Evaluate how FBC performing. Determine if integrating FBC into the CZO is desirable and if so, amend CZO to include FBC.</td>
<td>• Perform ongoing monitoring and evaluation every 5 years.</td>
<td>• Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.11</td>
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<tr>
<td>Transportation Agency</td>
<td>• Work with Planning Dept. and PBRA to determine best option to provide South Shore Shuttle service and initiate it.</td>
<td>• Increase transit service on the Kekaha-Līhu'e mainline as appropriate. In particular, look at increasing capacity during peak hours of highway traffic.</td>
<td>• Increase transit service on the Kekaha-Līhu'e mainline as appropriate.</td>
<td>• Sections 4.3, 4.11.3</td>
</tr>
<tr>
<td>Department of Public Works</td>
<td>• Coordinate one-year and six-year CIP processes and budgets with proposed projects identified in the CP. Develop a strategic plan that includes County-funded or subsidized infrastructure improvements which support the CP's desired growth areas, streetscapes, policies, and priorities.</td>
<td>• Continue coordination with the State DOT to implement streetscape improvements in Kalaheo Town.</td>
<td>• Create a new Urban Forestry Division under the Department of Public Works to maintain the street trees and landscaping within the public right-of-ways.</td>
<td>• Sections 4.2.1, 4.3.1, 4.3.3, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.4, 4.5, 4.10, 4.11.3</td>
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<td>Department of Water</td>
<td>Kalāheo</td>
<td>(Kaumualii Highway to Ala Kalanikaumaka)</td>
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<td></td>
<td>• Work with State DOT to implement Kaumualii Highway improvements in Kalāheo Town.</td>
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<td></td>
<td>• Initiate design and construction of Kōloa Town sidewalks and crosswalks and Maluhia Road Shared Use Path between Ala Kinoiki to Kōloa Road.</td>
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<td></td>
<td>• Increase frequency of clearing and maintenance of road shoulders. Train road maintenance crews on proper tree trimming and coordinate with adjacent properties which may have landscape contractors already maintaining public roadway frontages.</td>
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<td></td>
<td>• Follow up on Lopaka Paipa Boulevard connection</td>
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<td></td>
<td>• Kōloa Road Separated Shared Use Path (Ala Kalanikaumaka to Po'ipu Road)</td>
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<td>DPW-Wastewater</td>
<td>None identified at this time.</td>
<td>None identified at this time.</td>
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<td></td>
<td>• Develop strategic plan to support and encourage conversion of all cesspools including SF residential within the Planning District to IWS/septic systems by 2035.</td>
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<td>• Coordinate as necessary with Kau’i Utilities on implementation of centralized WWTP.</td>
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<td>DPW-Solid Waste</td>
<td>None identified at this time.</td>
<td>None identified at this time.</td>
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<td></td>
<td>• Establish guidelines and policies to reduce construction waste. Integrate into building permit requirements.</td>
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<td>• Establish programs and requirements for residential complexes, resorts and businesses to reduce solid waste and increase diversion and reuse/recycling.</td>
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<td></td>
<td>• Expand recycling and reuse programs within the Planning District. Encourage processing and reuse within the Planning District whenever possible to minimize transportation costs and impacts.</td>
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<td></td>
<td>• Roll out automated trash pickup and curb side recycling within the South Kau’i areas over the next five years as recommended in the Integrated Solid Waste Management Plan (ISWMP 2009).</td>
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<td></td>
<td>• Continue to follow the action plan from the ISWMP.</td>
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<td>Department of Parks and Recreation</td>
<td>None identified at this time.</td>
<td>None identified at this time.</td>
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<td></td>
<td>• Develop detailed phasing plans, budget requests for implementing Kau’i Parks and Recreation Master Plan. Incorporate proposed mix of recreational facilities listed in Section 4.6.1.</td>
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<td>• Explore creation of a new Division of Urban Forestry or training existing Division of Park Maintenance staff to care for street trees, urban landscaping, and bioswales. They could also maintain streetscape improvements in Līhu’e and along Ke Ala Hele Makalae.</td>
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<td></td>
<td>• Implement design and construction of projects as proposed for the Planning District.</td>
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<td>Finance Department</td>
<td>None identified at this time.</td>
<td>None identified at this time.</td>
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<td>• Establish and initiate a charge for public parking in Kōloa and Po’ipu to support maintenance of public ROWs and to encourage people to walk or use alternative means of transportation within these popular destinations.</td>
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<td>• Investigate CFD/ID concepts for Kalāheo infrastructure improvements, and Kōloa-Po’ipu multimodal roadway improvements. Work with local business groups to explore public-private partnerships.</td>
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<td></td>
<td>• Enact legislation to enable the county to implement TID/BID strategies as</td>
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<td>• Schedule, budget, and perform ongoing system improvements to maintain service and anticipate projected growth.</td>
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<td></td>
<td>• Schedule, budget, and perform ongoing system improvements to maintain service and anticipate projected growth.</td>
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<td>• Prepare for next update of Water Plan.</td>
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<td></td>
<td>• Prepare for next update of Parks and Recreation Master Plan.</td>
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<td>• Sections 4.5, 4.9.b and c, 4.10.3, 4.10.4, 4.10.7, 4.11.3.c</td>
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<td>• Sections 4.5 and 4.10.5</td>
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<td>• Sections 4.2.1.c, 4.6</td>
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<td>• Sections 4.3.3, 4.11</td>
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<td><strong>Civil Defense, Fire Department, and Police Department</strong></td>
<td><strong>Office of Economic Development</strong></td>
<td><strong>Housing Agency</strong></td>
<td><strong>None identified at this time.</strong></td>
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| - Work with resorts and vacation property owners/managers, police/rescue to develop an emergency evacuation plan and shelter in-place plans. Hold annual education sessions for visitor industry managers and security staff.  
- Establish evacuation routes and educate the public about what to do in an emergency. | - Provide coordination support for various policies identified in the SKCP including but not limited to those listed in Sections 4.7, 4.8, 4.9, and 4.11 | - Work with Planning and Public Works departments to develop appropriate standards for pedestrian/bicycle facilities in workforce and affordable housing projects that keep development costs so projects can remain affordable.  
- Work with the Planning Department to explore near-term opportunities for County-led affordable housing projects within the existing town cores of Kōloa and Kalāheo. | - None identified at this time. |
| - Update visitor industry emergency evacuation and shelter in-place plans at least every 5 years. | | - The Housing Agency should work closely with Planning, Public Works, and Transportation to develop approx. 120-130 affordable housing units at the Kukui'ula workforce housing site at Po'ipū road that supports multimodal access to Kōloa town and Po'ipū. | - None identified at this time. |
| | | - Align infrastructure and policy (Planning & Housing) that support and encourage higher density housing that can feasibly produce 25% of the units built in each town as affordable/workforce units per the Kaua'i County Housing Policy (Ordinance 860). Goal is to have 25% of all units built be affordable as defined in Ordinance 860. Unit goal would result in 550+ affordable units in the Planning District. | |
6.5 INDICATORS

