STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

November 30, 1972
10:00 a.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: A72-329 - HANNAH H. FUKUSHIMA

A public hearing was held on September 20, 1972 on this petition by Mr. Robert Y. Takahashi, Executor of the Estate of Hannah H. Fukushima, to reclassify approximately 3.28 acres of land, described as TMK 6-4-03:86 from an Agricultural to an Urban classification at Waimea, South Kohala, Hawaii. Since the hearing, no additional evidence has been received either for or against this petition.

The petitioner states that the reason for requesting this boundary change is "to effectuate, pursuant to the terms of the Last Will and Testament of the deceased, the subdivision and distribution of the subject property." Additionally, the said will provides that if the property cannot be further subdivided, one lot will be given to the devisee and the other sold and the proceeds divided among the remaining heirs.

The petitioner's submittal reflects that the primary reason for requesting this boundary change is to effectuate the Last Will and Testament of the deceased. However, the terms of the will should not altogether dictate the decision to reclassify the parcel, but rather more consideration should be given to better planning for the subject area.

The Hawaii County Planning Commission voted to recommend that this petition be denied.

Staff evaluation of this request finds that:

1. The subject property is not contiguous to an existing Urban District and is situated approximately 4 miles from the nearest urban district.

2. One of the primary objectives of the Land Use Law is to prevent scattered type urban growth. A reclassification of the subject property would create a "SPOT" urban district within the Agricultural District and contribute to scattered urbanization.

3. The County General Plan land use allocation guide map designates the subject area for "intensive agricultural" use.

4. An urban designation for the subject parcel will generate pressure for premature conversion of surrounding agricultural lands into the urban district.

Based on the above findings and the staff's opinion that there has been very little evidence submitted by the petitioner to support the need for the boundary change, it is recommended that this petition be disapproved.