

DEPARTMENT OF PLANNING
COUNTY OF KAUAI
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LAND USE COMMISSION
STATE OF HAWAII

2017 JAN -3 A 7:23

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A16-801
)	
)	
UNIVERSITY OF HAWAII)	POSITION STATEMENT OF THE
COMMUNITY COLLEGES)	DEPARTMENT OF PLANNING, COUNTY
)	OF KAUAI; CERTIFICATE OF SERVICE
To Amend the Agricultural Land Use)	
District Boundary into the Urban District for)	
approximately 148.37 acres at Puhi, Lihu'e,)	
Island of Kauai, State of Hawaii,)	
TMK: (4) 3-4-07:01, 02, 03, and 06.)	
_____)	

**POSITION STATEMENT OF THE
DEPARTMENT OF PLANNING, COUNTY KAUAI**

In accordance with Section 15-15-55 of the State Land Use Commission Rules, the DEPARTMENT OF PLANNING, COUNTY OF KAUAI ("Department"), submits its comments in support of the petition to amend the land use district boundaries of approximately 148.37 acres of land from an overall project area of approximately 199 acres of land at Puhi, Lihu'e District, Kauai, Hawaii ("Petition Area"), from its current State Land Use Agricultural District to the State Land Urban District for the Kauai Community College ("KCC") campus that was filed by the UNIVERSITY OF HAWAII COMMUNITY COLLEGES through its agent WILSON OKAMOTO CORPORATION ("Petitioner").

BACKGROUND INFORMATION

Zoning and Site Information

1. The Petition Area of 148.37 acres consists of three Tax Map Key (TMK) Parcels: (4) 3-4-007:003 (entire parcel); 002 (entire parcel), and 001 (southern half of parcel).

2. The County General Plan Designation for the Petition Area is "Urban Center." As represented by the Petitioner, future expansion of the college will occur on an in-fill basis within the existing campus footprint and within the Petition Area.

3. The County Zoning designation for the Petition Area is a mix of both Agriculture (Ag) and Open (O) Zoning. While parcel 2 and 3 contains an even mix of both Agriculture (A) and Open (O) Zoning, the lower portion of parcel 1 that lies within the Petition Area is primarily located within the Open (O) Zoning District with a small portion located within the Agriculture (A) Zoning District.

4. The Petition Area is outside of the Special Management Area (SMA).

5. Pursuant to the Līhu'e Community Plan (2015), the Petition Area lies within the Urban Edge Boundary. The purpose of the Urban Edge Boundary is to preserve agricultural lands by focusing higher density growth and development within the designated boundary.

6. The Petition Area is situated along the northern boundary of Kaumuali'i Highway and across the Puhi Subdivision and commercial uses along Puhi Road.

7. The Petition Area also consists of KCC (located within the 99 acre parcel on TMK 3-4-07: 03) and surrounding schools such as Punana Leo Pre-School and Kawaikini Charter School (located within the 40 acre parcel on TMK 3-4-07:02).

8. Island School is a private school located on a parcel located north of Petition Area. Island School has submitted a petition for a similar boundary amendment.

Permit History

9. The petitioner has applied for a series of piecemeal Special Permits between 1970- 2009 in order to operate urban uses, such as schools, classrooms, and community centers within the State Land Use Agricultural District.

10. A Special Permit was required because such uses are not outright permitted within the State Land Use Agricultural District.

11. The KCC campus was originally permitted under Special Permit Number SP-1973-1. A special permit was required to allow the use of an educational institution to operate within the State Land Use Agricultural District. Under SP-1973-1, only a preliminary land use plan was submitted that showed the general area divided into various land use functions and patterns.

12. Subsequent to the approval of SP-1973-1, other schools such as Punana Leo Pre-School and Kawaikini Charter School sought zoning approval to operate within the Petition Area. As a result, Punana Leo Pre-School was issued Class IV Zoning Permit Number Z-IV-1986-67; Use Permit U-86-56; and Special Permit SP-86-17 and Kawaikini Charter School was

issued a Class IV Zoning Permit Z-IV-2009-15; Use Permit U-2009-15; and Special Permit SP-2009-1.

