



WAILUA - KAPA'A  
NEIGHBORHOOD  
ASSOCIATION

June 12, 2017

Kauai County Planning Commission  
4444 Rice Street, Lihue Civic Center  
Lihue, HI 96766

RE: Concerns with the General Plan June 13, 2017 Department Draft

Aloha Planning Commissioners:

Despite a colossal effort by staff and many consultants, the final draft of the General Plan remains deficient in many ways.

“Kauai is at a crossroads” – that is how the GP begins and the greatest threat is future growth, states the Plan. In contrast however, the Plan seeks to “accommodate” growth rather than manage it with slow-growth tools. What we really have, as someone said, is a “Large Landowner General Plan”, because the trajectory of the Plan clearly urges growth despite the inability of infrastructure to keep up since the GP2000. And, this foundational error is contrary to the policy statements.

The Plan even re-defines SUSTAINABILITY with a pro-growth spin by substituting the word “growing” in place of the traditionally used word “living” in this quote (top of page 1-3, Section 1.3.1 A Sustainable Island):

“Sustainability means growing responsibly to meet the needs of current and future generations...”

**Tourism Growth Management.**

Important information related to tourism carrying capacity appeared in the January Draft Plan (page 2-80) but was removed from the June Draft (pages 3-83 to 3-84):

“The *Kaua'i Tourism Strategic Plan 2016–2018 Update (2015)* (KTSP) noted that when ADVC exceeds 25,000, **there is a noticeable decline to both the visitor experience and the residential quality of life.** As shown in Table 2-3, this now happens on a regular basis. The daily visitor count surpassed 26,000 in December 2014, and triggered visitor complaints. **In July of 2016 the visitor count was nearly 30,000 per day.**”

This deleted information is replaced with the very unnecessary, redundant Action 2.b. (pg 3-88):

“Explore development of a maximum annual visitor carrying capacity.”

The *Tourism Strategic Plan* already acknowledges the detrimental impacts that result when the Average Daily Visitor Census reaches 25,000.

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Furthermore, the county's projected tourist counts are much too low. To prove this, simply take Figure 3-8 ADVC (2005-2015) from page 3-83, and overlay it on Figure 11 (from page D-12, Appendix D: Growth Trends and Projections). It then becomes clear, how wrong the Plan's purported .4% rate of tourism growth is, compared to the actual 4.6% annual growth rate from 2010 to 2015. In addition, the county's growth projections should not be predicated on acts of God such as hurricanes.

### **Policy for Citizen Participation, Early Consultation and Input.**

At the last Commission meeting, W-KNA submitted a handout of policies compiled from the GP2000 (see attached). These important public process guidelines have been minimized in Plan. Policy #19 *Communicate with Aloha* simply does not embody the principles of citizen participation adequately and we strongly recommend incorporating this back into the GP.

### **Community Plans.**

The GP has proposed future land uses that are not consistent with existing zoning designations. Those recommendations essentially hijack what Community Plans are intended to do. Securing resident buy-in for any proposed up-zoning, needs to occur at the Community Plan level. Encouraging growth in this way is inappropriate when vital infrastructure improvements have been deferred for two decades. This Plan over-reaches in its up-zoning recommendations.

Using the example of Hokua Place (formerly Kapaa Highlands) a high density development proposed for Kapaa, we ask that Commissioners not recommend up-zoning at this time. Again, future land use designations should come from the Community Plans, not the GP.

Kauai's Eastside has not had the benefit of a detailed community plan for over 40 years! Although Appendix A lists the East Kaua'i Community Plan (draft, 2015), the Draft was never provided to CAC members, like myself, who served on the CAC for 8-years. And, to date, there is no movement to adopt it.

### **Policy Maps are Unusable Due to Scale and Lack of Detail.**

Figure 3-10. Kauai Visitor Destination Areas (page 3-86) provides no meaningful content because the map's scale makes it indecipherable.

All the Policy Maps are incomprehensible. Compare them to the excellent Land Use Maps and Heritage Resource Maps in the GP2000. It would be a travesty to adopt maps that are so acutely deficient. Even names of well-known Heiau are omitted from the Heritage Resource Maps! And there are inaccuracies in the Major Landowner Maps as well.

### **Action Matrix (Appendix H) and Implementation & Monitoring (Chapter 4).**

It would be wrong to approve this Draft when there are 87 pages of recommended actions that have not been updated.

The Action Matrix is not so different from the 97 Implementing Actions listed in the GP2000. Where it falls apart, is when leadership does not subsequently delegate these tasks as priorities for each Department Head.

A timetable for the implementation of these actions is needed. The proposal to monitor implementation every two years (page 4-5) is inadequate and the “biannual committee-based evaluation process” falls short unless semi-annual progress reports to the County Council are required. This Plan can only function as a meaningful policy setting document by designating short and long-term priority actions.

### **Other Concerns & Omissions.**

- a) Figure 1-1. County Planning System (page 1-2) presents an oversimplified and imprecise graphic. It should be replaced with the original graphic from the GP 2000 on page 1-6.
- b) Appendix G – Entitled Projects. Approval dates need to be listed for every project, not just a few. Zoning is NOT an entitlement; it’s an opportunity to apply for a use – therefore the definition of “entitlement” in the Glossary needs to be corrected by removing “zoning”.

A priority action must be the drafting of a “Use it or Lose it” land use bill to address entitled projects that have not moved forward/or been completed within 10-years of permit approval.

- c) Protecting Important Ag lands (page 3-91) – the Plan omits the fact that the County’s Important Agricultural Lands Study (2015) was never approved or adopted by Council. Yet it is referenced as if it was approved, under “Functional Plans” in Appendix A.
- d) Hawaiian Home Lands (page 3-30). Data from the most recent DHHL Wailua Regional Plan (Dec. 2009) should be cited. In Wailua alone, there are 640 residential lots planned for 216 acres. Instead, the Draft Plan inaccurately states: “Of high priority is a total of 621 lots to be developed across three areas” of priority tracts for residential development: Wailua, Hanapepe and Anahola/Kamalomalo.

### **Infill & “Place-Based” Land Use Designations**

W-KNA rejects the Berkeley consultant’s “Place Typing” scheme that draws circles around town core areas (in the Tsunami Zone) and calls for infill growth in those areas.

The walk-shed concept is not suitable for all communities and miss-applied to some due to the topographical constraints. Lands surrounding the town centers should not automatically be designated for higher density mixed use -- this is what the community plans are meant to decide.

The proposed land use designations for communities (including neighborhood center, neighborhood general, neighborhood edge place-type designations) should only be identified as “preliminary proposals” which in the future, may or may not be endorsed at the Community Plan process level.

**Conclusion.**

Planning Commissioners should not approve the “Draft Plan” at this time. A professional copy-editor, who must be from Kaua`i, is needed to for a thorough page-by-page review. Currently, the inconsistencies, omissions, and content errors, will result in loopholes and confusion. Using the correct words matter.

Furthermore, the absence of updated Appendices, the unavailability of copies at the public libraries, and allowing less than 7-days for public review of the June Department Draft is counter-productive to good public process.

Sincerely,

A handwritten signature in black ink that reads "Rayne Regush". The signature is written in a cursive, flowing style.

Rayne Regush, Chair  
On behalf of the W-KNA Board of Directors