

Mori, Ashley

From: [REDACTED]
Sent: Wednesday, October 30, 2019 8:33 PM
To: General Plan
Subject: Attn: General Plan draft 1 Feedback
Attachments: Attn_ Planning Dept_ General Plan 2040 FEEDBACK.pdf; ATT00001.htm

Aloha,

Thank you for the opportunity to participate in the development of General Plan.

Please find our feedback for consideration attached.

Paper copied will be delivered to the Planning Department 10/31/19.

Mahalo,

2019 OCT 31 AM 8 43
PLANNING DEPARTMENT
COUNTY OF HAWAII

General Plan 2040 - Draft 1

Feedback & Revisions

By [REDACTED]
October 31, 2019

Perspective and Bias

Review of the General Plan draft 1 was done with the best interest of Hilo, Hawaii in mind through the continued development and support of a private agriculture business with 1,000 acres in Wainaku owned by Mahilani Partners LLC dba Lavaloha Chocolate Farm. Lavaloha Chocolate Farm grows cacao, processing it into 100% single origin chocolate in a certified production kitchen on site and sells it to locals and visitors through its “plan approved” agritourism operation. Lavaloha intends to promote and stabilize the island’s tourism industry by diversifying the dependences on lava activity and Mauna Kea access through enhancing visitor engagement with agriculture and farm-to-table experiences.

How to Use this Analysis

The relevant chapters are presented below, outlining the stated goals that align with Lavaloha (pg 1-2). Proposed revisions to POLICY and ACTION are in GREEN with aspects for removal highlighted in RED (pg 3-11). Feedback, questions and comments are written in BLUE with corresponding sections highlighted to match. **The policies of greatest concern are within the Land Use Planning section highlighted on pages 9-11.** It is our sincere hope that the revisions and comments presented below may help shape the General Plan draft 2 for fulfilling the GP goals the betterment of Hawaii.

General Plan & Lavaloha GOALS :

Section 1: Natural Resource Planning (GP Draft 1 pg 15)

1. Hawai’i will integrate traditional knowledge and practice with progressive planning strategies to maintain environmental quality at the highest standards, address a changing climate, protect natural resources, and restore ecosystem health for the benefit of present and future generations:

- a) The resources and environmental quality of our air, noise, geology, waterways, groundwater, forests, native habitats and wildlife, and coastal areas are protected and enhanced. The integrity of our ecosystem services is enhanced to foster the resilience of natural systems and to ensure their preservation and sustainable use for future generations.

Comment: Lavaloha shares a common goal of restoring the ecosystem health of our privately owned 400 acre forest reserve sub-zoned conservation (though under state jurisdiction), mauka our 600 acre Ag-20 zoned land, for present and future generations to access and appreciate.

General Plan 2040 - Draft 1

Section 3: Economic & Opportunity Planning (GP Draft 1 pg 75)

3. Hawai'i's local economy is diverse, stable, innovative, and complements the Island's unique ecology, community character, and cultural heritage. We strive for residents to be economically self-sufficient while focusing to reduce import dependence.

- a) Agriculture is a robust, diversified sector that emphasizes food security and includes a broad range of agricultural-based businesses, and agricultural tourism.
- b) Residents have physical and economic access to sufficient, safe, nutritious, and locally produced food to meet their dietary needs and food preferences for an active and healthy life.
- c) Residents have physical and economic access to adequate and affordable housing in various types, sizes and price ranges that meets the needs of the population and provides equitable opportunities for household flexibility and mobility.
- d) The visitor industry thrives by exposing guests to authentic cultural representations and by providing interactive experiences with the 'aina and Hawai'i's natural wonders, while maintaining a high quality of life for residents.

Comment: The goals of this section align with the work and benefits Lavaloha provides to Hawaii.

Section 4: Community Placemaking (GP Draft 1 pg 89)

4. Hawai'i is a safe, healthy, and diverse community deeply connected to the 'aina, our historical roots, and in sustaining our multicultural heritage for future generations. We are invested in enhancing public spaces, natural and cultural assets, and our social systems.

