

ADOPTION OF OAHU BOUNDARIES
AUGUST 14, 1959; 7:00 p.m.
LEGISLATIVE AUDITORIUM
HONOLULU, HAWAII

Choi Introduction of Commissioners: Mr. Sunao Kido, Mr. Nishimura,
Mr. Yamamura, Mr. Inaba, Mr. Alex Napier, Mr. Leslie Wung,
Mr. Duran, Mr. Choi; secretary, Mrs. Horikawa.

Tonight we are having an action for some boundary changes of
some land on Molokai but we will take that after the Oahu
boundaries because I think most of you here are more interested
in what is to happen on Oahu. I'd like to call on our executive
officer, Mr. Duran, to go over some of the changes in regulations.

Duran Thank you Mr. Chairman, Commissioners, ladies and gentlemen.
This map on the wall before you is of course the island of
Oahu. And these are the district boundaries that the Commission
is considering tonight for adoption. The pink represents the
urban designation; the green, conservation district; and the
white the agricultural district. There are no rural designations
proposed for the island of Oahu. Pursuant to Act 187 Session
Laws of Hawaii as amended, public hearings were conducted throughout
the various counties of the state under rules of practice and
boundary
procedure and the State Land Use district/regulations and the
various district boundaries of the counties. Public hearings
were held on the County of Kauai on April 11, County of Hawaii
on April 25 and 26, County of Maui on May 9, on Molokai on the 10th,
and here in this room the City and County of Honolulu on May 23.
On July 8 the Land Use Commission met at Lihue, Kauai and adopted

the Land Use Commission's Rules and Regulations, and at that same time they also adopted the Kauai boundaries. The rules and regulations were signed by the Governor and filed with the Lt. Governor's office and became effective on Monday, August 4. Several changes were incorporated in the rules involving additions or deletions of words when appropriate, making the rules and regulations clearer and in no way altering the meanings of the regulations. Two new sections were added, one dealing with reconsideration of petitions and the second dealing with reapplication by the petitioner. The State Land Use District Boundary Regulations were made to clarify the new requirements to implement state-county objectives. Changes in the standards of the urban districts were adopted to provide for the creation of New Towns, to emphasize the need for economic feasibility studies, and to permit the utilization of sloping lands over 20% slope in the urban district provided there were adequate safeguards, and also to require that development construction schedules be submitted by petitioners when requesting rezoning. Under the agricultural district standards the general

(tape went blank)

Choi Thank you Mr. Duran. Before we start our hearing and testimony from the audience present, I'd like to lay down a few ground rules. We have quite a few of you who would like to testify tonight, and in order to give everybody a fair chance, I would like you to limit your testimony to 10 minutes. If you find that you cannot cover all the ground in 10 minutes, after we've completed

listening to all who wish to testify, and if its early enough, we'll give you additional time. At this time, Senator Rohlfing has to go to another meeting, so I'll call on you first to testify, Senator Rohlfing.

Sen. R

Mr. Chairman, members of the Land Use Commission, I'd like to thank you for the opportunity, particularly tonight of keeping a little bit out of order, possibly from the large number of people who are concerned about the Windward Side where we've had a number of applications. However, I am appearing on my own, not representing anybody except myself and a number of residents, I believe, in the area called the Raiko Lagoon and Raiko Peninsula. This is with respect to a reverse situation and probably the normal one in that the Commission has made a motion to rezone the area on urban to conservation, rather than the reverse be true. For a number of years I have been concerned with the conditions existing in this particular area. You may note on this map its very small but its right near Hawaii Kai and its indicated by the arrow and the designation ~~C indicating~~ being in the green down in the lower right hand part of your map. Now I will pass out some other information for the Commission which shows this area a little bit more clearly particularly with respect to its relationship to the overall pattern today. As I've said I've been concerned with this for some time, as State Representative and also as State Senator, and have sponsored various bills and resolutions along with the other

