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# 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. 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 office of planning to petition the  
15 land use commission to reclassify the lands from the  
16 agricultural district to the conservation district.

17           SECTION 2. (a) The department of business, economic  
18 development, and tourism, office of planning shall petition the  
19 land use commission to reclassify certain lands along the North  
20 Kohala coastline in Hawaii county (that are designated on the  
21 state tax map as TMK: 357003015, 357003004, 358001012,  
22 358001013, 356001036, 356001037, 357003013, 357001021,



1 357001022, 356001060, 359003001, and 356001011), from the  
2 agricultural district to the conservation district.

3 (b) The office of planning shall submit a report,  
4 including the status of the petition, to the legislature no  
5 later than twenty days prior to the convening of the 2009  
6 regular session.

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

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

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INTRODUCED BY:

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**Report Title:**

Land Use; North Kohala Coastline

**Description:**

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

