

3 DISTRICT-WIDE POLICIES

OVERVIEW

In their initial meetings, the South Kohala Steering Committee was asked to prioritize land use issues for the entire district based upon the results of the Community Readiness Process. While the district faces many more issues than those that are listed below, it was necessary to focus on top priority issues in order to develop actionable plans, for the CDP.

The priority issues that the Steering Committee selected were, not in any order of priority, the following:

- Preserve Culture/Sense of Place
- Traffic and Transportation
- Affordable Housing
- Emergency Preparedness
- Environmental Stewardship and Sustainability

At a subsequent Steering Committee meeting, priority issues for four South Kohala communities were discussed: Waimea, Waikoloa Village, Kawaihae, and Puakō. It was then agreed that the CDP would focus on planning for these four communities, rather than attempting to develop Action Programs on a “district-wide” basis. In effect, then, the “South Kohala Community Development Plan” became a collection of four distinct community plans.

Although the CDP planning process focused on specific issues for the four communities, there were a number of ideas and concerns that were raised that have applicability to the entire district of South Kohala. These policies are still subject to further discussion with the Planning Department and with other County agencies and departments. The policies presented below are intended to guide future developments in the district rather than address specific short-term actions. These ideas are organized by the priority issues that were initially chosen by the South Kohala Steering Committee. The Steering Committee acknowledged other important General Plan topics that because of time constraints were not specifically identified in this CDP. Until such time as these topics can be addressed in more detail for South Kohala, the more general policies, standards, and courses of action listed in the General Plan provide some framework for possible action strategies. (See **Appendix D**)

GENERAL POLICY NO.1: PRESERVE THE CULTURE AND SENSE OF PLACE OF SOUTH KOHALA COMMUNITIES

Related sub-policies are:

- 1.1 Preserve Cultural and Historic sites and structures.** The newly created Hawai'i County Cultural Resources Commission shall include in its programs appropriate actions to protect and preserve important cultural and historic sites and structures in South Kohala.

- 1.2 The County Planning Director is requested to submit a draft of a bill to the County Council that sets out a concurrency management system for South Kohala.** The purpose of the bill is to create a system that will impose reasonable and fair infrastructure concurrency requirements on developments within the district that already possess zoning entitlements, and are therefore not currently subject to the concurrency requirements of HCC 25-2-46. The public facilities for which concurrency is to be managed shall be the same as those set out in HCC 25-2-46 as amended. The approach to concurrency management shall be modeled on the approach set out in HCC-25-2-46 as amended, provided that concurrency requirements shall be established at the time of any tentative approval of a preliminary subdivision plat (HCC 23-62 and 25-6-22), tentative approval of a preliminary condominium property regime map (HCC 23-131), plan approval (HCC 25-2-75), planned unit development permit approval (HCC 25-6-6) and project district site plan approval (25-6-46 and 25-6-56) or substantial revision thereof. Concurrency requirements shall be updated when an extension of time to perform a condition of such an approval is granted. The South Kohala concurrency management system shall (1) provide a process by which a developer or land owner can request full or partial relief from the requirement under appropriate conditions, based on the type of development proposed and its overall impact on the adequacy of public facilities, (2) take into consideration voluntary actions that a developer has taken or proposes to take to improve the adequacy of district public facilities in the context of the proposed development (3) exempt subdivisions for the purpose of familial transfers of property, (4) provide for situations in which a developer has vested property rights based on specifically proposed and approved plan elements that were granted at an earlier stage in the development approval process, (5) provide a fair way to address developments that are underway and being relied upon to build infrastructure for the community at large, to ensure that they remain viable, and (6) provide a forum to allow those that would be affected an opportunity to air their concerns.

(See **Appendix E** for list and description of Hawai'i County Codes (HCC) that are referenced.)

