

KA'Ū COMMUNITY DEVELOPMENT PLAN (CDP)

STEERING COMMITTEE

MEETING MINUTES

Tuesday, August 25, 2015
Discovery Harbour Community Center

CALL TO ORDER

Leina'ala Enos opened the meeting with an oli at 5:30 p.m. and welcomed the Steering Committee members and members of the public.

ROLL CALL

Members Present: Patti Barry, John Cross, Ron Ebert, Leina'ala Enos, Loren Heck, Simon Torres

Late: Michelle Galimba arrived at 6:55pm

Absent/Excused: Bob DeMate, Eldridge Naboa, Mariano Ramones

Others Present: Ron Whitmore, Hawai'i County Planner and Ka'ū CDP Project Manager; Bob Agres, Island Institute; Nalani Parlin, Community Planning Assistant; Keiko Mercado, Recorder

MEETING OVERVIEW

Leina'ala Enos provided an overview of the meeting. She first explained the purpose and scope of the CDP, which is a tool and a guide to be used by the community and County, working together, to plan for the future of Ka'ū. She noted that the CDP will establish policy and outline community-based actions related to:

- Watersheds, other natural resources
- Cultural resources
- Land use, growth, and development
- Road, recreation and other public improvements
- Delivery of government services.

She then explained the role of the Steering Committee, whose members are broadly representative of Ka'ū and of each community such as Ocean View (Patti Barry, Bob DaMate, Loren Heck), Wai'ōhinu (Leina'ala Enos), Nā'ālehu (Eldridge Naboa), Honu'apo/Ka'alaiki (Michelle Galimba), Punalu'u (Ron Ebert), and Pāhala (Simon Torres, Mariano Ramones).

The Steering Committee is an advisory Committee, advising the Planning Director and his staff to help produce a high quality CDP for the people of Ka'ū. Rather than advocate on behalf of particular interests or perspectives, the job of the Steering Committee is to listen carefully to the diversity of Ka'ū community members and in the end help to craft a quality CDP that reflects core community values and vision for the future. Before turning the floor over to Bob Agres,

Leina'ala went over the Steering Committees "Aloha Etiquette" and asked the public to please abide by it.

Bob thanked the community for coming, reviewed the Ka'ū CDP Timeline and Next Steps, and provide a brief background on the development of the CDP up until this point. He reminded everyone in attendance that after the Steering Committee's initial review of the draft CDP, the community was asked to give their input. The meeting today is designed to review that public input and consider CDP revisions related to Discovery Harbour Development.

Bob provided an overview of the discussion format that would be used during the meeting.

- Ron would provide some background and content for the discussion on Development in Discovery Harbour, including:
 - Related Community objectives
 - Related CDP strategies
 - How CDP strategies were identified
- Public comment on Agenda items
- Discussion on two key areas:
 - Preserving the residential area
 - Change permitted uses for "gateway" lots
 - Background information will be presented separately for each key area, there will be time for clarifying Q & A from the public and then further discussion on potential ideas for refinement of options/CDP revisions.
- Brief recess
- Steering Committee Discussion & Deliberations
- Public Comment on Agenda items.

BUSINESS

1. Consideration of Public Input and Potential CDP Revisions related to Development in Discovery Harbour:

Ron reiterated that everything in the draft CDP is an effort at achieving the community objectives that the Steering Committee adopted early on based on extensive public input. There are three objectives that relate most closely to development in Discovery Harbour:

- Concentrate new development in mixed-use town/village centers
- Establish or expand commercial centers in towns/villages
- Increase the number of jobs that complement Ka'ū's ecology and culture.

The strategies being looked at specific to Discovery Harbour are really about achieving those objectives. The CDP strategies are as follows:

- Concentrate commercial uses in core areas in Pāhala, Nā'ālehu, and Ocean View and not allow spot commercial development elsewhere (Policies 2 and 7)
- Ensure that new commercial development be adequately served by infrastructure (Policy 3)
- Ensure that visitor or resort development complement the character of the area, protect the environment, and provide housing to meet demand created by the development (Policy 6)

- Explore the possibility of establishing a Low Density Urban or Retreat Resort Area node at the “gateway” to Discovery Harbour (Kahiki and Wākea) (Policy 17)
- Allow appropriate cottage industry by Special Permit (Policy 43).

