William P. Kenoi
Mayor

BJ Leithead Todd
Director

Margaret Masunaga
Deputy Director

County of Hawai‘i

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai‘i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

PUNA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

Thursday, March 18, 2010
Meeting Minutes

CALL TO ORDER

1. Barbara Bell called the 4th meeting of the PCDP Action Committee to order at 3:02 p.m. at the Kea‘au Community Center with the following persons present:

   Action Committee: Barbara Bell, Madie Greene, Larry Higgins, Jeffrey Krepps, Daniel Taylor, Tim Tunison (Excused: Frank Commendador, Wesley Owens. Absent: Keikialoha Kekipi)

   Staff: Larry Brown (Planning Department, Project Manager), Cynthia Lahilahi Verschuur (Recorder), Amy Self (Deputy Corporation Counsel)

   Members of the public**:** 18

ANNOUNCEMENTS/ADDITIONS TO AGENDA

1. Barbara reminded AC members about ground rules and read an inspirational piece about how necessity and urgency are needed to trigger decisive action.

PUBLIC TESTIMONY

1. Rob Tucker, Friends of Puna’s Future (FoPF), talked about the work of their Amendment Committee, which was presented to the Planning Department on a compact disc. The large 40+ MB file, which is posted on the Hawaii County Resource Center (HCRC) website, is a revised ramseyer draft of Bill 194. This document is revised draft of Bill 194 incorporating recommendations from FoPF. Rob will make CDs for each AC member.
2. Pat Moore, HELCO Long Range Planning, distributed literature and said they are interested in keeping up with Puna development and improving communications with the community. He is available to answer questions at pat.moore@helcohi.com.
3. Toni Robert, Hawaiian Shores Community Association President, reported that they are submitting an amendment to remove their 12-acre parcel from village center designation in the PCDP. They will also be submitting an amendment regarding three of their roads.

4. Mark Mallory, Hawaiian Shores Community Association, stated his belief that the Steering Committee thought they were in contact with HSCA when approving the co-opting of the associations 12-acre parcel for a village center. However, he suggested that they may have spoken to Delbert Pranke thinking he represented the HSCA. Mark informed the AC that Pranke has never been on the board or even a member of HSCA. He also protests the enacting of imminent domain and wants their land back.

APPROVAL OF MINUTES

Dan moved to approve minutes of Feb. 18. Madie seconded. Lahilahi made one correction to Shelly Stephens' name on page 4, public testimony item 1, to read "Shelly Stephens, a.k.a. Maka'ala Nakoa", strike "Malama na Koa". **February minutes approved with said correction by unanimous vote.**

NEW BUSINESS

1. Hawaiʻi County Public Access, Open Space and Natural Resources Preservation Commission (PONC) Commissioners Steve Hirakami and Sarah Moon briefed Action Committee members on the PONC 2009 Annual Report.

   A. Land acquisition

      (i) PONC is looking for community partners as well as lands for acquisition.

      (ii) No suggestion forms submitted from Puna or Hilo this year.

      (iii) Funds have not been frozen yet. Steve said now is a good time because appraised values have gone down.

      (iv) Suggestion Form (for Lands and/or Property Entitlements for Acquisition) can be downloaded from the County Finance website: http://www.hawaii-county.com/finance/ponc.htm. Form can be submitted by any community member or group.

      (v) Deadline for submissions is May 31.

      (vi) County can purchase lands that are not on PONC list using funds that don't originate from the PONC fund. PONC sends priority list to the Mayor at year end. Mayor then submits his priorities to the County Council.

   B. Open ocean access

      (i) Pohoiki is Puna's only developed public ocean access. Puna should focus on getting oceanfront properties.

      (ii) Acquiring legal access to Champagne Pond via Kumukahi Lighthouse was only suggestion from last year, did not go through. Amy pointed out land owner was not willing to sell at appraised value.

   C. Annual prioritized list of lands to be acquired

      (i) High priority are lands that need to be protected from development and preserved for future generations (e.g. oceanfront properties on Kohala coast).

      (ii) Urgency is a factor (is owner selling or willing to sell).

(iii) Submissions from people/groups carry more weight (e.g. community association or Sierra Club).

D. Puna properties on 2008 list

(i) Honolulu landing was #3.

(ii) Wai'ele (just south of Kahuwai where arch, tidepools and historic sights are located) in Kapoho was #4.

(iii) One Puna property on 2009 list was nine acres of land to provide legal access to Champaign Ponds.

