

Chapter

10

IMPLEMENTATION



IMPLEMENTATION

The master plan provides a roadmap for revitalizing aging components of the County's park infrastructure and expanding strategically to meet existing and future recreation needs. To support the master plan's implementation, this chapter describes potential constraints on rehabilitation and new development, as well as opportunities for funding and financial assistance. As projects are realized through this decade and beyond, the people of Kaua'i are investing in community assets and a continuing legacy of health and well-being.

REGULATIONS RELATED TO PARK IMPROVEMENTS

Park planning and development occur within a context of land use and environmental regulations.

County Land Use and Zoning Restrictions

Parks and recreation facilities are mostly located on lands within the Open District, as indicated on the County General Plan and on Zoning maps. The Comprehensive Zoning Ordinance defines the Open District as "established and regulated to create and maintain an adequate and functional amount of predominantly open land to provide for the recreation and aesthetic needs of the community or to provide for the effective functioning of land, air, water, plant and animal systems or communities."

Land coverage (or lot coverage) is a key development standard in the Open District. Land coverage refers to any man-made structure, improvement, or covering that prevents normal precipitation from directly reach-

ing the surface of the land. Structures, improvements, and coverings include roofs, surfaces paved with asphalt and stone (such as roads, streets, sidewalks, driveways, parking lots, tennis courts, patios), and lands used so the soil will be compacted so as to prevent substantial infiltration (such as parking of cars and heavy, repeated pedestrian traffic).

The concept of land coverage is a potential constraint for future park improvements, particularly at smaller parks or parks that contain a significant number of buildings and structures. Within the Open District, the amount of land coverage—including buildings and pavements—cannot exceed 10 percent of the lot or parcel area. Additionally, no existing structure or improvement can be increased in size, or no new structure or improvement can be constructed to exceed the 10 percent land coverage limit. However, at least 3,000 square feet of land coverage is permitted on any parcel of record existing on or prior to September 1, 1972.

In 2012, the Comprehensive Zoning Ordinance was amended to exclude bus stops, bus shelters, and public shared use paths greater than 10 feet in width from the lot coverage provision. In the case of shared use paths wider than 10 feet, the Planning Director's approval is required for lot coverage exemption.

Development within the Open District may need to meet additional performance requirements if there is a special treatment or constraint overlay.

Parks are sometimes located in the Agriculture District because they need large amounts of undeveloped land. The CZO permits park use on agriculturally zoned lands.

CZM OBJECTIVES

Recreational resources: Provide coastal recreational opportunities accessible to the public.

Historic resources: Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Scenic and open space resources: Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Coastal ecosystems: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Economic uses: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Coastal Hazards: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Managing development: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Public participation: Stimulate public awareness, education, and participation in coastal management.

Beach protection: Protect beaches for public use and recreation.

Marine Resources: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Coastal Zone Management

All County beach parks and certain other recreation facilities are affected by the State's Coastal Zone Management (CZM) program. The objectives and policies of the CZM statute (Section 205A-2, HRS) are to preserve, protect, and, where possible, restore the natural resources of the coastal zone of Hawai'i. Special controls on development within an area along the shoreline are deemed necessary to avoid permanent loss of valuable resources and the foreclosure of management options, and to insure that public access is provided to publicly-owned or used beaches, recreation areas, and natural reserves, by dedication or other means. All lands in the State of Hawai'i and the area extending seaward from the shoreline are classified as valuable coastal resources within the State's CZM area. Kaua'i lands within the Special Management Area (SMA) are delineated on maps filed with the Planning Commission as of June 8, 1977 or as amended.

The CZM program is administered locally by each of the counties and the County of Kaua'i has adopted Special Management Area Rules and Regulations which contain regulatory guidelines and procedures. Any use, activity, or operation proposed with the SMA defined as a "development" is subject to review by the Planning Director, Planning Department, and Planning Commission.

