

## Quinones, Natasha A

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**From:** Hakoda, Riley K  
**Sent:** Friday, June 04, 2021 5:03 PM  
**To:** Quinones, Natasha A; Orodener, Daniel E  
**Subject:** FW: [EXTERNAL] Letter re IAL Designation of ORI Anuenue Hale property  
**Attachments:** 06042021 ORIAH Letter sent to LUC and DPP re IAL Designation.pdf; Special Use Permit 2002 SUP-6.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** helemano808@hawaii.rr.com <helemano808@hawaii.rr.com>  
**Sent:** Friday, June 4, 2021 3:45 PM  
**To:** 'cproctor@honolulu.gov' <cproctor@honolulu.gov>  
**Cc:** Hakoda, Riley K <riley.k.hakoda@hawaii.gov>  
**Subject:** [EXTERNAL] Letter re IAL Designation of ORI Anuenue Hale property

Dear Ms. Catherine Proctor and Mr. Riley K. Hakoda:

Could you please forward the attached letter and copy of SUP 2002/SUP-6 to the named recipients (Mr. Dean Uchida of DPP and Mr. Daniel Orodener of LUC, respectively) with regards to ORI Anuenue Hale Inc. in response to a notice our agency received from the Land Use Commission regarding the Important Agricultural Land (IAL) Designation by the City and County of Honolulu, which includes TMK: 64003014 and 64003015. A Conditional Use Permit No. 2008 / CUP-9 may also provide info on the named TMK.

We hope the letter and SUP attached is sufficient to explain our concern and whether your awareness of our exemption requires further action on our part to ensure that our organization can continue with its current activities, programs and services benefiting the elderly, disabled and economically disadvantaged.

If you have any questions or need more information, please call (808) 622-3929. Looking forward to hearing from you. Thank you.

From: Yvonne de Luna  
Executive Assistant  
ORI Anuenue Hale Inc.  
64-1488 Kamehameha Highway  
Wahiawa, HI 96786

Susanna F. Cheung  
Founder, President and CEO

Anuenue Hale, Inc.



June 4, 2021

Daniel Orodener  
Executive Officer  
State of Hawaii Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96814-2359

**RE: Important Agricultural Land (IAL) Designation of  
ORI Anuenue Hale Inc. TMK: 64003014 and 64003015  
64-1488 and 64-1498 Kamehameha Highway, Wahiawa, HI 96786  
Under Special Use Permit No. 2002/SUP-6 and Variance No. 2002/Var-80**

Dear Mr. Orodener:

We received your April 12, 2021, notice advising our agency on the proposed designation as **IAL (Important Agricultural Land)** by the City and County of Honolulu as listed in Exhibit B to Council Resolution 18-233, CD1, FD1 of the C&C's IAL petition.

Although we do appreciate being notified of this matter, we are still wondering about the impact this would have on the services we provide at the property as a private, non-profit agency. An Awareness Letter from Durrett Lang Morse, LLLP, which we also received dated April 12, 2021, explained our rights to speak up regarding the designation or to file a formal objection. We would like to know if further action is needed on our part with regards to the IAL designation, given that our operations were approved under a special exemption, **Special Use Permit No. 2002/SUP-6 and Variance 2002/Var-80.**

ORI Anuenue Hale Inc. is a private, non-profit agency, which was founded in 1993 by Susanna F. Cheung. The agency was established for charitable, educational and social purposes. It's predecessor, ORI (a non-profit corporation founded in 1980) and Helemano Plantation Inc. (a for-profit business founded in 1984 to support ORI) exemplify a unique model to human and social service, providing a more sustainable means to support and/or supplement what it receives from government for social services. ORI Anuenue Hale Inc. through its ADA campground provides a wide range of job training and income-generating opportunities to help persons with special needs. Health and wellness activities, social, educational and cultural program activities take place at its Wellness Center benefiting seniors and individuals with disabilities. In addition, supportive and therapeutic services are provided through its residential services for the economically disadvantaged and persons with special needs.

