



STATE & COUNTY NOTICES 015



NOTICE OF PUBLIC MEETING AND HEARINGS WINDWARD PLANNING COMMISSION COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Windward Planning Commission of the County of Hawaii in accordance with the provisions of Chapters 91 and 92, Hawaii Revised Statutes, Section 6-7.5(a) of the Charter of the County of Hawaii, and the Planning Commission's Rules of Practice and Procedure.

DATE: Thursday, March 1, 2012

TIME: 9:00 a.m.

PLACE: County of Hawaii Aupuni Center Conference Room
101 Pauahi Street, Hilo, HI 96720

STATEMENTS FROM THE PUBLIC – Note that statements from the public regarding any particular item on this agenda will be taken at the time the particular item is called to order.

NEW BUSINESS – 9:00 a.m.

1. APPLICANT: DEE L. HYDE-BEGANY (SPP 12-129)

Application for a Special Permit application to allow the establishment of a home occupation for clinical massage and myoskeletal alignment within an existing 3-bedroom single family dwelling situated on 14,000 square feet of land within the State Land Use Agricultural District. The property is located at 94-1735 Wakea Avenue, Discovery Harbour Subdivision, Unit I, Ka'u, Hawaii, TMK: 9-4-023:064.

2. APPLICANT: PLANNING DIRECTOR INITIATED

Amendment to Map 15 of the Land Use Pattern Allocation Guide (LUPAG) Map of the County of Hawaii General Plan (adopted by Ordinance No. 05 25, amended by Ordinance No. 06 153) by changing the land use designation for Pahoa Village and the immediately surrounding areas, Pahoa, Puna, Hawaii.

3. APPLICANT: PLANNING DIRECTOR INITIATED

Amendment to Chapter 25 (Zoning Code) of the Hawaii County Code 1983 (2005 Edition, as amended) relating to Agricultural Tourism. The proposed amendment will specifically amend Sections 25-1-5(b), 25-2-71, 25-2-75, and 25-4-15 relating to definitions, plan approval requirements, and use regulations, respectively, as they are related to agricultural tourism.

4. APPLICANT: PLANNING DIRECTOR INITIATED

Amendment to Chapter 25 (Zoning Code) of the Hawaii County Code 1983 (2005 Edition, as amended) relating to notification requirements for zoning amendment, project district and agricultural project district applications. The proposed amendment will specifically amend Sections 25-2-42(b), 25-6-44(b) and 25-6-54(b), and is a housekeeping matter that seeks to provide consistency among different sections of the Zoning Code.

5. APPLICANT: PLANNING DIRECTOR INITIATED

Amendment to Chapter 25 (Zoning Code) of the Hawaii County Code 1983 (2005 Edition, as amended) relating to bed and breakfast establishments. The proposed amendment will specifically amend Sections 25-2-61(a), 25-2-71(c), 25-2-76(b through e), 25-4-7(a), 25-5-52(d), 25-5-62(d) and 25-5-72(d). This is a housekeeping matter that seeks to provide consistency among different sections of the Zoning Code relating to bed and breakfast establishments.

MINUTES

Approval of Minutes of the February 2, 2012 meeting

ADMINISTRATIVE MATTERS

Status regarding the following appeals:

1. Rapoza, etal vs. Windward PC (Hu Honua) – SMA 221
2. Parisi et al. v. Priest (Monk) of Bang San Ho Temple, et al. - SPP 919

ANNOUNCEMENTS

ADJOURNMENT

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

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.

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. 1 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 by the Planning Department entitled "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 \$200 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>).

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, 25 Aupuni Street, Room 1402, Hilo, Hawaii 96720.

Copies of the applications and 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 Planning Department–West Hawaii Office, West Hawaii Civic Center, 74-5044 Ane Keohokalole Highway, Kailua-Kona, Hawaii.

Anyone who requires an auxiliary aid or service, other reasonable modification, or language interpretation to access this meeting please contact Sharon Nomura (961-8155) or Daryn Arai (961-8142) of the Planning Department as soon as possible, but no later than five days prior to the meeting date, to arrange for accommodations. "Other reasonable modification" refers to communication methods or devices for people with disabilities who are mentally and/or physically challenged

Hawaii County is an Equal Opportunity Provider and Employer.

WINDWARD PLANNING COMMISSION
ZENDO KERN, Chairperson

(No. 55254-West Hawaii Today: February 3, 2012)