STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

December 5,1969
1 p.m.

TO: LAND USE COMMISSION

FROM: STAFF

SUBJECT: A69-220 - NORTHRIDGE ESTATES, LIMITED

A public hearing was held on on August 29, 1969, on this petition to reclassify 10.7 acres of land situated at Kaloko, North Kona, Hawaii, from an Agricultural to a Rural designation. The property was acquired in September, 1968, and is presently vacant.

Data submitted by the petitioners and reiterated at the public hearing indicate that:

1. agricultural pursuits are not feasible on the subject property due to the rough terrain, steep slopes, and high cost of agricultural labor,
2. that the proposed subdivision would help to fill the great demand for reasonably priced residential lots, and
3. that the proposed site is well suited for residential development.

It was recommended by the staff at the hearing that the petition be disapproved for the following reasons:

1. of prime concern in this instance is the problem of scattered residential subdivisions, the prevention

of which is one of the declared purposes of the State Land Use Law,

2. that sufficient lands in more suitable locations have been provided in the area to accommodate projected increases in population,

3. that the "great demand" for residential lots registered by realtors does not constitute valid evidence of the need for more residential land, and

4. that our consultants for the boundary review have consistently recommended that no further additions be made to the Rural District and have proposed the gradual phasing out of this classification. They recently stated:

"The two most serious questions about the value of the Rural District are the compatibility of the mixed uses permitted and the tendency toward wasteful sprawl that it permits. Agricultural and residential uses are not always compatible. The smoke from cane burning, the attendant sensory stimuli from pig farming, chicken farming and slaughterhouses are all liable to be in direct conflict with desirable residential conditions. A more detailed classification of the permitted agricultural uses so as to exclude those which are noxious and incompatible with residential activities would exclude many farm uses which are presently conducted and are reasonably economic on small areas of land. The result would be to render most Rural Districts almost identical with Urban Districts since the dominant uses would be residential.

"To permit widespread residential development in areas developed to agricultural or near agricultural

standards is contrary to the very deepest objectives of the Land Use Law. This is the potential of the Rural District and as such it is one of the weakest and potentially most blighting elements of the land classification system.

"The intensive residential use on one-half acre lots with no mixed agricultural uses (for example, Pukalani, Maui) is an obvious deviation from the intent of the law. To pursue this type of development is a sure way to destroy mile after mile of open landscape, an irretrievable and, in Hawaii, clearly limited resource. This scale of development, in the quantities required to meet future needs, will eliminate the historical small scale initimate relationship between Hawaiian home and landscape.

"In determining areas suitable for rural classification, the law spells out conditions which give little recognition of the potential for change. Change, that is, not from but to Rural from another district. However, 567.2 acres of land have been classified Rural since the permanent boundaries were adopted in 1964 as a result of specific requests for boundary changes. In each case the same reason for requesting the boundary change was cited by the applicant: 'Low density residential development.'

"Such uses of the Rural District would suggest that the fears of potential damage through sprawling low density residential development are entirely valid.

"In reviewing the existing district boundaries, there has been an endeavor to resolve some of these issues. Where Rural Districts are adjacent to Urban Districts, the level of services (roads, water, sewage, police, fire) is often identical. The rural resident is potentially receiving a tax break for the privilege of living in a low density community with an urban level of services. In such areas it is recommended that the district classification be changed from Rural to Urban.

"Conversely in areas where the dominant use of the land has been and still is agriculture, with

little or no residential development, it is recommended for inclusion within the Agriculture District."

Since no significant evidence was received since the hearing, the staff again recommends disapproval of the petition based on the above.