

COUNTY OF HAWAI‘I PLANNING DEPARTMENT
BACKGROUND AND RECOMMENDATION

PLANNING DIRECTOR INITIATED (PL-PDI-2024-000009)
AMENDMENT TO CHAPTER 25, ARTICLE 5 OF THE HAWAI‘I COUNTY
CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO HOSPITALS,
SANITARIUMS, OLD AGE, CONVALESCENT, NURSING AND REST HOMES

The Planning Director has initiated an ordinance to amend Chapter 25 (Zoning), Article 5 of the Hawai‘i County Code 1983 (2016 Edition, as amended) relating to hospitals, sanitariums, old age, convalescent, nursing and rest homes.

PURPOSE OF THE BILL

The purpose of this bill is to promote the establishment and development of hospitals, sanitariums, old age, convalescent, nursing and rest homes within the Industrial-Commercial Mixed zoning district to improve access to healthcare services while ensuring compatibility with industrial and commercial land uses.

PROPOSED AMENDMENTS TO HCC CHAPTER 25 (ZONING)

Chapter 25 (Zoning) of the Hawai‘i County Code 1983 (2016 Edition, as amended) is proposed to be amended as shown in the attached bill as **Planning Department Exhibit 1**. The specific amendment to Section 25-5-132 (Relating to Permitted Uses) follows:

“(a) The following uses shall be permitted in the MCX district:

“(26) Hospitals, sanitariums, old age, convalescent, nursing, and rest homes.”

AGENCY – NO RESPONSE PROVIDED

- 1) Department of Public Works–Engineering Division; Department of Public Works–Building Division; Department of Water Supply; Civil Defense Agency; Police Department; Fire Department; State Department of Health.

PUBLIC COMMENTS PROVIDED

- 2) None at the time of this writing.

PLANNING DEPARTMENT ANALYSIS

The Zoning Code was amended in 1996 to establish the MCX district to provide for areas of diversified businesses and employment opportunities by permitting a broad range of uses, without exposing nonindustrial uses to unsafe and unhealthy environments. This district is intended to promote and maintain a viable mix of light industrial and commercial uses.

While hospitals are not a permitted use in the MCX district, they are currently allowed by right within the General Commercial (CG), Village Commercial (CV) and Downtown Hilo Commercial (CDH) zoning districts, and permitted by the issuance of a Use Permit in the Single-Family Residential (RS), Double-Family Residential (RD), Multiple-Family Residential (RM), Residential-Commercial Mixed Use Districts (RCX), Resort-Hotel (V) zoning districts, and permitted by issuance of a Special Permit in the Residential and Agricultural (RA), Family Agricultural (FA), Agricultural (A), Intensive Agricultural (IA) zoning districts.

There is currently no allowance for hospitals to be located within any of the three industrial zoning designations: General Industrial (MG), which allows for the most offensive and noxious uses; Limited Industrial (ML), which allows for lesser offensive and noxious uses; and MCX, which allows the least offensive or noxious uses (the most severe of which include light manufacturing, processing, and packaging establishments, minor agricultural products processing facilities, heavy equipment sales, service, and rental, and automobile repair facilities). In light of the above, the Planning Director is proposing to permit hospitals within the MCX district for the following reasons:

1. Alignment with Public Health and Safety Goals

The inclusion of hospitals within the MCX zoning district aligns with Hawai'i County's broader public health and safety objectives. The County's General Plan emphasizes the importance of providing accessible healthcare facilities to all residents, which is critical given the County's geographically dispersed population. Allowing hospitals in mixed commercial-industrial areas will support improved access to urgent and specialized care, benefiting local communities.

2. Consistency with the Intent of the MCX District

The MCX zoning district is designed to foster a mixture of commercial, office,

and light industrial uses, creating vibrant, multi-functional areas. Hospitals complement the district's intent by offering essential services that are compatible with existing uses in these areas. Moreover, hospitals often serve as economic anchors in communities, attracting ancillary healthcare services, medical offices, and related businesses, which can further strengthen the economic vitality of MCX zones. As mentioned above, there should be little impact on hospitals from offensive or noxious uses allowed in the MCX district. Furthermore, there are several public and commercial uses allowed by right in the MCX district, including theatres, community buildings, day care centers, schools (with the issuance of a Use Permit), meeting facilities, offices, restaurants, retail establishments, etc. Finally, the MCX district currently allows medical clinics as a permitted use. Based on the preceding, the inclusion of hospitals in the MCX district is consistent with these other permitted uses.

3. Meeting the Needs of a Growing Population

Hawai'i County has experienced population growth, increasing the demand for healthcare services. Existing hospital infrastructure is strained, particularly in rural and underserved areas. Amending the code to permit hospitals in MCX zones addresses this growing demand by expanding the locations where healthcare facilities can be established, alleviating pressure on existing hospitals, and reducing overcrowding.

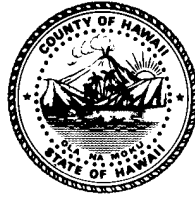
4. Economic and Employment Benefits

Hospitals are major employers and their presence in the MCX district would provide significant economic benefits to the local community. In addition to creating high-quality jobs, hospitals contribute to the surrounding commercial environment by increasing demand for retail, food services, and other support services. The amendment could foster economic growth and diversification in areas designated as MCX, particularly in communities with limited employment opportunities.

