
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 of
13 the North Kohala coast, and to discourage subdivision and
14 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. The relevant area is currently within
11 the agricultural district and current zoning permits it to be
12 developed for low density residential uses.

13 The purpose of this Act is to prevent any development of
14 the lands by directing the department of land and natural
15 resources to petition Hawaii county to restrict the use of
16 certain lands along the North Kohala coastline in Hawaii county
17 within the agricultural district.

18 SECTION 2. (a) The department of land and natural
19 resources shall petition Hawaii county to restrict the use of
20 certain lands along the North Kohala coastline in Hawaii county
21 (that are designated on the state tax map as TMK: 357002034,
22 358001002, 358001005, 358001006, 356001035, 357001004,



1 357001009, 357001010, 357001015, 357002018, 359001004,
 2 359003002, 359003004, 359004001, 359004008, 356001073,
 3 356001001, and 356001011), within the agricultural district to
 4 agricultural-100 (AG-100).

5 (b) The department of land and natural resources shall
 6 submit a report, including the status of the petition, to the
 7 legislature no later than twenty days prior to the convening of
 8 the 2009 regular session.

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

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

16

INTRODUCED BY:

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JAN 18 2008

[Signature]
[Signature]



Report Title:

Land Use; North Kohala Coastline

Description:

Directs the department of land and natural resources to petition Hawaii county to restrict the use of certain lands along the North Kohala coastline in Hawaii county within the agricultural district to prevent low density residential or any other development.

