

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
THE OFFICE OF STATE PLANNING,)
STATE OF HAWAII)
)
To Amend The Agricultural Land Use)
District Boundary into the Urban)
Land Use District for Approximately)
1,300 Acres of Land at Honouliuli,)
Ewa, Oahu, State of Hawaii,)
TMK No.: 9-1-16: 25 (por.) and)
9-1-17: 4 (por.))
_____)

DOCKET NO. A94-708
ORDER GRANTING MOTION TO
WAIVE LUC RULES §15-15-50(c)
(6), (7), (10), (11), (13),
(15), AND (19)

LAND USE COMMISSION
STATE OF HAWAII
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ORDER GRANTING MOTION TO WAIVE LUC RULES
§15-15-50(c) (6), (7), (10), (11), (13), (15), AND (19)

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OF THE STATE OF HAWAII

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THE OFFICE OF STATE PLANNING,)	
STATE OF HAWAII)	ORDER GRANTING MOTION TO
To Amend The Agricultural Land Use)	WAIVE LUC RULES §15-15-50(c)
District Boundary into the Urban)	(6), (7), (10), (11), (13),
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ORDER GRANTING MOTION TO WAIVE LUC RULES
§15-15-50(c)(6), (7), (10), (11), (13), (15), AND (19)

On October 19, 1994, the Office of State Planning ("Petitioner") filed a Motion to Waive LUC Rules §15-15-50(c)(6), (7), (10), (11), (13), (15), and (19) ("Motion") in this proceeding pursuant to sections 15-15-34, 15-15-41, 15-15-50, and 15-15-70, Hawaii Administrative Rules ("HAR").

The Motion requested a waiver of the informational requirements for the subject petition under section 15-15-50(c), HAR, relating to 1) the type of development proposed (§15-15-50(c)(6)); 2) preliminary data such as the projected number of lots, lot size, number of units, densities, selling price, intended market, development timetables, and projected costs (§15-15-50(c)(7)); 3) impacts from the development upon the environment, agriculture, recreational, cultural, historic, scenic, flora and fauna, or other resources of the area

(§15-15-50(c)(10)); 4) impacts from the proposed development upon public services and facilities (§15-15-50(c)(11)); 5) economic impacts of the proposed development (§15-15-50(c)(13)); 6) an assessment of the need for the reclassification (§15-15-50(c)(15)); and, 7) proof that development of the subject property in accordance with the demonstrated need will be accomplished before five years after the date of final county zoning approval (§15-15-50(c)(19)).

Attached in support of the Motion was an Affidavit of Norma Wong, Director of Petitioner, the Office of State Planning ("Affidavit"), stating that good cause exists to waive the aforementioned rules because the subject petition is being proposed to implement a statutory requirement under Act 177, SLH 1994, and that the subject petition does not propose any specific uses on the petition area.

The Motion came on for hearing at Waikapu, Maui, on November 1, 1994. The Commission heard oral arguments on the Motion from Rick Eichor, Esq., representing Petitioner. The City and County of Honolulu Planning Department previously notified the Commission that it would not be present for the proceedings, and further represented that it had no objections to the Motion.

This Commission, upon consideration of the Motion and Affidavit, the oral arguments of Petitioner, the record and files herein, and good cause existing and upon motion duly passed by this Commission,

NOW HEREBY ORDERS that Petitioner's Motion be and is hereby GRANTED.

Dated: Honolulu, Hawaii, November 9, 1994.

LAND USE COMMISSION
STATE OF HAWAII

By Allen K. Hoe
ALLEN K. HOE
Chairman and Commissioner

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of) DOCKET NO. A94-708
)
THE OFFICE OF STATE PLANNING,) CERTIFICATE OF SERVICE
STATE OF HAWAII)
)
To Amend The Agricultural Land Use)
District Boundary into the Urban)
Land Use District for Approximately)
1,300 Acres of Land at Honouliuli,)
Ewa, Oahu, State of Hawaii,)
TMK No.: 9-1-16: 25 (por.) and)
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_____)

CERTIFICATE OF SERVICE

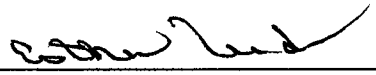
I hereby certify that a copy of the Order Granting Motion to Waive LUC Rules §15-15-50(c)(6), (7), (10), (11), (13), (15), and (19) was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

CERT. RICK EICHOR, ESQ.
Deputy Attorney General
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P. O. Box 3540
Honolulu, Hawaii 96811-3540

CERT. ROBIN FOSTER, Chief Planning Officer
Planning Department
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 9th day of November 1994.



ESTHER UEDA
Executive Officer