



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

May 3, 1994

MEMORANDUM

TO: All Parties

FROM: Benjamin M. Matsubara, Esq.
Hearing Officer *BM*

SUBJECT: Amendment to Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Decision and Order for LUC Docket No. BR93-690/Office of State Planning, State of Hawaii

The following is an amendment to the Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Decision and Order for the subject docket issued on April 26, 1994. The amendment provides five (5) additional findings of fact to address the petition's conformity to County plans.

The additional findings of fact are as follows:

CONFORMITY TO COUNTY PLANS

74. The General Plan for the City and County of Honolulu is a policy document containing objectives and policies addressing the health, safety, and welfare of Oahu's people.

(Petitioner's Exhibit 1, p. 32; Petitioner's Exhibit 9, p. 21.)

75. The proposed reclassification conforms to the following General Plan objectives and policies for the Natural Environment:

Objective A: To protect and preserve the natural environment.

Policy (1) Protect Oahu's natural environment, especially the shoreline, valleys, and ridges, from incompatible development.

Policy (10) Increase public awareness and appreciation of Oahu's land, air, and water resources.

Objective B: To preserve and enhance the natural monuments and scenic views of Oahu for the benefit of both residents and visitors.

Policy (1) Protect the Island's well-known resources: its mountains and craters; forests and watershed areas; marshes, rivers, and streams ...

Policy (2) Protect Oahu's scenic views, especially those seen from highly developed and heavily traveled areas.

(Petitioner's Exhibit 1, pp. 32-33; Petitioner's Exhibit 9, pp. 21-22; T. 3/10/94, p. 18, lns. 11-14.)

76. The proposed reclassification conforms to the following General Plan objective and policy for Economic Activity:

Objective B: To maintain the viability of Oahu's visitor industry.

Policy (8) Preserve the well-known and widely publicized beauty of Oahu for visitors as well as residents.

(Petitioner's Exhibit 1, pp. 33-34; Petitioner's Exhibit 9, p. 22.)

77. The Property is designated as Public and Quasi-Public (Petition Area 1a) and Agricultural (Petition Area 1b) in the Koolaupoko Development Plan of the City and County of Honolulu. Section 32-6.2 of the Koolaupoko Development Plan (Urban Design Principles and Controls for Koolaupoko) also identifies views of Olomana from Kalaniana'ole Highway, the Pali

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Highway, and Waimanalo as important public views. (Petitioner's Exhibit 1, p. 34; Petitioner's Exhibit 9, p. 22; T. 3/10/94, p. 18, lns 14-18.)

78. The City and County of Honolulu has zoned the Property as AG-2. A designation of P-1 (Restricted Preservation) would be more appropriate should the Property be reclassified to the Conservation District. (Petitioner's Exhibit 9, p. 23)

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the matter of the Petition of) DOCKET NO. BR93-690
)
OFFICE OF STATE PLANNING,) CERTIFICATE OF SERVICE
STATE OF HAWAII)
)
To Amend the Agricultural Land)
Use District Boundary into the)
Conservation Land Use District)
for Approximately 456 Acres at)
Olomana, Kailua and Waimanalo)
Ahupuaa, Koolaupoko, Island of)
Oahu, State of Hawaii, Tax Map)
Key Numbers: 4-1-08: por. 13;)
4-1-10: por. 74 and por. 93; and)
4-2-06: por. 2)
_____)

CERTIFICATE OF SERVICE


I hereby certify that a copy of the Amendment to Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Decision and Order for LUC Docket No. BR93-690/Office of State Planning, State of Hawaii, was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

HAROLD S. MASUMOTO, Director
Office of State Planning
P. O. Box 3540
Honolulu, Hawaii 96811-3540

RICK J. EICHOR, ESQ., Attorney for Petitioner
Department of the Attorney General
State of Hawaii
425 Queen Street
Honolulu, Hawaii 96813

CERT. ROBIN FOSTER, Chief Planning Officer
Planning Department
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 4th day of May 1994.



BENJAMIN M. MATSUBARA, ESQ.
Hearing Officer