

Adopted
OCT 7 1975

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Sergeant Yano Memorial Hall
Captain Cook, Kona, Hawaii

August 6, 1974 - 2:00 p.m.

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras

COMMISSIONERS ABSENT: Sunao Kido
Shelley M. Mark
Alexander J. Napier
Mitsuo Oura
Tanji Yamamura
Edward Yanai

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
Gordon Furutani, Planner
Loretta Moon, Stenographer

Chairman Tangen called the meeting to order and swore in persons who intended to testify, at today's hearing.

HEARING

AMENDMENTS TO THE RULES & REGULATIONS (AR&R 74-3) SECOND 5 yr. BOUNDARY & REGULATIONS REVIEW.

The Executive Officer, Tatsuo Fujimoto, briefly summarized the proposed amendments to Parts I & II of the Commission's Rules & Regulations.

Further changes were recommended by Mr. Fujimoto in order to clarify and more accurately reflect statutory requirements (See Staff Report dated July 29, 1974.)

Chairman Tangen called for testimony from the audience, which numbered approximately 25 persons.

Mr. George Belding inquired whether there has been any response from the Attorney General's office regarding the legality of the "letter of intent" procedure used by the Commission in the 5 year boundary review.

Chairman Tangen replied that a preliminary response from the Attorney General's office indicated that the procedures used by the Land Use Commission are legal.

Mrs. Lois Tyler urged the Commission not to delete the phrase "and any interested person" from Part I, Section 1.20. Mrs. Tyler felt there may be instances where individuals or civic groups may have just cause to petition for rezoning. With regard to the proposed filing fees, she felt that civic organizations or historic groups would be disadvantaged since they may not have the money which can be afforded by large developers. Mrs. Tyler felt that the section on "Contemptuous Conduct" would inhibit people from testifying. However, she expressed support for the provisions contained in the section dealing with "Imposition of Conditions."

Ms. Jennifer Parijs spoke in behalf of the Big Island Chapter of Life of the Land. Life of the Land recommended that the Commission develop a statement of goals in support of the Land Use Law to be included in its Rules; that written majority and minority opinions on all decisions be required; that copies of public records should be made available for 10 cents per page at the most; that the proposed filing fees would discourage downzoning; and that the state should cover its costs by taking that unearned increment of land value which is given by the Land Use Commission through an upzoning. (See copy of testimony on file)

Since there were no further testimony, the hearing on the proposed amendments to the rules and regulations was closed. Chairman Tangen stated that all parties have 15 days in which to submit additional written comments to the Land Use Commission office in Honolulu.