members who've represented this area in the House and in the Senate of both political parties, and we've had quite a legislative history relating to this particular area. In the beginning the Territorial Legislature in 1957 referred to this area as a health hazard. In particular this was because of the silting of the lagoon causing a stoppage of flow in the area, and smell, and in some cases damage to paint, houses, and so forth. Some of this probably moved as such by action there but by the adjoining stream. However, the silting has continued since 1957 and before and on up to date without action. In 1957 the Legislature in addition to adopting this point of its being a health hazard, allowed to be set up a system whereby there was going to be a dredging of this area which would be self-financed. Namely that the fill that was removed would be utilized as fill by the contractor and therefore he would want to prepare this project for his own benefit. Well this never came to pass because the expense of moving the material out of the area was so great that he could not bid and be competitive in this situation as well as run with the system. So there was a breakdown in the project set up by the 1957 Act. Thereafter the residents sought to work with the State and County in providing the money necessary for dredging, and this is related to your overall plan (I have to go through a little history here) and they advertised the bids; the bids came in, but they were too high, and were rejected. Thereafter in 1963 the State Legislature appropriated \$50,000 for the dredging

of this particular lagoon. This money was allocated and thus preserved from lapsing by the Governor, but it was not spent because of the problem of the distribution of the silt that was to be dredged up from the particular area. During all of this period the State and the Steubenberg interests, who had a claim on certain property in this area, were locked in a legal contest over the ownership of the Peninsula land, the land reaching out around the lagoon, and the . The dredging cost would be reduced, under any dredging proposal no matter who did it, if suction dredging could be used, and this was in turn dependent on where to put the dredged material. Thus the key was to determine what was State land and where to put the material that was dredged from the area and thus utilize it for public purposes. This was with the money that was appropriated by the State Legislature. Meanwhile in addition to the dredging problem, an additional consideration became apparent-- the value of preserving the area to the extent possible for the preservation of rare Hawaiian birds. This is an area of the two areas on Oahu where the stilt birds frequent. The other area is in Pearl City and I think that's pretty well out of business by now. An informal plan that developed in consultation with the Audubon Conservation and people by which peninsula the/area would be developed as a park and bird sanctuary in conjunction with the City and County park across the entrance to the lagoon. And eventually where the map hints small boat

recreational facilities plans for the area opposite May Way in the Hawaii Kai development area over the Bridge and the area now is open beach situation. This concept with informal plan was then taken by the City and County of Honolulu and they (a year or so ago) have prepared a Manalua Bay Plan, the entire concept being (1) a recreational area near Hawaii Kai being the marina, boat harbor which has been developed including the Paiko Peninsula ~~with the~~ with the bird park and the wildlife refuge situation a park into the old park. And in this plan, and I won't go into it now because I think you can look into it later, there are references to the Paiko situation, what the meanings and objectives were with respect to the City with regard to this as it related to the other proposals for the area. We have eight of those. Subsequent to, or about the same time that this plan came out, maybe slightly before, a Senate Resolution was adopted in 1967 SR193 1. This resolution calls for the Land Office--the Department of Land and Natural Resources--to develop a plan for the area which will preserve Paiko Lagoon and Peninsula for conservation while accomplishing the limited dredging previously authorized in order to prevent the continued silting and formation of flat land. And it also requested that the Land Use Commission of the State of Hawaii be, and is hereby requested to designate Paiko Lagoon and the Peninsula as a conservation district to protect the area against

irreparable loss resulting from its urbanization. That was passed in 1967 and I hope to introduce this as an exhibit. Thank you. The problem, as I mentioned before between the Steubenberg interests at the time and the state was resolved in December '68, and it resulted in some further attempts this past session by legislators who obtained sufficient for the condemnation of the area which was decided and determined to be owned by the private interest. I don't have the exact figures five acres which was determined to be private interest land as opposed to public land and the area that is ~~right~~ private as determined by this settlement is the area closest to the access road from Paiko Drive which is the area leading to the peninsula itself. We also introduced legislation calling for appropriations for planning money for this plan which the State Department of Wildlife people working with The State Department of Transportation and the Land Office ^{to} developed it. We were successful in obtaining the planning money. We were not successful ~~as~~ as such in obtaining the money for the condemnation bill. Presently there's \$15,000 on the table. And the Governor's disposition which would probably be Fish and Wildlife to plan and

