WRITTEN DIRECT TESTIMONY OF MARIE WILLIAMS

1. **Please state your name and business address for the record.**

Marie Williams
4444 Rice Street
Līhu'e, Hawai'i

2. **What is your current occupation?**

Long Range Planner

3. **How long have you been a Long Range Planner?**

8 years and several months.

4. **Did you provide a copy of your resume for these proceedings?**

Yes.

5. **Is Petitioner's Exhibit 1 a true and correct copy of your resume?**

Yes.

6. **Please briefly describe your educational background.**

I am a graduate of Kahuku High School and Brigham Young University. I have a master's degree in city and regional planning from the Georgia Institute of Technology.

7. **Do you specialize in any particular areas?**

My focus is the County's Long Range Planning Program.

8. **To what professional organizations do you belong?**

I am a member of the American Planning Association.

9. **What additional certifications do you have?**

I am certified with the American Institute of Certified Planners since 2011.

10. **What does a Long Range Planner do?**

My role as a planner includes the following:

- Updating the General Plan and community plans,
- Implementing the General Plan though updates to zoning ordinances and maps,

Exhibit 2

- Implementing plans through coordination, outreach, grants, and projects,
- Coordinating the Six-Year Capital Improvement Program and STIP,
- Conducting studies relevant to community planning,
- Educating the community, stakeholders and agencies on the County's planning framework,
- Facilitating public involvement through multiple input platforms,
- Disseminating planning information to the public,
- Monitoring and responding to trends that impact community development,
- Implementing "Best Practices" and improved technology in all planning efforts, and
- Managing spatial information and creating maps through GIS.

11. **How long have you worked for** the County **?**

I have worked for Kaua'i County for 8 years and 9 months.

12. **Please briefly describe some of the projects that you have been involved with over the course of your career.**

I am or was directly involved with the following projects:

- Līhu'e Town Core Urban Design Plan (2010)
- Kaua'i County Complete Streets Policy (2010)
- Ordinance 912, Permitting Process for Transient Accommodation Units (2011)
- Ordinance 946, Multimodal Transportation Principles for Subdivisions (2012)
- Kaua'i County Multimodal Transportation Plan (2013)
- South Kaua'i Community Plan and Form Based Code (2015)
- General Plan Technical Study: Socioeconomic Analysis and Forecast (2014)
- General Plan Technical Study: Land Use Buildout Analysis (2015)
- Līhu'e Community Plan (2015)
- General Plan Update (ongoing)
- Kaua'i County Complete Streets Indicators (ongoing)
- Kaua'i County Six-Year CIP Report (ongoing)

13. **Do you have a specialized knowledge of long range planning in Hawaii?**

Yes.

14. **Have you ever been qualified as an expert witness in long range planning?**

No.

15. **Are you familiar with the Lima Ola Workforce Housing project ("Project") being developed by the County of Kauai Housing Agency?**

Yes.

16. **Please describe your involvement in the Project.**

I am not involved directly with the planning or management of the project. I have worked with the Housing Agency to provide information about Lima Ola to inform the General Plan Update public process.

17. **Please describe the land use designations for the surrounding properties**

The project area is currently zoned Agriculture and is designated Agriculture by the General Plan.

18. **Have you reviewed the Final Environmental Assessment ("FEA") that was submitted as Petitioner's Exhibit 3 ?**

Yes.

19. **In regards to long range planning is the Project generally consistent with what was assessed under the FEA?**

Yes.

20. **Have you prepared any studies or plans that reference the Project area?**

Yes, I am involved in the update of the General Plan which, as an island-wide document, encompasses this area. However, the document is in draft form at this time.

21. **Have you read the Draft Petition for Land Use District Boundary Amendment that was filed in this Docket?**

Yes.

22. **Please describe the request for reclassification by the Petitioner:**

The Petitioner filed the Petition to request that the Commission reclassify the Petition Area from the Agricultural District to the Urban District in order to develop the Lima Ola Project.

23. **Are you aware that the Land Use Commission must perform an assessment of the proposed reclassification for conformity with the applicable goals, objectives, and policies of the Hawaii state plan, chapter 226, HRS, and applicable priority guidelines and functional plan policies?**

Yes.

24. **Are you familiar with the Hawaii State Plan, Priority Guidelines and State Functional Plan?**

Yes, but I am not an expert in this area.