Ron stressed that the conversation for this meeting is focused strictly on development in Discovery Harbour and what that should look like. He acknowledged that there are always many interrelated issues that are brought to bear when talking about any specific community but the discussion tonight would not include cultural resources, South Point, roads, water, parks, schools, tourism, and other economic, development strategies.

Ron gave a brief summary of how strategies were identified in the CDP. Beginning with the objectives – what existing policies are in place to achieve those objectives – what are the policy gaps (which turn into new policies)? Also included are Advocacy Actions (which are outside of County jurisdiction) and Community Based Collaborative Actions (which are outside any Government Jurisdiction).

Ron provided a summary of what the diversity of views the community had previously expressed about development in Discovery Harbour:

- No development
- Any development
- Preserve agricultural land
- Redevelop the golf course
- Residential development
- Commercial development only
- No resort development
- Not what SPIG is proposing
- Keep the scale of development appropriate
- Small scale visitor lodging
- Develop a resort
- Support the SPIG resort proposal
- Ensure feasibility
- Require concurrent infrastructure improvements.

Ron then encouraged people to come forward with new community input that would add to the conversation.

Bob reminded everyone of the discussion format and asked anyone who was interested to fill out a yellow public comment sheet.

PUBLIC COMMENT ON AGENDA ITEMS

Ahmad Rabiei wonders what the impacts will be. There is no indication of how this (resort development) will impact residents or the usage of the land. What will happen to all the residents with all these issues? Who will occupy it, who will use it? What will the long term impacts be? Will there be studies done?

Bob confirmed that some of those questions may be answered as Ron talks about some of the specific policies and some potential options.

Dave Esquer moved to Discovery Harbor from Waikoloa Village a year or so ago. He is a retired teacher who moved to DH for the quiet solitude. He questioned where the 134 vote petition supporting the SPIG resort proposal came from...Discovery Harbor residents? Asked if someone could speak to the validity of the 134 supporting votes on the petition.

Margaret McGuire is a 35 year resident of Green Sands. She stated that she didn't have much to say to the development in Discovery Harbour as long as it is within reason. Her main concern is the proposed road between Discovery Harbour and Green Sands. Green Sands does not want to be the alternative route and they do not want to be any part of the development for Discovery Harbour.

Ron clarified that that proposed route is an alternative emergency route, not for regular use.

Bob Graham has lived in the community for more than 20 years. His main concern is the infrastructure. The state of Kamaoa Road and the water infrastructure, how will these things be affected by development. Bob was also wondering about a time line for the development with the litigation factor...wondering the current status. Ka'ū is a great community and preserving its culture is important.

Sharon Happe submitted written testimony: "No to resort development. Keep Ka'ū Ag land & rural. We have enough resorts in Kona/Kohala."

BUSINESS ITEM #1 CONTINUED

Bob explained the process for maneuvering through the background information packet and the worksheet. He encouraged everyone to take notes on the worksheets noting advantages and disadvantages.

Ron began by providing background information on Discovery Harbour:

- 800, mostly ~15,000 square foot lots
- Land use designations
 - State – Agriculture
 - Allows "non-residential" uses
 - Allows may uses by Special Permit
 - Zoning: Ag-1a
 - General Plan LUPAG: Rural
- Less than 30% built-out
- "Gateway" parcels
 - 11.75 and 18.3 acres
 - Only two water units per parcel
 - Wastewater system needed
 - Covenants limit permitted uses to "Single-family residential or Village commercial or multi-family residential"

A question was raised as to the relationship of CC&Rs, County Zoning, and State Land Use etc. Ron explained that CC&R's are a legally binding document attached to the deed of each property. The Community Associations have a process for dealing with violations of the CC&Rs. County Zoning and State Land Use violations are handled by their respective agencies.