. In view of this background I must say that I am strongly in favor of a recreational wildlife complex for this area. I believe that the State should acquire all of the property as I've indicated by a prior condemnation bill

and that it should be conservation in nature. By the same token I recognize some real problems with respect to property owners in this proceeding. Change in land use classification at this time, he may claim, is tantamount to condemnation of his development rights. I think the property owner might well have some cause to seek compensation from the state. It no doubt would be a rather novel legal question because no other state has a Land Use Commission with the power to override a subsidiary governmental organization zoning power, in this case the City and County of Honolulu. As you have indicated previously, you have rezoned a number of acres of land and shoreline of these islands, and changed areas that were agricultural into conservation use, and any legal questions connected with this you have explored; maybe you have not. But I would again emphasize very strongly that although I sympathize with this landowner's problem, I believe that in the long run, public interest will be served by the granting of this proposed addition. The state in so doing, however, must recognize its liability to claims for a just compensation at least morally and probably legally speaking. The preservation and improvement in the condition of this area will be recognized in future years, in my judgment, as a major step in the preservation of Hawaii's and particularly Oahu's natural beauty for all to enjoy. We have so little left in urban Honolulu, that this is an urgent requirement. Therefore, I urge you to take the broad, long-range

view and grant the petition. The Legislature, in my judgment, would be morally bound to support ~~his~~ this decision financially in view of this general mandate of the Commission, power given to this Commission, to take such action as it is considering here, and secondly, in view of the ^{passage of the} resolution which I offered earlier asking the Land Use Commission to take this particular action. I have no further remarks, and I appreciate the opportunity to appear here, and if the Commissioners have any questions, I'd be happy to try and answer them.

Choi Thank you Sen. Rohlfing. Any questions from the Commissioners?
 _____ Senator, part of it is still urban.

Sen. R It's urban. The area that is... I thought the proposal was to include that within the conservation district because there's been a protest filed on . You've changed back to...it's merely the tip of the peninsula? Well then I would ask the Commission to consider the application of the conservation district for the entire peninsula. I was under the understanding that this was what was action of the Commission.... Well my position on that is this. I do Not think that in the long run...I think that it will be good for the community interest in the long run. Also as I said recognize that the property owners in this case took--well they took these certain questions in mind. There had been bills introduced for the condemnation of this area and so forth, and he in this case the following owner Hayashi proposed that Steubenberg

--and I sympathize with their position. However, I think they have a claim against the state for just compensation for this change...and I think the state is morally bound to pay the compensation in that area. Whether this Commission has researched the legal aspects of this to the extent necessary to take such action--I cannot substitute my judgment. I just feel that in the long run the action by the Commission in view of its mandate, number one, and two in view of the practical effect of the situation on this island...certainly in view of the Legislature's resolution or anyway the Senate's resolution requesting you to take this action provides a sufficient basis for the new consideration of this plan.

Choi Sen. Rohlfiing , you think that although the Senate is passing the buck in asking us to zone an urban land to conservation to give you an opportunity to condemn this land, why didn't the Senate go ahead and condemn this land and take it put it into ~~conservation~~ state land and let us put it into conservation thereafter.

Sen. R I think you have a very fair question. I of course cannot speak and have very seldom spoke for the and composition of the Legislature. I wish they had adopted this... had put that money in. I just am now concerned with we may be passing the last step in the process which will mean that this will be lost forever. And I think you as public officials have an opportunity to provide an answer for which you were appointed to take into consideration for this property, because once it's

gone it's gone forever, regardless of who made the mistake, or who passed the buck to whom.

Choi We'll give you the _____ but we did follow your suggestion and have zoned what was it 40 acres ~~xxx~~ of possible state land into conservation. The urban land. We're very happy at the thought of putting it into conservation.

Is Mr. William Atkinson in?

No comment from him.

Choi Is Dale Trenhaile in?

Dale T. Mr. Chairman...I'm actually here representing three organizations not realizing that two more would be added today. But mainly my reason for being here is as president of the Kaneohe Community Council. We have other people from the Council here as well. One of the things of course we're concerned about is the change in the _____ Fishpond area. We would like a little bit more detail, and we would like it to be made public tonight so that everyone hears it. We feel it is probably all in real good order, but we want to know for sure that it is. We've gone through quite a hassle in the past here with the City with regard to zoning part of the area to urban and have gone along with it with the idea that quite a bit of that remain open space in the form of a golf course, not that most of us are golfers, but that or that we're particularly trying to _____ golfers, but the idea that an open space be provided in an area that agricultural has been rural, ~~urban~~ or conservation and is going into an urban

