

MAR 18 2009

---

## SENATE 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

7  
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

12  
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

21  
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

27  
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  
30 for subsistence fishing and gathering, scenic plains,  
31 subsistence agriculture, open space, commercial agriculture,  
32 pasture, and recreation; and



1  
2 WHEREAS, the Rural South Hilo, North Hilo, and Hamakua  
3 Communities will be undertaking the Community Development  
4 Process, which is built upon a foundation of ideas generated by  
5 the public and provides opportunities for public input  
6 integrated in the planning process; and  
7

8 WHEREAS, the ideas generated through the Community  
9 Development Process will give shape to the community's vision of  
10 the future, help address issues related to policy and public  
11 investments, and help define how the community wants to grow in  
12 the future; and  
13

14 WHEREAS, the Community Development Process is designed and  
15 conducted to include public involvement so that the results of  
16 each activity inform succeeding activities, which ensures that  
17 the public is involved in making all critical decisions in the  
18 Community Development Process with an emphasis on visualizing  
19 options and on using images to engage the public in making  
20 informed choices regarding the future growth of the community;  
21 and  
22

23 WHEREAS, due to much discussion and some apprehension  
24 raised at the community level, the developer of the project is  
25 willing to wait for the Community Development Process to be  
26 completed and is quoted as saying, "It was more important to  
27 achieve the planning vision for the community than it is to  
28 allow this project to cloud that process"; and  
29

30 WHEREAS, the Mayor of the County of Hawaii is supportive of  
31 the developer's decision to hold off on the Land Use Commission  
32 application process, stating that it "demonstrates [the  
33 developer's] commitment to a fair and effective planning  
34 process"; and  
35

36 WHEREAS, it is appropriate that the Community Development  
37 Process precede any development that could have a significant  
38 impact upon the area and the community's ability to retain the  
39 qualities of the "rural lifestyle"; and  
40

41 WHEREAS, the developer has acknowledged that it is likely  
42 that changes will be made upon re-filing the rezoning  
43 application with the Land Use Commission, saying, "Ultimately,



1 the project needs to be altered to achieve the community's  
2 vision"; now, therefore,

3  
4 BE IT RESOLVED by the Senate of the Twenty-fifth  
5 Legislature of the State of Hawaii, Regular Session of 2009,  
6 that the Legislature supports the County of Hawaii Community  
7 Development Process as proposed by Mayor Billy Kenoi in the  
8 2009-2011 County of Hawaii Budget; and

9  
10 BE IT FURTHER RESOLVED that the Legislature urges the Land  
11 Use Commission and the developer to postpone taking any action  
12 relating to this project until the Community Development Process  
13 for the Hamakua District is completed, including withholding  
14 approval of the Petition for Land Use District Boundary  
15 Amendment for Tax Map Key Numbers (3) 2-7-4:25 (por.) and (3) 2-  
16 7-4:140 (por.), Land Use Commission Docket Number A08-781; and

17  
18 BE IT FURTHER RESOLVED that certified copies of this  
19 Resolution be transmitted to the Hawaii State Land Use  
20 Commission, Developer Steve Shropshire, Mayor Billy Kenoi, and  
21 the Hawaii County Council.

22  
23  
24 OFFERED BY: \_\_\_\_\_

