



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. A11-791
)
HG KAUA'I JOINT VENTURE, LLC.)
)
To Amend the Land Use District Boundary of)
Certain Lands Situated at Kapaa, Island of) COUNTY OF KAUA'I'S STATEMENT OF
Kaua'i, State of Hawai'i, Consisting of) POSITION; CERTIFICATE OF SERVICE
approximately 96 Acres, From the Agricultural)
Land Use District to the Urban Land Use)
District, Kaua'i Tax Map Key 4-3-03: por. 01)
_____)

POSITION STATEMENT OF THE PLANNING DEPARTMENT, COUNTY OF KAUA'I

Pursuant to Hawai'i Administrative Rules (HAR) §15-15-55, the Planning Department, County of Kaua'i submits its Statement of Position in support of the Petition to reclassify approximately 96 acres of land at Kapa'a, Kaua'i and identified by TMK 4-3-03: 01 (portion ("Petition Area")) from its current State Land Use Agricultural District to the State Land Use Urban District.

BACKGROUND INFORMATION

Petitioner's Proposed Use of the Petition Area

1. The Petitioner proposes to reclassify approximately 96 acres to develop the HoKua Place residential community that will involve approximately 683-multi-family units and 86-single family lots and homes.
2. Approximately 14.3-acres will be set aside for open space.
3. A 3.1-acre park may be located adjacent to the existing Kapa'a Middle School with an area set aside for the possible relocation of the Kapa'a county swimming pool.
4. Commercial use may occur within 1.4-acres and another one-acre site on the makai side of the Kapa'a Bypass Road (southwest corner of Olohena and the Bypass Road) may be used for a police or fire substation or additional neighborhood commercial space.

Site Information

5. The Petition Area is 96 acres of a total of approximately 150 acres encompassing TMK No. 4-3-03: 01.

6. The County General Plan Designation for the Petition Area is Neighborhood General, which is described as follows:

The Neighborhood General Designation applies to the watershed surrounding Neighborhood Centers. This designation is intended for medium intensity mixed-use environments that support the town core with housing, services, parks, civic/institutional, home occupation, and commercial uses. Buildings in this designation are mostly detached, with some attached, 1-2 stories in height that can accommodate a range of multi-family housing types.

7. The Kapa'a-Wailua Development Plan does not include the Petition Area and is over forty years old.

8. The County Zoning designation for the Petition Area is Agriculture.

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

10. The Petition Area is outside is maximum 3.2 feet Sea Level Rise Exposure Area (SLR-XA), which modeled separate and cumulative sea level rise impacts due to passive flooding, annual high wave flooding, and coastal erosion.

11. Under the Federal Emergency Management Agency Flood Insurance Rate Map, the Petition Area is in Flood Zone X with low-to-moderate risk of flood and outside the 100-year floodplain.

12. The Petition Area is directly makai and along the Olohena Road, known as the Kapa'a Bypass road, and adjacent to Kapa'a Middle School.

SUMMARY OF REASONS IN SUPPORT

13. The Petition Area is not governed by an updated community plan to provide detailed guidance for this project. Thus, analysis of the project is reliant on General Plan policies.

14. The Petition Area's designation as Neighborhood General in the 2018 Kaua'i General Plan supports the reclassification to the State Land Use Urban District.

15. The description of the project's proposed uses currently includes "housing, services, parks, civic/institutional . . . and commercial uses," which generally furthers the vision for types of uses in the Neighborhood General designation.

16. Pursuant to its inclusion in the Neighborhood General designation, the Petition area is within the “walkshed,” or a distance of a quarter mile and a roughly 10-minute walk of Kapa‘a Town, which is designated as Neighborhood Center.

17. The East Kaua‘i section under “Community Planning” explained that the “previous Urban Center designation [in the 2000 General Plan was] changed to Neighborhood General, which will require a mix of residential building types and a walkable, compact form where connectivity to the school and Kapa‘a Town is emphasized.”

18. The project’s uses are generally consistent with this designation change.

19. The Petition Area and general project description is consistent with the General Plan’s vision regarding growth management.

20. Under the General Plan’s Housing Sector that discussed “New Communities,” policies acknowledged that new communities are “needed to accommodate future growth” and “[e]ven though infill development is prioritized, there is not enough residential zoning capacity to accommodate projected housing demand.” The General Plan’s policies and actions including those described for the Neighborhood General designation, therefore, “guide where and how these new communities will develop.”

21. Other designations acknowledged that growth should be directed to areas designated as Neighborhood Center and Neighborhood General. For instance, the Residential Community designation explains that “the majority of future residential needs are directed to the existing and proposed Neighborhood Center and Neighborhood General designations.”