status. It seemed to us like a good way of trying to prevent an overcrowded type of condition, a condition that is going to end up as a possible slum maybe 20-30 years later, or maybe even less. We have enough of X very small lots and little houses all crammed together that are coming in on us from all directions now, and we believe the idea has merit. There also was the question of trying to preserve mangrove swamp and things like that in the area. We realize, some of us, that there are other places where land is not so valuable where this same sort of condition exists and it doesn't necessarily have to be there and we are trying to be sensible and reasonable about the idea, though within the 87 acres that is listed within the changed

Fishpond which I believe is best described as being a little past the main part of Kaneohe town before Ulu Mau Village in the vicinity of the so-called Long Bridge over the swampy area. My understanding is that part of it will remain open water and will be conservation and a marina type development is planned. But before we go along with this without a protest I would like to have a little publicly confirm and I realize that the Commission here is only here to decide should it be urban or should it not be urban, and that once it has become urban the control falls heavily into the hands of the City and County for further zoning. But I do believe that the Land Use Commission does have knowledge of quite a few of these plans and I would very much appreciate it if we could get a

little information. Thank you.

Choi Ron, do we have the detailed map? We did have a public hearing on this ~~map~~ matter and it was all at that time.

Dale T. I didn't get a notice of the hearing. I found out about it in the paper the next day.

Choi I see. The concept as presented was acceptable to the Commission and we have some drawings here if you wish to study them.

Dale T. I will ask Mr. Kido are these the same drawings we saw last year or are they different?

— No.

Dale T. If they're the same, then there's no problem, but these things have a habit of changing rather rapidly when you're not looking.

Choi Why don't you take these drawings to your seat and study them, and if there is any further remark you would like to make later, we'll give you the opportunity.

Mr. Van Allen?

VA Mr. Chairman, members of the Land Use Commission, my name is Lee Van Allen and I represent the Bishop Estate. The Trustees at their meeting on July 31 took action on several of the matters relating to the Oahu Committee on Land Use, and in their letter dated August 1 in which they commented on three of the proposed changes. The first one on the Waipahu map is for a proposed change in agriculture that will remain in agriculture but

retaining it under its present use.

On the second change in the Kaneohe map 0-12, the proposal was to rezone approximately 50 acres of urban land lying mauka of the kaaluu Cutoff Road to conservation. The Trustees were very much in opposition to that proposed change because this land is readily developable for urban use, for a Haiku Plantation type of development, and we believe that the Haiku Plantation is certainly one of the better types of development that really could put marginal land into very good use. The land now proposed for conservation use, and much of it has a slope flatter than 20%, our developer, Aiea Development Company, looked it over carefully and they feel it would be a real mistake to put this into conservation. There is no archaeological or major scenic value in this area that couldn't be retained, so it's a little difficult to see any cogent reason for changing it from urban to conservation use; and we respectfully request that that proposed change not be voted, but that land above the Kaaluu Cutoff Road remain in urban use. On Map 0-15, Koko at Head, it was proposed ~~for~~ the time the Trustees acted on this that approximately 20 acres of land adjoining Waiālae-Iki view lots would be changed to urban use. This was in recognition of the fact that this land did have a slope flatter than 20%. We had had detailed plans made for this by Daniel, Mann, Johnson, and Lindenhall showing several development schemes for luxury type development in this area in keeping with the rest of the Waiālae land. We understand now, however, that the Commission is voting

not to make this additional land, which is developable, urban, and we would respectfully request that the additional 20 acres be zoned urban as originally proposed on your map 0-15 since it does have a slope flatter than 20% and it would be the most reasonable use to be made of this land. Here again, this is not prime agricultural land, and it is not land that has any primary scenic value. It has no archaeological or historical significance. So the Trustees would appreciate very much making these two changes in what we understand to be your proposed act this time. Thank you.