CONSISTENT WITH KAUA‘I’S GENERAL PLAN AND LIHU‘E COMMUNITY PLAN

13. The proposed boundary amendment will align the existing campus activities that are currently permitted through permits and future planned campus programs and activities with the overall vision for the Petition Area pursuant to Kaua‘i’s General Plan and Līhu‘e Community Plan.

2000 General Plan

14. The proposed amendment is consistent with the 2000 General Plan, which has a planning horizon of 2020 (“2000 General Plan”).

15. Pursuant to the Education Section in the 2000 General Plan, Section 8.3.1 sets the following policy:

Strive for a strong education system which provides Kaua‘i’s children, teens, college students, and adults with the knowledge and skills needed to obtain a well-paying job on Kaua‘i.

16. Although the Plan recognizes “that public education is primarily a State responsibility,” the 2000 General Plan seeks to support schools’ needs through land use policy. (Section 8). Specifically, the 2000 General Plan designated the Petition Area’s approximately 148.37 acres as “Urban Center.” This designation is specifically provided to encourage further development of the KCC campus and surrounding parcels as Kaua‘i’s education center. (2000 General Plan-Līhu‘e Planning District Land Use Map is attached as Exhibit “A”).

17. With regard to enhancing towns and communities, the 2000 General Plan detailed that new regional growth and development of public facilities “shall be concentrated in the Puhi-Līhu‘e-Hanama‘ulu urban center,” which contains the Petition Area’s approximately 148.37 acres. (Section 6.3.4.2(a)(1) and 6.3)

18. The Līhu‘e Planning District was recognized as generating “50 percent of the island’s jobs” and “the center of vital services for the island” with KCC at Puhi specifically recognized as a key landmark of Līhu‘e town. (Section 6.3.2).

19. Furthermore, the 2000 General Plan recognized that:

Puhi is home to shopping and educational centers, surrounded by mature and newer residential neighborhoods. Kukui Grove Center offers a wide variety of businesses, meeting resident needs and attracting visitors as well. It also serves as a center for community events and performances. The surrounding residential community continues to build out slowly with a variety of single-family and

townhouse projects. UH-Kaua‘i College offers undergraduate programs, with a special focus on technology, communications, agriculture and culinary arts. The four-year campus also offers theater and exhibit space for performances and events. Undergraduate and graduate courses are offered through interactive video connection with other UH campuses. (Section 6.3.2).

20. Directing new development is equally as important as maintaining open space between towns. Thus, the 2000 General Plan specifies that the designated Urban Centers and Town Centers are meant to be well-defined, compact, and mixed-use (with both residential and commercial uses) to limit public service costs and support open space preservation. (Section 5.1.1).

21. The 2000 General Plan’s overall vision and land use policy goals for the Puhi area is consistent with the existing and future planned campus programs and activities of the Petition Area. Thus, the 2000 General Plan supports the boundary amendment.

Līhu‘e Community Plan

22. The proposed boundary amendment is consistent with the Līhu‘e Community Plan, which was formally signed into law on June 22, 2015.

23. The Līhu‘e Community Plan states that Puhi will continue to serve as a major commercial and employment center for the island. (Section 5.10.4)

24. The Līhu‘e Community Plan encouraged the intensification of mixed-use development (residential and commercial) makai of the highway and along Puhi Road to create a more walkable and compact college town setting to support KCC students, faculty, and residents. The Līhu‘e Community Plan encourages the concentration of new growth within and adjacent to the existing Puhi Town to discourage development in more remote parts of Nūhou. In addition, the Līhu‘e Community Plan states that Pū‘ali should be retained as open space and prevented from further suburban sprawl. (Section 5.10.4)

25. The entire Petition Area also lies within the Urban Edge Boundary (“UEB”), which is a regional boundary that is intended to limit urban sprawl and define where higher density urban development should be contained. The UEB works to preserve agricultural lands by directing new growth and development within existing centers and proposed new centers. By defining areas where higher densities are permitted, areas outside of the UEB will be preserved for low density land uses such as open space, conservation, and agriculture. (Figure 5-2 – Līhu‘e Community Plan Land Use Map is attached as Exhibit “B”).

