

Kaua'i County Planning Department  
August 9, 2006

**Participating:**

Kaua'i County staff: Barbara Pendragon, Ian Costa, Bryan Mamaclay, Ricky

Charlier Associates: Jim Charlier, Jacob Riger, Jennifer Valentine, Lisa Malde

**Notes:**

- The group agreed that determining a way to deal with developments currently moving through planning was a priority. Jim explained that impact fees will only work for *new* development, but that a Community Facilities District (CFD) could be used to capture existing developments.
- Jim asked if the County could provide a list of developments coming through the planning process. Ian replied that the planning department only hears about new developments when they apply. He also noted that people want development to stop until infrastructure improvements have been completed.
- Jim explained that new development is needed to pay for the improvements. Even though some residents oppose it, development will happen. He also noted that in the past, the County has required developers to make site-specific improvements, and emphasized the importance of taking a more regional perspective.
- Jim said that the size of the need and revenue should be in sync. There may be some difficult projects, but there is only one really big project (in terms of cost) identified at this point - the northerly extension of the Western Bypass.
- The group discussed the intersection of Kōloa and Po'ipū Roads and concluded that it would be acceptable to propose additional roadway links. It was also noted that the future intersection of Kōloa Road and the Western/Northern Bypass will be signalized.
- Jim mentioned the need to do some damage control with the contributors following the Planning Commission's denial of the Historic Kōloa Village Project, and suggested moving forward on draft language to apply to projects coming through the pipeline.
- Ian noted that he and Barbara had been working on such language. Barbara added that they were still working with the attorneys.
- Jim explained that an impact fee needs to hold up in court - we can not morph the current Environmental Impact Assessment (EIA) fee into a transportation impact fee.
- Ian suggested trying to build on the 1989 impact fee report and emphasized that transportation is one of many impacts from development that the County needs to consider.



- Jim noted that the implementation of this plan needs to happen quickly, especially putting an impact fee system in place. This should be one of the first things done after the Plan is completed. Ian responded that the County is committed to pushing the plan through, but that it will be at least three months before anything can be formalized.
- He also discussed impact fee trends, noting that many mainland counties are using special fees, as it is typically better to tie impact fees to specific capital plans.
- Ricky said they would need to determine the legality of changing the ordinance. The County currently charges impact fees before a zoning permit is issued.
- Jim suggested arranging projects that are currently going through planning on a timeline to help determine the most opportune time to charge impact fees.
- Ricky asked how implementation would work. Jim responded that the transportation plan should be included as part of the county's development plan update. He recognized that it would be important to consider the staffing implications.
- Ricky asked where Public Works fits in. Ian added that the County planning staff has been relying on the expertise and guidance of the engineers.
- Jim explained the concept of concurrency and noted that we do not want to use level of service for this project because it disempowers the public. We will use an alternative set of standards to gauge need that is reasonable and simple. Public Works will be involved in these discussions - they have a representative on our Project Advisory Committee.
- Ricky noted that departments and individuals need to be clear about their responsibilities. Ian added that Ricky has been involved in planning on Kaua'i for 20 years, and is a wealth of knowledge about history and legal considerations.
- Barbara noted that the department does not want to give up the plan to engineers. Jim replied that such issues are the product of very general development plans. Jacob added that Public Works would mainly contribute data and information, and the planning department can handle the rest.
- Jacob explained that a fee-based program would use unit count as a starting point for determining fees and stressed the importance of good technical analysis. Jim noted that fee-based systems do not recommend or link funding to specific projects.
- Jacob asked whether impact fees could be used to cover some administrative costs. Jim responded that they could, if it was less than five percent, and added that relying on impact fees to cover administrative costs could be risky. Increasing construction unit costs could result in a long-term development chill.
- Barbara expressed the need and desire to put something enforceable in place.