- c) Health is prioritized by providing access to a wide variety of options and facilities that promote physical activity and healthy lifestyle choices for residents and visitors of all ages.
- d) Responsible and reasonable public access for spiritual, religious, cultural, recreational, and subsistence practices is assured and protected.

Comment: connected to the aina = agriculture, historical roots = sugarcane flumes on Lavaloha land

Section 5: Land Use Planning (GP Draft 1 pg 119)

5. Hawai'i will strategically use progressive planning strategies to direct and manage growth and development to protect natural resources, ensure the safety of residents and visitors, and enhance the quality of life. The principle land use strategy for design and implementation will focus on achieving a sense of place by protecting and enhancing community character through natural systems planning, smart growth strategies, and compatible land use planning that incorporates culture and equity into the planning and decision-making process.

Comment: Lavaloha shares these objectives through company development.

General Plan 2040 - Draft 1

Reminder:

Proposed Revisions in GREEN

Edit Removals in RED

Feedback/Questions/Comments BLUE

Section 1: Natural Resource Planning

(pg 15) PROTECTING NATIVE HABITATS & WILDLIFE SUSTAINABILITY OBJECTIVE... Increase native habitat restoration on County owned or managed land and privately owned conservation land and resource lands.

Comment: The General Plan should support county residents in efforts to restore and reforest privately owned lands, including those in state jurisdiction that align with the Natural Resource Planning goals to “enhanced to foster the resilience of natural systems and to ensure their preservation and sustainable use for future generations. (pg 15)”

(pg 23) MANAGING STREAMS AND WATERSHEDS SUSTAINABILITY OBJECTIVE..... Reduce impaired inland and marine waters.

(pg 24) POLICY: # 52 : Support the DOH and DLNR in its effort to have an implemented conservation plan for all agricultural operations and a nutrient management plan for application of all animal and chemical nutrients, through engaging with agriculture land owners and prioritizing sustaining operations along with sustaining natural resources.

Comment: Plans and policy that influence and dictate limitations on operations of agriculture land without considering the various unique circumstances per farm, run the risk of harming the practicality and sustainability of operations and GP food security goals (pg 78) if not taking into account individual landowner capacity.

(pg 24) ACTION: # 1.16 : Create incentives for landowners to retain and re-establish forest cover in upland watershed areas, including state jurisdiction conservation land, with emphasis on native forest species.

Comment: General Plan needs to help bridge the gap between county and state regulations, supporting landowners with conservation land within “state jurisdiction” in support of fulfilling GP goals of re-establishing native forest species and stabilizing streams and watersheds.

(pg 28) POLICY: # 67 : Require the consolidation of contiguous parcels that do not conform to current code (non-conforming) in high risk hazard areas.

Comment/Question: When will “high risk areas” be determined and by who? How does requiring consolidation benefit of mitigate risks? How will this impact privately owned agriculture lands and their management?

General Plan 2040 - Draft 1

Section 2: Infrastructure Planning

(pg 57) **POLICY: # 186** : Provisions for on-street parking shall be evaluated during the design of road systems with review of previously established roads as necessary with possible revision of provisions for on-street parking where hazard or restriction of efficient and comfortable movement of people and goods may persist.

Comment: Some old roads were made prior to the increase in modern traffic flow and still allow for on-street parking, requiring one directional flow of traffic at a time wherein cars have to pull over to let the other pass: ie, county section of Amaulu Rd in Wainaku. Old roads need to be evaluated for current capacity needs as well as new roads.

(pg 57) **POLICY: # 188** : Develop rural road standards to ensure appropriate levels of public safety.

Comment: Consider “grandfathered in” road development time frames wherein old cane/farm roads are allotted a generous time frame and grant program support for meeting modern safety standards.

Section 3: Economic & Opportunity Planning

(pg 76) **POLICY: # 279** : Promote sustainable business development opportunities focusing on diversified agriculture, educational and institutional research-based tourism, green technologies and building, and sustainable tourism.