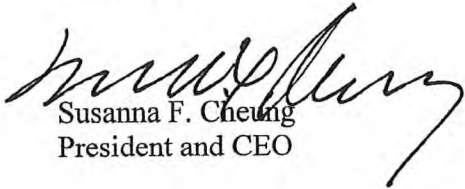
64-1488 Kamehameha Highway, Wahiawa, Hawaii 96786  
Phone: (808) 622-3929 Fax: (808) 621-5191 E-mail: anuenuehale@hawaii.rr.com  
"A Rainbow of Opportunities"

Sept 2015

We wished more was done by the C&C to properly inform our agency on the designation process and its impact on our agency. The records on our agency's exemption should be with the C&C Department of Planning and Permitting.

If any questions, please call our office at (808) 622-3929. Your assistance on this matter would be most appreciated.

Sincerely,



Susanna F. Cheung  
President and CEO

Cc: Dean Uchida, Director, C& C Department of Planning and Permitting



PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION)

OF )

ORI ANUENUE HALE, INC. )

FOR A )

STATE SPECIAL USE PERMIT )

2002/SUP-6

FINDINGS OF FACT, CONCLUSIONS, AND DECISION

I. PROPOSAL

The Planning Commission, at its public hearings held on December 11, 2002, January 8, 2003, and February 5, 2003, pursuant to Section 205-6, Hawaii Revised Statutes and Subchapter 4, Rules of the Planning Commission, City and County of Honolulu, considered the Special Use Permit application of ORI Anuenue Hale, Inc. The applicant proposes a multi-purpose center on three separate parcels totaling 14.9 acres of land within the State Land Use Agricultural District in Paalaa Uka, Waialua, Oahu. The project area is identified by Tax Map Key 6-4-3: portions of 3.

The multi-purpose center consists of a combination of uses and facilities, which will provide social services, diversified agriculture, outdoor recreation areas, buffers, and related support

facilities on 43.388 acres. Uses requiring a Special Use Permit, which are to be developed within the 14.9-acre area, include:

- An administration building
- A learning center
- A vocational training center
- A health and wellness facility
- A dining room and a social hall
- An elderly care facility
- Vacation cabins and accessory office
- A miniature golf course
- An ohana country market
- A 10-unit group living facility
- A laundry and maintenance facility
- Parking and driveways
- Accessory (managers) dwellings, and staff and caretakers quarters.

## II. FINDINGS OF FACT

On the basis of the evidence presented, the Commission hereby finds that:

1. The subject parcel is identified by Tax Map Key 6-4-3: portions of Parcel 3. It is owned by Dole Foods Company, Inc.
2. The site is located in Paalaa Uka, Waialua, Oahu.

3. The site is within the State Land Use Agricultural District, outside the Rural Community Boundary of the North Shore *Sustainable* Communities Plan, and zoned AG-1 Restricted Agricultural District.
4. The State Agricultural Lands of Importance to the State of Hawaii classification for the site is "Unique". The University of Hawaii Land Study Bureau overall master productivity rating for the property is "B" which indicates fair to excellent productivity potential for most crops.
5. The site is adjacent, on its southern boundary, to the Helemano Plantation, a housing and training facility for the developmentally disabled which was established under affordable housing provisions of Chapter 201E, Hawaii Revised Statutes. Next to Helemano Plantation is the Dole Plantation Pavilion and related recreational facilities, which are accessory uses for a 5,000-acre pineapple plantation. To the north and east are agricultural lands in pineapple cultivation. To the west is Kamehameha Highway and the Dole Plantation Pineapple Packaging Facility beyond. Beyond the packaging facility are lands in pineapple cultivation.
6. The Wahiawa Neighborhood Board No. 26 and the North Shore Neighborhood Board No. 27 support the proposed project.
7. The Department of Community Services issued a Final Environmental Assessment/Findings of No Significant Impact for the project. Notice of the finding was published in the December 8, 2002 issue of the Environmental Notice, in accordance with the Environmental Impact Law, Chapter 343, Hawaii Revised Statutes.
8. The Planning Commission received a Report and Recommendation dated January 29, 2003 from the Director of Planning and Permitting providing an analysis of the Special



Use Permit request and its recommendation for approval with conditions. The Director's Report and Recommendation is hereby attached.

9. At the public hearing of December 11, 2002, two persons testified and one written testimony was received all in support of the Special Use Permit. At the public hearing of February 5, 2002, five people testified in support of the request. The Hawaii's Thousand Friends submitted written testimony in opposition to the request.

