

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting
Hilo Electric Light ^{Company} Auditorium

Hilo, Hawaii

7:00 P. M. - April 3, 1964

Commissioners

Present:

C.E.S. Burns
James P. Ferry
Goro Inaba
Shiro Nishimura
Charles S. Ota
Myron B. Thompson
Robert G. Wenkam
Leslie E. L. Wung

Absent:

Shelley Mark

Staff

Present:

Raymond Yamashita, Executive Officer
Roy Takeyama, Legal Counsel
Richard Mar, Field Officer
Alberta Kai, Stenographer

The meeting was called to order by Chairman Thompson.

ADOPTION OF MINUTES

The minutes of 1/31/64, 2/29/64 and 3/7/64 meetings and hearings were accepted and circulated. Commissioner Wenkam requested that a more careful review of the minutes be made before distribution or circulation is made for public information.

OLD BUSINESS

The following were discussed:

Nonconforming uses

Because the land use legislation was not clear whether it was permissible or not permissible to allow the same nonconforming use in an agricultural district after it has been destroyed by fire or other means, it was suggested that this matter be deferred and taken up at a later date for further discussion.

One-acre Agricultural Subdivisions

Likewise this matter was deferred for discussion at a later date. The Executive Officer reported that discussions were held with legal counsel,

City Planning personnel and himself on this subject and that more research was needed before any decision could be reached or any progress could be reported.

Petition of Oceanic Properties, Inc.

It was the general consensus of the Commission that an executive dinner meeting be held at 5:30 p.m. at Elliott's Chuck Wagon on April 9, 1964 prior to the Commission's scheduled meeting at 7:00 p.m. to consider and review the petition by Oceanic Properties, Inc. before taking any action on it.

Status of the Stenographer's Position

The Executive Officer provided the Commission with an up-to-date progress report on the status of the Stenographer's position. He stated that the necessary papers to reclassify the present stenographer's position have been processed and that there was nothing further that would require the attention of this Commission.

PETITIONS PENDING ACTION

PETITION OF RICHARD WARFIELD, ET AL (A(T)63-30), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LAND IN KEEI, SOUTH KONA, HAWAII: Described as TMK 8-3-10, 8-3-11 and 8-3-13.

A review and summary of the petition and events that had taken place since the continued hearing in Kailua-Kona on December 7, 1963 were made by the Field Officer, Richard Mar. He stated that the staff's recommendation was for denial on the bases that: (1) the Kona Plan made provisions to retain the area in agriculture; (2) the Harland Bartholomew & Associates Plan for the Land Use Commission did not recommend urban districting for the area; (3) the staff felt that the particular area would tend to increase agricultural land prices; and (4) the staff believes that the urban classification in terms of demand would not be in the interest of the continuous agricultural pursuits in the area.

Commissioner Ota suggested that in the Commission's deliberations of its proposed final district boundaries that it consider this area for a possible Rural classification. He pointed out that this area was typical of a Rural classification.

Commissioner Robert Wenkam moved that the petition be denied on the basis of the staff's recommendation. Commissioner Ferry seconded the motion. The Executive Officer polled the Commissioners.

Approval: Commissioners Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: Commissioners Inaba & Wung.

Motion carried.

PETITION OF RICHARD T. G. CHOY AND WILLIAM D. H. LEE (A(T)63-50), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KAILUA-KONA, HAWAII: Described as TMK 7-5-17: 18

A summary of the petition and events that occurred since the public hearing held on January 31, 1964 in Kailua-Kona, Hawaii was given by the Field Officer, Richard Mar. He stated that the staff's recommendation was for denial on the bases that: (1) urban land needs do not warrant the inclusion of these lands in the Kona urban district at this time; (2) the petitioners have not submitted the necessary proof that the land is required for the use being petitioned for in accordance with the requirements of Act 205; and (3) a liberal amount of land has been placed in the urban district in the adjacent areas and further urban additions would promote scatteration at this time. The Hawaii County Planning and Traffic Commission recommended that the matter be held in abeyance until such time as Kona is zoned by the County. Approval of the petition at this time would not contribute to orderly development as it would throw the area wide open for subdivision into 7,500 square foot lots.