25. **Are you aware that the Land Use Commission must perform an assessment of the proposed reclassification for conformity with the objectives and policies of the Coastal Zone Management Program, chapter 205A, HRS?**

Yes.

26. **Are you familiar with the objectives and policies of Chapter 205A?**

Yes, but I am not an expert in this area.

27. **Please discuss your evaluation of the Project's conformity with the County General Plan?**

The General Plan guides the location and character of new development through graphic and textual policy. The County's existing General Plan was approved in 2000. It is currently undergoing a comprehensive update. In the existing General Plan, Section 6.5 "West Side" describes the land use policy and vision for 'Ele'ele. The agricultural zoned land located east of 'Ele'ele was not designated for future residential development in Chapter 6 or on the Land Use Map. However, the following policies support affordable housing development and the compact form of new communities:

5.1.1. (b) Promote compact urban settlements in order to limit public service costs and to preserve open space.

5.1.2. (d) In the outlying West Side and North Shore districts, plan for additional residential use to meet regional demands for housing.

5.1.2. (e) Expansion contiguous to an existing town or residential community is preferred over a new residential community.

8.1.10 (a) Increase the supply of affordable rental housing, as indicated by market conditions.

8.1.10 (b) Increase opportunities for moderate- and low-income households to become homeowners. Work from the bottom up, serving the 35 percent of residents whose income is 80 percent of the median or less. The intent is to move families out of expensive rental subsidy programs into home ownership, developing housing at a very low cost through self-help programs and reduced-rate mortgage financing.

However, HRS 201-H allows this project to be exempt from the statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon. Therefore, General Plan consistency is not required in this case.

28. **In your professional opinion, is the Project in conformance with the General Plan?**

No. Again, I will refer to HRS 201-H. General Plan consistency is not required for this project.

29. **Are you aware that the Land Use Commission must perform assessment of the proposed reclassification for conformity with the Hanapēpē-Eleele Development Plan?**

Yes.

30. **Are you familiar with the Hanapēpē-Eleele Development Plan?**

Yes.

31. **In your professional opinion, is the Project in conformance with the ____ Development Plan?**

No. Again, I will refer to HRS 201-H. Development Plan consistency is not required for this project.

32. **Are you aware that the Land Use Commission must perform an assessment of the proposed reclassification for conformity with the current zoning designation?**

Yes.

33. **Are you familiar with the current zoning designation for the Petition Area?**

Yes.

Is the Project in conformance with the current zoning?

No. Again, I will refer to HRS 201-H.

34. **Are you aware that the Land Use Commission must review a proposed reclassification for consistency with the Urban District standards set forth under HAR 15-15-18?**

Yes.

35. **Are you familiar with these standards?**

Yes.

36. **Please describe the Project's conformance with the standards under HAR 15-15-18.**

1. **HAR §15-15-18(1)**

It shall include lands characterized by "city-like" concentrations of people, structures, streets, urban level of services and other related land uses.

The Lima Ola Project, as represented in their Master Plan, is a relatively dense residential development which provides a connected street grid, pedestrian facilities, civic space, and other services necessary for an urban community.

2. **HAR §15-15-18(2)**

It shall take into consideration the following specific factors: (A) Proximity to centers of trading and employment except where the development would generate new centers of trading and employment; (B) Availability of basic services such as schools, parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public utilities, and police and fire protection; and (C) Sufficient reserve areas for foreseeable urban growth.

The Project is located within a 30-minute drive of the Po'ipū Resort area and the Pacific Missile Range Facility, both major employment centers. It is adjacent to the smaller jobs centers of Port Allen and Hanapēpē Town.

3. **HAR §15-15-18(3)**

It shall include lands with satisfactory topography, drainage, and reasonably free from the danger of any flood, tsunami, unstable soil condition, and other adverse environmental effects.

The petition area is consistent with this requirement, based on the findings of the FEA.

4. **HAR §15-15-18(4)**

Land contiguous with existing urban areas shall be given more consideration than non-contiguous land, and particularly when indicated for future urban use on state or county general plans;

The petition area is adjacent to existing Urban District and residential development.

5. **HAR §15-15-18(5)**

It shall include lands in appropriate locations for new urban concentrations and shall give consideration to areas of urban growth as shown on the state and country general plans or county community plans or development plans.