- 1.3 Provide for more developed park space and recreational facilities in South Kohala.** The County Planning Director, in consultation with the Director of the Department of Parks and Recreation, shall submit a draft of a bill to the County Council to amend HCC Chapter 8. The intent of the amendment shall be to standardize the requirements for new developments to provide park space in South Kohala and other Hawai'i County Districts. In developing the amendment, the following concepts shall be considered: (1) the definition of "parks and playgrounds" in HCC 8-2(8) shall include only improved areas and facilities used for recreational activities, such as athletic fields, and shall not include golf courses, marinas, or other similar uses for which a fee is charged, (2) the exemption provided in HCC 8-4(a)(1) shall not count existing County beach parks, parks and playgrounds that are State-owned or federally-owned and shall only count parks and playgrounds within the community in which the development is to be located, (3) the park space or off-site improvements shall be located or in-lieu fees shall be used within the community in which the development is to be located, and (4) when the rezoning ordinance for the development has specific requirements that it develop park space within the project, and / or dedicate park land to the County, or provide other public recreational amenities, those requirements shall remain in effect as long as the rezoning ordinance is not amended.

(See **Appendix E** for list and description of Hawai'i County Codes (HCC) that are referenced.)

- 1.4 "Time Share" developments shall only be allowed within the boundaries of the District's three major destination resorts: Waikoloa Resort, Mauna Lani Resort, and Mauna Kea Resort.** Time Share projects are not compatible with residential areas that are located outside of the destination resorts of the district.

- 1.5 **The County shall coordinate with the State Department of Education to develop plans for a public high school within the South Kohala District.** As the population of South Kohala continues to grow, the presence of a public high school will be important for promoting the district's sense of place.
- 1.6 **It is recommended that the Planning Department provide opportunities and forums for public review and comment for all subdivisions, PUD's, plan developments, and cluster developments, proposed in the District of South Kohala.** Residents of South Kohala have called for like more transparency in the subdivision/plan development approval process, by way of a public presentation of the proposed development and the opportunity for members of the community to raise issues and voice their opinions of the proposed project. Subdivision approval is a key point in the development process in which community input is most important.

GENERAL POLICY 2: PROVIDE FOR THE TRANSPORTATION AND CIRCULATION NEEDS OF THE SOUTH KOHALA COMMUNITY AND FOR COMMUTERS TO/FROM SOUTH KOHALA.

Related sub-policies are:

- 2.1 **New major roads in the District shall incorporate "complete street" standards, including provisions for vehicular traffic, pedestrians, bicycles, and public transportation, except in the case of extreme mitigating factors.** "Complete Streets" are streets that are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and bus riders of all ages and abilities are able to safely move along and across a complete street. (<http://www.completestreets.org/>) Improving the safety and viability of alternate modes of transportation in South Kohala will encourage more people to leave their cars at home and walk, bike, or bus to their destinations more often.
- 2.2 **Establish bicycle, pedestrian, and equestrian travel ways to link up the communities within the District (Waikoloa Village, Waimea, Puakō, Kawaihae, and the resort nodes) while also establishing alternative travel ways within the individual communities.** Also, establish public trails to various cultural locations and other sites of interest, where a significant level of visitation is appropriate and does not pose a threat to the resource, as identified by the community.

See **Appendix H** for list of suggested alternative travel ways and trails.
- 2.3 **Build safe roads.** Currently there are existing roads in the district such as the Kawaihae Road and Waikoloa Road that can be considered dangerous without truck runaway ramps.
- 2.4 **Identify and establish transit corridors for future mass transit service within the district.** While the provision of mass transit service such as rail may be decades away for South Kohala, the County should plan ahead for future mass transit service in the district by establishing transit corridors. Setting aside land now for transit corridors may help to reduce future costs of implementing mass transit services.

GENERAL POLICY NO. 3: PROVIDE AFFORDABLE AND WORKFORCE HOUSING RESOURCES FOR LOW AND MODERATE INCOME INDIVIDUALS, FAMILIES, AND FOR THOSE RESIDENTS OF SOUTH KOHALA WITH SPECIAL NEEDS

Related sub-policies are:

- 3.1 **The County shall establish policies and programs for the implementation of affordable and workforce housing projects in those areas of the island where such projects are most needed, including Waimea and Waikoloa Village.**
- 3.2 **The South Kohala Community shall organize one or more community-based, non-profit entities that can partner with the County Office of Housing and Community Development and with other non-profit organizations and for-profit contractors and developers to provide affordable housing units.**
- 3.3 **The County shall work toward the development of housing for senior citizens and assisted living facilities in South Kohala.**
- 3.4 **The County shall provide more opportunities for low income housing and transitional shelters.**