26. In addition, the recommended UEB, which contains the Petition Area, is entirely outside of any eligible or designated Important Agricultural Lands. (Figure 5-3, page 101 is attached as Exhibit “C”).

27. Because the Petition Area falls within the UEB, the proposed boundary amendment and future expansions of KCC and the surrounding parcels will be consistent with the UEB policy.

28. Finally, the specific policy goals contained in Section 5.10.4 of the Līhu‘e Community Plan supports the boundary amendment to establish an Urban designation for the KCC Petition Area to accommodate future expansion of its campus (in addition to the Island School campus). Specifically, the policies of the Līhu‘e Community Plan for Puhi, Pū‘ali, and Nūhou are the following:

- Encourage residential and commercial growth of areas makai of Highway along Puhi Road.
- Enliven the Puhi town center through mixed use and high density residential in areas surrounding Kukui Grove and along Puhi Road.
- Preserve Pū‘ali as open space, and rezone to preclude future development.
- Provide for increased commercial development along the makai side of Kaumuali‘i Highway near the Puhi Road intersection to support the KCC population and the local community.
- **Encourage a Land Use Amendment to establish Urban designation for KCC and Island School to accommodate future expansion of both campuses.**
- **Consider future development of select areas mauka of the highway to be developed as KCC’s enrollment reaches capacity. (Section 5.10.4 (emphasis added)).**

29. Therefore, the proposed land use amendment to re-designate the Petition Area from Agricultural to Urban is an action that is consistent with and supported by the Līhu‘e Community Plan.

30. The boundary amendment to SLUD Urban will better facilitate the community’s vision to support the continuance and expansion of KCC and surrounding schools within the Petition Area. Under SLUD Urban, urban uses such as schools, classrooms, and community centers are uses that are more compatible with the purpose and intention of SLUD Urban. In addition, the proposed boundary amendment to the SLUD Urban will implement the policies and actions set forth by the Līhu‘e Community Plan (2015) and 2000 General Plan.

RECOMMENDATION

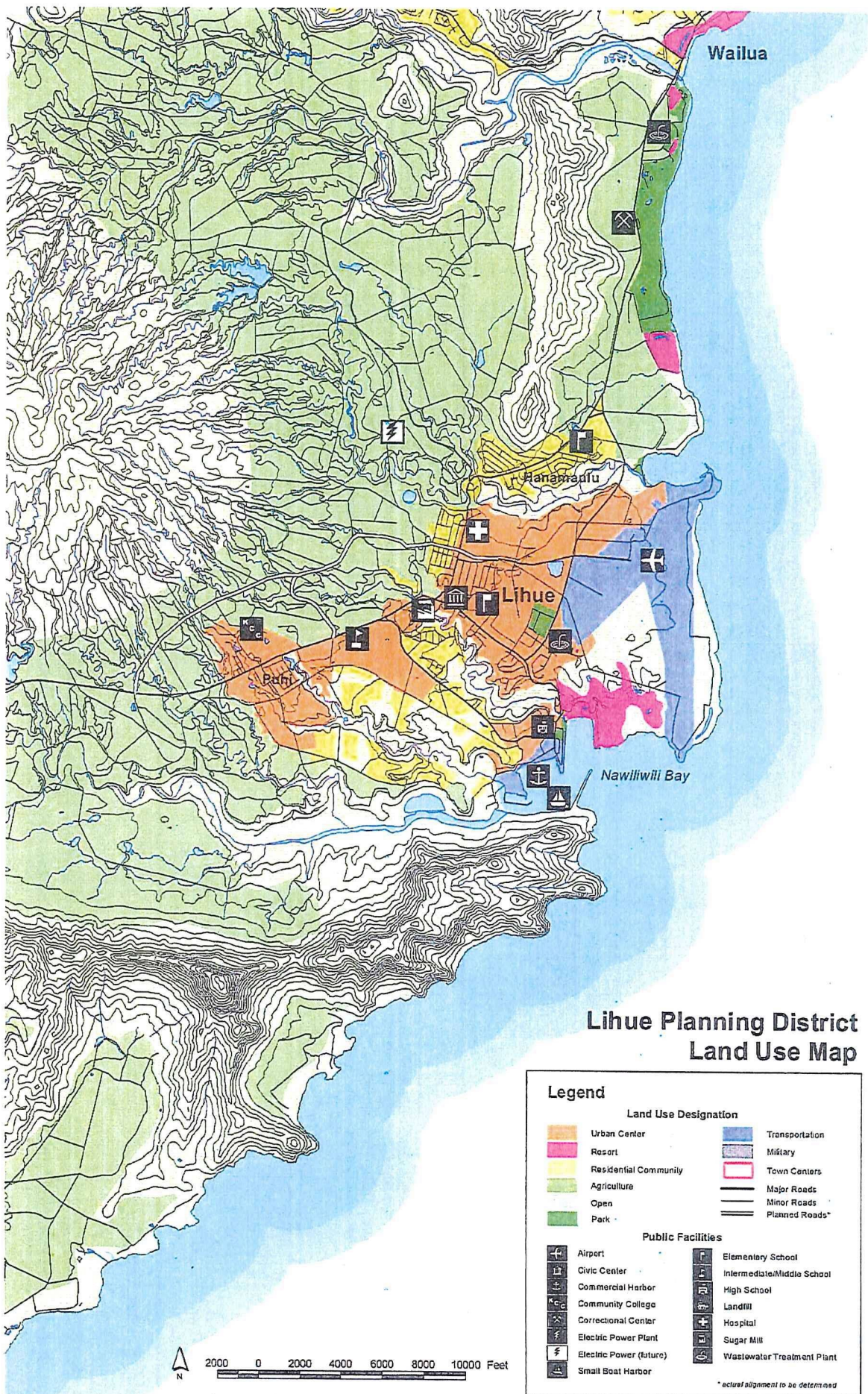
Based on our review of the information provided in the Petition, the Department of Planning supports the petition to amend the land use district boundaries of approximately 148.37 acres of land from an overall Petition Area from its current State Land Use Agricultural District to the State Land Use Urban District for the KCC campus. The proposed amendment is consistent with the 2000 General Plan and Līhu‘e Community Plan. In addition, urban uses such as schools, classrooms, and community centers are more compatible with the purpose and