Choi Thank you, Mr. Van Allen

Joe H. Mr. Chairman, members of the Commission, I'm Joe Harper, I'm here as president of a land-community association called Hui Koolau, which extends from K Point to the Peninsula. This is an area encompassing some 2800 families and I'm here to make some comments with regard to the proposal to convert some 700 acres in the Kahakuu area from agricultural to urban use. Our community long before now should have reacted to this. It did not come to our attention until fairly recently; being a brand new community association we have not had the time to evaluate, study, and arrive at a . I'm not here to take a position in opposition to this proposal, nor am I here to take a position in favor. We are requesting the Commission a favor before a final decision on this transfer for two reasons, both of which we feel are very substantial. We have set ourselves

as a community organization on the road of developing long-range comprehensive planning for this area. We have organized study committees, we are looking ahead to a target date of about July 1, 1970 when we hope to have this comprehensive plan completed. This proposal to change over a rather large area in this community from agricultural to urban finds us in the early stages of our organization--the officers feel very strongly that this decision at this time without giving us the opportunity to come to grips with it would tend to undermine the faith and confidence and hope of the people of this area that local people can come to grips with their own problems and be heard. We hear so much these days about the importance of local involvement and decision-making at the local level--we are afraid that while we are almost in the midst of organizing a decision to convert a large area like this from agriculture to urban without the opportunity for us to come to grips with it would be a negative, disconcerting thing in our effort. We are simply asking for the opportunity to in a logical and orderly fashion to arrive at a position. We may find ourselves supporting this proposal, or we may find ourselves opposing it or something in between. But we would like to have this opportunity to come to grips with it before ~~it~~ a decision is made. Another very important consideration that we would like to bring to your attention, if it has not already been done so, is that much of the area that we are talking about here, this 700 acres.

of agricultural land, is a part of the watershed for which the Soil Conservation Service has been working with us for the last four and a half years in preparing a flood control plan. We are at this point, in this project, where the work plan as substantially completed is being published. This is an area of some 4,000 acres and will involve an expenditure of some 7-8 million dollars in public funds. Converting a large part of this agricultural land into urban use will of course increase the run-off problems and conceivably can affect the design and the effectiveness of the Flood Control Project as it is now designed. I have checked this out with the engineers from the Soil Conservation Service and find that although they have projected urban development in the area they have not in their projections included the agricultural to urban to the extent it is now being proposed. What I'm asking for here is a little time for this to be re-evaluated in the light of this proposal in order that a mistake will not be made of making this large conversion affecting the flood-control plan without an attempt to take another look at it. And so for these two reasons, we hope the Commission will see fit to defer final judgment, to give the community a chance to come to grips with it, and for the proper authorities, engineers to evaluate the effect of this change upon the flood control project. These are the reasons that we are hoping for this department.

Choi I believe there is some misunderstanding on your part. The Land Use Commission is mandated to review every five years the boundaries of the State of Hawaii. We've had work men on this project now for the last 6-8 months. We've had a public hearing which gives a 45-90 day period in which time we must have. Also, you're talking about 7-800 acres of urban land which is being rezoned. Kahaluu Valley, nearly all of it, is at the present time in urban. Additional urban land that is being added does not amount to that large an acreage. Also, that area that you speak of that is under study for flood control and the silting agent is I believe right now in this urban area. So we are not changing--we are leaving that area as it is. If you went to the map and looked, you would find that it's only a small portion that's being added to the present urban zone.

Joe H. Well then am I misinformed that there is some 7-800 acres of agricultural land involved in conversion of agriculture to urban?

Choi Ron, could you go to the map and show him approximately what area is involved. Because if flood area is the area toward Honolulu

Ron The amount in that total area is about 700 acres but probably closer to about 250 would be in that Kahaluu Drainage Channel.

Joe H. However, except for the Kalai area, a small portion of Wahe Valley, all of those lands drain into the pond and into the stream. It's a very substantial piece of land being changed

from agricultural to urban, and I'm no engineer, but I understand from the engineers that this is a matter for study and concern in the light of this change and I'm just bringing that to your attention, sir, and combined with the more intangible problem of having the community itself feel it has a part in these things. Now we haven't been organized, really, until fairly recently. We haven't had a chance to do anything in an orderly fashion. We have now assigned this problem to an agricultural committee and give time we will come up with some kind of position.

Choi Is there anybody else who would like to testify? Anybody from the City?

