
A BILL FOR AN ACT

RELATING TO LAND USE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the North Kohala
2 coastline provides cultural, historic, and scenic benefits to
3 the people of Hawaii. The area is significant, in part, because
4 of the important role it had in the history of the missionary,
5 paniolo, and plantation eras. The area contains Lapakahi state
6 park, an ancient Hawaiian coastal settlement, Mookini Heiau
7 state monument, the birthplace of Kamehameha the Great, and
8 numerous other historical and sacred native Hawaiian sites.

9 In 1988, recognizing the scenic significance of the North
10 Kohala coastline, the legislature adopted Senate Concurrent
11 Resolution No. 179, H.D. 1, urging the State and Hawaii county
12 to work together to preserve the public view and open space
13 makai of the Kawaihae-Mahukona-Hawi road and to discourage
14 subdivision and building development there.

15 In 2000, over six hundred members of the community
16 responded to an update of the Hawaii county comprehensive plan
17 by petitioning to preserve and protect the North Kohala
18 coastline from Kawaihae to Pololu Valley.



1 In 2001, the legislature adopted Senate Concurrent
2 Resolution No. 146, S.D. 1, urging the State and Hawaii county
3 to collaborate with the community and residents of Kohala to
4 develop and implement a plan that would protect the openness of
5 the Kohala coast, preserve its valuable historic sites, and
6 provide greater awareness and appreciation of the historic and
7 cultural significance of the area.

8 Despite years of advocacy for the protection of the North
9 Kohala coastline, development in the area has continued and more
10 subdivisions are planned. This Act is limited to certain
11 designated public lands in North Kohala that are currently
12 within the agricultural district and with current zoning that
13 would permit the lands to be developed for low density
14 residential uses.

15 The purpose of this Act is to prevent any development of
16 the designated public lands by directing the office of planning
17 to petition the land use commission to reclassify the lands from
18 the agricultural district to the conservation district.

19 SECTION 2. (a) The department of business, economic
20 development, and tourism, office of planning shall petition the
21 land use commission to reclassify certain public lands along the



1 North Kohala coastline in Hawaii county, that are identified on
2 the tax maps of the State of Hawaii as TMK: Third Division:

3 (1) 5-7-003: 004, 013 and 015;

4 (2) 5-8-001: 012 and 013;

5 (3) 5-6-001: 011, 036, 037, and 060;

6 (4) 5-7-001: 021 and 022; and

7 (5) 5-9-003: 001,

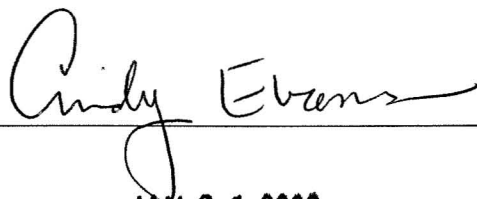
8 from the agricultural district to the conservation district.

9 (b) The office of planning shall submit a report,
10 including the status of the petition, to the legislature no
11 later than twenty days prior to the convening of the 2010
12 regular session.

13 (c) Pending the preparation, filing, and final disposition
14 of the petition required by subsection (a), the county of Hawaii
15 shall not issue any special permit or issue any land use,
16 subdivision, building, or other permit that would enable the
17 development of the public lands along the North Kohala coastline
18 in Hawaii county identified in subsection (a).

19 SECTION 3. This Act shall take effect upon its approval.

20 INTRODUCED BY:



JAN 21 2009



Report Title:

North Kohala; Public Lands; Reclassification

Description:

Directs office of planning to petition the land use commission to reclassify certain public lands in North Kohala from the agricultural district to the conservation district.