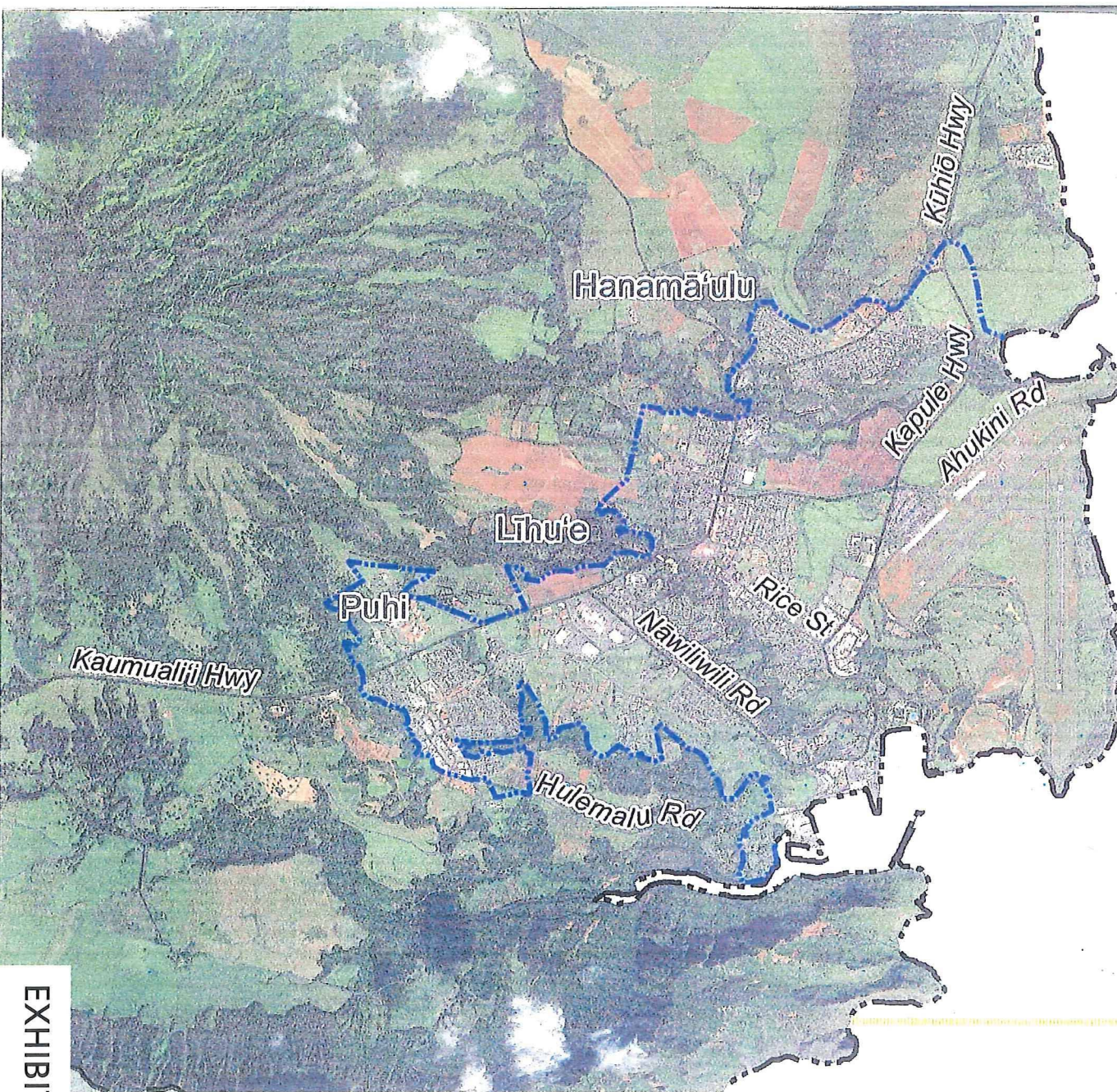
intention of SLUD Urban, which will work to support the continuance and expansion of KCC and surrounding schools within the Petition Area.

