





NOTE:  
 PETITION AREA PLOTTED ON TMK 5-4-05

STATE OF HAWAII  
LAND USE COMMISSION

MEMORANDUM

January 7, 1971  
10 a.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: A71-300 - DEPT. OF ACCOUNTING & GENERAL SERVICES  
(Kohala, Hawaii)

This petition by the Department of Accounting & General Services to rezone 1.5 acres from Agricultural to Urban at Kapaau, North Kohala, Hawaii, was publicly heard on November 5, 1971.

An evaluation of the data received to date finds that approval of the request would accomplish the following:

1. Allow the addition and expansion of several State and County governmental offices at a central location, thus adding to the convenience of Kohala residents and alleviating the concern over scattered urban developments.
2. Allow implementation of the County's General Plan which designates this area for civic center use. The rezoning would further allow the realization of a project for which the State and County have already appropriated \$718,000.
3. Reaffirm the State's efforts in promoting the continual growth of North Kohala as a viable community.

It is also noted that the property is usable and adaptable for the proposed use because of its gentle slopes and its location in relation to convenient access and availability of essential utilities.

Recommendation

Based on the above considerations, the staff recommends that this petition be favorably considered.

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.