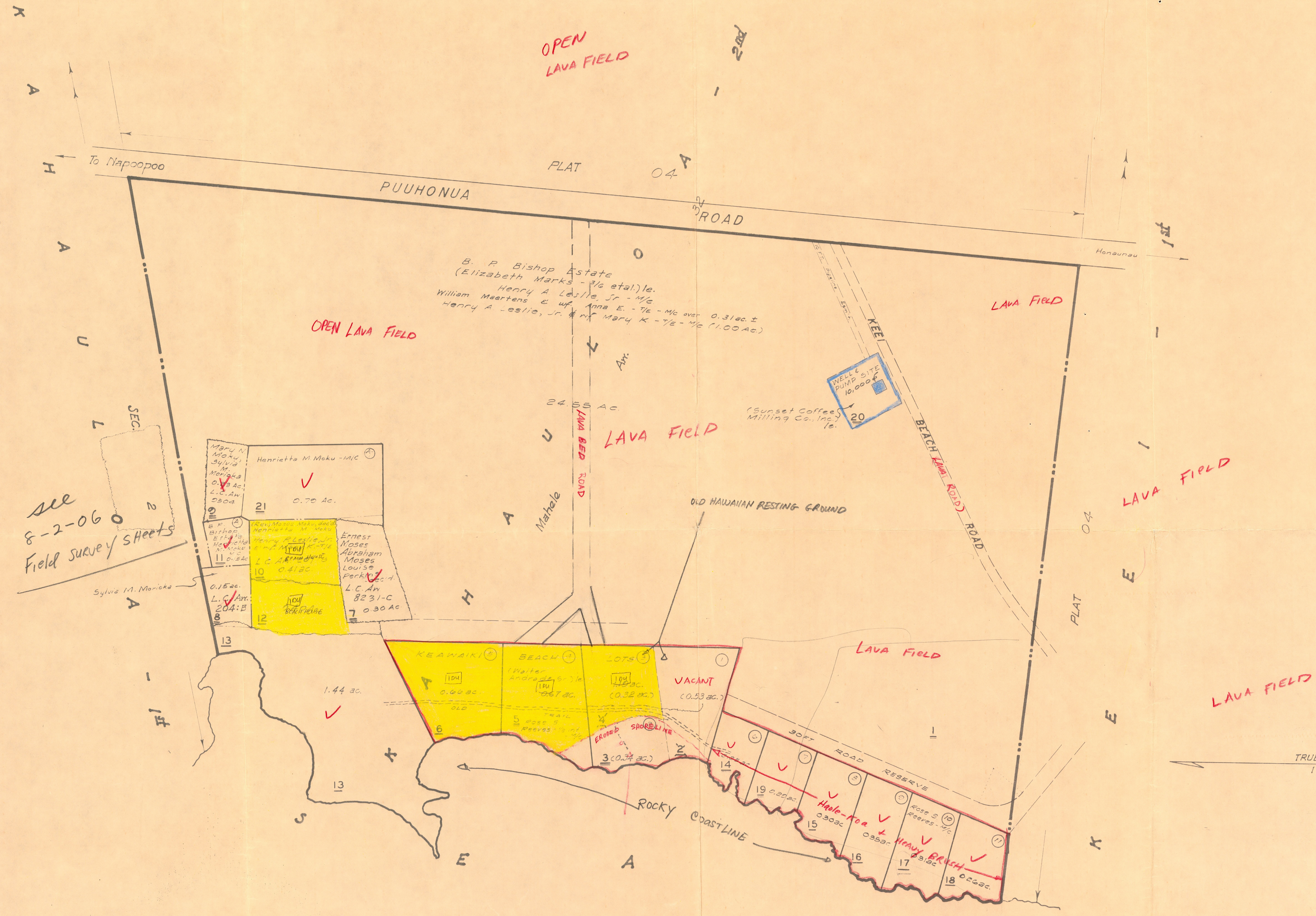


B.P. BISHOP ESTATE

A(1)63-55





see  
8-2-06  
Field survey sheets

Dwg. : 2756  
Source : Tax Maps Bureau - Field Survey  
By : I.K.H. & S.L.C. June, 1936.

PORTION of KAHALOA, SOUTH KONA, HAWAII.

ADVANCE SHEET  
SUBJECT TO CHANGE

Tax Maps Branch  
Tax Office Bldg.  
Honolulu, Hawaii

Parcels dropped: 2,4,

THIRD		DIVISION	
ZONE	SEC.	PLAT	
8	3	05	
CONTAINING		PARCELS	
SCALE: 1 in. = 100 ft.			