Comment: YES! GP can support/implement this policy through revising restrictions on agritourism operations, such as limit to visitor head count and limit to “covered 1,000sq ft area” for tourism operations

(pg 76) **POLICY: # 288** : Partner with business associations, realtors, and the chamber of commerce to recruit small-scale manufacturers to establish retail locations in village, on agriculture land and town centers to support reinvestment.

Comment: remove barriers for agriculture focused commercial retail operations on ag land to support GP Economic Goals & therefore Ag Goals of sustainable operations supporting food security.

(pg 77) **POLICY: # 291** : Maintain a program for updating zoning code to accommodate emerging industries and technologies consistent with other goals, objectives and policies of this General Plan.

Comment: YES! Such as Agritourism industry which is necessary for financial feasibility of sustained farming efforts and GP goals of food security and diversifying the tourism industry for Hawaii County.

(pg 77) **POLICY: # 292** : Partner with business associations, realtors, and chamber of commerce to remove regulatory barriers and create incentives for urban and agricultural renewal, rehabilitation,

General Plan 2040 - Draft 1

and/or redevelopment programs in cooperation with communities, businesses, farms and governmental agencies, instead of developing new commercial areas.

Comment: Excellent and strong verbiage should include/apply to agriculture land and farm support!

(pg 77) POLICY: # 294 : Partner with business associations, University of Hawai'i at Hilo, and other agencies and private entities to host local fairs, markets, and networking events on agriculture land and in target communities, removing permitting barriers.

Comment: Land use and special permit barriers impede this policy's goal of partnering for local fairs, markets and networking events in alignment with supporting agriculture, food security and diversifying tourism industry.

(pg 77) POLICY: # 296 : Remove regulatory barriers that restrict entrepreneurial endeavors, such as zoning restrictions for home-based and farm-based businesses that do not negatively impact the infrastructure network or the character of the neighborhood or farm.

Comment: YES!!! Remove regulatory barriers that restrict farm-based business!!

(pg 77) POLICY: # 298 : Encourage partnerships that leverage existing infrastructure and financial resources as well as projects that provide for additional infrastructure resources desirable for development of sustainable local industries.

Comment: YES!!! Support AGRITOURISM as sustainable local industry!

(pg 77) POLICY: # 297: Encourage land uses that allow for small-scale manufacturers and retail establishments that enhance and are balanced with the County's agricultural, natural, cultural, and social environments.

Comment: YES! Change "in" to "and" + add "agricultural" to the County's environments to encouraged, enhanced and balanced land uses.

(pg 78) AGENCY ACTION: # 3.14 : State: Appropriate and release funds for Capital Improvements in visitor areas.

Comment: Establish ag land as incentivized visitor area and provide capital investment, such as road infrastructure.

(pg 79) POLICY: # 299 : In order to provide a means for local agricultural producers to market their products, the County shall interpret HRS 205 liberally to allow the establishment and continued operations of open farmers' markets, ag-based retail operation gift shops and road-side stands in the State Land Use Agricultural district without a Special Permit and with no limitation on covered space square footage. If the project qualifies for Plan Approval, a market management plan containing provisions for adequate on-site parking, on-site and off-site traffic management, and adequate

General Plan 2040 - Draft 1

sanitation facilities must be approved by the Planning Department prior to the operation of the open farmers market.

Comment: Hilo district rains frequently and needs to sustain visitor engagement and comfort throughout the rainy seasons. It is important to allow farmers markets, roadside stands and ag-based retail outlets to be carried out in covered spaces, so long as they fit within Plan Approval and don't have an arbitrary limit of designated square footage usage for visitor engagement. Include repurposed residential buildings for farmers market or retail operations, removing barriers and working with private companies to achieve goals of diversifying the tourism industry.

(pg 79) POLICY: # 300 : Educate landowners about agriculture, ranch, and forestry land preservation programs and encourage participation in these programs.