Dated: Lihu'e, Kaua'i, Hawai'i, December 30, 2016.

A handwritten signature in black ink, appearing to read "Michael A. Dahilig", is written over a horizontal line.

MICHAEL A. DAHILIG
Planning Director
Department of Planning





5.1.2 Urban Edge Boundary

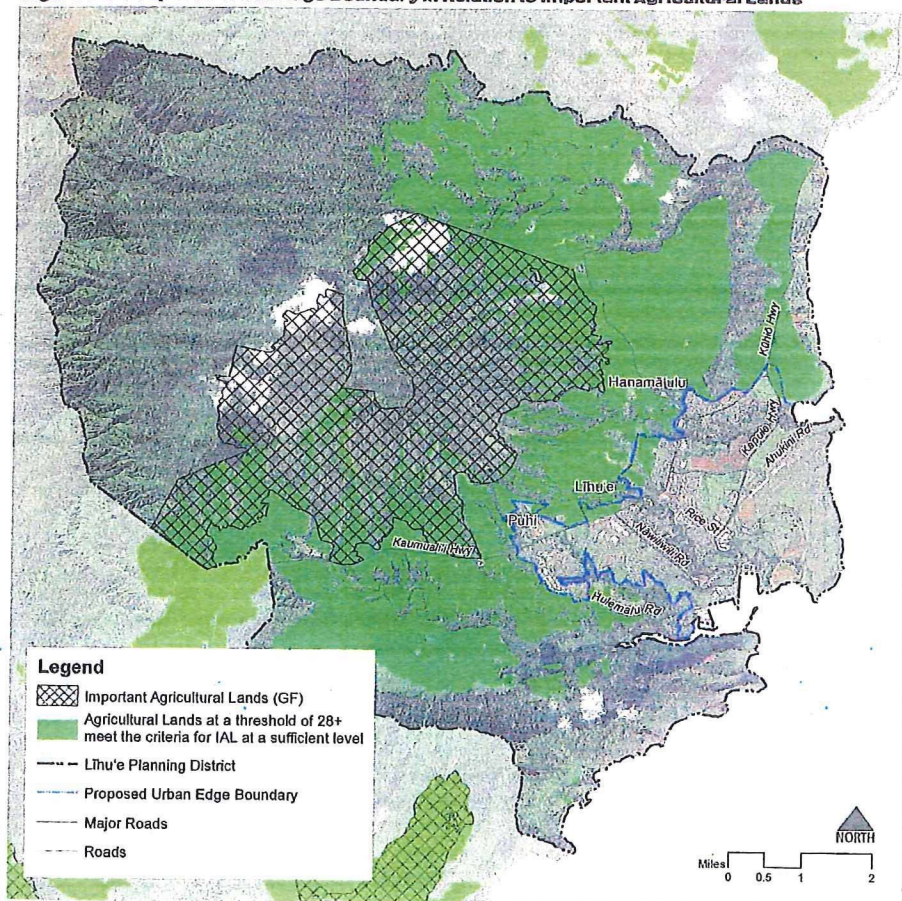
The Lihue LCP recommends an Urban Edge Boundary (UEB) for Lihue as shown on Figure 5-2. The UEB is a regional boundary intended to limit urban sprawl. It defines where higher density urban development should be contained. Areas outside the UEB are intended for lower density land uses such as open space, conservation, and agriculture.