E. Amy pointed out that PONC has been in place since 2005 and there has only been one owner who has not agreed with appraised value. Five properties possible since 2005. Three already purchased, two in negotiation. Approximately $11 million has been accumulated in the PONC fund. This year may be the last year to access those funds for land acquisitions.

2. Communication No. 2010-19: Pahoa Arts & Library Association (PAALA) was scheduled to give a presentation and ask for input on a proposed non-profit library and amphitheater in Pahoa. PAALA President Denyse Temple not present. Barbara asked to put item on future agenda.

3. Communication No. 2010-16: Request from Hawaiian Shores Community Association to amend the Puna CDP by removing the Hawaiian Beaches Neighborhood Village Center from the Puna Community Development Plan.

A. Dan said the Amendment Subcommittee recommends complying with HSCA's request. Said it is in keeping with FoPF's Village Center amendment to put Village Center (VC) planning in the hands of the community.

B. Jon Olson spoke about how the Steering Committee came up with the 12 acres for the village center. 5000 lots times three people on each lot if fully built out yields possible 15,000 population with two-lane road only access in and out. No intention to have commercial entities all in one place, the 12-acre parcel was a convenient marker for a concept that allows the community to create village center zoning as desired. PCDP states that commercial development can be dispersed; document is open-ended.

C. Larry B. pointed out the maps in the PCDP simply show preliminary suggested sites for VCs. The exact location of a VC is not determined until a developer or community group applies for a zoning change for a specific area or areas within a local community the CDP designates for a village center. The rezoning application would require a master plan for development that is consistent with the floating zone standards and guidelines and has broad based community support. Once the Council approves the zoning change, development within the designated village center would be in accordance with the master plan and the design guidelines, sizes, types of uses, etc. provided in the zoning designation. For any community in Puna to say they don't want a VC designation for their area and they take it out of the PCDP means an amendment to the CDP would be necessary to allow such development in the future.

D. Larry H. announced the Managed Growth subcommittee meeting Tues, March 23 at 5 p.m. at the Kea'au Community Center. Asked all community associations to send a representative. Will try to get consensus from communities, which will have to be signed off by homeowner/community association presidents.

E. Toni Robert explained that HSCA's amendment covers what they want, not removal of village center. Did not know about meeting Tues. Larry B. stated that all AC and subcommittee meetings are posted on county website and are broadcast on list-serve; someone from each community should be subscribed. Go to http://www.hcrc.info, on bottom of menu on right side there is a link to subscribe to list-serve.

Jeffrey moved that the amendment be recommended to the Planning Director as requested in HSCA communication. Dan seconded. All voted in favor of taking into account Hawaiian Shores resolution and rectifying their concerns.

4. Communication No. 2010-17: Puna CDP Community Planning Assistant Rachelle Ley submitted additional non-substantive amendments to correct formatting and typographical errors, for minor clarification and to add missing information.

   A. Larry said all are basically non-substantive, recommended AC take a look at two on first page highlighted in yellow. Rachelle recommended some reformatting using letters or roman numerals in lieu of bullets and dashes to make it easier to reference sections of the document. Lot of clerical work, but doesn't change content of plan.

   B. Dan moved that these amendments be reviewed by Amendment Sub-committee for consideration. Jeffrey seconded. After discussion, Dan and Jeffrey withdrew motion and second.

   Dan made motion to adopt the 14 pages of non-substantive amendments listed in Rachelle Ley's Communication No. 2010-17 to be included in the amendment package forwarded to the Planning Director. Madie seconded. All in favor with exception of Jeffrey (against).

5. Communication No. 2010-18: Letter from Friends of Puna's Future transmitting a CD of Bill 194 that provides comments and recommendations on the amendments proposed in Bill 194.

   Dan moved to accept communication. Jeffrey seconded. All voted in favor.

6. Communication No. 2018-14: Hawaiian Acres Community proposed amendments submitted in a handwritten communication on 2/18/10.

   A. Patrice MacDonald, communication author, spoke on behalf of All Landowners of Hawaiian Acres (ALOHA). They propose deleting figure 4.11 from PCDP and deleting all community parks from "See improvement in community parks" on page 3-11. They want to add amendment on pg. 28A for the native forest reserve buffer zone written for HA in 1985. Patrice also reported that Public Works is proposing three new roads within subdivision with no interconnectivity between subdivisions. Originally there were planned connector roads as minor emergency access roads, not highways. Want to keep connector roads that currently connect Hawaiian Acres to Orchidland and Fern Acres. Opposed to County taking roads for highways. Has documentation and petition with 2,000 signatures of those opposed to the County taking over (via imminent domain) any more roads.

