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**HAWAI'I COUNTY COUNCIL  
COMMITTEE ON PLANNING  
24<sup>th</sup> Session**

**DATE:** March 21, 2006 (Tuesday)  
**PLACE:** Sheraton Keauhou Bay Resort and Spa  
78-128 Ehukai Street  
Kailua-Kona, Hawai'i  
**TIME:** 2:30 p.m.

**(Note: Please turn cell phones, pagers and other mobile communication devices on silent mode.)**

**CALL TO ORDER**

**STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA**

**REFERRALS**

Comm. 106.81: STATUS ON COMPLIANCE WITH CONDITION U OF ORDINANCE NO. 05-113 (SUFFOLK INVESTMENT, LLC) AND CONDITION V OF ORDINANCE NO. 05-115 (PUAA DEVELOPMENT, LLC), RELATING TO THE SETTING ASIDE OF FIVE ACRES OF LAND FOR A SCHOOL SITE SITUATE AT NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-5-17:1 AND 19.

**[Close File](#)**

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From Planning Consultant Sidney Fuke, dated February 21, 2006, transmitting the above status report. The above mentioned Conditions required the applicants to solicit the input of the State Department of Education (DOE), the community and the County Council to determine which government agency or entity would be the recipient of this school site, and once the agency is identified, to submit a draft conveyance agreement within 60 days to the Council for its approval. Provides a history of the applicants' efforts to this point and states that applicant Brian Cook believes that the Innovations Public Charter School best represents the objectives sought by the conditions. Further states that Mr. Cook finds Innovations proposed program to be attractive. Attaches a copy of a letter to the Council dated January 28, 2006, which outlines their program.

Comm. 686:  
(Bill 223) AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO GENERAL INDUSTRIAL (MG-15a) AT KALAOA 1<sup>ST</sup>-4<sup>TH</sup>, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-3-49:36 AND 37. (Applicant: Hawai'i Electric Light Company, Inc.) (Area: Approximately 15.643 acres)  
From Mayor Harry Kim, dated February 3, 2006, transmitting the above bill and the Planning Commission's letter and enclosures.

**Recommends passage of Bill 223 on first reading.**

Comm. 687:  
(Bill 224) AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) AND OPEN (O) TO PROJECT DISTRICT (PD) AT KAU, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-2-5:1. (Applicant: Hiluhilu Development, LLC) (Area: Approximately 725.2 acres)  
From Mayor Harry Kim, dated February 3, 2006, transmitting the above bill and the Planning Commissions letter and enclosures.

**Held over for Public Hearing (date to be arranged)**

Comm. 688:  
(Bill 225) AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), RELATING TO MODIFICATIONS OF THE CONDITIONS OF ORDINANCE NO. 93-45, AND FURTHER AMENDING THE ORDINANCE BY DELETING TAX MAP KEY 7-2-05:1. THE REMAINING AREA OF 273.82 ACRES IS RETAINED AS AGRICULTURAL (A-3a) AT KAU, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-2-15:1-43, 46-86. (Planning Director Initiated)  
From Mayor Harry Kim, dated February 3, 2006, transmitting the above bill and the Planning Commissions letter and enclosures.

**Held over for Public Hearing (date to be arranged)**

## ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **March 17, 2006**. Persons using TDDs may call 961-8521.

Copies of this agenda and items listed on the agenda are posted and filed at the County Clerk's Office, 25 Aupuni St., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; and the Kona Councilmembers' Office, Kailua Trade Center, 75-5706 Hanama Place, Suite 109, Kailua-Kona; and at the Waimea Council Members' Office at the Holomua Center, 64-1067 Māmalahoa Highway, Suite 5, Waimea, Hawai'i 96743. For further information, please call 961-8245.

Videoconferencing is not available for this meeting.

Submitting Testimony: Those persons wishing to testify in person must register with the County Clerk's staff. Those testifying in person and submitting written testimony at the meeting should bring sixteen (16) copies of the testimony for distribution at the meeting. Those persons unable to testify in person may submit testimony (1) by mail to the County Clerk's Office in Hilo at the above address, (2) by facsimile to (808) 961-8912, or (3) by e-mail to [counciltestimony@co.hawaii.hi.us](mailto:counciltestimony@co.hawaii.hi.us). Copies will be made and distributed at the meeting when transmitted in a timely manner. In any case, both oral and written testimony will be made a part of the public record.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist { Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." { Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai'i 96720.

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION - Channel 52 (Hilo/Kona) - Public Works & Intergovernmental Relations and Finance Committee meetings - Tuesdays, March 28 and April 4, 2006, at 8:30 p.m.; Public Safety and Parks & Recreation and Planning Committee meetings- Thursdays, March 30 and April 6, 2006, at 8:30 p.m.; and all four Committee meetings - Sunday, April 9, 2006, at 10:30 a.m.

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