

MAR 18 2009

SENATE CONCURRENT RESOLUTION

URGING THE STATE LAND USE COMMISSION TO WITHHOLD APPROVAL OF THE PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENTS FOR THAT CERTAIN PROPERTY IDENTIFIED AS TAX MAP KEY NUMBERS (3) 2-7-4:25 (POR.) AND (3) 2-7-4:140 (POR.), LAND USE COMMISSION DOCKET NUMBER A08-781, UNTIL THE COMMUNITY DEVELOPMENT PROCESS FOR THE HAMAKUA DISTRICT IS COMPLETED.

1 WHEREAS, on December 19, 2008 Papaikou Point, LLC, filed
2 its petition for a land use district boundary amendment to
3 reclassify approximately ninety acres of prime agricultural and
4 conservation lands in Papaikou on the island of Hawaii, to urban
5 classification for the purpose of developing a residential
6 subdivision; and
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8 WHEREAS, the proposed subdivision would create up to two
9 hundred twenty new homes of various sizes, in an area that has
10 historically been used for sugar production and diversified
11 agriculture; and
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13 WHEREAS, there are more than two hundred unsold and vacant
14 lots within a five-mile radius of the petition area boundaries
15 and greater than twenty thousand unsold and vacant lots on the
16 island of Hawaii, clearly negating any reasonable need for the
17 addition of two hundred twenty more lots for urban growth in
18 Papaikou and failing to meet the criterion for amending
19 boundaries of agricultural lands as provided in Rule 15-15-77
20 (b)(6)(B), Hawaii Administrative Rules; and
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22 WHEREAS, the very rural character and essence of Papaikou
23 on the island of Hawaii, with three distinct "plantation camps"
24 and residential-agricultural parcels scattered throughout the
25 area, are a very special and valuable heritage of Hawaii, worthy
26 of preservation and protection; and
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28 WHEREAS, the area sought to be reclassified is an area that
29 the past and current residents have used for access to the ocean



1 for subsistence fishing and gathering, scenic plains,
2 subsistence agriculture, open space, commercial agriculture,
3 pasture, and recreation; and
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5 WHEREAS, the Rural South Hilo, North Hilo, and Hamakua
6 Communities will be undertaking the Community Development
7 Process, which is built upon a foundation of ideas generated by
8 the public and provides opportunities for public input
9 integrated in the planning process; and
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11 WHEREAS, the ideas generated through the Community
12 Development Process will give shape to the community's vision of
13 the future, help address issues related to policy and public
14 investments, and help define how the community wants to grow in
15 the future; and
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17 WHEREAS, the Community Development Process is designed and
18 conducted to include public involvement so that the results of
19 each activity inform succeeding activities, which ensures that
20 the public is involved in making all critical decisions in the
21 Community Development Process with an emphasis on visualizing
22 options and on using images to engage the public in making
23 informed choices regarding the future growth of the community;
24 and
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26 WHEREAS, due to much discussion and some apprehension
27 raised at the community level, the developer of the project is
28 willing to wait for the Community Development Process to be
29 completed and is quoted as saying, "It was more important to
30 achieve the planning vision for the community than it is to
31 allow this project to cloud that process"; and
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33 WHEREAS, the Mayor of the County of Hawaii is supportive of
34 the developer's decision to hold off on the Land Use Commission
35 application process, stating that it "demonstrates [the
36 developer's] commitment to a fair and effective planning
37 process"; and
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39 WHEREAS, it is appropriate that the Community Development
40 Process precede any development that could have a significant
41 impact upon the area and the community's ability to retain the
42 qualities of the "rural lifestyle"; and
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1 WHEREAS, the developer has acknowledged that it is likely
2 that changes will be made upon re-filing the rezoning
3 application with the Land Use Commission, saying, "Ultimately,
4 the project needs to be altered to achieve the community's
5 vision"; now, therefore,
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7 BE IT RESOLVED by the Senate of the Twenty-fifth
8 Legislature of the State of Hawaii, Regular Session of 2009, the
9 House of Representatives concurring, that the Legislature
10 supports the County of Hawaii Community Development Process as
11 proposed by Mayor Billy Kenoi in the 2009-2011 County of Hawaii
12 Budget; and
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14 BE IT FURTHER RESOLVED that the Legislature urges the Land
15 Use Commission and the developer to postpone taking any action
16 relating to this project until the Community Development Process
17 for the Hamakua District is completed, including withholding
18 approval of the Petition for Land Use District Boundary
19 Amendment for Tax Map Key Numbers (3) 2-7-4:25 (por.) and (3) 2-
20 7-4:140 (por.), Land Use Commission Docket Number A08-781; and
21

22 BE IT FURTHER RESOLVED that certified copies of this
23 Concurrent Resolution be transmitted to the Hawaii State Land
24 Use Commission, Developer Steve Shropshire, Mayor Billy Kenoi,
25 and the Hawaii County Council.
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OFFERED BY: _____

