STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

June 2, 1972
10:30 a.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: A71-319 - HAWAIIAN REAL ESTATE CORPORATION

A duly advertised public hearing was held on March 17, 1972 on this request to reclassify 3 parcels of land comprising a total of 18.6 acres at Waiakahiula, Puna, Hawaii, from an Agricultural to an Urban classification. It is the petitioner's intention to develop the properties into commercial areas to be sold to prospective tenants.

Neither the petitioner nor his representative was present to testify at the public hearing on this matter. The Hawaii County Planning Commission recommended denial of the petition based on the findings that it does not meet the standards for establishing Urban Districts; that it is not in accord with the goals and objectives of the County General Plan; and that approval would result in further scatterization of urban areas.

To date, there has been no valid evidence submitted by the petitioner to justify the need for reclassification of the 18.6 acre area as required by Section 2.31 of the State Land Use District Regulations before any boundary amendment can be approved. Of the 3,800 lots comprising the Hawaiian Parks, Hawaiian Beaches, and Hawaiian Shores subdivisions, which the proposed commercial areas will serve, only about 130 lots or 3.4 percent of the total lots within the three non-conforming subdivisions are presently occupied. Moreover, existing (though limited) commercial and public facilities are situated only 4.5 miles away at Pahoa.

There is no definite plan or construction timetable from the petitioner showing the specific uses to be established within the subject areas. The County Department of Water Supply has advised that the existing private water system does not meet County standards and that improvements are required in order to serve an urban area. Further, it appears that the primary purpose of the boundary change request is reflected in the petitioner's letter to the Hawaii County Planning Commission dated February 1, 1972 which states in part:

" . . . The purpose of this is to allow us to apply to the County for commercial zoning as we need it without the necessity of applying to the State Land Use Commission for each parcel of land to be developed. This is very time consuming and severely handicaps development of these areas by making long range planning impossible. There is simply no assurance that these areas will ever be designated urban. Neither does the special permit help since it has a limited life and therefore does not answer the question on a long term basis.

"Our request simply short-cuts procedures by immediately putting the control of the zoning in the County where it belongs without the necessity of wasting months by first applying to the State Land Use Commission."

The staff fully concurs with the Hawaii County Planning Commission's finding that approval of the request would contribute to the proliferation of urban areas, resulting in expensive, yet reduced public services. The approval of even one of these three proposed urban spot zones would violate that basic tenet of the Land Use Law relating to the scatter of urban developments.

Therefore, based on the above discussion, denial of the petition is recommended.