Coastal Access

Coastal access includes public access routes to the shoreline, as well as lateral access along the shoreline. Under the public trust doctrine in Hawai'i, beaches are



Ha'ena Beach Park comfort station under construction

generally coastal recreational resources and publicly accessible, regardless of ownership. Nevertheless, public access to the shoreline can be controversial where paths to the beach traverse private lands. Coastal access issues are beyond the scope of this master plan, except where access occurs through the County's beach parks or, in the case of Ke Ala Makalae, a linear park is developed to establish a distinct corridor along the shoreline.

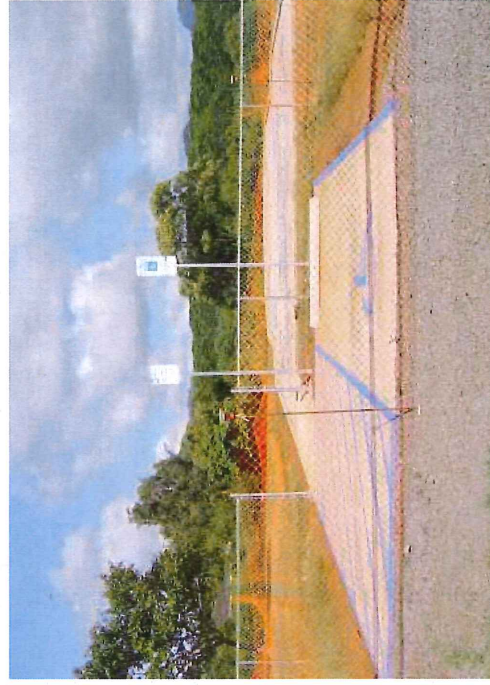


Waipouli Beach Fishing

Access for Persons with Disabilities

The intent of this master plan is to provide greater access to parks and their associated natural, historic, and cultural resources for all users, including persons with disabilities. Parks and recreation facilities will be improved and constructed in accordance with the following mandates:

All buildings, facilities, and sites shall conform to applicable federal, state, and county accessibility guidelines and standards. Hawaii Revised Statutes §103-50 requires all State of Hawai'i or County government buildings, facilities, and sites to be designed and constructed to conform with the American with Disabilities Act Accessibility Guidelines (ADAAG), the Federal Fair Housing Amendments Act, and other applicable design standards as adopted and amended by the Disability and Communication Access Board. The law further requires all plans and specifications prepared for the construction of State of Hawai'i or County government buildings, facilities, and activities to be reviewed by the Disability and Communication Access Board (DCAB) for conformance to those guidelines and standards.



ADA compliant parking and walkway to children's play area at 'Ōma'o Park (under construction, 2010)

Wildlife Conservation

The Department is committed to finding a balance between the recreation and cultural needs of Kaua'i's citizens and the need for sensitivity to the natural histories of species protected under federal and State laws.



Examples of shielded lights

Protected Seabirds

The Department is collaborating with other County agencies and with the island's sports organizations to address the potential for outdoor lighting to disorient and adversely affect the threatened Newell's Shearwater or 'A'o (*Puffinus newelli*) and endangered Hawaiian Petrel or 'Ua'u (*Pterodroma sandwichensis*) during their fledgling period. The Department has undertaken a three-pronged effort:

- The Department has worked with the Kaua'i Interscholastic Federation and other sports bodies to modify schedules involving nighttime activities.
- Shielded light fixtures have been installed at Vidimha Stadium, Hanapēpē Stadium, Isenberg Park, Līhu'e Tennis Courts, Peter Rayno Park, and Kapa'a New Park football stadium. The retrofit program for outdoor lights is continuing at other parks across the county.
- The Department is a participant in the development of a Kaua'i Seabird Habitat Conservation Plan (HCP), a project which is spearheaded by the Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife.