Mr. Raymond Suefuji was sworn in and he stated that the Hawaii Planning & Traffic Commission is presently using its interim zoning ordinance which allows 7,500 sq. ft. lots. He stated that the Planning Commission feels that if this petition is held in abeyance until the master plan is adopted and their comprehensive zoning ordinance is adopted, then there would be better control of their subdivisions. He stated that the Commission was in favor of larger lot-size subdivisions. Mr. Suefuji anticipated the adoption of the master plan and comprehensive zoning ordinance would be within a few months. He stated that the proposed master plan for this area calls for a low density type residential area. If this request is permitted, a high density development would be permitted within a low density area.

Commissioner Ferry moved for deferment, which was seconded by Commissioner Nishimura. The Executive Officer polled the Commissioners.

Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

Motion carried.

PETITION OF IWAO JYO AND TOSHIO NAKAMOTO (A(T)63-51), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KEOPUKA, SOUTH KONA, HAWAII: Described as TMK 8-1-15: 1 & 2.

A brief summary of the petition was given by Richard Mar, the field officer. The recommendation of the staff was for approval.

Commissioner Burns moved to approve the petition according to the staff's recommendation; which was seconded by Commissioner Wenkam. The Executive Officer polled the Commissioners.

Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

Motion carried.

PETITION OF CHARLES IWAKAWA & TOMMY ISHIMARU (A(T)63-47), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KAU, HAWAII: Described as TMK 9-5-07: 17

Richard Mar, Field Officer, gave a brief summary of the petition. He stated that the staff's recommendation was for approval of 33.56 acres of petitioners' lands (which takes in the Bendix Trailer Camp) for urban on the bases that: (1) the need for this area is real rather than speculative; (2) the area will contribute to logical and orderly development of Naalehu and Waiohinu; (3) the development indirectly supports economic development in a demonstrable way more so than its continuance in agricultural would; and (4) the County of Hawaii has considered the matter and advocates approval.

Commissioner Inaba moved for approval according to the staff's recommendation and Commissioner Wung seconded the motion. The Executive Officer polled the Commissioners.

Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

Motion carried.

PETITION OF COUNTRY CLUB HOMES, INC. (A(T)63-52), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN HILO, HAWAII: Described as TMK 2-5-03: 6 & 55 (47 acres)

An addenda to the staff's earlier report was given by the Executive Officer. The addenda recommended approval of the petition on the following bases: (1) an 8.5 acre parcel, contiguous to and part of the proposed development, is now in the urban district on the basis of an earlier petition. It would not appear reasonable that a portion of the same development should be urban and a portion not.

(2) Although the entire development may be classified as agriculture by this Land Use Commission in fixing the final boundaries, there is no current and reasonable basis to deny this petition and particularly in the face of the existing circumstances. (3) Although this urban area will not be contiguous to other urban districts and does not conform to the Master Plan of Hilo, previous circumstances force recognition of the development. On this basis, the important point appears to be whether or not it would be "practicable and reasonable to maintain existing uses and only permit changes in use that are already in progress..." The area is not as close-in to the urban facilities and services of the Hilo metropolitan area as would be desirable. On the other hand, it is not that far out as to be unreasonable, particularly in view of the circumstances. Whether or not a total area of 47 plus 8.5 or 55 acres is excessive, may be viewed in the same light. While there would otherwise be some serious contentions as to the urban districting of this area, the circumstances indicate that a more liberal conclusion is justifiable.

Commissioner Wung moved to approve the petition as submitted and Commissioner Inaba seconded the motion. The Executive Officer polled the Commissioners.

Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

Motion carried.

The meeting adjourned at 8:30 p.m.