

September 3, 1971

Mr. KeNam Kim
State Comptroller
Department of Accounting &
General Services
465 South King Street
Honolulu, Hawaii 96813

Dear Mr. Kim:

The petition by the Department of Accounting & General Services (A71-297) to amend the land use district boundaries from an Agricultural District into an Urban District at Kealakekua, Hawaii, identifiable by Tax Map Key 8-1-05: parcels 13, 14, and 23, was approved by the Land Use Commission at its meeting on September 2, 1971.

Prior to taking action on this petition, the enclosed memorandum was presented to the Commission.

For your information, we are enclosing herewith a copy of Section 2.33, "Performance Time", of the Rules and Regulations of the Commission.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Enclosures 2

cc: ✓ Hawaii Planning Dept.
Tax Maps Recorder, Dept. of Taxation
Planning Office, DLNR
Facilities & Auxiliary Svcs. Branch, DOE
Chairman of the Board, DLNR
Department of Transportation
Planning Division, DPED
Hawaii District Office, Dept. of Taxation
Hawaii Board of Water Supply
Division of Public Works, DAGS
Property Technical Services, Dept. of Taxation
Land Use Commission

DOCUMENT
NOT
AVAILABLE
AT
THIS
TIME



2.33 Performance Time.

Petitioners requesting amendments to District Boundaries shall make substantial progress in the development of the area rezoned to the new use approved within a period specified by the Commission not to exceed five (5) years from the date of approval of the boundary change. The Commission may act to reclassify the land to an appropriate District classification upon failure to perform within the specified period according to representations made to the Commission; provided that the Commission, in seeking such a boundary reclassification, complies with the requirements of Section 205-4, Hawaii Revised Statutes.

2.34 Notice and Hearing.

After 60 days but within 120 days of the original receipt of a petition, the Commission shall advertise that a public hearing will be held in the County in which the land is situated. Notice of the time and place of such hearing shall be published in the same manner as notices required for public hearings by the Planning Commission of the appropriate County.

2.35 Decision.

Within a period of not more than 90 days and not less than 45 days after such hearing, the Commission shall act upon the petition for change. The Commission may approve the change with six affirmative votes.

2.36 Amendments to Regulations.

By the same methods set forth in Rule 2.30, a petition may be submitted to change, or the Commission may initiate a change in, these Regulations. No such change shall be made unless a hearing is held in each of the Counties. Within not less than 45 and not more than 90 days after the last of such hearings, the Commission shall act to approve or deny the requested change. Such petition for a change shall be based upon proof submitted that conditions exist that were not present when the Regulations were adopted or that the Regulations do not serve the purposes of the Land Use Law.