

## NOTICE OF PUBLIC MEETING AND HEARINGS

### LEEWARD PLANNING COMMISSION COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Leeward Planning Commission of the County of Hawaii in accordance with the provisions of Chapters 91 and 92, Hawaii Revised Statutes, Section 6-4.3 of the Charter of the County of Hawaii, and the Commission's Rules of Practice and Procedure.

**DATE:** Friday, August 28, 2009

**TIME:** 9:30 a.m.

**PLACE:** King Kamehameha's Kona Beach Hotel  
75-5660 Palani Road, Kailua-Kona, Hawaii

#### NEW BUSINESS – 9:30 a.m.

1. **APPLICANT: KONA COUNTRY CLUB, INC. (REZ 09-98/SMA 09-34)**
  - a. Change of Zone from Agricultural 5-acre (A-5a) to Multiple-Family Residential 30,000 square feet (RM-30) for 51.1 acres of land.
  - b. Special Management Area Use Permit to allow the development of 60 residential units, which may include a mix of multiple-family and single-family residential units, and related improvements.

The area involved is located mauka of the Mamalahoa Bypass Highway, between the Highway and the Kona Country Club mauka golf course, Keauhou Resort, Keauhou, North Kona, Hawaii, TMK: 7-8-10:101.

#### UNFINISHED BUSINESS – 10:15 a.m.

2. **APPLICANT: KOHALA LLC (REZ ORD. 97 102/SMA 379)**

Report on the status of the Kohala LLC project as requested by the Planning Commission at its November 24, 2008 meeting.

#### NEW BUSINESS – 10:45 a.m.

3. **INITATOR: COUNTY COUNCIL (RESOLUTION NO. 108 09)**

Amendments to Ordinance No. 05 25, as amended (County of Hawaii General Plan) relating to the conversion from a single Planning Commission to the Windward and Leeward Planning Commissions. The proposed amendments are basically "housekeeping changes" as the changes are merely to replace the words "Planning Commission" with Leeward and Windward Planning Commissions."

4. **INITIATOR: PLANNING DIRECTOR**

Amendment to Chapter 25 (Zoning Code), Article 4, Division 1, Section 25-4-15(f) and (g), Hawaii County Code 1983 (2005 Edition, as amended) relating to agricultural tourism. The purpose of the amendment is to extend the 12-month amnesty period (November 20, 2009) for non-permitted agricultural tourism operations to 18 months (May 20, 2010).

5. **INITIATOR: PLANNING DIRECTOR**

Amendment to Land Use Pattern Allocation Guide (LUPAG) Map 11 of the County of Hawaii General Plan (Ordinance No. 05 25, as amended) by changing the land use designation from “Urban Expansion” to “Open” for the area affecting state-owned lands in the vicinity and south of the Honokohau Harbor, Kealakehe, North Kona, Hawaii.

ELECTION – 2<sup>ND</sup> VICE CHAIR

MINUTES

June 30, 2009 and July 24, 2009

ADMINISTRATIVE MATTERS

ANNOUNCEMENTS

ADJOURNMENT

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the above matters.

Pursuant to Rule 4, Contested Case Procedure, of the County of Hawaii Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on item no. 1b above is required to file a written request which must be received in the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission’s first public meeting on the matter. Such written request shall be in conformity with Rule 4, in a form as provided in Rule 4 Appendix A “Petition for Standing in a Contested Case Hearing.” The written petition/request shall be filed with the Planning Commission at Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawaii 96720, and accompanied by a filing fee of \$100 payable to the Director of Finance. Any party may retain counsel if that person so desires. Rule 4 may be inspected or purchased (\$2.50) at the above-cited location. Rule 4 may also be viewed at the County of Hawaii website (<http://www.co.hawaii.hi.us>).

Submitting Testimony: According to Rule 1 (General Rules) of the Planning Commission, a person desiring to submit oral or written testimony shall indicate her/his name; residence address; and whether the testimony is on her/his behalf or as a representative of an organization or individual. If testimony is being submitted on behalf of an organization, documentation showing membership ratification should accompany the testimony. Written testimony shall be submitted with an original and nine copies prior to testifying. The Commission would appreciate timely submittal to the Planning Department at least one week

prior to the hearing date to allow for mailing and thorough Commission review. Testimony that is irrelevant or unduly repetitious may be limited by the Chairperson pursuant to Rule 1.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawaii County Clerk within five days of becoming a lobbyist { Article 15, Section 2-91.3(b), Hawaii 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), Hawaii County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 333 Kilauea Avenue, 2<sup>nd</sup> Floor, Hilo, Hawaii 96720.

Copies of the proposed amendments as well as maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file and open to inspection during office hours at the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawaii and at the Kona office of the Planning Department, 75-5706 Kuakini Highway, Suite 109, Kailua-Kona, Hawaii.

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in this event, should contact the County of Hawai‘i Planning Department at (808) 961-8288 no later than five days before the scheduled event.

Hawai‘i County is an Equal Opportunity Provider and Employer.

LEEWARD PLANNING COMMISSION  
Rodney Watanabe, Chair

(Hawaii Tribune Herald: August 8, 2009)  
(West Hawaii Today: August 8, 2009)