Options presented in the worksheet were thoroughly explained by Ron:

- Preserve Residential Area (Ron advised that the last option (Shift to Residential) is the most consistent with the CC&Rs and with the nature of the subdivision)
 - No Change: SLU Ag, LUPAG Rural, Limited Special Permits
 - Shift to Rural: SLU Rural, LUPAG Rural, RA Zoning, Limited Special Permits
 - Shift to Residential: SLU Urban, LUPAG LDU, RS Zoning
- Change Permitted Uses for “Gateway” Lots (with NO change to subdivision CC&Rs) (Ron advised that the last option (Shift to Urban) is the best option in relation to the CC&Rs)
 - No Change: SLU Ag, LUPAG Rural, Open Zoning
 - Shift to Rural: SLU Rural, LUPAG Rural, RA Zoning, Limited Special Permits
 - Shift to Urban: SLU Urban, LUPAG LDU, RS-RM-RCX-7.5 Zoning
- Change Permitted Uses for “Gateway” Lots (with amended subdivision CC&Rs) (Ron advised that the last option (Shift to Urban) is the best option in relation to the CC&Rs as amended)
 - Low Density Resort by Special Permit: Retreat Resort Area on LUPAG and in table 14-5
 - Shift to Urban: SLU Urban, LUPAG LDU, Retreat Resort Area on LUPAG and in Table 1405, V-7.5 Zoning

Extensive discussion and comprehensive Q&A ensued enabling community members and Steering Committee members to accurately understand the options presented.

At this point, the Steering Committee and community members broke up into four groups to delve further into meaningful conversation about the options presented in the worksheet.

BRIEF RECESS

BUSINESS ITEM #1 CONTINUED

The Planning team facilitated a discussion with the Steering Committee reviewing the information communicated to Steering Committee members during the small group discussions. Input gathered during the small group discussions indicated a near unanimous opinion:

- Preserve Residential Area – Option #3, Shift to Residential
- “Gateway” Lots (current CC&Rs) – Option #6, Shift to Urban
- “Gateway” Lots (with amended CC&Rs) – not feasible, CC&Rs are much too difficult to amend.

Additional clarifying Q&A continued. Based on input, Ron suggested amending option #6 for the “Gateway” Lots, to read: Shift to Urban: SLU Urban, LUPAG LDU. This omits the proposed zoning change.

The CDP Planning Team facilitated a discussion with the Steering Committee geared toward preliminary decisions about potential CDP revisions. Consideration around the possible revisions related to development in Discovery Harbour continued.

Patti moved to revise Policy 7, the Land Use Policy Map, to designate the Residential lots and "Gateway" lots in Discovery Harbour (aside from the Golf Course) to Low Density Urban. Second by Michelle. Motion passed with 5 votes aye and 1 vote nay (Loren).

PUBLIC COMMENT OF AGENDA ITEMS

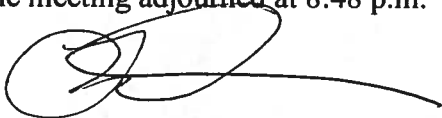
There was no public comment at this time.

NEXT STEPS

1. Steering Committee evaluation of the August 25, 2015 Meeting:
 - Good participation by both the Community and the Steering Committee
 - Appreciative for all of the community input on this complex issue
 - Very difficult subject matter (zoning, land use, development)
 - DH Community is very organized and familiar with their CC&Rs which helps the SC better understand what the community wants and needs.
 - Meeting was timely
 - Appreciative of Ron's suggestion to modify the policy
 - Thankful for the Planning Team for their efforts
2. Upcoming Meetings and Topics:
 - Saturday, August 29, 9:00a.m., Nā'ālehu: Economic Development
 - Thursday, September 24
 - Revisit shoreline setback policy
 - Revisit LUPAG map at regional level
 - Address other structural and "easy fix" revisions
 - Tuesday, October 27: Final Recommendations

ADJOURNMENT

The meeting adjourned at 8:48 p.m.



Submitted by: Keiko Mercado (Recorder)