Protected Marine Mammals and Turtles

The Hawaiian monk seal (*Monachus schauinslandi*) and green sea turtle or honu (*Chelonia mydas*) frequent Kaua'i's coastal waters and occasionally haul out within the County's beach parks. While these occasions give beachgoers a special opportunity to view wildlife, such encounters must be respectful. The Kaua'i Monk Seal Conservation Hui is a volunteer-based project under the auspices of the National Oceanic and Atmospheric Administration, Pacific Island Regional Office. Response teams assist by providing a "seal protection zone" to buffer hauled out seals from disturbance, providing passersby with information about monk seals, monitoring seal pupping events, and reporting animals in distress.



Monk Seal

PROJECT IMPLEMENTATION

A large funding commitment will be needed to accomplish the priorities described in this master plan. Different projects will require different funding strategies. Many of the improvements can be built with County funds and local resources. Some projects may be able to contend for outside funds. Various options are described below.



Kaumakani Park



Anne Knudsen Park

Budgetary Process

The budget process is initiated by the Mayor's office. On or before March 15 a proposed operating and capital projects budget is submitted to the County Council for the next fiscal year (beginning July 1). The operating and capital budgets include proposed expenditures and the means to fund them. Public hearings are conducted by the Council to obtain citizen comments. The Council may amend the Mayor's budget. On or before June 7 of the ending fiscal year, the Council enacts the budget by passing the budget ordinance.

Most of the improvements in this master plan are likely to be funded through the Capital Improvement Program (CIP). In this part of the budget ordinance, appropriations and funding for capital improvements are programmed for a period of six years and beyond.

Volunteer/Community Build

The County's community-based program for park improvements, started in 1996, is called Ho'olokahi, which means to bring about unity or come together. It is an apt name for a program that marshals the talents, energy, and goodwill of volunteers to create long-lasting assets for their communities. The County typically provides technical support and grants for materials, and the volunteers provide labor for construction and finishing. Ho'olokahi projects have ranged from the decorated pavilion posts at Anne Knudsen Park in Kōloa to the large new pavilion at Kaumakani Park and the new shelter and comfort station at Hanapepe Cliffside Park.

Adopt-a-Park

Launched in 2005, the Adopt-a-Park program is active in some 30 parks. Interested parties are required to make a one-year commitment and enter into a written agreement which provides right-of-entry. The County specifies the type of work that can and cannot be done, and provides tools and supplies, such as paint and cleaning material. In general, volunteers supplement the effort of County workers by removing graffiti, taking on smaller painting projects, picking up litter, sweeping courts, and performing light landscaping (weeding, raking). The program allows for adoption of the entire park, or portions of a park, such as the playground or play courts. In addition, to park adopters, the Department also welcomes one-time work parties.

Volunteers who participate in these types of activities often develop a deeper sense of community ownership, becoming informal ambassadors and the extended eyes and ears monitoring problems at the park.

Recreation Partnerships

The Department works with a large number of partners to increase the quantity and quality of recreation available to County residents. Organizations range from the Department of Education and Kaua'i Interscholastic Federation to non-profits, such as the Boys and Girls Club and YMCA, to individual sports leagues and organizations. While the extent of existing relationships may vary, opportunities to strengthen and broaden collaborations should be explored.

PARK ACQUISITION

Park Dedication Requirements

One of the primary ways in which the County acquires park lands is through the parks and playgrounds dedication requirement in the Subdivision Ordinance (Sec. 9-2.8). Every subdivider, as a condition preceding approval of a subdivision, is required to provide land in perpetuity or dedicate land for park and playground purposes, unless it is determined to be unfeasible for the County to maintain such land. Where unfeasible, the Planning Commission requires the subdivider to pay a fee in lieu of the land. The park and playground requirement may be satisfied with a combination of land and in-lieu fee.

In general, the dedication requirement applies to all subdivisions except for those where the land uses are public utility or facility, commercial, industrial, or agricultural (and not developed into dwelling or lodging units). Additional applications relate to changes in the use of a building from hotel to residential dwelling use; additional dwelling or lodging units added to an existing building or lot; and net increases in dwelling or lodging units where a building is demolished.

Subdividers are required to provide a minimum ratio of 1.75 acres of land for park and playground purposes for each 1,000 persons or fraction thereof. The land dedication is calculated using the following formula:

$C \times P$ = Area to be Dedicated in Acres

Where, $C = 1.75$ ac. = number of park acres per 1,000 persons

$P = [\text{population density}] * [\text{total number of lots or dwelling units}]$

Where population density is:

3.5 persons per single-family dwelling unit or duplex

2.1 persons per multi-family dwelling unit.

When an in lieu is to be paid for lands, the assessment is based on the fair market value of the raw land prior to subdivision plus 50 percent of the difference between the fair market value of the subdivided land (including site improvements and utilities), and the fair market value of the raw land.

The Subdivision Ordinance allows parks, playgrounds, and recreation areas to be provided in a subdivision which are privately owned and maintained, and used by occupants in the subdivision. Such land may be credited on an area-for-area basis against dedicated land that would otherwise be required. Recreational use of the land must be recorded in covenants to run with the land, and there must be adequate assurance of perpetual maintenance of the private park.

FUNDING SOURCES

Fees for Service

The Department collects fees for facility use (parks, stadiums, neighborhood centers, the War Memorial Convention Hall) and camping permits, and receives revenues from vendors (Spouting Horn concessions and lunch wagons). Fees are regulated by ordinance. However, because the ordinance has not been updated in many years, these revenue streams have not kept pace with rising costs. Adjusting the fee and deposit program to better match public demand and expenses would help to recapture a portion of the costs for facility maintenance and upkeep.

Public Access, Open Space and Natural Resources Preservation Fund, County of Kaua'i

The County Council established the Public Access, Open Space and Natural Resources Preservation Fund and Commission in 2003. The organic legislation, Ordinance No. 812 (03), requires that a minimum of 0.5 percent of the County's annual real property tax revenues be placed in the fund. Monies in the fund are to be used to purchase or otherwise acquire lands or property entitlements, or fund projects relating to public outdoor recreation and education; public access to beaches, mountains, public lands and open space; preservation of historically or culturally important areas; protection of significant habitats or ecosystems; preservation of forests, beaches, coastal areas and agricultural lands; protection of watershed lands; and conservation of lands to reduce erosion, floods, landslides, and runoff.



Hanapepe Cliffs Side Park, sign asking for volunteers



Finished product—small pavilion and restroom



Plaque with names of volunteers

The Commission's role is to prepare annual recommendations to the County Council for the use of the fund. Recommendations are developed through a community input process and prioritized.

Legacy Land Conservation Program, State of Hawai'i

The Legacy Land Conservation Program provides grants to local organizations and agencies seeking to purchase and protect lands having unique, rare, and value resources. Lands (and easements) eligible under this program include parks; coastal areas, beaches, and ocean access; natural areas; cultural and historical sites; open spaces and scenic resources; recreational and public hunting areas; and lands for watershed protection, habitat protection or agricultural production. The competitive grant program is administered by the Department of Land and Natural Resources. Funding is from the Land Conservation Fund and subject to budget restrictions and procedures implemented under the Executive Biennium Budget process. County agency grant recipients must provide matching funds of at least 25 percent of the total project cost.

Land and Water Conservation Fund, U.S. Department of the Interior

The Land and Water Conservation Fund (LWCF) was enacted by the U.S. Congress in 1965 to assist eligible governmental units in providing new park areas. Qualifying projects include the acquisition of parks or natural areas, playgrounds, court facilities, and water-oriented facilities. All lands to be developed must be under the jurisdiction of the applicant.

The LWCF is a matching assistance program that provides grants for 50 percent of the cost for acquiring or developing outdoor recreation sites and facilities. The local match can be satisfied through appropriations, bond issues, and donations or gifts of land, labor, and materials.

Funds are provided through the U.S. Department of the Interior, National Park Service, and administered by the State Liaison Officer, which is the Chair of the Hawai'i Department of Land and Natural Resources. The Division of State Parks maintains an annual funding cycle for the LWCF program. Following the project application submittal deadline on May 15, State Parks makes a recommendation for project awards based on a priority rating system, and submits its recommendations to the Board of Land and Natural Resources for final action.

