



LAND USE COMMISSION  
STATE OF HAWAII

2020 APR 20 A 8 31

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In The Matter Of The Petition Of	)	DOCKET NO. A17-804
	)	
HAWAIIAN MEMORIAL LIFE PLAN, LTD., A Hawai'i Corporation	)	STIPULATED AGREEMENT FOR MOTION TO EXTEND TIME FOR DECISION- MAKING AN ADDITIONAL NINETY
To Amend the Conservation Land Use District Boundary Into The Urban Land Use District For Approximately 53.449 Acres Of Land at Kāne'ōhe, Ko'olaupoko, O'ahu, Hawai'i, Tax Map Key: (1) 4-5-33: 001 (por.)	)	DAYS
	)	
	)	

STIPLULATED AGREEMENT FOR MOTION TO EXTEND TIME FOR DECISION-  
MAKING AN ADDITIONAL NINETY DAYS

On November 13, 2017, Hawaiian Memorial Life Plan, Ltd. ("Petitioner") filed a petition for land use district boundary amendment to reclassify approximately 53.449 acres of land, identified as Tax Map Key: (1) 4-5-033:001 (por.) from the State Conservation District into the State Urban District ("Petition Area") for the planned expansion of the Hawaiian Memorial Park Cemetery ("Project") at Kāne'ōhe, Island of O'ahu, State of Hawai'i.

The Petition was deemed a complete filing on July 16, 2019. The Commission has 365 days to conduct hearings and make a final decision on the proposed district boundary amendment. Pursuant to Hawai'i Revised Statutes ("HRS") §205-4(g) and Hawai'i

Administrative Rules (“HAR”) §15-15-74(b), the State Land Use Commission (“Commission”) within a period of not more than three hundred sixty-five (365) days after the proper filing of a petition, shall act to approve, deny, or to modify a petition.<sup>1</sup>

On March 16, 2020, the Governor of the State of Hawai‘i, David Ige, issued an emergency proclamation in response to the growing coronavirus pandemic that had sickened at least 175 people in Hawai‘i and more than 100,000 in the United States. The proclamation was a response to a March 11, 2020 designation by the World Health Organization of the coronavirus pandemic and a March 13, 2020 declaration by the President of the United States of a national emergency due to the coronavirus pandemic. Included in the Governor’s emergency proclamation was the temporary suspension of certain statutes and related administrative rules in order to more effectively provide emergency management relief, functions, and implement social distancing measures. The emergency proclamation is to continue through May 15, 2020, unless terminated by a separate proclamation, whichever shall occur first.

Pursuant to HRS §205-4(g) and HAR §15-15-74(b) decision making on a district boundary amendment petition must occur within 365 days, “...unless a time extension, which shall not exceed ninety days, is established by a two-thirds vote of the members of the commission...”

The effect of the Governor’s proclamation during this public health emergency has stopped the Commission from holding public hearings on matters currently before it. At the present time no specific dates are possible to determine when hearings can safely resume.

