

Mori, Ashley

From: Daryn Arai <Daryn.Arai@outlook.com>
Sent: Tuesday, July 5, 2022 7:23 AM
To: Nāko'o
Cc: Maile Luuwai; Bridgit; Nāmaka; Liz; Shellby Yamada; Planning Internet Mail; Kay, Christian
Subject: Re: Yamada Statement and Appendix A

Thank you, Mrs. Warrington.

I will need to defer to the Planning Department to see if the Director's Background Report can be amended to include the proper citation as you noted below.

On behalf of the Applicant, we have no objections to any such amendment.

Take care,
Daryn

Daryn Arai
Mobile: (808) 895-3218

From: Nāko'o <nakoolaniw@gmail.com>
Sent: Tuesday, July 5, 2022 5:30 AM
To: Daryn Arai <Daryn.Arai@outlook.com>
Cc: Maile Luuwai <maile@luuwailaw.com>; Bridgit <balesb001@hawaii.rr.com>; Nāmaka <rnamaka@gmail.com>; Liz <lizmasaoka@yahoo.com>; Shellby Yamada <syamada@yamadasons.com>; Planning Department <planning@hawaiicounty.gov>; Kay, Christian <Christian.Kay@hawaiicounty.gov>
Subject: Re: Yamada Statement and Appendix A

Aloha Daryn,

Your timely response is very much appreciated.

In the spirit of transparency, and at the very least, references to the Hilo CDP must be consistent with the language provided on the County of Hawai'i's website, <https://www.planning.hawaiicounty.gov/general-plan-community-planning/hilo>

The Hilo Community Development Plan, which is referenced in the Planning Director's Background Report dated May 23, 2022 at item No. 14 on Page 3, **is Hilo's first Community Development Plan, adopted by resolution of the Planning Commission on May 21, 1975.**

Mahalo,
~Nāko'olani

On Mon, Jul 4, 2022 at 9:11 PM Daryn Arai <Daryn.Arai@outlook.com> wrote:

Aloha Mrs. Warrington.

Thank you for your email and your efforts to make your concerns known to me. I understand the point that you are making and I acknowledge the substance of your comments.

Copied on this response to your email, with your permission, are the Applicant and Planning Director Zendo Kern. I respectfully request that the Planning Department provide this complete email string to the Windward Planning Commission to be made a part of the official record regarding Agenda Item No. 4 regarding Yamada and Sons, Inc. scheduled for July 7, 2022.

In response to your statement, I acknowledge that Chapter 16 of the Hawai'i County Code is structured so as to only recognize the referenced CDPs as being "adopted", to be succeeded by the establishment of a CDP Action Committee to steward the respective CDP implementation and update. This is also acknowledged by the Planning Department on its own CDP website (<https://www.hawaii-county.gov/about-cdps>) that "*CDPs are enabled by Hawai'i County Code Section 16-2 and administered by the Planning Department.*"

Therefore, only the following CDPs are "adopted" and "enabled" by specific reference in Chapter 16, HCC:

- Hāmākua Community Development Plan
- Ka'ū Community Development Plan
- Mapping the Future: Kona Community Development Plan Volume 1
- North Kohala Community Development Plan
- Puna Community Development Plan
- South Kohala Community Development Plan

You are correct that the 1975 Hilo Community Development Plan is not recognized by Chapter 16, HCC and is therefore not "adopted" or "enabled" for the sake of being steward by any action committee.

But I do wish to provide my perspective that the reference to the 1975 Hilo Community Development Plan in the Planning Director's Background Report and in the Applicant's recent statement were an acknowledgement of the only community development plan that exists for the City of Hilo and portions of South Hilo south to the Puna District, regardless of its statutory weight or dated applicability. This historical reference does not take away from the fact that most of South Hilo remains the only part of this island not subject to a CDP that is administered by an action committee under Chapter 16, HCC. This fact is not overlooked by the Planning Department, and I have over three decades of experience to support this statement.

As you may be aware, the Planning Department is undertaking a comprehensive update of the General Plan, which will eventually help to define policy decisions regarding any new or amended community development plans. You will find information about the GP comprehensive update here: <https://www.planning.hawaii-county.gov/general-plan-community-planning/gp/comp>

Thank you for reaching out to me and I hope that my response provides an adequate acknowledgement of your concerns.

Daryn

Daryn Arai

Land Use Planning Consultant
PO Box 4501
Hilo, HI 96720
Mobile: (808) 895-3218

From: Nāko'o <nakoolaniw@gmail.com>
Sent: Monday, July 4, 2022 5:43 PM
To: DARYN.ARAI@outlook.com <DARYN.ARAI@outlook.com>
Cc: Maile Luuwai <maile@luuwailaw.com>; Bridgit <balesb001@hawaii.rr.com>; Nāmaka <rnamaka@gmail.com>; Liz <lizmasaoka@yahoo.com>
Subject: Fwd: Yamada Statement and Appendix A

Aloha Daryn,

I ASKED MAILE TO FORWARD MY CONCERN (BELOW IN RED) TO YOU...BUT I FOUND YOUR EMAIL ADDRESS AND SO I'M FORWARDING THIS TO YOU MYSELF.

To refresh your memory, I'm the KPFA member who made a point of the GP and CDP being included in the documents at the June 18 meeting KPFA/Yamada meeting.

For too long, Hawai'i County government has played semantics and dismissed the fact that there is **no Hilo CDP, an officially adopted plan, approved by the county council and signed by the mayor, enabled by the General Plan and codified in HCC, Chapter 16.**

Please see below in red.

Mahalo,
Nāko'olani Warrington
KPFA, Member

----- Forwarded message -----

From: Nāko'o <nakoolaniw@gmail.com>
Date: Mon, Jul 4, 2022 at 3:19 PM
Subject: Re: Yamada Statement and Appendix A
To: Maile Luuwai <maile@luuwailaw.com>
Cc: Bridgit Bales <Balesb001@hawaii.rr.com>, Namaka Rawlins <rnamaka@gmail.com>

Aloha Maile,

I don't have Daryn Arai's email. Please forward my response to Daryn. Mahalo! -Nāko'o

Aloha Daryn,

At the very least, a clearer description of "adopted" must be included - as suggested in bold - in the sentence:

The Hilo Community Development Plan, which is referenced in the Planning Director's Background Report...was adopted on May 21, 1975, **by the Hawai'i County Planning Department. To be clear, there is no Hilo Community Development Plan, an officially adopted plan, approved by the county council and signed by the mayor, enabled by the General Plan and codified in HCC, Chapter 16.**

Thank you,
Nāko'olani Warrington

9. **The permit shall include the date of the most recent General Plan and the date and name of the official Community Development Plan referenced in the Special Permit Use. The permit shall clearly indicate which Community Development Plan is being referenced, and if in fact, the referenced CDP has been adopted into the County Code.**

Applicant's Response: This requested condition is not necessary as it is a finding more than it is a condition. For the record, the General Plan referenced within the FEA, Special Permit application, and Planning Director's Background and Recommendations reports is dated "February 2005" and adopted pursuant to Ordinance No. 05-025 with an effective date of February 9, 2005, as amended.

The Hilo Community Development Plan, which is referenced in the Planning Director's Background Report dated May 23, 2022 at Item No. 14 on Page 3, was adopted on May 21, 1975.

On Mon, Jul 4, 2022 at 2:43 PM Maile Luuwai <maile@luuwailaw.com> wrote: