BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI‘I

In the Matter of the Petition of
CASTLE & COOKE HOMES HAWAII, INC.
and PACIFIC HEALTH COMMUNITY, INC.

To Amend the Agricultural Land Use
District Boundary into the Urban Land Use
District for Approximately 1,247.983 Acres of
Land at Waipio and Waiwa, O‘ahu, Hawai‘i,
TMKs: 9-4-06: 1, 2, por. 3, por. 29; 9-5-03:
por. 1, por. 2, por. 4; and 9-6-04: 21

DOCKET NO. A00-734
ORDER GRANTING
CO-PETITIONERS’
MOTION FOR TIME
EXTENSION FOR LAND
USE COMMISSION TO
FILE FINDINGS OF FACT
AND CONCLUSIONS OF
LAW

ORDER GRANTING CO-PETITIONERS’ MOTION FOR TIME EXTENSION FOR LAND USE COMMISSION TO FILE FINDINGS OF FACT AND CONCLUSIONS OF LAW
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ORDER GRANTING CO-PETITIONERS’ MOTION FOR TIME EXTENSION FOR LAND USE COMMISSION TO FILE FINDINGS OF FACT AND CONCLUSIONS OF LAW


Co-Petitioners requested a ninety-day time extension for the Land Use Commission (“Commission”) to file findings of fact and conclusions of law in the above-captioned docket.
Section 91-13.5, Hawai‘i Revised Statutes, provides that if an agency does not act on a development-related permit, license, or approval within its adopted rules dealing with the time to approve the license, permit, or approval, it shall be automatically approved.

Section 15-15-74(b), HAR, establishes a three hundred and sixty-five day period for this Commission to act upon a district boundary amendment petition. The same section also provides for an extension of time not to exceed ninety days when approved by a two-thirds vote of the members of this Commission.

The Motion was heard at this Commission’s meeting on May 3, 2002, in Hilo, Hawai‘i, with appearances by the parties as noted in the minutes. At the meeting, the Office of Planning; the City and County of Honolulu Department of Planning and Permitting; the Mililani/Melemanu/Waipio Neighborhood Board #25; and the Sierra Club, Hawai‘i Chapter, stated that they had no objections to the Motion.

Following discussion, a motion was made and seconded to approve Co-Petitioners’ Motion. There being a vote tally of 6 ayes and 0 nays, the motion carried as it represented an affirmative vote of two-thirds of the members of this Commission.
ORDER

IT IS HEREBY ORDERED that the time within which this Commission
must file its decision and order approving the petition, denying the petition, or
modifying the petition by imposing conditions in the above-captioned docket is
extended for ninety days, to and including August 30, 2002.

Dated: Honolulu, Hawai‘i, [MAY 13 2002]

LAND USE COMMISSION
STATE OF HAWAI‘I

[Signature]
By MERLE A.K. KELAI
Chairperson and Commissioner

APPROVED AS TO FORM

[Signature]
Deputy Attorney General

Filed and effective on [MAY 13 2002] 2002

Certified by:

[Signature]
Executive Officer
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CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Co-Petitioners’ Motion for Time Extension for Land Use Commission to File Findings of Fact and Conclusions of Law was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

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DATED: Honolulu, Hawaii, this 13th day of May, 2002.

[Signature]
ANTHONY J. H. CHING
Executive Officer