RESOLUTION NO. 291 17

A RESOLUTION TO POSTPONE COUNCIL ACTION ON REZONING APPLICATIONS IN THE HĀMĀKUA DISTRICT, WAIPI'O THROUGH KAIWIKI, UNTIL THE HĀMĀKUA COMMUNITY DEVELOPMENT PLAN IS ADOPTED BY ORDINANCE, OR DECEMBER 31, 2018, WHICHEVER SHALL OCCUR FIRST.

WHEREAS, the Hawai'i State Constitution, Article IX, Section 6, Management of State Population Growth, states:

"The State and its political subdivisions, as provided by general law, shall plan and manage the growth of the population to protect and preserve the public health and welfare; except that each political subdivision, as provided by general law, may plan and manage the growth of its population in a more restrictive manner than the State."; and

WHEREAS, the Hawai'i County Charter (2016 Edition), Section 3-15, from which the General Plan emerged as a major policy document, states, in part:

"The county council shall adopt by ordinance a general plan which shall set forth the council's long range policy for the comprehensive physical, economic, environmental, and sociocultural wellbeing of the county.

(a) The general plan shall contain a statement of development objectives, standards and principles with respect to the most desirable use of land within the county for residential, recreational, agricultural, commercial, industrial and other purposes... and such other matter as may, in the council's judgment, promote the general welfare, health, and prosperity of its people....

(c) No public improvement or project, or subdivision or zoning ordinance, shall be initiated or adopted unless the same conforms to and implements the general plan...."; and

WHEREAS, the County of Hawai'i General Plan (2005, as amended), Section 15.1, Community Development Plans, states, in part:

"The Community Development Plans are intended to be the forum for community input into managing growth and coordinating the delivery of government services to the community. The Community Development Plans will translate the broad General Plan statements to specific actions as they apply to specific geographical areas...."; and

WHEREAS, the district of Hāmākua was determined by the County to be suitable and in need of a Community Development Plan in order to ensure responsible growth and to preserve the public health and welfare ; and

WHEREAS, in compliance with the County of Hawai‘i General Plan (2005, as amended), a Hāmākua Community Development Plan Steering Committee was appointed by the Mayor and confirmed by the County Council on May 18, 2010; and

WHEREAS, the Community Development Plan process has created an effective outreach program to define community vision via public input through facilitated community meetings and public workshops; and

WHEREAS, the Mayor, the Planning Department, the County Council, and the Hāmākua community have demonstrated a strong commitment to the Community Development Plan process as a guiding principle for well-planned and responsible future growth for the Hāmākua district; and

WHEREAS, the Council adopted Resolution No. 592-16 on September 7, 2016; and

WHEREAS, the purpose of Resolution No. 592-16 was to provide notification to the administration of the County of Hawai‘i and the general public that the Council would not take action on any rezoning applications for those geographical areas covered by the Hāmākua Community Development Plan until the plan is adopted by ordinance, or June 30, 2017, whichever shall occur first; and

WHEREAS, the Hāmākua Community Development Plan is yet to be adopted by ordinance and the Council seeks to extend the initial timeframe provided in Resolution No. 592-16 to allow for the adoption of this critical planning document; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that Council action on rezoning applications in the Hāmākua district, Waipi'o through Kaiwiki (as shown in Exhibit A), be postponed until the Hāmākua Community Development Plan is adopted by ordinance, or until December 31, 2018, whichever shall occur first.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to the Honorable Mayor Harry Kim, the Director of the Department of Planning, the Director of the Department of Public Works, the Director of the Department of Finance, the Windward Planning Commission, and the Hāmākua Community Development Plan Steering Committee.

Dated at Hilo, Hawai'i, this 4th day of October, 2017.

INTRODUCED BY:

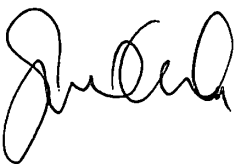


COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
County of Hawai'i
Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on October 4, 2017.

