

Harry Kim
Mayor



Joseph K. Kamelamela
Corporation Counsel

Renee N. C. Schoen
Assistant Corporation
Counsel

COUNTY OF HAWAI'I
OFFICE OF THE CORPORATION COUNSEL

101 Aupuni Street, Suite 325 • Hilo, Hawai'i 96720 • (808) 961-8251 • Fax (808) 961-8622

TRANSMITTAL

DATE: March 18, 2020

TO: State Land Use Commission
P.O. Box 2359
Honolulu, Hawai'i 96804

FROM: Liza Osorio, Legal Technician I to
Ronald Kim, Deputy Corporation Counsel

RE: In the Matter of the Petition of COUNTY OF HAWAI'I, for a Declaratory Order that "Farm Dwellings" May Not Be Operated As Short-Term Vacation Rentals Under Hawai'i Revised Statutes 205-2 and 205-4.5, and Hawai'i Administrative Rules 15-15-25

2020 MAR 20 A 11:03
LAND USE COMMISSION
STATE OF HAWAII

<i>COPIES/ITEMS</i>	<i>DATE</i>	<i>DESCRIPTION</i>
Original and (1) copy	03-18-20	COUNTY OF HAWAI'I'S NOTICE OF WITHDRAWAL WITHOUT PREJUDICE OF ITS PETITION FOR DECLARATORY ORDER, FILED ON FEBRUARY 13, 2020; CERTIFICATE OF SERVICE

TRANSMITTED FOR:

- | | |
|--|---|
| <input type="checkbox"/> Your information and files | <input type="checkbox"/> Your approval |
| <input type="checkbox"/> Your signature and return | <input type="checkbox"/> Your review and comments |
| <input type="checkbox"/> Your signature and forwarding
as noted below | <input type="checkbox"/> See remarks below |
| <input type="checkbox"/> Per your request | <input checked="" type="checkbox"/> Filing with the LUC |

REMARKS: Enclosed for filing is an original and one copy of the above referenced document. Should you have any questions with regard to the enclosed please do not hesitate to contact our office. Thank you.

JOSEPH K. KAMELAMELA 2493-0
Corporation Counsel
RONALD N.W. KIM 8306-0
Deputy Corporation Counsel
County of Hawai'i
Office of the Corporation Counsel
101 Aupuni Street, Suite 325
Hilo, Hawai'i 96720
Telephone: (808) 961-8251
Facsimile: (808) 961-8622
Email: Ronald.Kim@hawaiiicounty.gov

Attorneys for Petitioner
COUNTY OF HAWAI'I

LAND USE COMMISSION
STATE OF HAWAII
2020 MAR 20 A 11:03

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

COUNTY OF HAWAI'I, for a Declaratory
Order that "Farm Dwellings" May Not Be
Operated As Short-Term Vacation Rentals
Under Hawai'i Revised Statutes §§ 205-2 and
205-4.5, and Hawai'i Administrative Rules
§ 15-15-25

Docket No. DR20-68

**PETITIONER COUNTY OF
HAWAI'I'S NOTICE OF
WITHDRAWAL WITHOUT
PREJUDICE OF ITS PETITION FOR
DECLARATORY ORDER, FILED ON
FEBRUARY 13, 2020**

CERTIFICATE OF SERVICE

**PETITIONER COUNTY OF HAWAI'I'S NOTICE OF WITHDRAWAL WITHOUT
PREJUDICE OF ITS PETITION FOR DECLARATORY
ORDER, FILED ON FEBRUARY 13, 2020**

Petitioner COUNTY OF HAWAI'I ("County"), by and through its undersigned counsel, hereby withdraws without prejudice its Petition for Declaratory Order ("Petition"), filed herein on February 13, 2020. The County is withdrawing its Petition because the State Land Use Commission cannot hold a hearing due to the travel restrictions recently imposed on all State agencies. The County will refile its Petition after said travel restrictions are lifted and the State Land Use Commission can hold a hearing.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

COUNTY OF HAWAI'I, for a Declaratory
Order that "Farm Dwellings" May Not Be
Operated As Short-Term Vacation Rentals
Under Hawai'i Revised Statutes §§ 205-2 and
205-4.5, and Hawai'i Administrative Rules
§ 15-15-25

CIVIL NO.

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned certifies that on this day a true and correct copy of the foregoing
document was duly served on the following via U.S. Mail, postage prepaid:

ROY A. VITOUSEK III, ESQ.
CALVERT G. CHIPCHASE, ESQ.
CHRISTOPHER T. GOODIN, ESQ.
Cades Schutte LLP
1000 Bishop Street, 12th Floor
Honolulu, Hawai'i 96813

Attorneys for Appellant

MARY ALICE EVANS
Director
Office of Planning
P.O. Box 2359
Honolulu, Hawai'i 96804-2359

DAWN TAKEUCHI-APANA, ESQ.
Deputy Attorney General
425 Queen Street
Honolulu, Hawai'i 96813

Attorney for STATE OFFICE OF PLANNING

MICHAEL YEE
Director
County of Hawaii, Planning Department
Aupuni Center,
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720

DATED: Honolulu, Hawai'i, March 18, 2020.



JOSEPH K. KAMELAMELA
RONALD N.W. KIM
Attorneys for Petitioner
COUNTY OF HAWAI'I