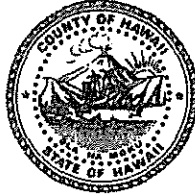


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Brad Kurokawa, ASLA  
LEED® AP  
Deputy Director

County of Hawaii  
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224  
(808) 961-8288 • FAX (808) 961-8742

May 22, 2008

Mr. Sidney Fuke, Planning Consultant  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Dear Mr. Fuke:

**SUBJECT : NONSIGNIFICANT ZONE CHANGE APPLICATION**  
**BRIDGE AINA LEA LLC, TMK: 6-8-01: POR OF 39**

Your request for a “nonsignificant zone change” dated May 13, 2008, is hereby **denied**. Sec. 25-2-45, Hawai'i County Code, provides that “the director may administratively grant any nonsignificant zoning change,” within certain stated limits. Thus, the director may also deny nonsignificant zone changes, even if they are within the acreage limits in sec. 25-2-45.

This request would involve changing the zoning designations on 22 acres. The zoning designations for this area were made by the county council based upon representations about the development made at that time by the owner, and the detailed metes and bounds zoning was adopted by the council based upon those representations and plans submitted by the owner. Given that, it would be better public policy for a change to the zoning boundaries of 22 acres—a large land area—to be made by the county council, not administratively by the planning director. Ord. 08-48, which took effect on April 21, 2008, expresses generally a policy that only small zoning changes—much smaller than requested here--should be made by administrative action.

The owner has the alternative of applying to the county council to change the zoning designations, or to have the council authorize administrative flexibility through “project district” zoning.

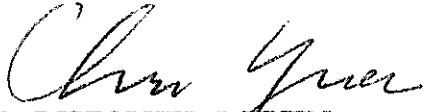
Mr. Sidney Fuke, Planning Consultant

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May 22, 2008

The stated reason for the nonsignificant zoning change is to facilitate construction of affordable housing. This is not a convincing reason because since Ord. 96-153, the major change in the project's affordable housing requirement was that it was reduced from 60% to 20%. It should be easier, not harder, to fulfill the project's affordable housing requirements, and fitting the construction of affordable housing into the zoning is something that the owner should have anticipated doing some time ago.

Sincerely,



CHRISTOPHER J. YUEN

Planning Director

CJY:pak

Wpwin60/Chris08 - Fuke - Bridge Ainalea - Non Significant Zone Change

cc: Ms. Esther Imamura

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