Various indicators can be used to measure the relative success of the plan recommendations. They range from improvements to the built environment to social indicators to economic indicators.

6.5.1 Land Use
- Increase in housing supply
- Reduction in Use Permit and Variance applications
- Reduction in time required to review and process permit applications
- Reduction in the length of public hearings and negative public testimony

6.5.2 Multimodal Network and Transit
- Decrease in traffic volumes and level of service
- Increase in pedestrian and bike traffic
- Increase in transit ridership

6.5.3 Natural and Cultural Heritage Resources
- Protection and restoration of natural and cultural resources
- Increased educational opportunities
- Improved water quality

6.5.4 Public Facilities and Infrastructure
- Reduced or stabilized use of potable water
- Increased use of non-potable water from surface, catchment and recycled water sources
- Reduced incidences of flooding at Po‘ipū Beach Park
- Reduced property damage (value and number of incidents) due to flooding
- Increased use and number of reservations at parks and recreational facilities
- Reduction in quantity of solid waste processed at landfill
- Reduction in the number of complaints

6.5.5 Economic Indicators
- Increase in the number of jobs/reduction in unemployment
- Increase in diversification of labor force/business establishments
- Increase in home ownership/decrease in homelessness
- Increase in agricultural production
- Increase in the number of visitors/occupancy rates
- Increase in permit applications and their cumulative value
- Increase in property values and tax collections

6.6 MONITORING

Once the South Kaua‘i Community Plan is adopted, monitoring for the SPAs should occur annually for at least the first five years to determine the effectiveness and ease of implementation for developers and review by Planning Department staff. Annual reports shall be transmitted to the Planning Commission and County Council. Adjustments and fine tuning should occur as needed. Once staff becomes proficient in their reviews, monitoring can shift to once every five years and reports shall be transmitted accordingly.