B. Barbara asked Patrice for a type-written document that would lend clarity to the proposals.

7. Sub-Committee Reports

A. Amendment Sub-Committee:

(i) Created document that groups amendments proposed in Bill 194 into four categories and gives recommendations of sub-committee.

a. Most important is Bill 194 amendment to soften action language in PCDP. Recommend keeping language in original CDP.

b. Bill 194 proposes to remove references to flexible planning strategies--transfer development rights (TDR) and floating zones. Larry B. suggested citing state statutes authorizing use of TDR in Hawaii. Recommend retaining TDR and floating zone concepts in original PCDP.C

d. Concerned about tendency of district to develop high density population centers and sprawling subdivisions, usually done as big pieces of land are broken up into small parcels. Formula in plan to limit the subdivision of large parcels. Recommend clarifying intention of PCDP to keep large Ag parcels intact.

e. Recommend protection of aquifer including areas makai of HWY 130.

f. Received FoPF, HSCA and Kalapana Seaview Estates Community Association (KSECA) communications; recommend accepting their amendment proposals.

(ii) Recommend using sub-committee communication as basis of discussion at next meeting.

(iii) Jon Olson reported on joint community association meeting in lower Puna. KSECA is planning to withdraw communication and draft proposed locations of other facilities within other subdivisions.

(iv) Larry B. said the current PCDP requires that the County would have to adopt amendments to zoning code that would incorporate new zoning designations for floating zones before any village centers could be defined or developed. Hawaii Revised Statutes allow TDRs within state, so county would have to adopt ordinance to facilitate and describe how TDRs would be applied here. CDP doesn't require TDRs, but recommends having them authorized as a possible tool. There are areas in Puna where it would might serve as means to transfer the development rights away from properties not suitable for uses previously designated (e.g. Royal Gardens subdivision). TDR could allow for more concentrated residential development in and around village centers to make commercial activity more viable. Big drawback is TDRs often don't work unless mandatory. If not done right can inhibit development. Good to have language in CDP for creation of tool but not make requirement. Thinks original wording in CDP is fine as is.

(v) Larry B. related conversation with KSECA president about SPACE activities and talk of getting village center zoning. This is generating lots of feedback from vocal residents about removing VC designation. Recommends taking VC dots out of subdivision and put in general area; removing completely takes heart out of the plan. Plan makes it easier to bring facilities into subdivision.

Dan made motion to make March 25 cut-off date to accept amendment proposals. Larry B. suggested amendment cut-off date should be at least one day before amendment meeting to allow communications to be distributed to AC members. **Dan revised motion to set noon March 24 as cutoff for submitting amendments to the AC. Larry H. seconded motion. Unanimously approved.**

B. Budget & Finance Subcommittee:

(i) Grant workshop gave framework and possible resources for 2011 & 2012, need staff support to research/find grants.

(ii) Planning Director forwarded AC request to Council for 2010-2011 staff support budget. Council Vice-chair, Emily Naeole-Beason is requesting $40k from Geothermal Fund Community Benefits Program.

C. Malama I Ka ʻĀina Subcommittee: No meeting held

D. Managing Growth Subcommittee:

(i) Met and decided to merge working groups. Larry H. and Jeffrey will be coordinating and putting out one monthly report.

(ii) Larry H. will facilitate Village & Town Center/Social Service/Housing WG; **next meeting Tues., March 23 at 5 p.m., Kea'au Community Center.**

(iii) Ag/Energy Sustainability/Economic Development merged; **meeting Tues., April 6 at 5 p.m., Kea'au Community Center.**

(iv) Public Safety and Sanitation WG needs facilitator, looking for another AC member to lead.

(v) Parks and Rec. WG met Thurs., March 11

a. Discussed priority list: Pahoa Regional Park, Cape Kumukahi, and Pahoa Senior Center. Plan in works for Pahoa Regional Park by Pahoa Mainstreet Assoc.

b. Plans for Cape Kumukahi (Kapoho Regional Park). Want to iron out issues around burial sites before proceeding. Mr. Ota willing to sell 9 acres for appraised value. Jon Olson, Puna Friends of the Park, does surveys of what people want/need/issues. Area near lighthouse needs to be closed off to

c. Designation of Firehouse as Pahoa Senior Center.

d. **Next meeting Thurs., April 8 at 9 a.m., Pahoa Neighborhood Center.** Public invited, would like to see more participation to help develop projects.

E. Transportation Subcommittee:

(i) Sub-committee goals include improving connectivity and aligning priorities with DOT to increase safety on Hwy 130.

(ii) Additional modifications on hwy intersections, turn lanes and acceleration lanes.