3822

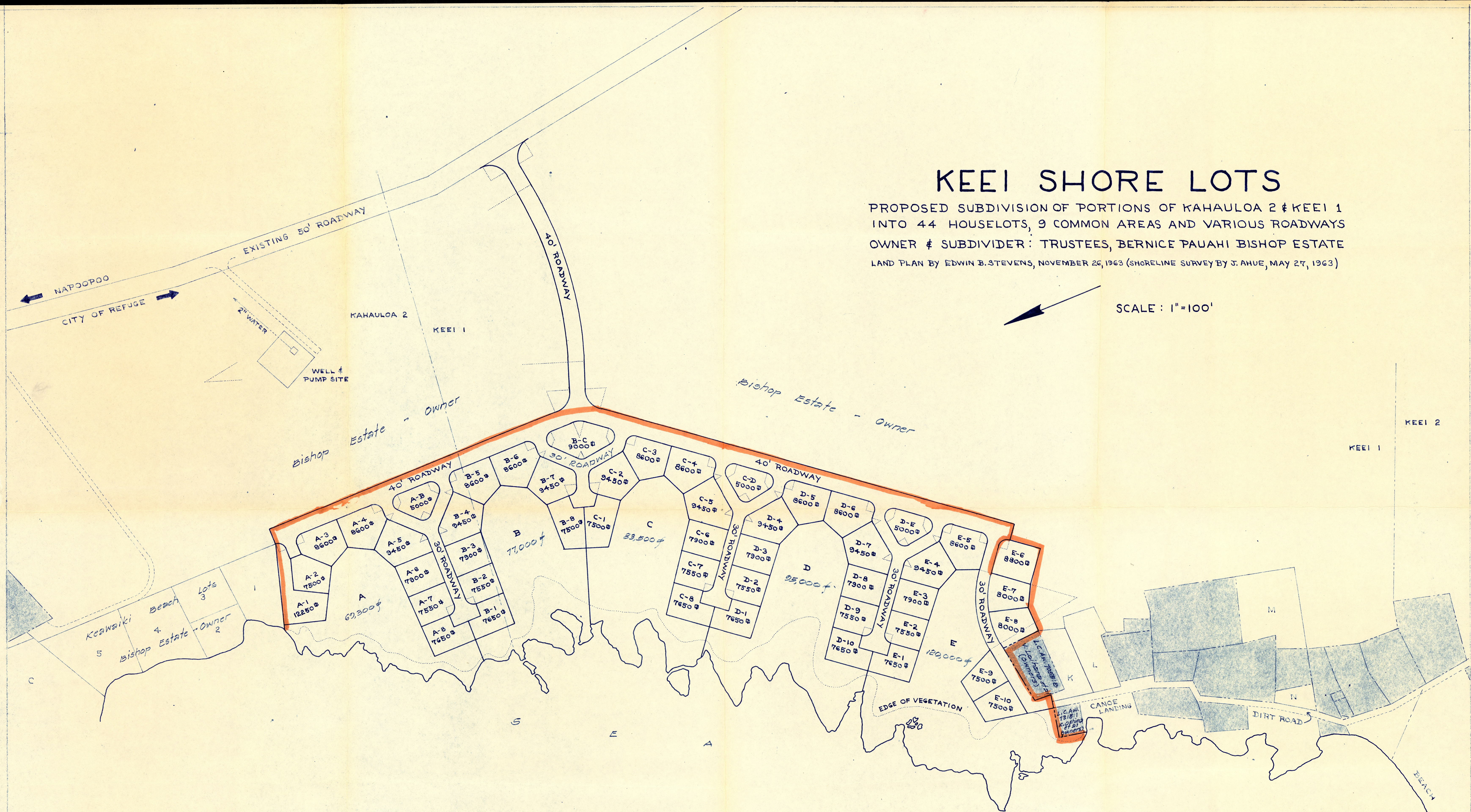
PRINTED FEB 11 1964



# KEEI SHORE LOTS

PROPOSED SUBDIVISION OF PORTIONS OF KAHALUOA 2 & KEEI 1  
 INTO 44 HOUSELOTS, 9 COMMON AREAS AND VARIOUS ROADWAYS  
 OWNER & SUBDIVIDER: TRUSTEES, BERNICE PAUHI BISHOP ESTATE  
 LAND PLAN BY EDWIN B. STEVENS, NOVEMBER 26, 1963 (SHORELINE SURVEY BY J. AHUE, MAY 27, 1963)

SCALE: 1"=100'



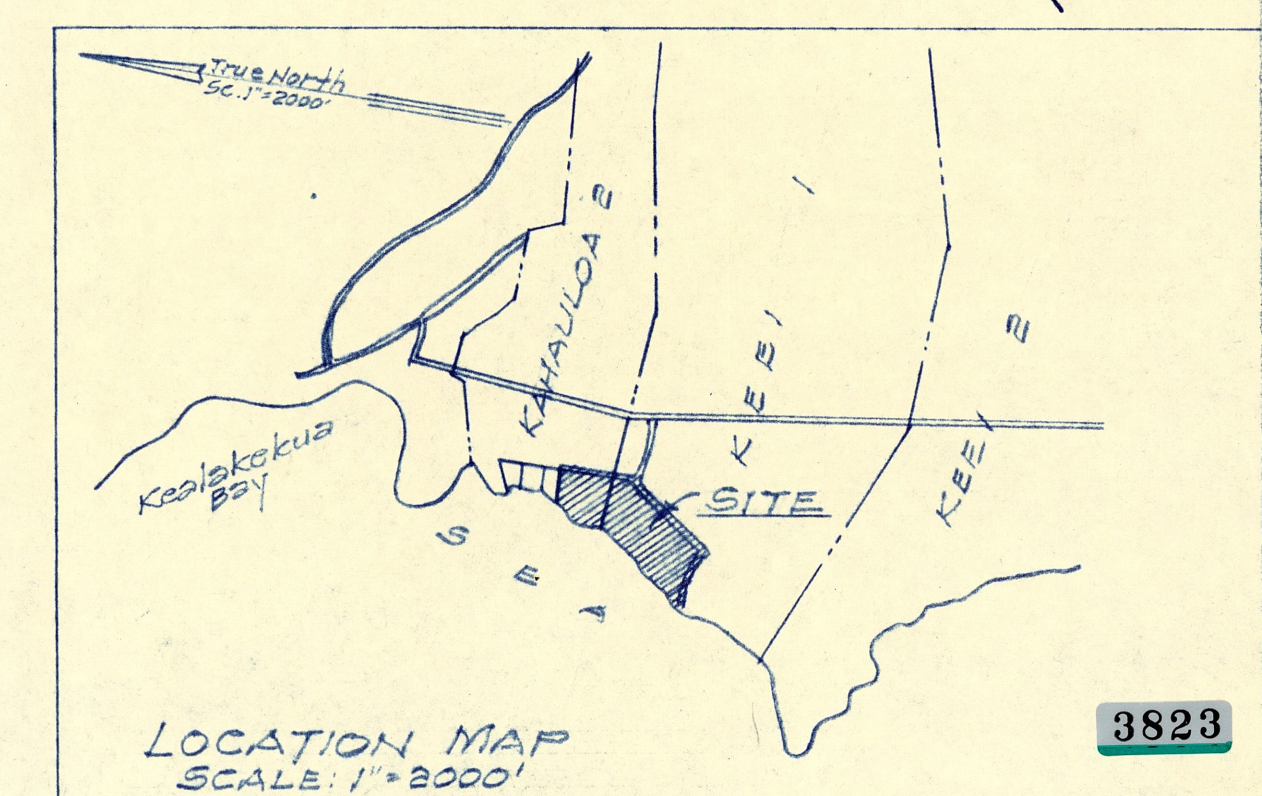
Owners: Trustees, B.P. Bishop Estate  
 P.O. Box 3466  
 Honolulu, Hawaii

Surveyor: Joseph Ahue, Jr.  
 P.O. Box 3466  
 Honolulu, Hawaii

Subdivision not within scope of  
 adequate County water system.

