

January 16, 1967

Planning Commission
County of Hawaii
Hilo Armory
Hilo, Hawaii

Gentlemen:

At its meeting on January 13, 1967, the Land Use Commission voted to deny the grant of a special permit to Mrs. Christine K. Lindsey (SP66-38) to subdivide a 2-acre parcel districted for agricultural use into nine residential lots of 9,280 square feet each at Puukapu Homesteads, 2nd Series, Kamuela, Hawaii, described by Tax Map Key 6-4-22: 1.

Enclosed for your information is a copy of the Commission's staff report which formed the basis for the denial.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

Encl.
cc: Chairman Thompson
Mrs. Christine K. Lindsey

STATE OF HAWAII
LAND USE COMMISSION

State Highways Division, District
Engineers Office, 50 Makaala Street,
Hilo, Hawaii

2:30 P.M.
January 13, 1967

STAFF REPORT

SP66-38 - CHRISTINE K. LINDSEY

Background

An application for a special permit submitted by Christine K. Lindsey has been forwarded for final approval by the Hawaii County Planning Commission. The request is for permission to subdivide a two-acre parcel districted for agricultural use into nine residential lots of 9,280 sq. feet each. The property is located at Puukapu Homesteads, 2nd Series, Kamuela, Hawaii and described by TMK 6-4-22:1.

Approval of the special permit is recommended by the Hawaii County Planning Commission on the following grounds:

1. Proposed subdivision is in conformance with the County General Plan.
2. Proposed use will not require additional governmental improvements.
3. Proposed use will not essentially change the character of the area as there are urban-sized lots adjacent to this area.

Conditions set by the County Agency are:

1. The request to create 9 lots be modified to 6 lots. (approximately 14,500 square feet each).
2. The lot created fronting the Mamalahoa Highway shall include the 50-foot power line easement and 20-foot pipe line easement. This lot shall remain in open space for the power and water line easements.
3. Subdivision be in conformance with County regulations.

4. Proposed subdivision be applied to the Planning Commission within one year as of the date the Land Use Commission approves this special permit or deem the request as null and void.

The Land Study Bureau places soils of the subject property in the Nienie and Maile soil series. It is non-stony, well-drained, dark brown in color and well-suited for machine cultivation. The master productivity rating is C, denoting fair overall suitability for agricultural use. Median annual rainfall approximates 48 inches in this area.

With the exception of a few houses in the subdivided portion of petitioner's land and along the south side of Mamalahoa highway, the surrounding area is predominately in pasture.

A sizeable portion of vacant land in the area is taken up by non-conforming scattered sub-divisions. Of a total of 554 lots in these subdivisions, about 365 are sold but only about 24 homes have been constructed. Actual utilization of these lots for the purpose for which they were subdivided is practically nil, as evidenced by the number of actual homes constructed. These urban residential subdivisions, consisting of narrow straight spurs (see pink shading on map) serve as prime examples of scattered subdivisions which shift agricultural lands into non-revenue producing residential uses. Along a two-mile section of Mamalahoa highway fronting the subject lands, six scattered spur subdivisions have been platted before the effectuation of the Land Use Law. The use proposed under this special ^{PERMIT} plan would only add to this urban scatter.

The staff finds that:

1. the use sought cannot be classified as unusual and is contrary to the objectives sought to be accomplished by the Land Use Law and Regulations.
2. it would adversely affect surrounding property by imposing urban uses where agricultural uses are predominant.
3. unusual conditions, trends and needs have not developed since establishment of the boundaries and regulations.
4. the land is suited for the uses permitted within the district (agricultural).
5. the proposed use will substantially alter the essential character of the land.

6. the proposed use will not make the highest and best use of the land for the public welfare.

It is therefore recommended that the special permit be denied.