(iii) Lot of discussion about roundabouts and reducing speed limits (btw. Ainaloa and Kea'au Bypass to 45 mph).

(iv) Want info from Cheryl Soon (SSFM consultant on Kea'au-Pahoa Road Improvement Project) about roundabouts and land acquisition for widening of roads.

(v) Will make announcement to list-serve about next subcommittee meeting, possibly Thurs., March 25.

(vi) Dan asked about bicycle pathways. Didn't make priority list to discuss at first meeting. Did discuss safe routes to schools. Jon Olsen pointed out that HWY 130 planning addresses bicycle routes.

8. Action Committee Workshops: No discussion

******AC member Tim Tunison excused himself from the meeting at 5:52 p.m.

UNFINISHED BUSINESS

1. Amendments to Puna CDP

A. Bill 194

(i) Larry B. created two tables of amendments. One indicates which amendments in Bill 194 are non-substantive in nature. Second table excludes all the non-substantive amendments in Bill 194.

Dan moved to accept non-substantive amendments in Bill 194. Larry H. seconded. Unanimously approved.

(ii) Barbara proposed deleting action items to move transfer stations in Kea'au and Pahoa. They were community-chosen transfer stations that used to be dump sites. Said bang is not worth the buck, need new services before moving old services. Recommend the group accept that amendment.

(iii) Barbara also spoke in favor of a wastewater treatment facility for Kapoho Beach Lots and Vacation Lands. Study shows sewer system is technically feasible. Next step is funding study. Property tax credit for upgrading to aerobic septic needs to be substantial since property owner is doing service for community.

Dan moved to accept the amendment deleting item 3.4.3 g. in the PCDP which states "Relocate the Keaau and Pahoa solid waste transfer stations to sites more suitable to serve the major populated areas that they were intended to serve." Barbara seconded.

a. Jon Olson discussed dump road to Pahoa through the public school complex. Transfer station needs to move (could take 10-12 years) and prepare for larger population, or road needs to be improved. Kea'au transfer station access on the highway has resulted in 12 traffic fatalities. Long term issues that need to be overcome.

b. Round-a-bout tying VFW Hall, transfer station, and humane society would service all that without driveway on highway. Jon Olson recommended that if the AC kills the amendment, they should replace it with something. Barbara said she would write something.

Three votes in favor, not a majority, so motion did not pass.

Jeffrey made motion to pass item two on Barbara's list, addition of 2.3.3.f.,supporting an EA for a wastewater facility in Kapoha, and 2.3.3.g., promoting tax credits to Kapoho residents who convert to aerobic treatment systems. Madie seconded. All five present in favor, motion passed.

B. Dan commented on the importance of all sub-committees to act in parallel to have priority items ready, capital improvement projects (CIP) lined up, so that if money becomes available, AC can act quickly to put all proposals together.

****** 6:25 p.m. Rachelle Ley arrived and Larry B. announced she had accepted a position as the Planning Director's Executive Secretary and is no longer the Puna Community Planning Assistant.

PUBLIC TESTIMONY

1. Barbara spoke on behalf of Franky Stapleton. Wanted to know why we don't do zipper-lane concept, something like what is done on Waianuenue Ave., on Hwy 130 from Ainaloa to Shower Drive.
2. Toby Hazel testified on the need for mass transit to the two international airports. Larry B. said he has talked to Tom Brown who is willing to come and talk to the AC committee.

AGENDA PROPOSALS FOR NEXT MEETING

1. Request by Council Vice-chair Emily Naeole-Beason for AC CIP list. Barbara thinks AC committee should reply by letter. Larry B. said the normal process is to submit CIP projects to Planning Director by May 1, so letter should go to both. Look for projects identified in the CDP most needed and have likelihood of getting funding in next few years.
2. Larry B. showed amendment table with non-substantive amendments removed (emailed to AC members) on the projector and explained how it can be used to find references for amendments and to document AC action taken. Said Dan and Frank (Amendment Sub-

Committee) got a good start but some amendments have to be addressed individually. Can engage in discussion on sub-committee suggestions.

3. Discuss Emily Naeole-Beason’s amendment proposal in Bill 194 for village center designation for Maku’u.
4. Discuss deleting Kea‘au as a regional center from PCDP (Larry suggested address under Bill 194).

Larry H. moved to hold a special meeting for purpose of discussing amendments and CIP requests at 1:30 March 25. Barbara seconded. All in favor. Meeting will be held in the Puna Conference Room in the County Office Building downstairs across from the new Council Chambers.

ADJOURNMENT

Larry H. moved to adjourn meeting, Barbara seconded. All in favor. Meeting adjourned 6:40 p.m.