### III. CONCLUSIONS OF LAW

The Planning Commission hereby concludes that:

1. The proposed use would not be contrary to the objectives of the State Land Use Law. Most of the 43.388-acre project will be retained in diversified agriculture, outdoor recreation areas, and open space, as a condition of approval. Proposed uses that are subject to a Special Use Permit will be combined into a single parcel not exceeding 14.9 acres. In addition, an agricultural plan for the entire project and associated programs will have to be prepared and approved by the Director of the DPP.
2. The proposed project would not adversely affect surrounding property. The area subject to the Special Use Permit will be limited to a single 14.9-acre parcel and under the required agricultural plan, 28.488 acres, the balance of the 43.388-acre site, will be retained for diversified agriculture, outdoor recreation, and open space. The project is not expected to have adverse visual impacts and the integration of agricultural components will promote the retention of the surrounding area's rural open space and agricultural character.

3. The proposal will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection. The applicant is responsible for meeting infrastructure requirements prior to obtaining building permit approval. A requirement for development of a signalized driveway serving this project, the adjoining Helemano Plantation, and Dole Plantation Visitor's Center and proposed expansion, would reduce traffic concerns.
4. Unusual conditions, trends and needs have arisen since the Agricultural District boundaries and regulations were established. The closing of sugar plantations and the conversion of former sugar cane fields to fresh pineapple cultivation and diversified agriculture evidence these changes. The project will promote diversified agriculture and will incorporate agricultural practices and themes in its social service programs.
5. The removal of the project area from pineapple cultivation will not adversely affect Dole Foods Company, Inc.'s 5,000-acre plantation operations. Additional lands are available for replacement of lands removed from pineapple cultivation. In addition, the project will include a diversified agriculture component, which will be used in conjunction with the project's social service programs. A required agricultural plan will retain the 28,488-acre balance of the project area for diversified agriculture, outdoor recreation, and open space.

#### IV. DECISION AND ORDER

Pursuant to the foregoing Findings of Fact, Conclusions and attachment, it was the decision of the Planning Commission, at its meeting of February 5, 2003, to approve Special Use Permit No. 2002/SUP-6, subject to the following conditions:



1. There shall be no non-agricultural use expansion to the 43.388-acre project except if approved under a Sustainable Communities Plan amendment, with a subsequent amendment to the Special Use Permit, or a State Land Use District Boundary amendment to the Urban District for the project area.
2. The applicant or its successor shall obtain a building permit for the project within 2 years of approval of the Special Use Permit. A one-time extension of time may be granted by the Director of the Department of Planning and Permitting for sufficient cause, beyond the control of the applicant or successor.
3. Prior to building permit approval, the applicant shall submit to the Director of Planning and Permitting for review and approval, a revised site plan which show all proposed uses and accessory uses that are not permitted within the State Agricultural District and described by metes and bounds. The revised site plan shall show at a minimum:
  - a. All structures and uses associated with the project.
  - b. All easements affecting the project site.
  - c. A signalized driveway to Kamehameha Highway that provides shared access between Aloha Gardens, Helemano Plantation, and Dole Plantation. The access plans shall first be approved by the State Department of Transportation prior to submitting the revised site plan.
4. Prior to Building permit approval, the applicant shall submit an Agricultural Plan to the DPP for review and approval. The Agricultural Plan shall:
  - a. Identify the types of crops to be grown on-site, and a timetable for their production.
  - b. Include a description of all on-site programs directly related to crop production and sales, agriculture promotion, education, and training, and how products grown on the

project is being utilized on-site. The applicant shall demonstrate that all of its client programs incorporate, at a minimum, 50 percent of the agricultural program elements of the approved Agricultural Plan.

- c. The remaining balance of the Project site (28.488 acres) shall be incorporated into the Agricultural Plan as agricultural and open space resource elements and be designated for diversified agriculture and/or open space.

Programs that do not meet the required 50 percent Agricultural Plan integration, as determined by the Director of Planning and Permitting, shall cease to operate and any associated structures removed from the project site within 90 days of said determination.