Tax Map Key: 8-3-05, 8-3-06

NO. OF LOTS	
44 HOUSELOTS	= 8.41 AC.
9 COMMON AREAS	= 10.76 "
ROADWAYS	= 3.98 "
TOTAL AREA	= 23.15 AC.

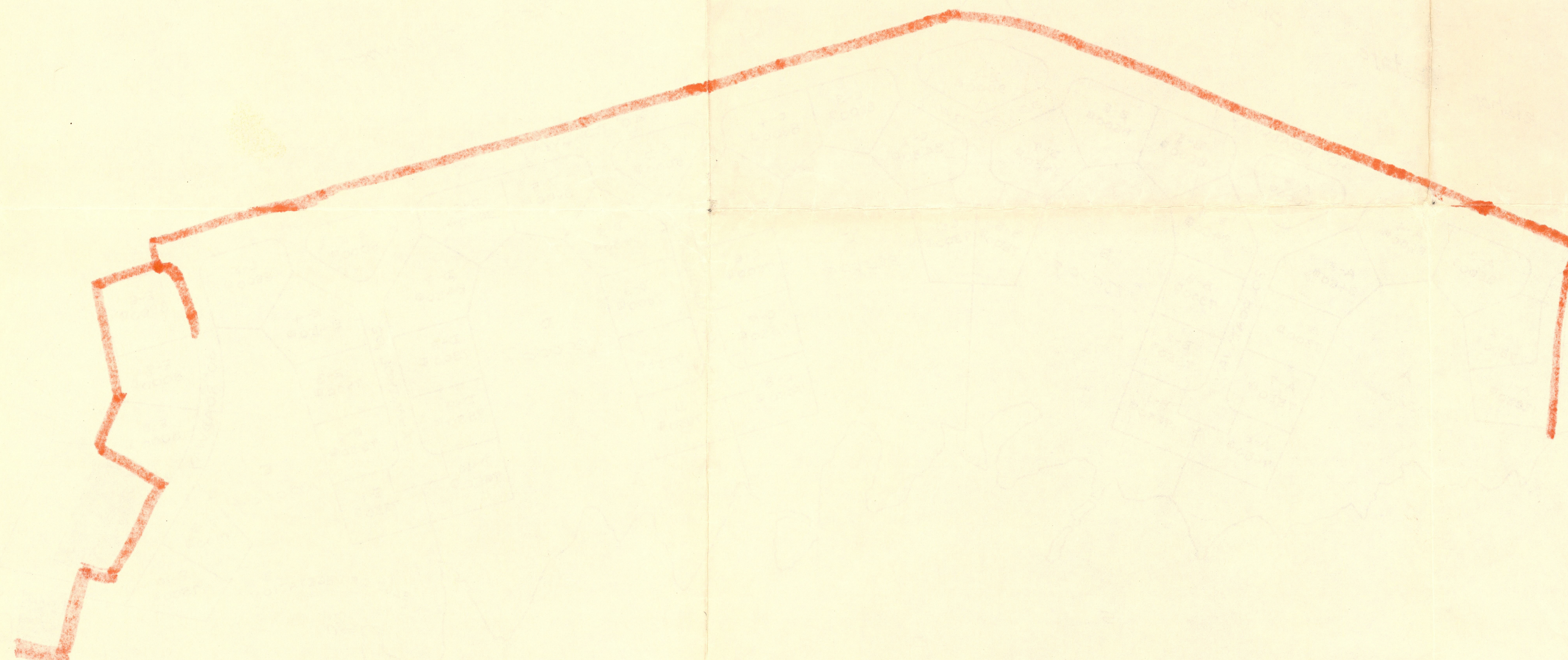


3823

Filed w/A(7)63-56 12/5/63

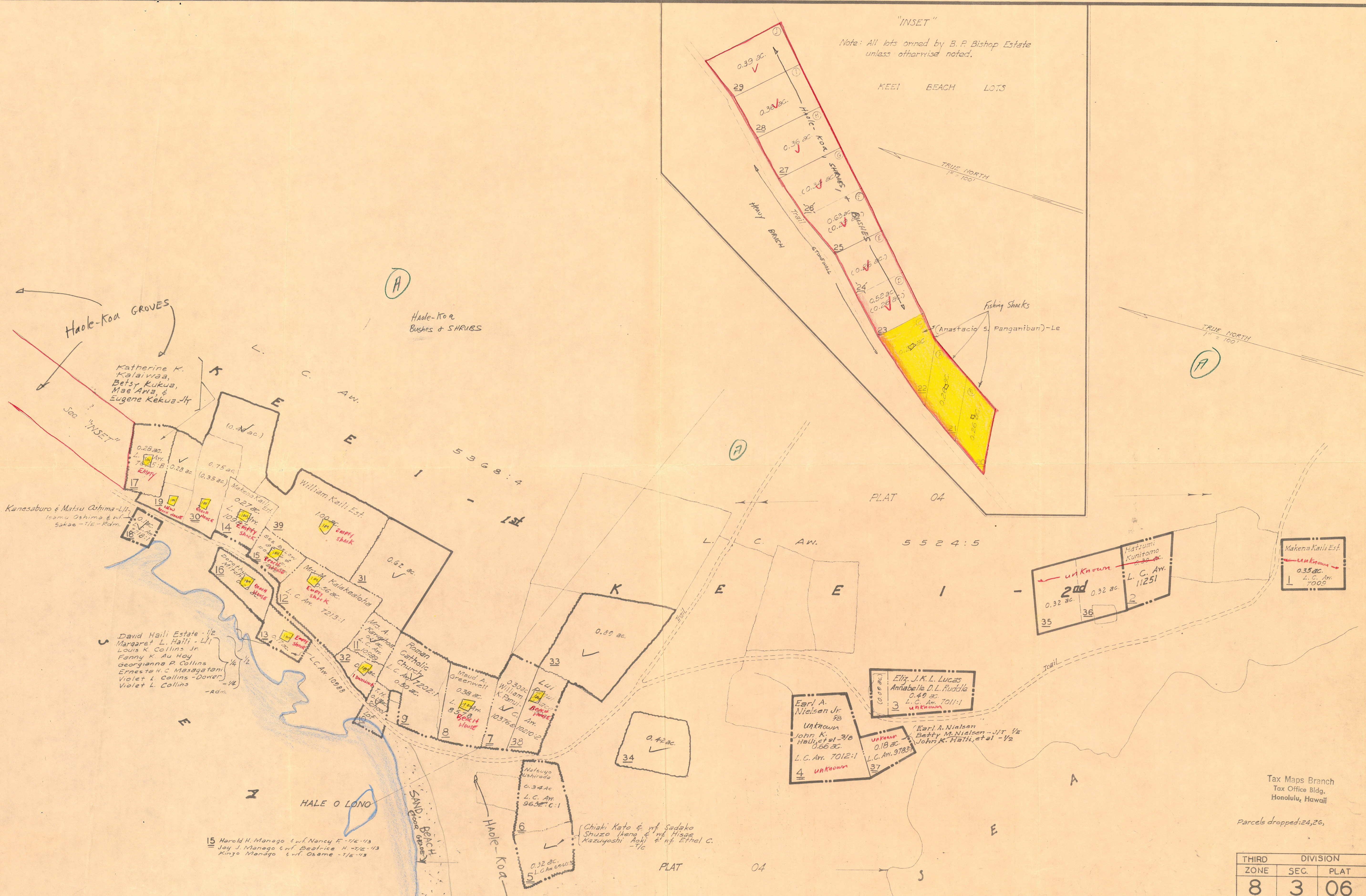


RECEIVED  
DEC 5 1963  
State of Hawaii  
LAND USE COMMISSION





Div. No. : 27  
Source : Tax Maps Bureau - Field Survey  
By : I.K.H. & J.L.C. June, 1936.



PORTION of KEEI 1st - KEEI 2nd, SOUTH KONA, HAWAII.

ADVANCE SHEET  
SUBJECT TO CHANGE

THIRD DIVISION		
ZONE	SEC.	PLAT
8	3	06
CONTAINING PARCELS		
SCALE: 1 in = 100 ft.		



STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM ACT) 63-56 Bishop Estate  
DATE 6/12/64  
PLACE 426 Queen St.  
TIME \_\_\_\_\_

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.	✓			
INABA, G.	✓			
OTA, C.		✓		
WENKAM, R.	✓			
BURNS, C.E.S.	✓			
NISHIMURA, S.		✓		
MARK, S.		✓		
FERRY, J.		✓		
THOMPSON, M.	✓			

COMMENTS:

Inaba - make to approve  
Wenkam - rec.

Petition denied



STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM A (T) 63-56 (B. Est.) Kona  
DATE May 22, 1964  
PLACE LUC Hearing Rm - Hono, Hawaii  
TIME 3:05 pm

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.	✓			
INABA, G.	✓			
OTA, C.		✓		
WENKAM, R.	✓			
BURNS, C.E.S.	✓			
NISHIMURA, S.	✓			
MARK, S.	✓			
FERRY, J.	✓			
THOMPSON, M.				✓

COMMENTS:

Wung - defer action  
Nishimura - Sec



STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Land and Natural Resources Board Room

9:45 A. M. - June 12, 1964

Commissioners

Present:

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

Staff

Present:

Raymond S. Yamashita, Executive Officer  
Roy Y. Takeyama, Legal Counsel  
Richard E. Mar, Field Officer  
Amy Y. Namihira, Stenographer

Chairman Thompson called the meeting to order.

ADOPTION OF MINUTES

The minutes of March 21, 1964 was adopted as circulated. The minutes of April 4, 1964 was adopted as circulated with one correction - Commissioner Burns was not present. The minutes of April 10, 1964 was adopted as circulated.

EXTENSION OF STENO II POSITION