By providing greater flexibility in land use while enhancing access to critical healthcare services, this amendment ensures that the MCX district continues to evolve into a vibrant and multifunctional area.

PLANNING DIRECTOR'S RECOMMENDATION

For the reasons cited above, the Planning Director recommends that the Leeward and Windward Planning Commission send a **favorable recommendation of this bill to the Hawai'i County Council for the amendment to Chapter 25 (Zoning) of the Hawai'i County Code 1983 (2016 edition, as amended) relating to hospitals, sanitariums, old age, convalescent, nursing and rest homes** as it will benefit the community by addressing both present and future healthcare needs.



BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE 5 OF THE HAWAI'I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO HOSPITALS SANITARIUMS, OLD AGE, CONVALESCENT, NURSING AND REST HOMES.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:

SECTION 1. Findings and purpose. The purpose of this ordinance is to promote the establishment and development of hospitals within the Industrial-Commercial Mixed zoning district.

SECTION 2. Chapter 25, article 5, division 13, section 25-5-132, of the Hawai'i County Code 1983 (2016 Edition, as amended), is amended by amending subsection (a) to read as follows:

Section 25-5-132. Permitted uses.

- (a) The following uses shall be permitted in the MCX district:
- (1) Agricultural products processing, minor.
 - (2) Amusement and recreation facilities, indoor.
 - (3) Art galleries, museums.
 - (4) Art studios.
 - (5) Automobile sales and rentals.
 - (6) Automobile service stations.
 - (7) Bars, nightclubs and cabarets.
 - (8) Broadcasting stations.
 - (9) Business services.
 - (10) Car washing.
 - (11) Catering establishments.
 - (12) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - (13) Churches, temples and synagogues.
 - (14) Cleaning plants using only nonflammable hydrocarbons in a sealed unit as the cleaning agent.
 - (15) Commercial parking lots and garages.
 - (16) Community buildings, as permitted under section 25-4-11.
 - (17) Convenience stores.
 - (18) Crematoriums, funeral homes, funeral services, and mortuaries.
 - (19) Data processing facilities.
 - (20) Display rooms for products sold elsewhere.
 - (21) Equipment sales and rental yards.
 - (22) Farmers markets.

- (23) Financial institutions.
- (24) Food manufacturing and processing.
- (25) Home improvement centers.
- (26) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
- ~~[(26)]~~(27) Ice storage and dispensing facilities.
- ~~[(27)]~~(28) Kennels in sound-attenuated buildings.
- ~~[(28)]~~(29) Laboratories, medical and research.
- ~~[(29)]~~(30) Laundries.
- ~~[(30)]~~(31) Manufacturing, processing and packaging establishments, light.
- ~~[(31)]~~(32) Medical clinics.
- ~~[(32)]~~(33) Meeting facilities.
- ~~[(33)]~~(34) Model homes.
- ~~[(34)]~~(35) Motion picture and television production studios.
- ~~[(35)]~~(36) Offices.
- ~~[(36)]~~(37) Personal services.
- ~~[(37)]~~(38) Photographic processing.
- ~~[(38)]~~(39) Photography studios.
- ~~[(39)]~~(40) Plant nurseries.
- ~~[(40)]~~(41) Public uses and structures, as permitted under section 25-4-11.
- ~~[(41)]~~(42) Publishing plants for newspapers, books and magazines, printing shops, cartographing, and duplicating processes such as blueprinting or photostating shops.
- ~~[(42)]~~(43) Repair establishments, minor.
- ~~[(43)]~~(44) Restaurants.
- ~~[(44)]~~(45) Retail establishments.
- ~~[(45)]~~(46) Sales and service of machinery used in agricultural production.
- ~~[(46)]~~(47) Schools, business.
- ~~[(47)]~~(48) Schools, photography, art, music and dance.
- ~~[(48)]~~(49) Schools, vocational.
- ~~[(49)]~~(50) Self-storage facilities.
- ~~[(50)]~~(51) Telecommunications antennas, as permitted under section 25-4-12.
- ~~[(51)]~~(52) Temporary real estate offices, as permitted under section 25-4-8.
- ~~[(52)]~~(53) Theaters.
- ~~[(53)]~~(54) Utility substations, as permitted under section 25-4-11.
- ~~[(54)]~~(55) Veterinary establishments in sound-attenuated buildings.
- ~~[(55)]~~(56) Warehousing.
- ~~[(56)]~~(57) Wholesaling and distribution operations.

SECTION 3. New material is underscored and material to be repealed is bracketed and stricken. In printing this ordinance, the underscoring, brackets, and bracketed and stricken text need not be included.

SECTION 4. Severability. If any provision of this ordinance, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall take effect upon approval.

INTRODUCED BY:

COUNCIL MEMBER, COUNTY OF HAWAI'I

_____, Hawai'i
Date of Introduction:
Date of 1st Reading:
Date of 2nd Reading:
Effective Date: