

March 18, 1982
Hon. Adv.

Nukolii

Kauai's mayor vetoes Nukolii rezoning

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LIHUE — Kauai Mayor Eduardo Malapit yesterday vetoed a General Plan change at Nukolii that he once supported.

Malapit called the County Council-passed change, from resort to agricultural, a politically motivated move.

The Nukolii site comprises about 60 acres. Of those, 25 acres are part of a 150-unit condominium project and a proposed 350-room hotel.

By a 2-1 referendum vote in 1980, Kauai's people called for downzoning at the site — but a judge allowed development to continue, saying developers had vested rights. That decision is under review by the Hawaii Supreme Court.

The remaining 35 acres at Nukolii are listed as resort on the county's long-range planning docu-

ment, the General Plan, but as open and agricultural on the Comprehensive Zoning Ordinance, which dictates immediate development potential. The vetoed bill would have changed the General Plan designation to agricultural, to match the Comprehensive Zoning Ordinance.

In a June press conference, Malapit said he supported such a change. The mayor said at the time that he would support the change as part of the county's General Plan update, which is now under way.

But Malapit said yesterday that he changed his mind. But in announcing his veto, he said he will not attempt to influence the citizens groups that are advising in the plan update.

However, the Comprehensive Zoning Ordinance already has the agricultural designation on the property, and that should meet the requirements of the referendum, he said.

Besides, he said, there are many voters who didn't understand what they were casting their referendum ballot on.

Malapit said he vetoed the bill "for the reason of good planning and responsible decision-making."

The mayor recalled a number of events in the Nukolii controversy, including the bombing of his office, a demonstration at the site in which police officers were injured, threatening calls to his home and family, and demonstrators at his inauguration.

"I refuse to join their ranks. I refuse to let this government be their type of radical government. I refuse to believe that their action is the action of Kauai people . . ." Malapit said of the more active opponents of Nukolii development.

"They desire decision by pressure, rather than by reason."



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