The Executive Officer stated that only 5 months of the requested 1 year extension was approved. The position will terminate November 30, 1964.

SUIT BY KULA DEVELOPMENT CORPORATION

Legal Counsel stated that Mr. Ellis filed a motion for default and he (Legal Counsel) filed a counter-motion to set aside the motion for default. After a discussion with Mr. Ralph Corey, attorney for Mr. Ellis, they stipulated the motion to set aside default would be withdrawn and the State would be given up till July 1 to answer his initial pleading. Legal Counsel stated that he is asking the Commission to adopt the boundaries of Maui because if the land is maintained in the Urban area, he will withdraw his suit. Requested that the Commission act on Maui boundaries soon so that he will have enough time to answer the initial pleading.

The Commission agreed that the County of Maui will be taken up first.



Executive Officer suggested that the Commission adopt the regulations, Maui boundaries, Kauai boundaries and possibly Molokai boundaries at the next weekend meeting (June 19, 1964). It was agreed by the Commissioners that they will meet on June 19, 1964 at 9:30 a.m. and adopt the regulations and final boundaries for the County of Maui and Kauai.

DELIBERATION ON FINAL DISTRICT BOUNDARIES FOR COUNTY OF HAWAII - KONA PROTESTS

Bishop Estate requested agricultural districting instead of conservation districting of Honokane, Kohala. Staff recommended approval of TMK 5-1-1: 17 which is a substantial valley and is contiguous to Pololu Valley, which is in the agricultural district. Staff recommended denial of TMK 5-1-1: 16 since it is a small and relatively isolated valley. The question raised was the consistency regarding removal of any land in forest reserve out of the conservation district to an agricultural district. The Commission agreed that as long as the conservation values were not in danger and the area is presently being used intensively for agricultural purposes, it would be redistricted to an agricultural district. Commission approved TMK 5-1-1: 17 for agricultural and denied TMK 5-1-1: 16.