5. Prior to obtaining a building permit, the applicant shall submit a lighting plan and a landscape plan to the Department of Planning and Permitting for review and approval.
6. The applicant and/or its successor shall provide notification to all prospective employees and clients of the potential odor, noise, and dust that will be produced by farming activities on the adjacent agricultural lands, and the Hawaii Right-to-Farm Act, Chapter 165, Hawaii Revised Statutes, that limits the circumstances under which pre-existing farm activities may be deemed a nuisance. Proof of such notice(s) shall be submitted to the Department of Planning and Permitting for review and compliance with this condition, prior to the issuance of a certificate of occupancy. Acknowledgment of receipt of the notice shall be kept with the applicant until the DPP determines such records are no longer required.
7. On each anniversary date of the date of Special Use Permit decision, the applicant or its successor shall file an annual report to the DPP that demonstrates the applicant's compliance with conditions of the Special Use Permit.

8. Approval of this Special Use Permit does not constitute compliance with other land use ordinances or governmental agencies' requirements. They are subject to separate review and approval. The applicant shall be responsible for insuring that the final plans for the project approved under this permit comply with all applicable LUO and other governmental agencies' provisions and requirements.
9. The applicant and/or landowner shall notify the Director of Planning and Permitting of any changes in uses on the property; termination of any uses on the property; and/or transfer in ownership of the property or any uses on the property. The Planning Commission shall then, in consultation with the Director of Planning and Permitting, determine the appropriate disposition of this Special Use Permit and facilities.
10. In the event of noncompliance with any of the conditions set forth herein, the Director of Planning and Permitting may terminate all uses approved under this Special Use Permit or the Director may declare this Special Use Permit null and void or seek civil enforcement.



Dated at Honolulu, Hawaii this 5<sup>th</sup> day of February, 2003.

PLANNING COMMISSION

CITY AND COUNTY OF HONOLULU

By Charlie Rodgers  
CHARLIE RODGERS, Chair

2021/EL09-1119

To whom it may concern,

This is in regards to:

TMK # :PR 1-4-1-010-024-0000-000

TMK # :PR 1-4-1-010-024-0000-001

TMK # :PR 1-4-1-010-024-0000-002

2021 JUN -4 PM 2:59  
DEPT OF LAND & NATURAL RESOURCES  
HONOLULU

Unfortunately, our Ohana was never properly informed of the IAL designation affecting our property. We did not receive any notice until earlier this year 2021. We do know that the land in question is farmland. But our Kupuna who passed down the land did not know what farmland entails. We are willing to work the land and follow Ag rules. I think we would need more time and information on what needs to be done. Before we take on such a task being asked of us. We do not want any Pilikia and would like to continue for our property to be farmland. I do not, however, think that the IAL program is going about getting to the bigger picture the right way. So with that being said we would like for our property indicated above be excluded from the IAL program due to the small size in property.

If you have any questions for me, feel free to call me at 808-779-6217.

Sincerely,

Ahuna-Hoapili Ohana

Laora R. Vidal and Jeffrey L. Hoff  
41-856 Waikupanaha St.  
Waimanalo, HI 96795  
TMK# 410100170000

SENT VIA E-MAIL: [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)

Honorable Jonathon Scheuer  
Chair  
Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96814-2359

SUBJECT: Opposition to Proposed Important Agricultural Lands Designation

Dear Chair Scheuer and Members of the Commission,

Our names are Laora Vidal and Jeffrey Hoff\_\_ and we are landowners in Waimanalo and own 0.539 acres. We recently received a letter from the Land Use Commission informing us that our property has been designated by the City and County of Honolulu as Important Agricultural Lands (IAL). Further, I was informed that the Land Use Commission may be taking action to accept the City and County of Honolulu's Important Agricultural Lands designation which includes my property in Waimanalo.

We feel blindsided and don't understand why our property has been chosen for this change. This would be absolutely detrimental to our wellbeing as we are not farmers. From what has been shared, it seems as though we would not be able to follow all the new restrictions and regulations that fall under "Important Agricultural Land Designation".

We adamantly object to the designation of my property as IAL for the following reasons: the process for the IAL designation was flawed and did not fully inform landowners of the designation's impact; the LUC process did not provide adequate information as to how the acceptance of these maps would impact our property; there was not clear guidance on how I could opt out of the IAL designation; and lastly the process was rushed and has left my family and I very confused and perplexed.

Please consider my concerns and reject the City and County of Honolulu's representation that it has followed all procedures with respect to state statute. The IAL designation process needs more vetting and landowners must be better informed about their options, how such designation will impact their lands, and whether or not they have the ability to "opt out" of such designation.

Thank you for your consideration.

Sincerely,  
Laora Vidal and Jeffrey Hoff

Laora cell # 808-690-5443