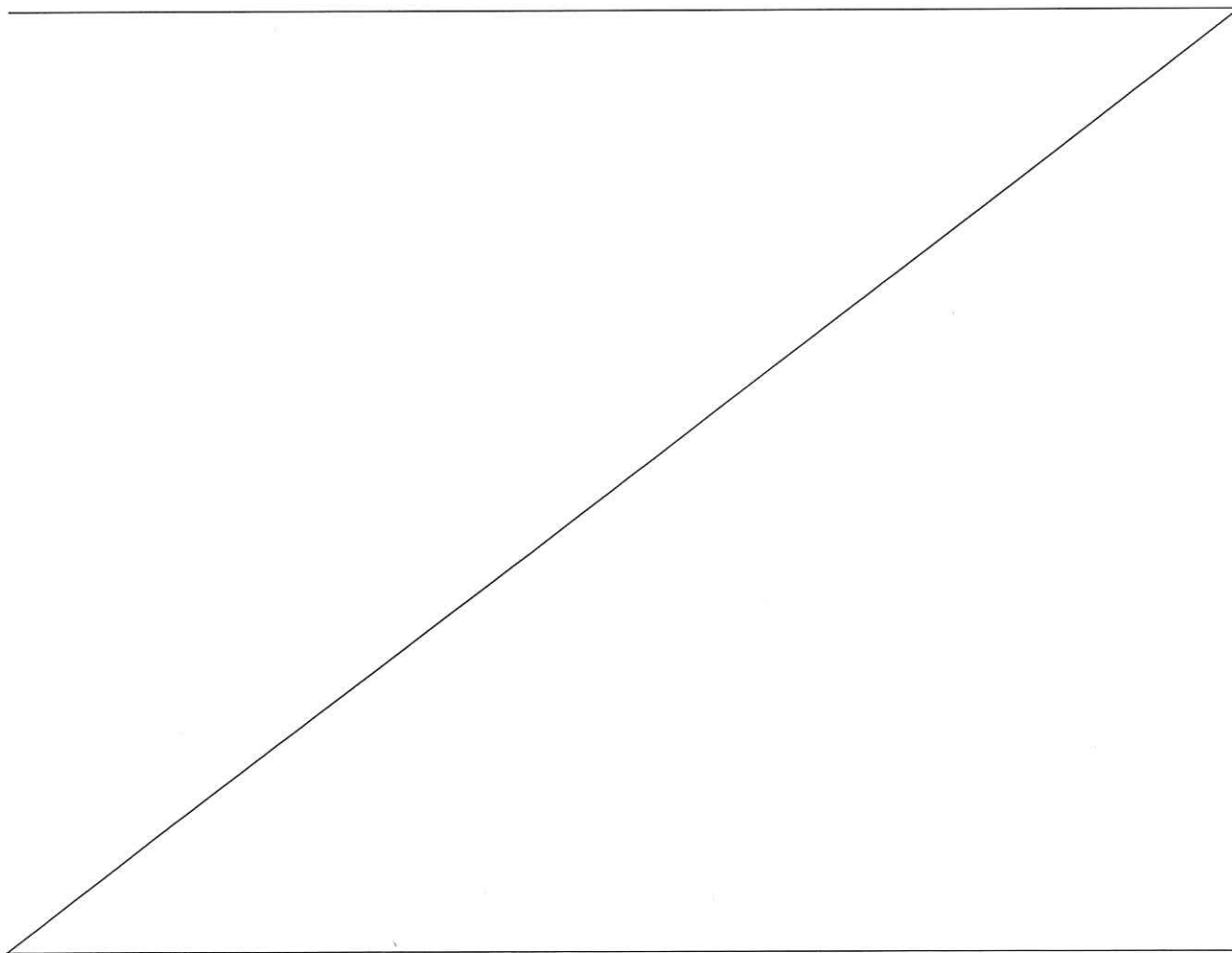
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<sup>1</sup> In this case, the Commission is required to complete hearings and make a final decision on this docket by July 15, 2020.

The Executive Officer has conferred with the parties who have agreed to stipulate that due to the current public health emergency there exists good cause and warrants an extension of time of ninety days for hearings in this matter.

The Commission will schedule the matter for hearing using video-conferencing technology and will to the greatest extent feasible provide avenues for public participation. The parties in this docket should file any briefings on this matter by April 30, 2020. These filings may be made electronically.

The undersigned parties hereby agree and stipulate to a ninety (90) day extension for hearings in this matter pursuant to HRS §205-4(g) and HAR §15-15-74(b).



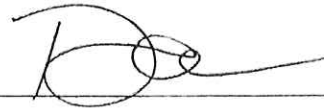


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DATED: April 17, 2020



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STATE OF HAWAII

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DATED: April 17, 2020




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Hui O Pikoiloa

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STATE OF HAWAII  
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DATED: April 20, 2020



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