Conservation Council protested the agricultural districting of Pololu Valley, North Kohala, and requested conservation districting. Staff recommended denial of the request since agriculture is the existing use and there is no evidence that the use is detrimental to conservation values. Commissioner Wenkam stated that the area is not being used extensively for agricultural purposes. The Commission denied the request for conservation districting.

Chairman Thompson announced that the Commission will continue deliberation on the County of Hawaii after meeting with Mr. Edward Burns, Director of the Department of Taxation.

MEETING WITH MR. EDWARD BURNS, DIRECTOR, DEPARTMENT OF TAXATION

After introducing Mr. Burns and Mr. Landgraf to the Commission, Chairman Thompson proceeded with the meeting. He stated that the purpose of this meeting was to clarify and inform the Commission on the relationship between tax assessment and land use districting.

Mr. Burns gave a general presentation and the following are some of the points or comments made:

1. The State Real Property Tax Law provides that the evaluation of real property is to be based on highest and best use and fair market value at the highest and best use. The law sets forth certain standards and guide lines upon which these evaluations on properties are made for assessment purposes.
2. The Pittsburg Law, which is partially in effect this year and will be fully effective January 1, 1965, made reference to the decisions of the Land Use Commission with regard to districting of land.



3. The Tax Department will follow both guides on the grounds that both the County Planning Department and the Land Use Commission are making their decisions based upon a great deal of data pertaining to land uses which the Tax Department should accept as a guide.
4. Hardship for certain enterprises will be a consideration. For example, Oahu Sugar Company is being hit rather heavily on property taxes due to the land use changes.

Commissioner Ferry stated that the Commission was very concerned about zoning the Conservation area. If a locale has scenic values, even privately owned land will fall within the Conservation District. Consequently, the owners are very concerned as to how these lands will be taxed. Commissioner Ferry asked whether there were any conclusions drawn by Mr. Burns and his staff. Mr. Burns replied that there are certain limitations on land uses in these Conservation areas imposed by the law itself. Consideration must be given to factors such as time, availability of utilities, water and other things that would make it possible for the lands to be put to such uses.

Commissioner Ferry stated that within a Conservation zone there are existing uses such as agriculture and some residences. He asked whether the Department of Taxation has a specific proposal to handle taxes of this sort. Commissioner Ferry stated that the regulations provide for the consideration of other permitted uses in certain areas within a Conservation zone. These permitted uses can be a quarry operation, grazing, livestock raising, orchard and possibly residential. Mr. Landgraf stated that the Department of Taxation will base its decision on the fair market value of comparable land or sales within the neighborhood and subject to other amenities, such as water, electricity and roads.

Commissioner Ferry asked how a shoreline property, being used for residential purpose but located in the Conservation District, will be taxed. Mr. Landgraf replied that it would be taxed on the basis of its use as residential. Commissioner Ferry asked if there would be any discount because it is in the Conservation zone and development would be limited and subject only to the will of the Board of Land and Natural Resources. Mr. Landgraf replied in the negative.

The meeting with Mr. Burns and Mr. Landgraf was adjourned at noon.

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The meeting reconvened at 1:30 p.m. in the Land Use Commission Hearing Room.

Chairman Thompson called the meeting to order followed by a short prayer. He outlined the procedures to be followed throughout this phase of the meeting. Persons entering testimonies were sworn in at this time.



PETITION OF WALTER S. S. ZANE (A(T)63-53) FOR AMENDMENT TO THE TEMPORARY DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR ONE ACRE ESTATE TYPE SUBDIVISION IN KIHAI, MAUI: Described as TMK 3-9-01: 35

The Field Officer, Richard Mar, presented a brief summary of the petition. The general character of the area, in which the subject parcel is situated, consists of large areas of pasture and open land. The subject parcel is in the Temporary Agricultural District and is being proposed as such in the final district boundaries. On October 22, 1963, the Maui Planning and Traffic Commission voted unanimously to recommend disapproval of Mr. Zane's petition for a boundary change. The Commission's disapproval was "based on the fact that there are ample urban zone in Kihei (2000 acres with only 371 homes), and that the road to the lot is not paved." The staff recommends denial of this petition for the following reasons:

1. Staff concurs with the recommendation of the Maui Planning and Traffic Commission that there is no need for additional urban lands at this time.
2. The petitioner has not submitted the necessary proof that the land is required for the use being petitioned. Staff can find no evidence that this parcel is required for urban use.
3. A liberal amount of land (2,900 acres) has been placed in the proposed urban district and further urban additions would promote scatteration and therefore violate one of the major tenets in the land use law.

The original application requested an Urban classification, but was subsequently amended to a request for a Rural classification on April 21, 1964.

Mr. Zane stated that schools, stores, park, etc. is just a five minutes drive from the subject area. Also, the drive from the airport to Kahului town is only about 20 minutes. He stated that the land is now vacant and the soil is not suitable for agricultural use. He asked that the Commission not consider the issue of sufficient urban lands, but the best use of the land--the maximum use.

The Executive Officer stated that the rural districts should not be adjacent to the urban districts. He stated that there is no real basis for granting this petition, although he regrets the hardship which will be on the petitioner.

Commissioner Ota stated from a letter received from the Maui County engineer that improvement standards in the rural district must conform to urban district standards.

Commissioner Burns moved to defer this matter for further comments from the County of Maui on the amendment of this petition from Urban to Rural. Commissioner Wung seconded the motion.

Chairman Thompson asked the petitioner if deferral would work a hardship on him. Mr. Zane replied in the affirmative.



Mr. Edward Ching, who is in favor of this petition, stated that the subdivision would be a benefit to the community.

