STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

January 13, 1967
Hilo, Hawaii

TO: Land Use Commission

FROM: Staff

SUBJECT: A66-130 - FRANK E. FERREIRA; A66-131 - SUNRISE REALTY MORTGAGE CORPORATION; A66-132 - WILLIAM M. DOUGLAS

A66-130 - FRANK E. FERREIRA - ~~Paauhau~~ Paauhau, Hawaii P.O. Box 78

Write to him of what to do.

The petition by Mr. Ferreira was publicly heard on October 29, 1966, involving a reclassification of 3 acres of lands from Agriculture to Rural. The subject lands are located at Paauhau, Hamakua, Hawaii. The sole reason offered by the petitioner for the reclassification was that he desires to subdivide the parcel into 3 one-acre houselots in order that he might retain one for his own use and convey the other two lots to his son and daughter. It is noted that the parcel was acquired by the petitioner from Paauhau Sugar Co., Ltd. as recently as June of 1966.

A recommendation for approval was made by the Hawaii County Planning Commission on the basis that the standards for classification for Rural Districts established by the Land Use Regulations apply to the subject lands.

A recommendation for denial was made by the Land Use Commission staff since:

1. The land was purchased by the petitioner less than a year ago, which was approximately 2 years after the final district boundaries had been established.

2. The petitioner had not substantiated the need for additional rural lands as required by the Land Use Law.

3. Subdivision of the 3-acre parcel into 3 lots for residential purposes would constitute spot zoning in complete contradiction to the intent of the Land Use Law.

4. The Honokaa Urban District, which involved a recent addition of 22 acres for residential purposes, is located approximately three-quarters of a mile west of the subject parcel.

5. The subject parcel had been used for many years as cane lands and are classified as suitable for agricultural use.

denied - B motion to reconsider denied 4-3

Additional data on the matter of the petition have not been received since the public hearing. Therefore, the petition should be denied as recommended originally.

MEMORANDUM January 13, 1967

A66-131 - SUNRISE REALTY MORTGAGE CORPORATION

The petitioner's request to reclassify approximately 19.3 acres of land located adjacent the Anuhea Volcano House Lots from Agricultural to Urban was heard on October 29, 1966. A residential subdivision is proposed for the area.

In summary, the prime reason for the petitioner's request for change is that although agricultural activities had been carried on in the are in the past, these activities have been discontinued. They also indicate that much of the adjacent areas have been subdivided for residential houselots.

A recommendation for denial of this petition was made by the Hawaii County Planning Commission. They indicated that the County General Plan designates the subject lands for agricultural use and that existing land use of the surrounding areas does not indicate a need for additional urban lands.

Denied 6-1

A recommendation for denial was also made by the Land Use Commission staff in noting that approximately 630 acres within an Urban District in the immediate vicinity of the subject lands are mostly vacant and unused for urban purposes. The lack of substantiation by the petitioners on the question of need for additional urban lands was also cited.

Since the public hearing, the petitioners have not submitted any further data. In light of the evaluations made to date on the matter of the petition, it is recommended that the petition be denied.

A66-132 - FRANCES H. & WILLIAM M. DOUGLAS

A petition to reclassify approximately 40 acres located at Waiakea Homesteads, South Hilo, Hawaii from Agricultural to Urban was heard by this Commission on October 29, 1966. The petitioners intend to prepare land for subdivision purposes and expect to sell the tract to local developers. The petitioner, along with his realtors, contend that there is a growing need for fee simple property on the neighbor islands for people planning to retire. Also cited as factors supporting their petition were the potentials in expansion of the tourist industry and the possible 2-year extension of the University curriculum in Hilo.

Denied 7-0

A recommendation for denial has been received from the Hawaii County Planning Commission since the request did not conform to the County's General Plan which designates the area for agricultural use, it is not contiguous to an existing Urban District, and the petitioners have not shown a reasonable need for additional urban lands.

The Land Use Commission staff recommended denial of the petition since a subdivision at the proposed location would add to scattered subdivisions which had occurred in the past prior to establishment of the Land Use Law. It was also pointed out that considerable vacant acreage presently occur within the Hilo Urban District.

Since that time, the petitioners have submitted a letter in further support of their petition. It is the staff's evaluation that this letter does not materially contribute to justification of the petition. Therefore, the staff joins the Hawaii County Planning Commission in recommending denial of this petition.