Comment: How? When? What metrics will ensure landowners are educated and have access to beneficial programs?

(pg 79) POLICY: # 301 : Assist in the expansion and promotion of the agricultural industry through agritourism and the protection of viable and productive agricultural lands.

Comment: Expand the policy to include supporting agritourism as vital revenue stream for maintaining agricultural operations longevity.

(pg 79) POLICY: # 303 : Support the development and stability of marketing plans, programs, cooperative groups, and other networking organizations that promote the agricultural industry.

Comment: AGRITOURISM... GP needs to explicitly support Agritourism as a way of achieving economic goals through diversifying tourism industry and agriculture land use goals ensuring farmers can afford to grow food supporting food security goals.

(pg 79) POLICY: # 304 : Support the development of private and state agricultural parks to make agricultural land available for agricultural activities.

Comment: How are "agricultural parks" defined? NO CLEAR DEFINITION within county planning department. There is mention of it as a permissible use of ag land in state law: HRS 205 #11, however no definition or parameters are provided.

(pg 79) POLICY: # 310 : Promote operations that utilize local materials and secondary byproducts from agriculture, agroforestry, silviculture, and aquaculture to any degree without limitations on quantity of local product or requiring it to be the primary ingredient, accommodating a diversity of business operations and scale.

Comment: Refine restriction on sales of ag related products not requiring the primary ingredient to be locally sourced, but allowing for a "majority of ingredients to be locally sourced" mindset.

General Plan 2040 - Draft 1

(pg 80) ACTION: # 3.20 : Amend code to remove barriers to allow for off-site directional signage to promote local farms engaged in direct sales and other permitted visitor-related businesses, while minimizing scenic impacts. [Code]

Comment: YES! Thank you! Promote FARMS!

(pg 82) SUSTAINABILITY OBJECTIVE: Increase availability of infrastructure (agricultural water, transportation systems for product and equipment access, and packing and processing facilities for ranching, agricultural crops, timber, and value-added products) to areas of high agricultural production.

Comment: YES! Support value-added agriculture processing. THANK YOU! How? Metrics?

(pg 82) POLICY: # 322 : Promote agricultural processing, including the development of non-profit or private commercial kitchens, processing, storage, and distribution facilities **including retail centers on ag land**, using existing facilities as appropriate for the development and sale of value-added local products.

Comment: YES! Support single-origin growth, processing and sale of value-added ag products!

(pg 82) POLICY: #324 : Incentivize and remove barriers to allow the agricultural industry to provide or develop employee housing and workers quarters.

Comment: YES!!!! We love when the GP "REMOVES BARRIERS"!!!

(pg 83) DEVELOPING A PLACE-BASED VISITOR INDUSTRY.....

SUSTAINABILITY

OBJECTIVE: Increase visitor expenditure or length of stay.

Comment: This is a Lavaloha goal too through enhancing awareness and engagement with the natural beauty of Hawaii and local agriculture food appreciation.

(pg 84) POLICY: # 326 : Encourage, where appropriate, the establishment of visitor-related uses and facilities that directly promote the agriculture industry.

Comment: YES! AGRITOURISM!!! Support single-origin growth, processing and sale of value-added ag products ON AG LAND! Remove barriers for conducting agritourism, such as limits on covered space, hours of operation and visitor headcount restrictions.

(pg 84) POLICY: # 327 : Support the promotion and development of programs, festivals, and events that engage visitors and residents in unique and authentic ways.

Comment: Remove barriers and special permit requirements for conducting programs, festivals and events on agriculture land which is a vital way to engage visitors in sustainable tourism while supporting local agriculture through additional revenue streams.

(pg 84) POLICY: # 328 : Support the development of a place-based tourism industry that emphasizes the preservation of our unique cultural, natural, and built environment assets.

General Plan 2040 - Draft 1

Comment: YES! Place-based tourism industry of agriculture land! The identity of Hawaii's tourism needs to be more sustainable than lava flow which may or may-not be active or accessible year round. Agriculture is a sustainable tourism model of made accessible and also allows farms to continue to afford to farm.