Chairman Thompson took a head count of the Commission who were for or against deferring this matter. The majority of the Land Use Commission decided to take action.

Commissioner Nishimura moved to accept the petitioner's request for a Rural classification. Commissioner Ota seconded the motion.

After a brief discussion, Commissioner Ota withdrew his second and suggested that this matter be deferred till the adoption of the proposed final boundaries for the County of Maui.

Commissioner Inaba then seconded Commissioner Nishimura's motion for a Rural classification.

Commissioners Nishimura and Inaba withdrew their motion and second after further discussion by the Commission to further study the relationship of this petition to other protests against the proposed final district boundaries in that area.

Commissioner Ota then moved to defer this matter till the adoption of the proposed final district boundaries. Commissioner Nishimura seconded the motion. This motion for deferral was carried unanimously.

Chairman Thompson announced that this petition will be deferred until final action is taken on the proposed final boundaries of this area.

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PETITION OF B. P. BISHOP ESTATE (A(T)63-56) FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR SHORELINE HOUSELOTS IN KEEI, HONAUNAU: Described as TMK 8-3-05 and 8-3-06

The Field Officer, Richard Mar, presented the summary of the petition. The petitioner's land is in the temporary agricultural district. Under the proposed land use district, the land is being classified as conservation. The preservation of this scenic area is deemed necessary not only in the interest of economic development but necessary for the health, welfare and enjoyment of this and coming generations of local folks. Staff recommended disapproval of this petition.

Mr. Roy Fernandez stated that the Board of Water Supply, County of Hawaii, will supply the water from Honaunau to Napoopoo.

The Executive Officer stated that the size of an urban district is important. If an area is too small, there will be a problem in furnishing the necessary facilities and services and at reasonable costs.



Commissioner Wenkam stated that he feels this particular area is suitable for an urban districting.

Commissioner Inaba moved to accept this petition. Commissioner Wenkam seconded the motion.

Executive Officer polled the Commissioners as follows:

Approved: Commissioners Wung<sup>1</sup>, Inaba<sup>✓</sup>, Wenkam<sup>3</sup>, Burns<sup>4</sup> and Chairman Thompson<sup>5</sup>.

Disapproved: Commissioners Ota<sup>6</sup>, Nishimura<sup>7</sup>, Mark<sup>8</sup> and Ferry<sup>9</sup>.

The motion to approve the petition was not carried.

CONTINUE DELIBERATION ON FINAL DISTRICT BOUNDARIES FOR COUNTY OF HAWAII - KONA PROTESTS

Mr. James Clark, representing Hawaiian Home Lands, requested urban districting of some 250 acres of Hawaiian Homes Commission land located at Kawaihae, Hawaii for industrial use under the General Plan for the County of Hawaii. The area fronts the harbor and extends up to the 200 foot contour line, bordered by Palihae Gulch on the South and Honokoa Gulch on the North.

There followed a discussion on the visual effect of this proposed development on the nearby resort development and the amount of land area that would be required for the foreseeable future. It was concluded that there was not sufficient bases to grant the entire request. Commissioner Ferry moved to approve that area about a 1,000 feet wide along the shoreline and extending northward from the existing urban district. Commissioner Wenkam seconded the motion which was then unanimously carried.

Richard Hunt requested a rural classification instead of an agricultural classification for a parcel in Kohala containing 7.6 acres. Staff recommended denial of the request. The area is agricultural in nature and does not conform to rural standards. Commission denied the request.

Parker Ranch requested an agricultural district instead of a conservation district of North Kohala. Staff recommended approval of the request. Commission approved the request.

Alex Smith, for Queen's Hospital, requested a change of classification from agricultural to urban of Kawaihae, containing 60 acres. Staff recommended approval of the request. The State General Plan designates the area for residential use. The area is in logical relation to the existing and proposed resort uses along the shore. Commission approved the request.



Mabel M. Davis requested a change of classification from agricultural to urban of 2.84 acres in Kamuela, South Kohala. Staff recommended denial of the request. The land does not fit an urban designation. Much of the surrounding land is being used for agricultural purposes. However, parcel is contiguous to an urban district on one side. Commission approved the request for urban.

Parker Ranch requested the following:

Kamuela, South Kohala - Requested a change of classification from agricultural to urban of 60,000 sq. ft. Staff recommended denial of the request. This subject area is dedicated land on which the protestee would now like to construct some business offices. The owner is presently seeking a special permit with the County. The Commission denied the request.

Kamuela, South Kohala - Requested an urban district instead of an agricultural district of 8 acres more or less. Staff recommended denial of the request. The parcel is dedicated land. The Commission approved the request.

Kamuela, South Kohala - Requested a change of classification from agricultural to urban of 17.09 acres. Staff recommended denial of the request. Commission denied the request on the basis that there is no justification to include these lands in the urban or rural zone.

Kamuela, South Kohala - Requested a change of classification from agricultural to urban of 85 acres more or less. Staff recommended approval of the request. Commission approved the request.

Kamuela Associates (Cadinha) requested a change of classification of 43.35 acres from agricultural to rural in Kamuela. Staff recommended denial of the request. The character of this area is agricultural. The Commission denied the request for a rural district.

C. L. Worthington requested a change of classification from agricultural to urban of 97,875 sq. ft. in Kamuela. Staff recommended denial of the request. There is no basis for urban districting. The Commission denied the request.

E. Y. Wun requested an urban district instead of an agricultural district of 97,881 sq. ft. in Waimea, South Kohala. Staff recommended denial of the request. There is no basis for urban districting. The Commission denied the request.

Harold Fukunaga requested an urban district classification instead of an agricultural district classification of 13.7596 acres on Waimea, South Kohala. Staff recommended denial of the request. Commission denied the request.

Conservation Council requested a change of classification from agricultural to conservation of Waipio Valley, South Kohala. Staff recommended denial of the request. The area is presently being used for agricultural purposes and adds to the "unique scenic charm." Commission denied the request.



Hawaiian Trail and Mountain Club requested a change of classification from an agricultural district classification to a conservation district classification of Waipio Valley, South Kohala. Staff recommended denial of the request. Agriculture is existing use and enhances the beauty of the valley. Commission denied the request.

