

LAND USE COMMISSION

Minutes of Meeting

June 14, 1962

Commissioners

Present:

Edward C. Bryan
Stanley C. Friel
Yuichi Ige
Edward Kanemoto
Franklin Y. K. Sunn
Roger T. Williams

Absent:

Wayne Gregg

Ex-Officio Members

Present:

E. H. Cook

Absent:

Frank Lombardi

Staff

Present:

Philip T. Chun, Department of Planning and Research
R. J. Darnell, Executive Officer (XO)
Roy Miyamoto, Legal Counsel
William M. Mullahey, Land Use Commission

Absent:

Yoshio Shigezawa, Legal Counsel

A special meeting of the Land Use Commission was called to order by Chairman Bryan at 9:45 a.m. in the Land Use Commission hearing room.

Chairman Bryan said an opening prayer asking for help and guidance in the work of the Commission.

The minutes of the June 7, 1962 meeting, having been read by each Commissioner prior to this meeting, were approved by the Commission. The XO suggested that someone be appointed to sign the minutes in the absence, from the State, of Commissioner Ige, Secretary. Chairman Bryan appointed Commissioner Sunn as Secretary pro tempore, pending Commissioner Ige's return to Hawaii.

COMMUNICATIONS

A communication concerning a public hearing held on May 24, 1962 by the City Planning Commission on the general plan of Central Oahu which included areas in Waipio, Waikele and Hoaeae was read. The City Planning Commission voted to recommend the proposed development and Director Frederick Lee recommended approval for the adoption of the general plan covering these areas.

The second communication was a notice concerning a public hearing to be held by the City Planning Commission on a petition to the Land Use Commission for rezoning

in the Lualualei road area in Waianae. A letter of recommendation from the City Planning Commission regarding the requested rezoning, along with the application itself, was expected soon by the XO.

XO suggested that a hearing might be set for this particular petition for July 24, 1962, the same day as hearing for two other applications on Oahu, provided it is received in time.

The following comments were made by Commissioners on this:

Commissioner Sunn suggested waiting out 45 to 60 days instead of 30 days.

Mr. Chun suggested setting up a maximum time or deadline for applications received.

Commissioner Kanemoto brought up the problem of limiting the number of applications to be considered at one hearing.

Commissioner Williams suggested that all petitions from Waianae area be held at one time and one date set for these. (This suggestion was made in regard to the petition before Commission and the possibility of more to be received from the Waianae area.)

Chairman Bryan asked whether the Commission has set the hearing for Waimanalo.

XO replied in the negative. XO stated that he has requested and received permission to set a hearing on Oahu for July 24, and that he believed that Waimanalo would be a good place to have it if the agenda concerns only the Waimanalo area. He added that the Commission should adopt a central location for hearings on Oahu, if by the time Commissioners are ready to set hearings it is found not practical to have hearings in various areas.

Chairman Bryan suggested considering the two petitions before the Commission. He felt that the idea of setting a deadline for petitions (which would be the meeting date of the Commissioners so that determining of procedures to be used and day to hold hearings could be considered) was good. Chairman Bryan stated that everything received up to the date of a regular meeting would be considered at that meeting for setting a hearing 30 days hence.

Commissioner Sunn commented on this suggestion. He felt that the only problem on this would be that a hearing date would immediately need to be established for any petitions coming in up to that time. He felt it took the discretionary powers away from the XO, and stated that if a prescribed time was given, say 2 or 3 weeks, before establishing a hearing date; then the XO could say, when a special permit comes in for a hearing, let's wait for about 2 weeks and see if any other additional requests come in. Then at that time he could contact Commissioners and establish a hearing date. In this way the XO would have a time period set without being forced to establish a hearing date.

Chairman Bryan stated that he felt that, if the time after which application is received ended within the meeting date of the Commissioners, then the Commission could discuss time and place for hearing; but felt this discretionary problem would still exist.

Mr. Chun asked whether this would be done every month.

Chairman Bryan replied in the affirmative, stating that every time Commission meets, any petition received up to that date would be considered and divided up into one, two or three hearing dates.

XO at this point suggested that the Commissioners set dates for "regular meetings", and not specify the place for meeting since these might need to be expanded into a trip to several islands.

The Commissioners agreed to meet regularly every third Tuesday of each month, beginning with the month of August, 1962 (8/21, 9/18, 10/16, etc.). The next regular meeting (for July) will be held on July 24, 1962.

The request by XO to set the hearing date for July 24, 1962 for petition concerned with rezoning in the Waiānae area was deferred until next public hearing meeting for latter part of June.

XO presented a communication written to A.G.'s office requesting an opinion regarding the legality of the interim regulation adopted on April 4, 1962, relating to minimum lot size in agricultural districts.

Commissioner Sunn asked how soon a reply should be received.

XO stated that he had contacted Mr. Shigezawa on 6/13/62 by telephone, and understood from him that they are working on it.