ATTEST:



COUNTY CLERK



CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
CHUNG	X			
DAVID	X			
EOFF	X			
KANUHA	X			
LEE LOY	X			
O'HARA	X			
POINDEXTER	X			
RICHARDS	X			
RUGGLES	X			
	9	0	0	0

Reference: C-442/PC-30

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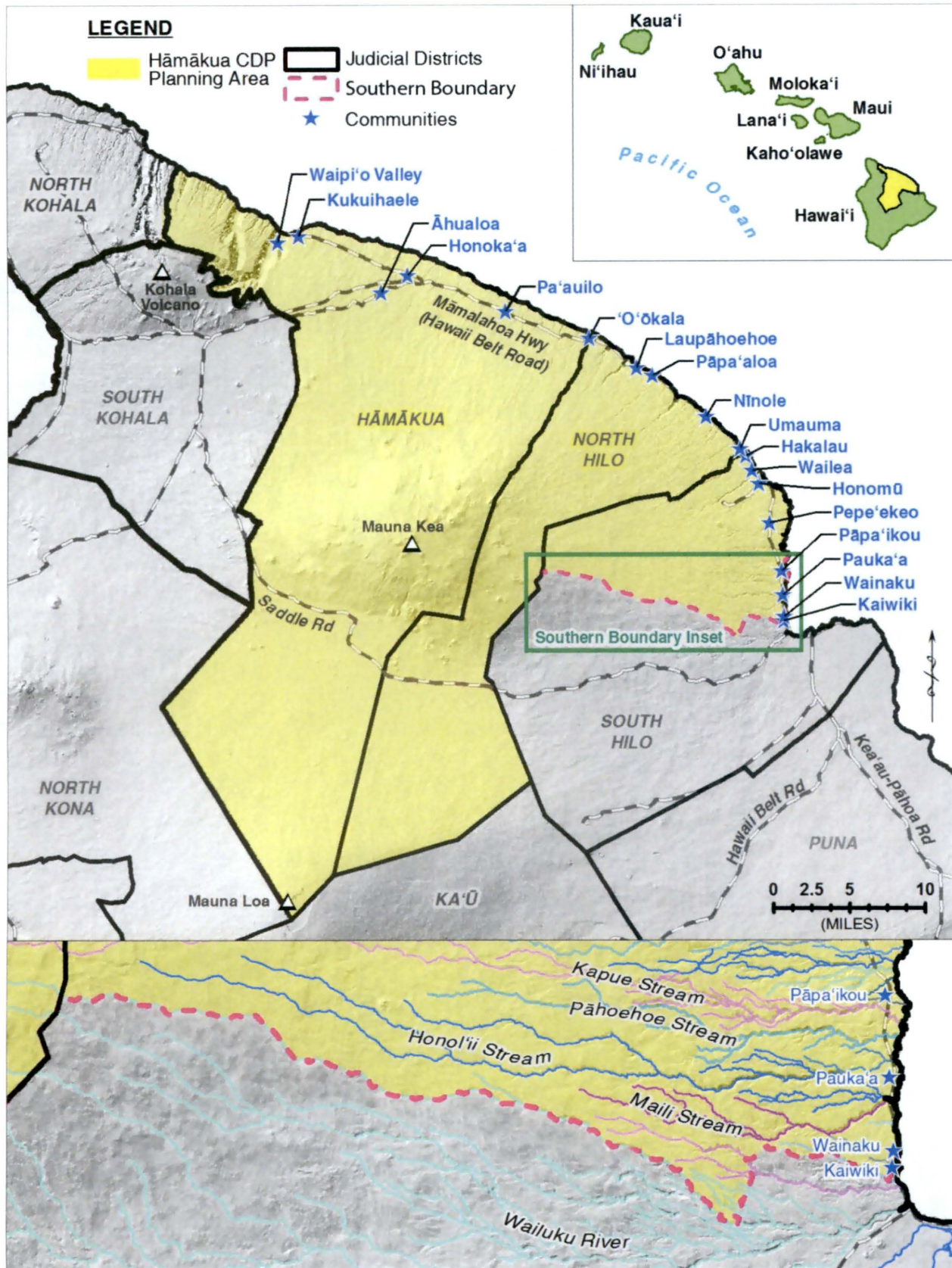


EXHIBIT A