22. Similarly, the Urban Center designation explained that the area adjacent to Kapa‘a Middle School was removed from the Urban Center designation and replaced with Neighborhood General to manage growth north of the Wailua Bridge and address Wailua-Kapa‘a Traffic.

23. Implementing the General Plan’s Future Land Use Map, including the Petition Area’s Neighborhood General Designation, is an important element in the State and County’s land use and regulatory planning system to support the island’s inevitable growth.

24. Under the Future Land Use Maps, guidance regarding “Directing How Kaua‘i Grows” further explained that “[u]pdated population projections determined the extent of new growth areas, while sea level rise and other technical planning information directed whether or not certain areas are appropriate for development.”

25. The Future Land Use Map represents the development pattern needed to accommodate projected growth and support the vision and goals during the General Plan’s planning horizon.

26. With some refinement, the project description and its proximity to Kapa‘a Town has the potential to further the vision for new communities located adjacent to existing towns

that was described in “Directing How Kaua‘i Grows” under “2.0 Future Land Use Maps.” Namely, those new communities should “support housing for locals, include a range of civic space, and to further the County’s multimodal transportation goals.”

27. In addition, despite the overall preference for infill development in existing towns, a new community at the Petition Area may be important due to flood zone and tsunami zone concerns in Kapa‘a Town.

28. Background on Kapa‘a Town in the East Kaua‘i section under “Community Planning” stated:

Another concern is that much of Kapa‘a Town is within tsunami evacuation and flood zones. Sea level rise projections show that much of the area could be inundated if SLR reaches 3 feet, as is currently anticipated by the year 2100. These considerations raise further questions about how much growth should be encouraged and accommodated within the Kapa‘a-Wailua corridor.

29. Although within the watershed of Kapa‘a Town, the Petition Area has a low-to-moderate risk of flooding and out of the maximum 3.2 feet SLR-XA area.

30. The Petition Area is also located along the Kapa‘a Bypass road.

31. Thus, a new community in this area may be important to accommodate East Kaua‘i’s projected housing needs.

32. Finally, the General Plan was adopted with the Petition Area designated as Neighborhood General based on an “in-depth public and technical process, and specific changes were based on community input obtained through visioning workshops, community meetings, and stakeholder consultation.” The reclassification is the initial step toward implementing this vision.

COUNTY CONCERNS

33. As stated in the General Plan’s East Kaua‘i section, “Kapa‘a Town’s future growth pattern depends largely upon the intensity of implementation related to key community policy regarding traffic north of the Wailua Bridge.”

34. Recommendations for permitting and code change to implement overall policies related to Transportation include:

1. Coordinate land use planning with transportation to minimize the impact of growth on congestion, improve walkability in town centers, revitalize commercial areas, and enhance mobility in places where people live, work, learn, and play.
2. Require that transportation impact analysis reports and other traffic studies analyze a project’s potential to encourage mode shift.

35. Thus, an updated Traffic Impact Analysis Report (TIAR) is minimally required to analyze regional traffic improvements after several key Hawai'i Department of Transportation ("HDOT") projects are completed. These key HDOT improvements include the addition of a 4th lane on Kuhio Highway from Kapa'a Bypass road to Kuamoo Road, adding a north leg of the Kapa'a Bypass to make the bypass two lanes, and adding a roundabout at the Kawaihau intersection. An updated TIAR or TIARs could be done prior to County zoning or subdivision approvals since the addition of a 4th lane on Kuhio Highway from Kapa'a Bypass road to Kuamoo Road should occur within one to two years.

36. The project's conceptual plans do not reflect the furtherance of the General Plan's vision related to transportation detailed in the Future Land Use, Community Planning's East Kaua'i Section, and Transportation Sector.

37. The General Plan's Transportation Sector emphasized "managing congestion through a combination of smaller, quicker roadway projects, shifts some trips away from SOVs to other modes (transit, walking, and biking)" instead of "adding capacity for motor vehicles through widening existing roads and building new roads."

38. Among other goals and actions to inform future community planning processes to implement East Kaua'i land use policies include:

- I. GOAL: Accommodate East Kaua'i's projected housing needs . . .
3. Design new communities to be walkable, compact, and connected to Kapa'a Town.
4. The build-out phasing of new communities should be coordinated with the implementation of priority projects in the Kapa'a Transportation Solutions Plan. . . .

- VI. GOAL: Increase connectivity from the town to recreation and residential areas along Kukui/Olohena Road.
- A. IMPROVE PEDESTRIAN, BICYCLE, AND TRANSIT CONNECTIVITY . . .
3. Ensure new communities support the County's mode shift goals and improve vehicular and pedestrian connectivity to parks, schools, and Kapa'a Town.