The petition area is not consistent with the General Plan, but HAR §15-15-18(6) allows for an exemption from this standard.

6. **HAR §15-15-18(6)**

It may include lands which do not conform to the standards in paragraphs (1) to (5): (A) When surrounded by or adjacent to existing urban development; and (B) Only when those lands represent a minor portion of this district.

The petition area is adjacent to existing Urban District and residential development.

7. **HAR §15-15-18(7)**

It shall not include lands, the urbanization of which will contribute toward scattered spot urban development, necessitating unreasonable investment in public infrastructure or support services.

The petition area meets this requirement.

8. **HAR §15-15-18(8)**

It may include lands with a general slope of twenty per cent or more if the commission finds that those lands are desirable and suitable for urban purposes and that the design and construction controls, as adopted by any federal, state, or county agency, are adequate to protect the public health, wealth and safety, and the public's interests in the aesthetic quality of the landscape.

The petition area has an average slope of 4 percent, so this requirement is not applicable.

37. **In your professional opinion, does the proposed reclassification conform to the standards set forth in HAR 15-15-18?**

Yes, based on HAR §15-15-18(6) which allows an exemption from HAR §15-15-18(5).

38. **Are you aware that prior to granting a reclassification the Land Use Commission must specifically consider certain matters as set forth under HRS Section 205-17?**

Yes.

39. **Please provide your evaluation of the Project's conformance with those criteria?**

The Commission must consider the following:

(1) The extent to which the proposed reclassification conforms to the applicable goals, objectives, and policies of the Hawaii state plan and relates to the applicable priority guidelines of the Hawaii state plan and the adopted functional plans;

(2) The extent to which the proposed reclassification conforms to the applicable district standards;

(3) The impact of the proposed reclassification on the following areas of state concern:

(A) Preservation or maintenance of important natural systems or habitats;

(B) Maintenance of valued cultural, historical, or natural resources;

(C) Maintenance of other natural resources relevant to Hawaii's economy, including agricultural resources;

(D) Commitment of state funds and resources;

(E) Provision for employment opportunities and economic development; and

(F) Provision for housing opportunities for all income groups, particularly the low, low-moderate, and gap groups;

(4) The standards and criteria for the reclassification or rezoning of important agricultural lands in section 205-50;

(5) The county general plan and all community, development, or community development plans adopted pursuant to the county general plan, as they relate to the land that is the subject of the reclassification petition; and

(6) The representations and commitments made by the petitioner in securing a boundary change.

My assessment on the Project's impact on those six areas of State concern is as follows:

(A) Preservation or maintenance of important natural systems or habitats.

Based upon the historical uses of the land within the Petition Area, the requested reclassification and redevelopment of Lima Ola is not expected to have a significant adverse effect on the environment, including any important natural systems or habitats. No threatened or endangered plant species are located within the Petition Area. No endangered or threatened avifaunal, feral mammal or invertebrate species are located within the Petition Area. No native water birds, nesting seabirds or migratory shorebirds were observed at the Petition Area.

(B) Maintenance of valued cultural, historical, or natural resources.

The Cultural Impact Assessment concluded that the development of Ola Lima would have no significant impact on Hawaiian cultural resources, beliefs and practices. Archaeological sites are limited to the historic area.

(C) Maintenance of other natural resources relevant to Hawaii's economy, including agricultural resources.

Although the Lima Ola project would end the cultivation of coffee on the Petition Area, there are sufficient other nearby areas on which agriculture may be continued. It has been known since the conveyance of the property by McBryde Sugar to the County that this area would be developed for affordable housing.

(D) Commitment of state funds and resources

The development of the Project at this date will not require the commitment of State funds and resources, as it is being administered by the County of Kauai Housing Agency.

(E) Provision of Employment opportunities and economic development.

The Project is located within a 30-minute drive of the Po'ipū Resort area and the Pacific Missile Range Facility, both major employment centers. It is adjacent to the smaller jobs centers of Port Allen and Hanapēpē Town.

(F) Provision for housing opportunities for all income groups, particularly the low, low-moderate, and gap groups.

The Lima Ola project is designed to provide needed affordable housing for those making under 140 percent of the Kauai median household income.

40. **In your professional opinion, have the Commission's decision-making criteria been satisfied**

Yes.

DATED: Lihue, Hawaii, May 12, 2017

Marie Williams