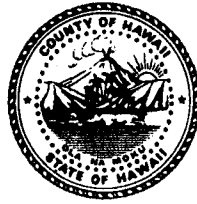


COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. 08 98 BILL NO. 297
(DRAFT 2)

AN ORDINANCE AMENDING CHAPTER 16, HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), ESTABLISHING A FRAMEWORK FOR THE COMMUNITY DEVELOPMENT PLANS AND ESTABLISHING THE COMMUNITY DEVELOPMENT PLAN (CDP) ACTION COMMITTEE.

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

SECTION 1. Purpose. The purposes of this ordinance are: 1) to establish a framework to adopt and amend the Community Development Plans and 2) to establish the Community Development Plan (CDP) Action Committee that shall succeed each CDP Steering Committee upon adoption of a community development plan by the County Council.

SECTION 2. Chapter 16, Hawai'i County Code 1983 (2005 Edition, as amended), is amended by grouping the existing sections relating to the General Plan into an article to read as follows:

"Article 1. General Plan

Section 16-1. The County of Hawai'i general plan.

- (a) That certain planning code known and designated as "County of Hawai'i general plan," as adopted on December 5, 1971, by the council of the County of Hawai'i, is hereby adopted by reference, subject to later amendments by ordinance, and may be cited as the "general plan."*
- (b) A copy of the general plan and amendments shall be available for public inspection at the planning department."

SECTION 3. Chapter 16, Hawai'i County Code 1983 (2005 Edition, as amended), is amended by adding a new article to read as follows:

"Article 2. Community Development Plans

Section 16-2. Adoption of community development plans. The community development plans listed below are adopted and incorporated by reference. A copy of the

plans and amendments shall be available for public inspection at the planning department.

Section 16-3. Review and amendment. A comprehensive review of the community development plans shall commence within ten (10) years from the date of adoption.”

SECTION 4. Chapter 16, Hawai‘i County Code 1983 (2005 Edition, as amended), is amended by adding a new article called “CDP Action Committee” to read as follows:

“Article 3. CDP Action Committees

Section 16-4 CDP Action Committees.

- (a) A Community Development Plan (CDP) Action Committee shall succeed each CDP Steering Committee upon adoption of a community development plan.
- (b) The purpose of the CDP Action Committee is to be a proactive, community-based steward of the plan’s implementation and update.
- (c) The Planning Department shall administer the CDP Action Committees and be responsible for developing a selection process for committee members and establishing rules of procedure, as needed.

Section 16-5. Membership and tenure.

- (a) The CDP Action Committee shall consist of 9 (nine) members. All members shall have a primary residence in the area covered by the CDP. The members shall be appointed by the Mayor and approved by the County Council. Prior service as a member of a CDP steering committee shall not disqualify an individual from serving on the CDP Action Committee.
- (b) The members shall serve staggered terms of four years. Upon the initial appointment of the committee, three members shall serve for a term of two years, three members for a term of three years, and three members for a term of four years. When the term of a member expires, the member shall continue to serve until a successor is appointed. Members whose terms expire may not be reappointed for at least two years, however, members appointed for one year or less may be reappointed for an additional term without the passage of two years' time.
- (c) The membership should reflect a broad cross-section of the community. The community development plan may specify more detailed selection criteria consistent with this objective.
- (d) A chairperson shall be elected from its membership annually.
- (e) Except as provided for in this section, the committee shall be governed by the County Charter, section 13-4.

Section 16-6. Duties and responsibilities of the CDP action committees.

The duties and responsibilities of the committee are:

- (1) Provide ongoing guidance and advocacy to advance implementation of the CDP goals, objectives, policies, and actions;
- (2) Broaden community awareness of the CDP and build partnerships, as appropriate, with governmental and community-based organizations to implement CDP policies and actions;
- (3) Take into consideration state-wide objectives and legislation for long-term and sustainable plans for the island as a whole;
- (4) Provide timely recommendations to the county on priorities relating to the county operational budget and the CIP budget and program;
- (5) Receive briefings, as requested, from the planning department on pending and approved permit applications involving property located within the planning area, and on other issues related to the CDP;
- (6) Receive briefings from other county agencies, as requested, on priority actions identified in the CDP, which briefings may be integrated and consolidated by the mayor's office or the planning department into a plan of action for the forthcoming year and a status report on the current year's plan of action;
- (7) Monitor the progress and effectiveness of the CDP including the need for CDP revisions based on emerging statewide plans, new technologies, innovative ideas, or changing conditions;
- (8) Review and make recommendations on interim amendments to the CDP;
- (9) Serve as the steering committee, as set forth in the General Plan, in any comprehensive update of the CDP;
- (10) Provide recommendations to amend the General Plan; and
- (11) Carry out other duties specified in the CDP and/or in agreement with the Planning Department."

SECTION 5. Material to be repealed is bracketed and stricken. New material is underscored. In printing this ordinance, the brackets, bracketed material, and underscoring need not be included.

SECTION 6. If any provision of this ordinance or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 7. This ordinance shall take effect upon its approval.

INTRODUCED BY:



A large, stylized handwritten signature in black ink, appearing to read 'Pete Hoffmann', is written over a horizontal line.

PETE HOFFMANN, COUNTY OF HAWAII

Hilo, Hawai'i
Date of Introduction: June 3, 2008
Date of 1st Reading: June 3, 2008
Date of 2nd Reading: June 18, 2008
Effective Date: June 30, 2008

REFERENCE: Comp. 1201.6

OFFICE OF THE COUNTY CLERK
 County of Hawai'i
 Hilo, Hawai'i

(Draft 2)

Introduced By: Pete Hoffmann
 Date Introduced: June 3, 2008
 First Reading: June 3, 2008
 Published: N/A

REMARKS: _____


Second Reading: June 18, 2008
 To Mayor: June 26, 2008
 Returned: June 30, 2008
 Effective: June 30, 2008
 Published: July 9, 2008

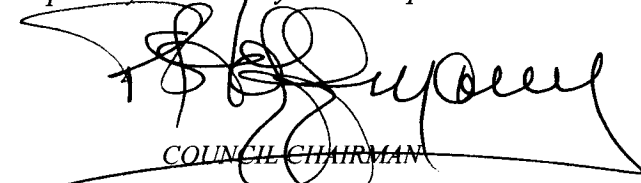

REMARKS: _____

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Ford	X			
Higa	X			
Hoffmann	X			
Ikeda	X			
Jacobson	X			
Naeole	X			
Pilago	X			
Yagong	X			
Yoshimoto	X			
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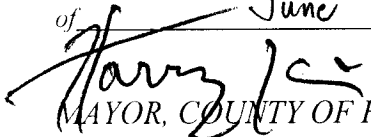
ROLL CALL VOTE				
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Jacobson	X			
Naeole	X			
Pilago	X			
Yagong	X			
Yoshimoto	X			
	9	0	0	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

APPROVED AS TO
 FORM AND LEGALITY:

 DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII
 Date JUN 26 2008


 COUNCIL CHAIRMAN

 COUNTY CLERK

Bill No.: 297 (Draft 2)
 Reference: C-1201.6/PC-85
 Ord No.: 08 98

Approved/Disapproved this 30th day
 of June, 2008

 MAYOR, COUNTY OF HAWAII