39. To implement the vision for new communities and further "Designing Communities for Equity and Health," the project must be designed to "further the goals of sustainability, equity, and opportunity . . . [which] means that zoning and subdivision approvals for new communities must support multiple transportation options and provide shared space for a range of household types."

40. This policy further states the following:

New communities should be walkable, built with a pattern where one can live with limited reliance on the automobile, conducive to destination walking and cycling, and with access to transit and shared spaces. Walkable areas are largely supported through a network of interconnected, tree-lined streets, a diversity of housing choices, and a mix of appropriate commercial and residential uses in a compact form. This type of compact design supports public transit and ultimately reduces infrastructure and service delivery costs to the County over the long-term.

41. The Petition states that the project includes a “multi-modal main roadway through HoKua Farm Lots and the Project [and] will include bus stops, sidewalks and a bicycle and walking path connecting from Olohena Road adjacent to Kapa‘a Middle School through the Project to the Kapa‘a Bypass Road, facilitating sustainable travel to and from Kapa‘a Town.” However, the project’s conceptual plans do not reflect a mode shift from single occupancy vehicles (SOVs), multi-modal roadways, nor pedestrian, bicycle, and transit connectivity.

42. “To provide connected and convenient pedestrian facilities in communities,” the project must support a pedestrian program throughout the development, especially surrounding Kapaa Middle School.

43. In addition, the creation of “connected and safe bicycle networks that accommodate all riders” should be considered.

44. The project’s conceptual plans do not reflect the furtherance of the General Plan’s vision related to housing and managing growth detailed in the Future Land Use, Community Planning’s East Kaua‘i Section, and Housing Sector.

45. For instance, the current proposal does not provide a range of multi-family housing types, nor does it further the guidance and vision for projects in Neighborhood General, which includes buildings that are “mostly detached, with some attached, 1-2 stories in height that can accommodate a range of multi-family housing types.”

46. Among other goals and actions to inform future community planning processes to implement East Kaua‘i land use policies include:

- I. GOAL: Accommodate East Kaua‘i’s projected housing needs . . .
2. In new communities, ensure the majority of units are “missing middle housing” and affordable by design.

47. Among other goals and recommendations for permitting and code changes to implement the policies under “New Communities” include the following:

3. Substantially increase the amount of market rate multi-family and “missing middle” housing on Kaua‘i by requiring housing type diversity in all new subdivisions.
4. Increase opportunities for moderate- and low-income households to become homeowners by providing a range of housing types.

5. Build housing in proximity to jobs, parks, community resources, and services.
6. Ensure subdivisions are designed to support housing type diversity, maximize density, provide safe pedestrian/bicycle connections, and slow speed on roads.

48. Whether at the State Land Use District amendment level, the County rezoning, subdivision, or permitting phase of the approval process, the Department will seek to implement the General Plan guidance for growth management in East Kaua'i by encouraging medium intensity residential neighborhood, a mix of residential building types, and a walkable, compact form, as well as other housing and transportation goals.

49. Refining the design and housing types for the project may occur prior to subsequent land use permits and approvals. However, the General Plan goals will be paramount in the county's review of any subsequent county rezoning actions, and subdivision, and zoning permit reviews.

50. Aside from conformance with the General Plan, the project must be updated to comply with the minimum workforce housing requirements under Kaua'i County Code Chapter 7A, which was recently amended by Ordinance 1081.

51. The Project will have to meet all minimum subdivision and zoning requirements at the subdivision and zoning permit phases of the approval process.

52. Lastly, coordination with respective county agencies regarding the Petition's proposal to reserve a location for the Kapa'a county swimming pool, as well as locating police or fire substations on the property is required at the earliest opportunity.

CONCLUSION

Based on our review of the information provided in the Petition, the Planning Department supports the proposed reclassification to the State Land Use Urban District. To further the General Plan's vision and goals, however, the project design and plans require refinement. This position statement is based on information presented and available in the Petition as well as documents filed in these proceedings and offers general comments and may not address all concerns of the County of Kaua'i Planning Department. Additional information, analysis, and recommendations may be presented as part of the Planning Department's testimony based on further review by county agencies that are affected by the proposal.

Dated: Līhu'e, Kaua'i, Hawai'i, December 10, 2020.

Jodi Higuchi Sayegusa

JODI A. HIGUCHI SAYEGUSA

Deputy Director

Department of Planning

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CERTIFICATE OF SERVICE

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

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Dated: Līhuʻe, Kauaʻi, Hawaiʻi, December 10, 2020.



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