A communication addressed to the Department of Planning and Research from the County of Maui was read next to the Commission, requesting the designation of a representative from the Land Use Commission to present a progress report to the Planning Commissioners' Conference to be held in August in Wailuku, Maui.

XO requested a delegate or representative from the Land Use Commission be part of the program. XO stated that all the Planning Commissions are invited and urged to attend this meeting which will be on August 3, 4 & 5. XO further stated that expenses of Commissioners will be paid for.

Mr. Chun explained that this is the annual meeting of Planning Commissioners in the State of Hawaii. It is usually attended by most of the Commission members of all local Planning and Traffic Commissions as well as the City and County Planning Commission, including some of the Boards of Supervisors. The conference was originally started two years ago, spearheaded by Planning and Research, and it has met with great success. So far, the various counties have been willing to host the conference. Two years ago it was held on Kauai; last year on the Big Island; and this year on Maui. This is a two-day conference, even though it is set for August 3, 4 & 5. It consists of a number of seminars and roundtable discussions so that every planning commission may discuss their immediate problems. It has been the practice in the past that the Chairman of each planning commission present the report of his Commission. Mr. Chun requested permission of Chairman Bryan to have his name used on the program as representative from the Land Use Commission.

Chairman Bryan asked how much time would be allotted to the LUC report?

Mr. Chun stated approximately 5 to 10 minutes.

Chairman Bryan asked for a program schedule for the conference.

Mr. Chun cited highlights of program for each day of the conference and stated that copies of program will be sent to Commissioners.

Chairman Bryan urged that all members of Commission try to attend this conference as he felt it would be helpful and beneficial to Commission.

Chairman Bryan requested that the XO work up a 5 or 10 minute report for this conference and to make necessary arrangements for Commissioners to attend the conference.

SCHEDULING OF PUBLIC HEARINGS FOR SPECIAL PERMIT APPLICATIONS

XO requested inspection trips and hearing date for two special permit applications:

Juichi Kurasaki, requesting permission to build a steak house in the Waiehu Golf Course area on Maui; and Patrick Cockett, requesting permission to construct a motel, office building, medical office, food concession, and water ski clubhouse in the Wailua River area on Kauai.

During the discussion of procedure for handling these applications, the need for an illustration of the organizational set-up became evident; and Chairman Bryan deferred this item temporarily for further discussion. He then presented a sketch of a chart outlining actions required for certain applications, what agencies would be involved, etc.

Comments were made on this by Commissioners, who felt that this was a good idea and that a chart of this kind would be helpful in the work of the Commission.

Mr. Cook stated that what is wanted is a flow chart illustrating handling of all possible actions by the LUC.

Chairman Bryan requested that XO work up a chart of this sort for Commissioners.

Scheduling of public hearings was then resumed for discussion. It was agreed that Juichi Kurasaki's application for hearing would be tentatively set for August 2 and a field inspection trip to be made on June 26, 1962, on Maui. A field inspection trip for Patrick Cockett's application on Kauai was set for Tuesday or Wednesday, June 19 or 20, 1962, with no hearing date set at present.

DISCUSSION OF BUDGET, FY 1962-63

Mr. Chun explained that the total amount of budget for Land Use Commission for FY 1962-63 which was recommended by the Budget Department and appropriated by

the Legislature is \$44,119. He stated that \$30,000 was budgeted for personnel services; \$14,119 for educational supplies, stationery supplies, travel (\$9,000), communication, printing, and miscellaneous expenses; and no amount for equipment for 1962-63 FY.

The problem of travel was of great concern to Commissioners, since the amount allotted for travel for FY 1962-63 (\$9,000) was considered quite low.

Commissioner Sunn commented that if a legal opinion can be given by the A.G.'s office on the matter of the minimum lot size this would help the Commission to know the amount of petitions that will be handled and the amount of traveling that will be required,

Chairman Bryan requested that XO prepare a follow-up letter for his signature to A.G.'s Office asking for an early reply to Commission's request for a legal opinion on the legality of the minimum lot size regulation adopted by the previous Commission. (This was done and mailed to A.G.'s Office on 6/15/62.)

DISCUSSION OF PROGRAM, FY 1962-63

XO gave a general explanation of anticipated LUC program requirements for the next year.

Chairman Bryan requested that the staff prepare a calendar showing the proposed Commission program of activities, together with a chart showing deadlines set with respect to hearings; and sent out to each Commissioner.

DISCUSSION OF TEMPORARY DISTRICT BOUNDARIES

XO discussed the interim regulations and described the temporary district boundaries on maps, island by island. This portion of the meeting was for the purpose of orienting the Commissioners with the adopted district boundaries, the kinds of uses existing in these districts, and the reasons for adopting the boundaries as shown.

The meeting was adjourned at 3:00 p.m.

Respectfully submitted,

FRANKLIN Y. K. SUNN
Secretary Pro Tempore