

LAND USE COMMISSION  
PETITION FOR BOUNDARY AMENDMENT  
DOCKET NO. A79-453

|                 |                          |
|-----------------|--------------------------|
| DOCKET NO.      | <u>A79-453</u>           |
| PARTY           | <u>County of Kauai</u>   |
| EXH. NO.        | <u>1</u>                 |
| DATE IDENTIFIED | <u>8/24/79</u>           |
| IN EVIDENCE     | <u>8/24/79</u>           |
| CLERK           | <u>D. J. [Signature]</u> |

For the record, my name is Tom Shigemoto, representing the Kauai County Planning Department, party to these proceedings.

Since property "A" (2.9+ acres) is completely surrounded by Urban District lands and this area was inadvertently omitted in the reclassification of the adjacent 35.7 acre area, we have no objections to the requested reclassification.

Relative to property "B," the following are noted:

1. The petition document provides no justification for the requested reclassification. The document merely explains the intended uses for the property.
2. Although the adjacent 35.72 acres are classified Urban, the County General Land Use Plan and Zoning District for the area have not been amended to permit the anticipated residential development. The petition for said General Land Use and Zoning Amendments were received on August 31, 1978, from Rex Financial Corporation. A public hearing on the requested amendments was held on October 31, 1978. When recommendation for denial was made to the County Planning Commission by the Planning Department staff, Rex Financial requested the Planning Commission to defer action until requested by the petitioner to place the matter back on the agenda. As such, no action has taken place on this matter by the Planning Commission and the County Council.
3. The County has commenced the formulation of the Kilauea Community Development Plan. Part of the objective of the Community Development Plan project is to determine the amount and location of urban settlement activities for Kilauea.

The area under consideration in this petition (property "B") as well as the 35.72 acre site desired by Rex Financial for residential zoning will be part of the lands assessed in the planning of the Kilauea Community Plan. Citizen participation from residents of Kilauea will be intimately involved in this project.

4. Although the petition document initially indicates that property "B" will either be used for residential development or as part of the private development of the Slippery Slides Park, there are indications that relate to the latter as on page 8, item No. 4; page 11, item No. 3; and page 13, 2nd paragraph. If property "B" is to be developed in conjunction with the Slippery Slides Park, then it is not necessary to amend the district boundary for the 1.3 acres. Public and private parks are permissible uses in the Agricultural District as provided in the State Land Use Commission Rules and Regulations.

Relative to the County Zoning Designation in the petition document, the zoning designations are incorrectly stated and should be corrected. Property "A" is not zoned Residential District (R-6), but Agriculture District (A), and property "B" is zoned Open District (O) instead of Agriculture District (A).

### Conclusion and Recommendation

The district boundary amendment for property "A" should not create probabilities of harm to surrounding properties in the neighborhood and would be a logical inclusion into the Urban District.

The request to reclassify property "B," however, is not recommended for the following reasons:

1. The petitioner has not presented justifications supporting the appropriateness of the reclassification.
2. If park-type use is desired on property "B," the use is already permissible under the present district classification.
3. If residential use is desired adjacent to the Slippery Slides area, such a request should be considered as part of the development of the Kilauea Community Development Plan currently underway for this area. To reclassify the area now independent of the County's and the Kilauea Community's desire to formulate a plan for their community would be premature.