The proposed Urban Edge Boundary will facilitate preservation of agricultural lands and uses by focusing future growth and development within the areas identified as existing centers and proposed new centers. There are no Important Agricultural Lands (IAL) designated within the UEB, and the great majority of lands that may qualify as candidate IAL are outside the UEB as well (see Figure 5-3). Providing for concentrated and compact growth in these delineated areas and implementing a UEB will greatly enhance the County's ability to encourage and enforce preservation of the Lihue District's agricultural lands into the future.

Figure 5-2 Proposed Urban Edge Boundary for Lihue District



Figure 5-3 Proposed Urban Edge Boundary in Relation to Important Agricultural Lands



5.1.3 Urban Areas

General Plan guidance on urban areas is shown at right. It clearly calls for steering away from sprawl and dispersed growth, and instead focusing on compact development with clear boundaries and green spaces between towns. This approach has been validated during the LCP process through community input and outreach, and it informed the recommendations for future land use and growth contained in the preceding Chapter.

Policies

The following policies pertain to urban areas within the Līhu'e District.

- Adopt land use designations and associated development regulations to create the walkable, compact, mixed use development called for in the Vision and Guiding Principles.
- Concentrate the majority of development within a 10-minute walking radius of the existing urban centers of Līhu'e, Hanamā'ulu, Puhi, and Nāwiliwili.
- Prioritize the revitalization and intensification of the Līhu'e Town Core as the focal point of the Līhu'e District.
- Provide for commercial and industrial uses sufficient to support the basic needs of each community.
- Encourage mixed uses within the urban cores of Līhu'e, Hanamā'ulu, Puhi, and proposed new centers.
- Implement the design standards and guidelines set forth in the Līhu'e Town Core Urban Design Plan (Ordinance 894).

- Implement an Urban Edge Boundary to clearly delineate boundaries of future urban development within the Līhu'e District.
- Delineate strong edges between the communities of Līhu'e, Hanamā'ulu, and Puhi through land use designations and the Urban Edge Boundary.
- Consider a Transfer Development Rights (TDR) Program in Līhu'e as a mechanism for encouraging higher density development within the urban core.

KAUAI GENERAL PLAN GUIDANCE ON URBAN AREAS

Businesses, residences and other urban uses are concentrated in Kauai's towns and residential communities, occupying only five percent of the total land area. To minimize highway traffic and avoid urban sprawl, new residential communities are centered around the major towns and job centers of Līhu'e-Hanamā'ulu-Puhi and Kōloa-Po'ipū...

Expansion of urban areas, particularly new shopping centers and other retail developments which attract a large amount of vehicular traffic, are controlled to avoid urban sprawl and strip development along the highway. Town edges are clearly defined, and scenic corridors are maintained along the highways and major roads between towns.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the POSITION STATEMENT OF THE
DEPARTMENT OF PLANNING, COUNTY OF KAUAI, was duly served by
depositing the same in the U.S. mail, postage prepaid, upon the following:

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Dated: Līhu'e, Kaua'i, Hawai'i, December 30, 2016.


MICHAEL A. DAHILIG
Planning Director
Department of Planning