Hendricks My name is Hendricks. I represent the Windward Chamber. I think what we're witnessing is what we're going to find more and more in the future. All of our lands are utilized for housing, industry; as more people move into Hawaii the community, the people are going to become more and more aroused; they're going to feel more and more threatened by vast numbers of people and seeing our land being turned into a sea of 5-10,000 ft. single family dwelling lots in which they are being inundated. Therefore it's fairly easy to arouse public interest if the public knows anything that's going on. One of the problems we found with the public hearings that was held by the Land Use Commission was that for some reason information was not widely known. It was known only to a few. In the interim period

which the law requires the word of some of these changes on the windward side has come to the attention of the Windward Chamber of Commerce and on our investigation of these changes we met with the developers and their sponsors to several of the projects on the Windward side. On the basis of these studies the Windward Chamber has taken a stand. They have written letters to the State Land Use Commission that all of you gentlemen have in your possession. It reads "A special Board of Directors meeting of the Chamber of Commerce of Windward Oahu was held on August 11, 1969 pertained to Land Use District Boundaries and the following acts were taken. It was recommended that (1) the 87 acres be changed from conservation to urban in the Keia Fishpond area. The Chamber was practically unanimous in its agreement with this development after discussing it with the developer and its sponsor. On the other hand, the Chamber found that there were too many questionable points raised about other developments on the Windward side and mauka. We realize you gentlemen are not really concerned with exactly how the land is going to be developed. Nevertheless, when the applications are given to you to develop the land, those plans are already well under way and there seems to me and several others that there is some obligation under these circumstances not to change the boundaries of these lands unless for sure they're going to be utilized for the long range good of the community. Now with these things in mind we recommend that the

2.7 acres situated at Kahaluu near Melikula Street that act on this area be deferred and that the action on the 91 acres situated at the west end of Kealapuu Pond in the Enchanted Lakes area be deferred, and that action on the 90 acres situated east of Olomana Peak between the old and new roads lee of Waimanalo also be deferred.

Choi

In other words the Windward Community Association did not take a stand one way or another. All they asked was that

Hendricks

The Windward Chamber of Commerce. We took a stand favoring a change of boundary on the Keia Fishpond to urban.

Choi

But on the others you did not take a stand. You only asked for a deferrment.

Hendricks

We are asking for deferrment because we feel we need more community involvement to be better. The public hearing did not arouse enough community knowledge in order to obtain a valid reaction. If certain areas if these areas we're asking for deferrment where conservation land has been changed to urban.... There ~~are~~ ^{will be} certain areas that will virtually become a sea of houses, unbroken. Now the community should be aware of what's happening to them, and if that's what they want, that's fine. If the citizens are not interested in having Kailua a sea of houses from Olomana to Pii maybe other arrangements can be made.

Choi

Well the reason I brought up the point was because they only asked for deferrment. In other words, they did not take a stand whether they were for it or against it.

- Hendricks On those three areas that's correct.
- Choi As you know, we are mandated to make a decision within a certain time period so we cannot--we'd love to deferr all the ~~present~~ questions and never come to a decision but we can't do that. We're mandated to act within a certain period of time.
- Hendricks Well in that case I would request that you act against this rezoning boundary.
- Choi Are you speaking for yourself or the Association?
- Hendricks Under the circumstances I feel I am speaking for the Windward Chamber.
- .Choi Does the Windward Chamber take into consideration that we are at this point about 40,000 houses short of need and that the least productive land is found on Windward Oahu. The pressure on most developers--they'd much rather build around Waipahu or Pear City and given a chance they'd all rather build on the central plain and they wouldn't touch . And yet if you look at it from the point of land use, we are mandated to -- put it we are mandated to save our best agricultural land. Where would we be going? That is our problem....
- Hendricks The Chamber of Commerce is quite interested in having houses in the community. This does mean additional commerce. But the question is how are those houses going to be put there?
- Choi That will all come under city jurisdiction now so watch carefully what you say.
- Hendricks Once you allow the ball to start rolling its pretty hard to stop.

As long as you don't change the district boundaries, then we have a chance, a better chance to take action.