GENERAL POLICY NO. 4: DEVELOP PROGRAMS AND STANDARDS THAT WILL PROTECT THE SOUTH KOHALA COMMUNITY FROM NATURAL HAZARDS, INCLUDING MAJOR STORMS, FLOODING, TSUNAMI, LAVA FLOWS, AND WILDFIRES

Related sub-policies are:

- 4.1 **The County shall develop plans and programs for emergency routes so that people can safely move away from life-threatening natural hazards.** Of special concern is the threat of tsunami in coastal areas, and the threat of wild fires in dry upland areas like Waikoloa Village.
- 4.2 **Adopt development standards and community plans that mitigate wildfire risk and maximize responder safety, where wildfire danger is present:**
 - The County Planning Department should consider requiring all new subdivisions to incorporate through their covenants, codes, and restrictions “firewise landscaping principles” for common areas and for individual homes, including defensible space emphasizing fire and drought resistant plants, as well as native plants when appropriate. This requirement could be a condition for any final subdivision approvals.
 - The Building Department of the County’s Department of Public Works should consider giving every individual or entity applying for a building permit(s) firewise checklists for building and landscaping. These checklists could also be made available on the County’s website for downloading.
 - The County’s Real Property Tax Department should consider implementing an additional tax incentive for landowners of agriculturally zoned land that, 1) would have a grazing management plan reviewed and approved by a qualified County or State agricultural specialist (e.g. the Natural Resources Conservation Services, the University of Hawai’i Cooperative Extension) with an objective for managing wildfire fuels and which may include grazing reserve areas for drought periods, and 2) graze 100% of the usable grazing area identified in the certified grazing plan. Other programs that encourage the use of extensive cattle grazing as a

practical means of controlling fire fuel while maintaining the landscape, could also be considered.

- The County Planning Department should consider requiring all applicants for subdivision approvals to complete a wildfire hazard mitigation plan. This plan should be completed before final subdivision approval is granted. These plans should recommend specific measures for reducing wildfire hazard in the interface areas between the subdivision and any range/open lands or forests and in any open areas within the subdivision. When developing these elements, the following standards should be considered: 1) National Fire Protection Association (NFPA) document 1141, *Standard for Fire Protection Infrastructure for Land Development in Suburban and Rural Areas*, 2) National Fire Protection Association (NFPA) document 1144: *Standard for Reducing Structure Ignition Hazards from Wildland Fire*, and 3) Criteria which delineate when and how new subdivisions will be required to install diptank(s).

- 4.3 Government agencies should consider providing more emergency shelter facilities in South Kohala.** Future civic buildings in South Kohala such as new schools or community centers should be designed to serve as emergency shelters as well. These civic buildings should be built so that they are disaster resistant.

GENERAL POLICY NO. 5: DEVELOP GUIDELINES AND PROGRAMS THAT PROMOTE ENVIRONMENTAL STEWARDSHIP AND THE CONCEPT OF SUSTAINABILITY

- 5.1 Proposed uses of natural resources shall be duly evaluated by the responsible public entities to ensure that each such use is consistent with the sustainable long-term health of the eco-system, including the direct and indirect impact on coastal waters.** Public entities shall base their decision-making on the best possible data in order to ensure sound short and long-term management of public resources. In the event of uncertainty of data, consistent with the Public Trust Doctrine of the Hawai'i State Constitution, the public entity shall apply the *Precautionary Principle* to conserve the resource. The Precautionary Principle requires long-term vision and mandates that government entities favor caution and conservation in any case in which information is uncertain. In evaluating any proposed use, consideration must be given to the cumulative impact of existing and previously approved developments.
- 5.2 The County shall require water conservation measures and plans for new large scale development projects (i.e. residential and agricultural subdivisions, resorts, commercial and industrial centers, etc.) in South Kohala**
- 5.3 Ensure the quality of South Kohala's ground water resources and marine resources.** The County should consider adding the following requirement to HCC 23-85(b) for residential projects: No cesspools or seepage pits shall be installed in South Kohala after the effective date of this plan. The effluent from any septic tank installed in South Kohala after the effective date of this plan shall be discharged into an absorption system that meets the design standards of the State Department of Health.
- 5.4 Prohibit the installation of future injection wells in Special Management Areas if wastewater is NOT treated to an R-1 level of water quality.** Injection wells can be a major source of pollution for coastal waters if wastewater is not treated to a high level. Controlling the installation of future injection wells will help to improve the quality of near shore waters. Furthermore, the reuse of treated R-1 quality effluent can be encouraged for irrigation and other purposes.

