

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Public Hearing

Hanapepe Baptist Church

Hanapepe, Kauai

9:00 A. M. - March 21, 1964

Commissioners

Present:

C.E.S. Burns
Charles S. Ota
Goro Inaba
Shiro Nishimura
Myron B. Thompson
Robert G. Wenkan
Leslie E. L. Wung

Absent:

James P. Ferry
Shelley Mark

Staff

Present:

Raymond S. Yamashita, Executive Officer
Roy Y. Takeyama, Legal Counsel
Richard E. Mar, Field Officer
Alberta L. Kai, Stenographer

The public hearing was called to order by Chairman Thompson, followed by a short prayer by Reverend David Kaupu. Introduction of the commission and staff members was made and an explanation of the purpose for holding this public hearing was given. The procedures to be followed throughout the public hearing were outlined by the Chairman, who then requested that all persons who would be presenting testimonies to rise and be sworn in.

THE LAND USE COMMISSION'S PROPOSED FINAL DISTRICT BOUNDARIES AS THEY APPLY TO THE COUNTY OF KAUAI

Commissioner Nishimura, representing the County of Kauai, presented the rough draft of the Land Use Commission's proposed final district boundaries as they applied to the County of Kauai. The following persons presented their requests and testimonies (for or against):

Mr. Alan E. Faye of Waimea Sugar Mill Co., Ltd. requested that 10 to 30 acres planted in sugar and designated as Conservation be changed to Agriculture. (Mr. Faye was requested to submit his comments in writing along with a map.)

Mr. Clarence Koiki of Kekaha Sugar Company requested that the urban lines extend to the slaughter house ditch (written testimony of file).

Mr. Rickie Sutherland of McBryde Sugar Co., Ltd. requested that the urban lines in the Eleele area be decreased to extend the present cane lands; that the agriculture lines in the Hanapepe-Koloa area be moved and suggested that the gully be the boundary between agriculture and urban; and the areas McBryde has planted in sugar (3 to 4 parcels) in the Hanapepe Valley be kept in Agriculture and out of Conservation.

Mr. Robert Ozaki of Hanapepe Community Association requested that the Salt Pond Area be urban. He stated that the area needs more urban acreage than is allotted at present. The State Plans designate the area for resort development. He also requested that the Hanapepe Valley be classified as Conservation.

Mr. Richard Cox of Alexander and Baldwin requested that the urban lines in the canefield north of Ahukini Road to the hospital be deleted. He requested that the urban boundaries follow their revised boundaries which will be submitted in writing. (Mr. Cox was informed that the Commission's proposed boundaries contained some errors.)

Mr. Shigeyomi Kubota requested that the Honomu Tract be changed from Urban to Agriculture. (Mr. Kubota was requested to submit his comments in writing.)

Mr. Tai Hin Leong objected to a rural classification of the Hanapepe Valley above the so-called flood banks. He suggested that the area be urban instead. (Mr. Leong was requested to submit his comments in writing.)

Mr. Matsuko K. Taguma requested that 2-3-08: 5, Kalaheo, Kauai be Agriculture instead of Urban (written comments on file).

Mr. Aylmer Robinson suggested corrections of the conservation lines in the Koula Valley, Kahana Valley, Kohaluamano, Wainiha, Pahala-Makaweli areas. (Mr. Robinson has submitted written comments which is on file.)

Mr. Norman Hashizawa requested that the Hanapepe Valley be classified under Conservation.

Mr. Joseph Bruhn (who was sworn in) requested that 2-3-4: 12, Kalaheo Homesteads remain in Agriculture (written comments on file). He also informed the Commission that he has about 40 acres in pasture which are classified as urban in the Weliweli area.

Mr. Richard Cox speaking in behalf of Mr. Waterhouse supported the Commission's proposed boundaries for the Kipukai area.

Mr. George Ewart of C. Brewer & Company, Ltd. requested that the agriculture lines be increased to include their pasture lands classified as conservation in the Kalihiwai and Kilauea areas.

Mr. Shigeyomi Kubota asked what criteria the Commission used to determine what plantations should be in urban and what plantations should be in agriculture? The Executive Officer replied that basically the determination was made on the character of the general area.

Mr. Arashiro informed the Commission of Senate Bill 2, S.D. 1 that was before the Legislature and which bill provided an appropriation for the development of the Salt Pond area. He stated that he did not wish to see any conflict between this Bill and the Commission's determination of the final district boundaries.

There were no further questions or testimonies received from the floor or the Commission.

The Chairman informed the public that the Commission will receive additional comments and protests within the next 15 days from this hearing date and will take action 45 to 90 days from this hearing date.

The public hearing on the Land Use Commission's proposed final district boundaries for the County of Kauai was closed.

THE LAND USE COMMISSION'S PROPOSED FINAL DISTRICT REGULATIONS AS THEY APPLY TO THE STATE OF HAWAII

The following persons gave their comments and/or testimonies, and questions:

Mrs. Gladys Horner asked, "In a Rural district if the lots are a non-conforming parcels, and you had a structure on it and the structure burned down, is the owner permitted to repair that structure if he wishes to do so in a Rural district, even if the parcel is less than half an acre?"

Legal Counsel replied that under Section 5 of the Land Use Act residential uses are permitted. Under a planning concept you will find areas designated as Rural with lots under the half acre size. This sort of districting is to provide a comprehensive development in the area.

Mr. Tai Hin Leong stated that the Commission's Rules and Regulations should spell out this particular point more clearly. Legal Counsel was in agreement with Mr. Leong. He stated that this is true. It is not clearly spelled out in the Rules and Regulations although it is clearly spelled out in the Act.

Mr. Norito Kawakami stated that uses permitted in an Agriculture district should include low density resort type of developments. Also private institutions and buildings should also be included.

Mr. Aylmer Robinson stated that bee apiaries and production of charcoal should be definitely spelled out as permitted uses under Agriculture. Also under Section 3.1 (2) and (13) these uses should be emphasized more specifically.

Mr. George Ewart pointed out that paragraph (h) of Section 2.4 and paragraph (c) of Section 2.3 are not related to the multiple use conservation concept as provided in the statute. He stated that grazing which is a permitted use in Conservation districts (as provided in these sections) would not relate to a multiple use concept for conserving, preserving and protecting.

The Chairman replied that he would relay this concern to the Department of Land & Natural Resources as it related to the administration of the uses permitted within a Conservation district.

There were no further comments or testimonies presented, or questions raised by the Commission or public.

The Chairman announced that the Commission will receive additional comments and protests on the proposed land use district regulations and will take action sometime in the latter part of June 1964.

The public hearing on the Land Use Commission's proposed land use district regulations was closed.

The public hearing was closed with a short prayer by Reverend Kaupu at 12:00 Noon.