Choi Thank you. Any others?

man About 1951 I bought 6 acres of land on Kaliiuika, and when I bought it it was residential, and about 3 or 4 years ago I went to borrow some money to build some houses on it from Pioneer Savings and Loans. And they told me, "Is your place residential?" I said, "Yes, of course." They said, "You'd better check up; they may have changed it to conservation." I had no notice of that, but I went to check, and sure enough, it was changed. So I put in a letter to Mr. Duran; I said I want that conservation lifted at least 50 feet from the boundary instead of having the whole thing--my house is all in conservation. I think that was a real thing to do, without notifying me putting my place in conservation. About the public hearing, they said they had a public hearing--I never was notified to come to a public hearing. This is the only hearing I've come to. The day before yesterday I got a letter this meeting. I would like to see them try to have this place changed, at least lifted some from the boundary instead of having the whole thing in conservation from the boundary to 50 feet or 100 feet. Then the balance of the place if you want it in conservation, okay, but not the whole place. Every year my tax is being raised

Choi I think, Mr. Duran, we did investigate.

Duran Yes this has been discussed by the Commission and I rather suspect

that his letter came in after the May 23 meeting.

Choi Dick, a field trip was made to your property and found that
and that is why its in conservation

man And it's going to stay like that.

Choi petition again. Do the Commissioners have any
questions?

man 2 Thank you Mr. Kido. One thing I've noticed of all government
agencies--they tend to couch things in terms that the ordinary
citizen does not understand. They don't say that something is
located between Haiku Village and Valley of the Temples along
Kahaluu Cutoff, also called Kaikile Highway. They say Tax Key
so-and-so in such-and-such a sector or something like that.
They put in a legal notice and no one knows what it's all about,
and it's all over with, they've started doing things, they
follow the letter of the law, and the situation arises like
this gentleman has just testified. In the number of organizations
of which I'm involved we have problems not only of land use but
almost anything else that you can name.... We have public
libraries that are very cooperative with posting information
and notices so they're available, and we have a situation,
maybe more than a situation, a duty to notify people that a
change in land use, not only by the state, but by the city,
is being considered, and if this gentleman has said, he wasn't
personally notified. He's not the only one, I kid you not.
There were about 3 dozen of them last year in one area in Kaneohe

that were in the same situation. Some of them had plans; they bought the property with plans in mind, they paid a stiff price for it, and they found out they didn't have what they thought they had shortly thereafter. Now the two things I would like to suggest if I may: (1) The landowner, and I'm talking about somebody besides Bishop Estate--they know all these things, I'm talking about the small landowner--that they be notified when there is a change being considered for their land. I hope somebody will pass this on to the city as well. I certainly have and I will again. The other thing is if you must use this legal terminology, fine, but I think it also should be put in more descriptive terms with reference points that are known by the ordinary citizen so that they know what you're talking about.

There have been several complaints about not

. Do you know that all the hearings are published in the papers?

man 2 Yes, I know have. But I don't read all the legal notices in the paper and I don't believe anybody else does.

Well my question is how should these people be notified?

Man 2 By letter if their own land is involved

That would mean 600,000 people....

man 2 Well, the next thing to that is to get to the community associations, councils, and so forth that are in the area and to post this information in public places like the library, police department,

offices, fire department, but primarily places like the library where people come and also the _____ of the association, and while the press does

I think you should help them along sometimes. The County Press for instance on the Windward Side has done a real good job ~~of committees~~ in many instances in picking up things in that area and putting them into language that they can talk to Mr. Duran or someone in your department and have gotten things all clarified and have been a real big help. I'd like to see more of that .

Choi Is there anyone else who would like to testify?

Don My name is Don _____ and I'm a citizen and I'd like to back up what he said and hearings like this. I think we need a more realistic _____. Some people go through the the legal section of the newspaper everyday but a lot of us don't have time, although we're very concerned. And a hearing as important as this one, or the important one in May, I think it should be more publicized, and I am not suggesting that it be on the front page, but at least that it be publicized.

Choi Will you rise and be sworn in.