- 5.5 **Preserve visually and environmentally important open space grasslands, ocean views, views of the pu‘u, and South Kohala’s unique “Five Mountain Views” of the Kohala Mountains, Mauna Kea, Mauna Loa, Hualalai, and Haleakala.**
- 5.6 **The County should encourage and promote LEED standards for buildings and neighborhood design by providing incentives for projects that achieve a LEED certification level of “Silver” or higher.** LEED stands for “Leadership in Energy and Environmental Design.” The United States Green Building Council (USGBC) created LEED as a rating system for green building. Green building refers to the design, construction, and operation of buildings in an environmentally friendly way. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environment. The LEED rating system (used to determine LEED certification) awards points to projects based on how the project incorporates green building principles into its design and construction.
- While achieving LEED certification may drive a project’s development cost up in the short term, developers should keep in mind the long-term benefits of green building such as savings in energy costs and general benefits of green building to the surrounding community and environment. The County should consider providing incentives to developers who seek LEED certification to offset additional short-term development costs incurred by LEED certification.
- 5.7 **Increase Enforcement of the County Lighting Code and modify the existing code as necessary.** Outdoor lighting fixtures that are not in compliance with the County Lighting Code are a significant source of light pollution in the night skies. This is of special concern for astronomers atop Mauna Kea. The County needs to improve its enforcement of illegal light fixtures in order to reduce light pollution. The County is also currently working with astronomers and is in the process of updating its lighting code to add requirements that would help to reduce light pollution. However, with no enforcement, a newly revised lighting code may have minimal effects in reducing lighting glare in South Kohala’s night time skies.
- 5.8 **The County should develop or collaborate with other agencies and organizations to develop watershed management programs for the district of South Kohala.** These programs should address flood mitigation, strategies for reducing water run off such as restoring vegetative cover in mauka areas or construction of detention basins and the effects of impermeable surfaces on groundwater infiltration.
- 5.9 **Water quality monitoring should be considered on a district-wide basis.** Four types of monitoring are needed: ocean water, ground water, leach fields (natural or constructed) and anchialine ponds. Consistent testing and monitoring protocols should be developed. Currently, the resorts in the district perform monitoring and that data is reported to the County. However, this monitoring has not been systematic or consistent. The State Department of Health currently has a weekly beach monitoring program designed to find indicator bacteria at selected beaches in West Hawai‘i. The County Planning Department is currently evaluating DOH rules and may adopt additional testing requirements. The Planning Department is also currently evaluating monitoring guidelines for groundwater and anchialine ponds. Monitoring of water quality in the district should be coordinated by the County in order to ensure that there is no duplicate monitoring and to ensure the quality of water throughout the district.
- 5.10 **Encourage the County to review and revise as appropriate rules and guidelines that will reduce flooding and erosion that may occur from developing on steep slopes.**

5.11 Promote Alternative Energy. South Kohala is blessed with strong winds and ample sunlight throughout the year. The County should support the development of more natural energy generating facilities.

5.12 Incorporate the concept of “Sustainability” as defined in the State of Hawai’i “2050 Sustainability Plan” in all future planning and projects in South Kohala. The State of Hawai’i “2050 Sustainability Plan” defines sustainability as a Hawai’i that achieves the following:

- Respects the culture, character, beauty and history of our State’s island communities
- Strikes a balance between economic, social and community, and environmental priorities
- Meets the needs of the present without compromising the ability of future generations to meet their own needs.

To view the Hawai’i 2050 Sustainability Plan, please see: <http://www.Hawai’i2050.org/>

5.13 Support policies and programs that promote the concept of food sustainability. Policies and programs that make food production a priority such as preservation South Kohala’s Important Agriculture Lands, allocating sufficient water resources for productive farming, or encouraging developers to landscape their projects with fruit trees or other types of plants that provide food, should all be emphasized and supported.

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