Huehue Ranch requested a change of classification from conservation to agricultural of Kukio I, North Kona, comprising 690 acres more or less. Staff recommended denial of the request. There is no currently known economic and reasonable use for it. Commission denied the request.

Huehue Ranch requested a change of classification from conservation to agricultural of 650 acres more or less at Kau, North Kona. Staff recommended denial of the request. The Commission denied the request.

Huehue Ranch requested an agricultural classification instead of a conservation classification of Kaloko, Kohanaiki and Ooma, North Kona. Staff recommended denial of the request. The Commission denied the request.

Bishop Estate requested a change of classification from conservation to urban of Kaupulehu (Kahawai Bay) North Kona, comprising 150 - 170 acres. Staff recommended denial of the request. The Commission denied the request.

Mervin Gilliland, for American Factors, requested a change of classification from agricultural to urban of Kaloko, Kailua-Kona, comprising 20 acres more or less. Staff recommended denial of the request. There are no urban facilities or services except roads and power. Commission denied the request.

Bishop Estate requested a change of classification from conservation to agricultural of 200 plus acres of Puaa I, North Kona. Staff recommended approval of the request. The land has never been part of the Waiaha Spring Forest Reserve and should be excluded from the conservation district. Commission approved the request.

Liliuokalani Trust requested a change of classification from agricultural to urban of Keauhuolu, Kailua-Kona, consisting of 105 acres more or less for industrial use and 550 acres more or less for resort - residential use. Staff recommended approval of the industrial - commercial area and recommended denial of the resort - residential area. Commission concurred with staff and approved the industrial area and denied the resort area.

F. R. Greenwell requested a change of classification from agricultural to urban of Kaumalumu, North Kona, containing 6 acres. Staff recommended approval of the request. Although substantial urban areas have already been designated, this parcel is small. The area may be included in the urban district without a demonstrable adverse affect upon scatteration or a logical pattern of land use. Commission approved the request for urban use.

Sumio Nakashima, for W. Hooper and P. North, requested a change of classification of Hienaloli, North Kona, from agricultural to urban, comprising 4.115 acres. Staff recommended approval of the request. Commission approved the request.



Earl and Rose Lee requested a change of classification from agricultural to urban of 2.70 acres in Kailua-Kona. Staff recommended approval of the request. Commission approved the request.

Bishop Estate requested a change of classification from agricultural to urban of Keauhou Bay comprising 1,188.025 acres. Staff recommended approval of a portion of Keauhou Bay which is now in the temporary urban district and denial of the remaining area. Commission approved the entire requested area for urban districting.

Bishop Estate requested a change of classification, from agricultural to urban, for a parcel in Kahaluu of less than 10 acres. Staff recommended approval of the request. Commission approved the request.

Bishop Estate requested a change of classification of Keauhou (Mauka), North Kona, from agricultural to urban. Staff recommended denial of the request. Extensive and adequate areas already provided along Kailua-Keauhou shoreline. The area is isolated. The Commission denied the request.

Bishop Estate requested an urban district classification instead of a conservation district classification of Keei Beach Lots, comprising 23.15 acres. Staff recommended denial of the request. The Commission denied the request.

Mysie Duarte requested a change of classification from agricultural to urban of 5 acres at Holualoa, Kona. Staff recommended denial of the request. The Commission approved the request.

Lloyd Mannes requested a change of classification from agricultural to urban of 65 acres more or less at Kapalaalaea, Kona. Staff recommended denial of the mauka section and approval of the makai section. The Commission agreed with staff.

H. I. Tanaka, for Pedro Oro, requested a change of classification from agricultural to urban of 2.068 acres at Kealakekua, Kona. The Commission approved the request.

J. M. Tanaka Investment Company requested a change of classification from agricultural to urban of 35.967 acres at Keauhou, Kona. Staff recommended denial of the request. The Commission denied the request.

Charles Murray, for Robert Wade, requested a change of classification of 4 acres at Holualoa from agricultural to urban. Staff recommended denial of the request. The Commission denied the request.

Donn W. Carls Smith, for Dillingham Development Corporation, requested a change of classification from agricultural to rural of 334 acres more or less at Holualoa 1-4, Pua Puaa 2, North Kona. The Commission approved the request except for parcels located above the Kailua-Holualoa Road.

Tom L. Peterson, for Kaupa Heuer, requested a classification change from agricultural to urban of about 15 acres at Kawanui. Staff recommended denial of the request. Commission denied the request.



Sumio Nakashima, for Clarence Nakahara, requested a change of classification from agricultural to urban, consisting 26 acres. Staff recommended denial of the request. The Commission approved the request.

Kazuhisa Abe, for Richard Choy and William Lee, requested a change of classification from agricultural to urban at Kuakini, Holualoa. The Commission approved the request.

Kid McCoy requested a change of classification from agricultural to urban of 68.24 acres at Kailua-Kona. Staff recommended denial of the request. The Commission denied the request.

The meeting was adjourned at about 6:00 p.m.



STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

LUC Hearing Room

2:00 P. M. - May 22, 1964

Commissioners

Present:

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

Staff

Present:

Raymond S. Yamashita, Executive Officer  
Roy Y. Takeyama, Legal Counsel  
Richard E. Mar, Field Officer  
Amy Y. Namihiro, Stenographer

Commissioner Burns, pro tempore chairman, called the meeting to order. He expressed his appreciation to Commissioner Ota for the field trip to Maui.

Due to the lack of quorum, the agenda was not followed.

The tentative travel schedule was taken up at this time. For the June 11, 1964 field trip on Oahu, Chairman Burns suggested that the Land Use Commission rent a limousine. It was agreed by the Commission to rent a limousine.

Upon the arrival of Commissioners to form a quorum, the pro tempore Chairman proceeded with petitions to be acted upon.

