

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

West Hawai'i Office
74-5044 Ane Keohokālole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563



County of Hawai'i
PLANNING DEPARTMENT

Zendo Kern
Director

Jeffrey W. Darrow
Deputy Director

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

August 28, 2023

Mr. Derek B. Simon
Carlsmith Ball LLP
1001 Bishop Street, Suite 2100
Honolulu, Hawai'i 96813



Dear Mr. Simon:

SUBJECT: Comments for Early Consultation for Draft Environmental Impact Statement University of the Nations, Kona, Inc. 2020 Master Plan Update
Tax Map Key: (3) 7-5-010:085 & 7-5-017:006 Kailua-Kona, Hawai'i

This is in response for early consultation comments for the Draft Environment Impact Statement being prepared for University of the Nations, Kona, Inc. 2020 Master Plan Update.

1. The subject properties are 58.597 acres and 5.361 acres in size respectively. Parcel 85 is zoned Agricultural-1 acre (A-1a) and Parcel 6 is zoned Double-Family Residential (RD-3.75) & Single-Family Residential (RS-7.5) by the County of Hawai'i. Both properties are currently designated as Urban by the State Land Use Commission. It is our understanding that the petitioner will be seeking a rezoning to the Project District, which would provide flexibility in relocating elements within the Petition Area, or another appropriate zoning district.

Based on the information below regarding the Kona Community Development Plan, the Project District zoning would be the appropriate zoning district for the proposed development.

2. The General Plan Land Use Pattern Allocation Guide (LUPAG) map designation for the project site is Medium Density Urban (mdu), which allows for Village and Neighborhood Commercial zoning, as well as Single-Family and Multiple-Family Residential and related functions. This designation allows for multiple-family residential units up to 35 units per acre. The proposed development is consistent with the General Plan LUPAG designation for the project site.

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3. The properties are not located within the Special Management Area (SMA) but are situated within the Coastal Zone Management Area (CZMA). Please expand on the discussion of how the project will meet the objectives and policies of the CZMA that are applicable.
4. The property is in an area affected by the Kona Community Development Plan (KCDP), which was adopted by the Hawai'i County Council by Ordinance No. 08-131 and amended by Ordinance 19-91.

The project site is situated within the Kona Urban Area (KUA) and within the Puaa-Waiaha Village Neighborhood Traditional Oriented Development (TOD) Floating Zone identified on the Official Kona Land Use Map (Figure 4-7) within the KCDP.

The process for establishing a TOD Floating Zone within the KUA is identified within the amended KCDP under Policy LU-2.4 of the Land Use Section. The development of TODs are encouraged within the extent and locations of the floating zones shown on the Official Kona Land Use Map (Figure 4-7). These locations are approximate and become fixed pursuant to the Project District rezoning procedures as modified and described under Policy LU-2.4(1 through 7).

We have no further comments at this time. Please forward us a copy of the draft EIS for review.

If you have any questions, please feel free to contact Jeff Darrow at 808-961-8158.

Sincerely,


[Zendo Kern \(Aug 28, 2023 14:11 HST\)](#)

ZENDO KERN
Planning Director

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cc w/copy of letter: Sinclair SalasFerguson, Deputy Corporation Counsel
Katherine Garson, Carlsmith Ball