Jenes My name is Ed Jones and I'm Vice-President of the Kaneohe Community Council, and I'd like to press a point that I think is very important. Earlier this year we had a problem of changing the land from residential to _____ industrial, and in doing so we landed quite a long time with the developer _____ involved

with the City Planning, City Council, and it got to the point where the City Council was about ready to go ahead and favor the developer ^{without} ~~over the~~ consideration of the general public at Kaneohe. So we requested a public hearing in Kaneohe by the Kaneohe Community Council by the City Council which was unheard of the City Council going to work for the Chamber. After quite some they agreed that the City Council would come to Kaneohe and hold the public hearings. And by so doing we were able to notify the people of Kaneohe that there was going to be a public hearing by the City Council in Kaneohe and fortunately for us it turned out they didn't hold the meeting they cancelled it because the developer withdrew his request before the time for the hearing. But the point of contention is we expected there would be over 250 people at that hearing and the house would be filled to overflowing and even though it was cancelled over a hundred people appeared because they thought there would be something to say about why it was called off. And I think its important. I think a public hearing could be held in the area by the Commission and allow the community concerned, the organizations concerned like the Kaneohe Community Council which represents most of the organizations and most of the general public. I think we could get a good turnout, we could get a better percentage of people listen to what you have to say to what you propose. Now I would strongly suggest that in the future whenever there's going

to be land changes even though you publish it in the papers but the organizations within the areas could be notified; they in turn could notify the community associations and the residents and I'll assure you you'll get a much larger turnout than in the past for your public hearings. Thank you very much.

Choi Is there any other Testimony?

Zane I'm Walt Zane; I'm speaking on behalf of myself and private owners. I think I compare with these gentlemen very much as to a factor of being notified if your land has been downzoned especially. I cannot compare about your thinking its so difficult to notify the individuals. When it comes to downzoning especially your land is changed in value because of the zoning and by downzoning an individual's property you can practically wipe him out and as such I feel that the responsibility of you gentlemen if you are going to downzone a property that the individual be notified accordingly, and that is only justified. Now I'd like to rise to a point of order here. Is this the final hearing on the zoning of the Oahu land? Are you going to make a decision tonight?

Choi We will be making a decision tonight on the changes as shown on the map.

Zane You see I came here/looking over this map.

a

I would say that being ~~in/the~~ real estate developer myself...I cannot determine where my property is. How can an average individual who does not know anything about

property designation would be able to point out the property on that map?

Choi About where is your property?

Zane Well, we have several properties that we're concerned about. One of them is in Manawili which is belongs to Mr. Arthur Zane. Do you remember the tax key, Arthur? See we don't remember the tax key and unless we know the tax key I don't think we can define it.

Choi Would you be able to show us on the map about where it is?

Zane No, I don't see how we can.

Choi You don't know whether it's being downzoned.

Zane No, I don't.

Choi You can come in anyway to

Zane Well supposing you make this decision tonight and it is downzoned, what recourse do

Choi You may file a petition.

Zane Do you have to go through the entire procedure to that end?

Choi Yes, but what we are doing today is the five year boundary review.

Any property owner has the right to come in and petition.

Zane Well I'm surprised, you see, it ~~was/stayed/so/much/time~~ would save so much time and effort / I think from the standpoint of you gentlemen as well as the individual landowners if we were being downzoned, if we were so informed. I ~~attended~~ attended the Board meeting and to me I heard a comment that if your property was going to be downzoned you would be notified. As such from here these gentlemen's viewpoint

and from what I've heard ~~tonight~~ before I came in, I think some of the properties have been downzoned and they have not been informed. I don't know about our properties personally, I am wondering if I am right or not in saying that. I am not right? When you say I am not right what do you mean?

___ I believe you made the statement that you were of the impression that every property owner who would have his property downzoned would be notified?

Zane That is right.

___ That is not correct; that's not right.

Choi You are worrying whether your properties have been downzoned or not?

Zane I am not sure about it. But dont you think, gentlemen, that it would be fair to have some kind of system worked out whereby every property that is downzoned especially--if its upzoned, I would say that's not too much of a concern--I'm serious-- if it's downzoned the property owner should be informed so he can set up his reasons why he should remain such and such and so forth. Thank you very much.

Choi Any other comments? Any questions? If not the Chair ~~is~~ will entertain a motion.

Nguyen
Mr. Chairman I move that the district bouddary maps for the City and County of Honolulu as shown on the map to this Commission today August 14, 1969 be adopted

Nguyen
___ Second

Vote:

Wung--Aye

Nishimura--Aye

Inaba--Aye

Yamamura--Aye

Kido--Aye

Mark--No

Napier--Aye

Choi--Aye

Motion carried with 7 ayes and 1 no.