Funded projects require measurable links to priorities identified in the State Comprehensive Outdoor Recreation Plan (SCORP). This document is updated every five years, with the current edition published in April 2009. High priority needs, as identified in the SCORP strategic plan, include:

- Rehabilitation of recreation resources and facilities to meet design and construction standards and to promote a safe and well-maintained recreation setting
- Development of coastal and water-based recreation opportunities, such as swimming, sunbathing, snorkeling, fishing, surfing, paddling, picnicking, camping, and boating
- Development and expansion of facilities for facility-based recreation, such as field games, court games,

Moving Ahead for Progress in the 21st Century (MAP-21), U.S. Department of Transportation, Federal Highway Administration

The Moving Ahead for Progress in the 21st Century Act (MAP-21) is the current authorization for the Federal-aid highway program. MAP-21 established the Transportation Alternatives Program (TAP) as a single funding source for many alternative transportation activities that were previously separated, including Transportation Enhancements, Recreational Trails, and

- playgrounds, and swimming pools
- Development and expansion of recreation opportunities in mauka areas, such as hiking, camping and hunting
- Acquisition of areas that promote preservation of Hawai'i's natural environment, including coastal and inland areas, and buffers for significant historical parks
- Development and expansion of linear corridors and facilities for bicycling, walking, jogging, off-road biking, and sightseeing

Additionally, the following elements are important under the provisions of the LWCF program:

- Development of basic, rather than elaborate facilities
- Projects that will serve larger numbers of people
- Development of active over passive facilities
- Acquisition in or near urban areas
- Projects furnishing a broad range of outdoor recreation uses and experiences
- Projects that will be available for use by the public at the earliest period of time after conveyance of grant funds
- Projects that are accessible to all segments of the public, including minority populations, the elderly, and the handicapped

Recent projects completed with grants from LWCF include the rubberized track at Vidinha Stadium (2009) and playground at Hanapē Heights Park (2011).



Ke Ala Hele Makalae crossing Wailua River



Ke Ala Hele Makalae orientation sign



Ke Ala Hele Makalae



Ke Ala Hele Makalae at Kealita Beach Park

Safe Routes to School. An amount equal to 2 percent of the total amount authorized from the Highway Account of the Highway Trust Fund for Federal-aid highways is reserved for the TAP each fiscal year. States receive a proportionate share of funds.

Funds may be used for projects or activities that are related to surface transportation. Those related to parks and recreation facilities include the following:

- Construction, planning and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation
- Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists or other non-motorized transportation users
- Construction of turnouts, overlooks, and viewing areas
- Safe routes to school program

TAP funds are administered by the Hawai'i Department of Transportation which selects projects through a competitive process.

In the past, funds from Federal-aid transportation programs have been used for the planning, design, and construction of the shared use path, Ke Ala Hele Makalae.

IMPLEMENTATION STRATEGIES

Funds for park improvements are scarce and funding sources can be complex. It is important to be strategic in seeking to implement the prioritized projects. The Department is already pursuing some of these strategies; others may be used more assertively to leverage and optimize available resources.

- Determine which improvements can be implemented as part of maintenance efforts.
- Bundle similar projects to take advantage of economies of scale—for example, tennis court resurfacing or lighting upgrades.
- Encourage community-build efforts by providing volunteers with timely support services, such as plan review and technical and logistics assistance.
- Look for State and federal funding opportunities, evaluating whether these opportunities are reasonable based on the likely competition for funds and amount of effort required to obtain them.
- Partner with other County departments, State agencies, schools, non-profit organizations, and sports leagues to seek State and federal funds.
- Work with developers to make sure dedicated park facilities are appropriate for expected users, consistent with master plan objectives, and feasible to maintain over the long term.

Kaua'i Department of Parks and Recreation— Enhancing communities through exceptional people, parks, and recreational programs