Section 5: Land Use Planning

(pg 121) ACTION: # 5.3 : Amend zoning code and administrative rules to add criteria for Plan Approval requirements.

Comment: By adding criteria for Plan Approval Requirements, this action goes against the goals stated in economic development section to "remove barriers". Refer to: "(pg 82) POLICY: #324. Incentivize and remove barriers to allow the agricultural industry to provide or develop employee housing and workers quarters."

(pg 121) ACTION: # 5.4 : Establish a program of continuing review of the Zoning Code in light of emerging new industries and technologies and incorporate revisions to land use regulations as necessary.

Comment: YES! Agritourism is a vital emerging new industry that can provide a long-term stable tourism sector not dependent on lava activity or Mauna Kea politics. The Zoning Code should remain available for review and revisions in support of Agritourism as the industry demonstrates its value within stabilizing tourism with "farm-to-table" experiences while supporting food security and land use goals.

(pg 138) POLICY: # 561 : Farm labor housing projects shall be developed in a (REMOVE word: clustered) manner that minimizes the use of Productive Agricultural lands and is consistent with the character of surrounding land uses.

Comment: Refer to: "(pg 82) POLICY: #324. Incentivize and remove barriers to allow the agricultural industry to provide or develop employee housing and workers quarters." Remove barriers and incentivize housing development for farm workers/owners. Remove the word "clustered" as housing accommodations on Agriculture land need to be at the discretion of the land owner accomodating the needs of the employees while still honoring the policy's intention of ensuring productive Agriculture land is not impeded by housing accommodations.

(pg 138) POLICY: # 557 : Development and construction in "Productive Agricultural" and "Pastoral" areas shall be limited to agriculture, related economic infrastructure, agritourism and cottage industries, renewable energy, open area recreational uses, and community facilities unless otherwise permitted by law.

Comment: Add in "agritourism" within related economic infrastructure and cottage industries, incorporating support for Agritourism within the GP.

General Plan 2040 - Draft 1

(pg 138) POLICY: # 559 : A maximum developable area shall be established for lots designated as Productive Agricultural Land. Maximum Developable Area (MDA): Means the total floor area in square feet allowed under the approved land use. The floor area computation shall include: all floor areas under roof, including first, second, and third story areas, decks, pools, saunas; garage or carport, and other above ground structures.

- a) For lots up to 14,000 square feet, the maximum developable area is 25 percent of total lot area.
- b) For lots over 14,000 square feet to one (1) acre, the maximum developable area is 3,500 square feet.
- c) For lots larger than one (1) acre, the maximum developable area is 5,000 square feet.

[Rationale: This policy is based on the maximum developable area used for single-family residence in the State Land Use Conservation district.]

Comment: REMOVE # 559 ENTIRELY. The GP should NOT add barriers to agriculture land use and development as every farm and farming endeavour is unique to the area and entity managing it. Policy 559 creates an arbitrary blockade for development necessary for sustaining private agriculture ventures. Structures are needed for, nurseries to grow keiki crops, processing and packaging products, housing/processing livestock, storing and repairing machinery, offices for administration, retail spaces consistent with regulation, employee spaces for eating and meeting, bathrooms and appropriate community and visitor spaces consistent with HRS 205-2(d) etc. Furthermore, how do second and third stories impede effective land use intended for agriculture production? Only the first story with blueprint taking up physical land would impact the land use, however necessary the structure is to the farm's operations. For the policy rationale to be based on single-family residence parameters further demonstrates the lack of knowledge regarding covered spaces necessary for agriculture land use operations and sustainability.

(pg 139) POLICY: # 562 : Agricultural land uses consistent with HRS 205-2(d) shall be considered permitted uses and do not require an agricultural-based commercial-operations certification or Plan Approval or Special Permit.

[Rationale: based on the intent to apply HRS 205-2(d) consistently and simplify regulatory barriers to agricultural activities.]

Comment: YES!!! Excellent. By adding in the words "plan approval or special permit" to the list of non-requirements this policy aligns with GP goals of removing barriers and supporting agriculture operations through accessory and secondary revenue streams necessary to sustain operations. HRS 205-2(d) states, "Agricultural tourism conducted on a working farm, or a farming operation as defined in section 165-2, for the enjoyment, education, or involvement of visitors; provided that the agricultural tourism activity is accessory and secondary to the principal agricultural use and does not interfere with surrounding farm operations; and provided further that this paragraph shall apply only to a county that has adopted ordinances regulating agricultural tourism under section 205-5;"

General Plan 2040 - Draft 1

(pg 139) POLICY: # 563 : Certified, incubator, or community kitchens in the Rural or Agricultural District (REMOVE: that are under 1,000 square feet and do not provide for on-site tours and/or on-premises sales) shall be considered a permitted use (agricultural processing) to be treated the same as agricultural processing minor. Any certified kitchen in the Rural or Agricultural District exceeding 1,000 square feet needs to apply for plan approval.

[Rationale: Based on HRS 205-2(d)6; 25-5-72(a)(2); 25-5-62 (a)(1);25-5-52(a)(2) & the agricultural products processing definitions from HCC Section 25-1-5.]

Comment: The GP can support more operations by removing, “that are under 1,000 square feet and do not provide for on-site tours and/or on-premises sales” stipulations that exclude businesses with certified kitchens on agriculture land for value-added ag product processing that may or may not allow farm tours and ag-based retail operations that do not enter or inhibit processing or production in the certified kitchen.

(pg 140) ACTION: # 5.19 : Establish agricultural subdivision standards that:

- a) lower barriers to the creation of viable farmsteads by reducing infrastructure requirements and expenses;
- b) ensure public safety with appropriate rural water systems and roads; and
- c) mitigate against speculative development. (REMOVE point c)

Comment: Agree with this action on points a) & b)... remove point c) because it could be misinterpreted and used to restrict agriculturally beneficial industry development over 20 years.

(pg 140) ACTION: # 5.23 : Amend the Zoning Code to require Plan Approval for commercial open area recreational uses in the uses in the “Productive Agricultural Lands” and “Pastoral” designations. [Code]

Comment: Not ALL of the acres within “productive agricultural lands” are farmable, such as gullies, gulches, rivers and ravines. Currently the zoning codes allows for: Campgrounds, parks, playgrounds, tennis courts, swimming pools, and other similar open area recreational facilities, where none of the recreational features are entirely enclosed in a building. The current zoning allows farmers additional revenue generation through community and visitor enjoyment of non-farmable land. Amending the code to require Plan Approval provides a BLOCK to a viable revenue stream for agriculture land regarding tourism and community place making.

(pg 140) ACTION: # 5.25 : Evaluate the nine categories used for the agricultural-based commercial operation certification evaluations and simplify the process allowing for customized interpretation per agriculture businesses entity to ensure facilitation and compliance with HRS 205-2(d)(15) and the success of local agriculture ventures.

Comment: No two farms are the same: size, geography, crops, pest management, goals, business model etc all play a part in operations. The GP should support customized interpretation rather than blanket regulations that may benefit some but harm other depending on specifics per farm.

General Plan 2040 - Draft 1

Conclusion

Draft 1 of the General Plan serves as a thorough and strong foundation for structuring the growth and development of Hawaii for the next twenty years. A big MAHALO to the Planning Department team for their comprehensive efforts put forth in drafting the GP and engaging the public for feedback and perspective through speak-outs and workshops. As a citizen of Hawaii and CEO of an agriculture business with a goal to enhance our island as a place to grow quality food and spend quality time, I am proud to be in community with the fine folks that dedicate their lives to making this the phenomenal place it is to live today and in twenty years.

In short, Thank You for what You Do!

I can't wait to review DRAFT 2!

Mahalo,