ACTION ON TEMPORARY DISTRICT BOUNDARIES

PETITION OF BOB YANAZAKI (A(T)63-55) FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION TO SUBDIVIDE LAND INTO 6 HOUSELOTS IN WAIAKEA, S. HILO: Described as TMK 2-2-46: 6

The field officer, having been sworn in, presented a brief summary on the petition. The Hawaii Planning and Traffic Commission at a meeting on November 18, 1963, decided to recommend approval of the petitioner's request on the following bases:

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\* Late arrivals.



- (1) that the Master Plan of Hilo and the proposed zoning map for the City of Hilo designate this site for single-family - 10,000 sq. ft. density; hence the granting of change of zone will result in a more appropriate land use pattern;
- (2) that this site already abuts an urban sized lot subdivision previously approved by the State Land Use Commission;
- (3) that the site has satisfactory topography and drainage and be economically available and adaptable to the installation and maintenance of public improvements and services; and
- (4) that the site is located in proximity to a diversity of employment and trading facilities and other community services.

The staff recommended approval of this petition on the following bases:

- (1) There is reasonable evidence that satisfies the "tests" required in the law.
- (2) There is no current evidence that the major tenets of the land use legislation, in respect to preservation of prime agricultural areas as the prevention of scatteration, will be violated.

Staff further recommends the extension of the urban district boundary in this area to comply with adopted County zoning maps when the final district boundaries are prepared.

After a brief discussion among the Commissioners, Commissioner Wenkam moved to accept the petition based on staff recommendations. Commissioner Wung seconded the motion.

The Executive Officer polled the Commissioners as follows:

Approved: Commissioners Wung, Inaba, Ota, Wenkam, Ferry, Mark and Chairman Burns.

Disapproved: None.

The motion to approve the petition was carried.

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PETITION OF B. P. BISHOP ESTATE (A(T)63-56) FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR SHORELINE HOUSELOTS IN KEEI, HONAUNAU: Described as TMK 8-3-05 and 8-3-06

The field officer, Richard Mar, presented the summary regarding this petition and outlined the area on a map. Petitioner plans to develop the area for vacation



type homes. Staff concludes that the petition does have some bases. However, the retention of the conservation designation, as proposed in the final district boundaries, would best promote the effectiveness and objectives of the land use law in respect to:

1. The intent of conservation districts to preserve scenic areas and provide parklands, wilderness and beach reserves.
2. The prevention of scatteration which would eventually bring pressures for expensive, yet reduced public services.
3. The preservation, protection and encouragement of development of lands in the State for those uses to which they are best suited for the public welfare.

On this bases, staff recommends denial of this petition.

Chairman Burns asked why the staff felt the 300 requests were not indications of interest in the area?

The Executive Officer explained that the requests were not directed at a specific site but to the Kona Districts in general. The number of requests also indicates a larger market than the area in the petition will satisfy. Thus, if this petition is approved, additional and adjacent shoreline areas towards Honaunau will be developed. Since this shoreline area is a major attraction to tourists, the economy of these districts will suffer adversely by such residential developments.

Commissioner Inaba suggested that the Land Use Commission extend the Napoopoo boundary to the south and give them a section of land which will be next to the urban district of the Napoopoo area.

Commissioner Ferry asked whether these lots will be sold in fee. The Executive Officer stated that he didn't think so. These lots will probably be leased.

There are no water lines in the area but there is electric power.

Chairman Burns read to the Commissioners a letter received on May 4, 1964 written by the Trustees' attorney, Mr. J. Garner Anthony.

Commissioner Wung moved to defer this matter till after a field investigation of the area. Commissioner Nishimura seconded the motion.

The Executive Officer polled the Commissioners as follows:

Approved: Commissioners Wung, Inaba, Wenkam, Nishimura, Ferry, Mark and Chairman Burns.

Disapproved: Commissioner Ota.

The motion for deferral was carried.



## OTHER BUSINESS

### Minimum Size of Districts

The Executive Officer stated that this pertained to the deliberations of the final district boundaries. The question brought up is "What is the minimum or relative minimum size of an area deserving a special consideration for a particular district - urban, conservation, etc.?"

Regarding Special Permit - "What is an unusual and reasonable use?"

Commissioner Ferry stated that each case should be tried as it has been done in the past - on its merits. He stated that the regulations for the conservation districts are based on the same thing. He stated that they wanted freedom of movement.

All of the Commissioners concurred with Commissioner Ferry's thinking.

### Temporary Urban Districts\*

Executive Officer stated that the problem before the Commission on this matter is that when a petitioner has been given prior approval from the county or prior commission, what should be done?

A discussion on this matter followed.

Commissioner Ferry stated that the Commission should evaluate each case as they applied to boundary change.

Legal Counsel stated that there must be a basis for cutting back the boundaries.

Chairman Burns stated that the basic thing is for the staff to make sure to include these elements in the presentation of the pros and cons to petitioner and bring it to the attention of the Commission, then they can be evaluated.

Commissioner Ferry stated that the staff should make the Commission aware of the situation when they are faced with these problems. He also stated that we shouldn't be bound by the prior commission nor should we bind the future commission.

It was agreed that the staff will inform the Commission of these situations.

### Special Permit and Resort Developments

Legal Counsel stated that if a substantial area is involved and if the type of use proposed by the petitioner is for an urban use and if that use is going to change essentially the character, it should be a proper subject for a boundary

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\* Chairman Thompson belately arrives for meeting.



change and not a special permit because the Land Use Commission is a proper body to effectuate boundary change. The special permit cannot be used merely to avoid the procedure for boundary change.

Legal Counsel stated that Chairman Thompson's point is to properly guide the petitioner when they file the initial petition.

Commissioner Ferry suggested that when there is a problem like this, that rather than accepting a petition or a request for a special permit, a determination be asked by the Land Use Commission as to which application should be made.

Commissioner Burns suggested that the staff write to the county and outline the problems involved.

The Commission agreed that this matter should be pursued on the county level.

#### Department of Land & Natural Resources Regulations for Conservation Districting

Mr. Alfred Preis gave a presentation on the proposed regulations of the conservation district.

#### