

Why the resort designation at Mahukona should be removed from the map:

The North Kohala Community Development Plan calls for the purchase of four coastal properties, including the land between Mahukona and Kapa'a Parks for public use with the 2% Open Space.

- NKCDP Strategy 1.2: Acquire coastal lands that should be preserved as open space (page 29). Key Purchases to Preserve the North Kohala Coast – Kukuipahu, MAHUKONA, Pao'o and Kaiholena. (page 31)
- The Long-range VISION and overall GOAL of the NKCDP is "To manage the future growth of the district in a manner that is consistent with the Kohala lifestyle and ideals of being a rural community with a strong cultural heritage, an agricultural base, and a small town feel." (page 1)

The Public Access, Open Space and Natural Resources Commission (PONC) has listed the lands between the two parks high on its annual list of priority purchases using the Open Space Fund for 12 years.

- PRIORITY #4 MAHUKONA – Anticipated Use: Expansion and enhancement of two County beach park facilities by
 - ✓ Protecting important ocean access
 - ✓ Expanding recreational opportunities for hiking, picnicking, and camping
 - ✓ Provide areas for subsistence fishing and shoreline gathering
 - ✓ Protecting natural, cultural, and historic resources
 - ✓ Providing open space protection of the shoreline
 - ✓ Enhancing the small boat launching possibilities

SIGNIFICANCE:

- ✓ Identified in General Plan (2005) as an important area for protection (Natural Beauty 7.5.5)
- ✓ Identified in the North Kohala Community Development Plan (2008) as an important area for protection (Strategy 1.2 Acquire coastal lands that should be preserved as open space.)
- ✓ Significant and high concentration of cultural and historic sites
- ✓ Protection of the integrity of this historic and open space corridor along the Kohala coastline
- ✓ It is the only small boat launching area in North Kohala
- ✓ High community support (PONC Annual Report to the Mayor, December 31, 2018 – pages 16 and 17)

Wording in the new General Plan is so coastal friendly it would prohibit building a resort and gated community at Mahukona if the owner were to apply for the designation today.

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- 547. Prioritize the rehabilitation and utilization of designated resort areas that are presently serviced by basic facilities and utilities before allowing new resorts in undeveloped coastal areas. [Rationale: Based on General Plan Policy 14.7.3 (c) and Ka'ū CDP Policy 5.]
- Purpose of the General Plan (page 10) Promotes and safeguards the public interest and the interest of the County as a whole. ☐ Facilitates the democratic determination of community policies concerning the utilization of its natural, man-made, and human resources.
- Urban development plans are a means of implementing the policies and objectives of the General Plan and/or Community Development Plans within towns, villages, and other areas of existing urban development or within areas specifically intended for new or more intensified urban development. They shall be consistent with and implement the visions, objectives and policies of the General Plan and applicable Community Development Plans. (Page 12)
- COASTAL HABITAT PROTECTION: Maintain a program for acquiring undisturbed shoreline resource areas. [Rationale: Based on Charter Section 10-15 PONC; General Plan 2005 12.3 (k)](page 29)
- 390. Prioritize maintenance and necessary improvements at existing park facilities over developing new park facilities within each district (this does not preclude accepting lands for future park development or acquiring properties for the intent of preserving open space, scenic areas, natural hazard areas, or cultural/historic areas from development). [Rationale: Based on consultation with Parks and Recreation Department and in recognition of the challenges in maintaining the parks lands currently in the County inventory. See also General Plan 12.3 (q)](page 106)
- 453. Do not allow incompatible development in areas of natural beauty that have been identified through the Scenic Resources Protection Program. [Rationale: Based on an identified need to identify natural beauty areas through a scenic resource protection program and restrict development appropriately to ensure scenic resources are not lost to development. Based also on General Plan policies 7.3 (h, i)](page 123)
- 455. Hawai'i County shall seek to minimize, any development which would substantially interfere with or detract from the line of site toward the sea from the State highway nearest the coast. [Rationale: Based on Hāmākua CDP Policy 35, Ka'ū CDP Policy 54, General Plan policy 7.2 (b) and 7.3 (f).]
- The County shall reevaluate projects for consistency with the General Plan and applicable Community Development Plans during review of time extension requests for discretionary approvals. [Rationale: Based on consultation with Planning Division staff regarding issues with approved project proposals that remain undeveloped and are allowed to retain entitlements in perpetuity that were approved for a specific project and specific circumstances. At times, this may 'tie up' infrastructure commitments that aren't being used, it can impact desired density for land use areas, and it has been used as a speculative real estate strategy to resell the undeveloped property with the enhanced entitlements. See also Maui County Planning Commission Chapter 202 Special Management Area Rules.](Page 128) *Note: Funding for improvements to Mahukona and Kapa'a Parks, and Mahukona Road, named as a conditions of re-zoning and SMA at Mahukona have been held up for 30 years, so parks have deteriorated to the point that the pavilion at Mahukona was condemned, with no existing plans or funds to replace it.)*

- 472. The Urban Growth Areas shall have a regulatory boundary that is intended to separate land uses from Agriculture or Rural. Areas that are clearly beyond the designated Urban Growth boundaries shall be preserved as Rural or Agricultural lands to maintain open space, scenic view planes, and natural beauty areas. [Rationale: Based on Hāmākua CDP Policy 5] [Agriculture] (page 130)
- 565. Designate agricultural lands as areas to be preserved for agriculture and open space and protected from urban encroachment. (page 147)
- 568. Discourage speculative residential development on agricultural lands. (page 147)
- 575. General Plan Natural designations shall include: a) Steep slopes b) Natural Areas and Reserves c) Open Space Recreation Areas d) Scenic Vistas and Viewplanes e) Areas set aside for cultural and/or natural resource preservation purposes [Rationale: Based on General Plan Standards 14.8.4.] (page 150)
- 5.38 Identify high priority areas for acquisition (page 151)
- 5.39 Identify and secure in public trust (fee simple or by easement) priority lands that achieve community objectives: a) Seek to use conservation easement or acquisition opportunities through funding sources such as PONC, etc., once critical habitat areas are identified as priorities to protect. b) Seek to protect with easements or acquire suitable important coastal lands that would protect viewsheds, provide the public with access to scenic viewing areas, or otherwise promote appropriate coastal recreation and subsistence. (page 151)
- 582. New urban designations shall be located away from coastal areas and the Special Management Area. Policy 27 (page 152)
- 585. Designate coastal areas to be preserved, protected, and connected to the rich network of natural and cultural resources. (page 152) *Note: Mahukona lands have 175 identified historic sites, 4 heiau, 23 burial sites and numerous ahu and shrines*
- 5.45 To further protect coastal resources in the Special Management Area, review SMA boundaries and initiate appropriate amendments to further protect known recreational, historic, open space, ecosystem, beach, near-shore riparian, and/or marine resources as well as scenic views toward the coastline from the highway; a) Consider proximity to the coastline and assess vulnerabilities to coastal changes; b) Consider including within the SMA boundaries appropriate near-shore riparian corridors. (page 153)

REVISIONS FROM THE 2005 GENERAL PLAN LUPAG must be guided by: (page 159)

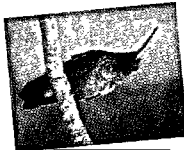
Does Mahukona Resort conform?

Align with adopted CDPs	NO
Accommodate projected population growth	NO
Align with Infrastructure – Potable Water	NO
Align with Infrastructure – Roadway Network	NO
Align with Infrastructure – Wastewater	NO
Ensure that commercial designations are appropriate	NO
Minimize new coastal development	NO
Minimize encroachment onto agricultural lands	NO
Align with State Land Use District Boundary	Yes
Align with County zoning	NO

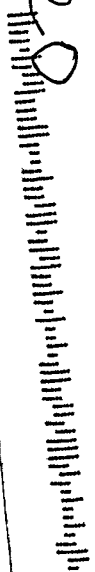
Respectfully submitted,
 50 year Kohala resident

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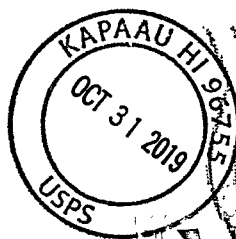
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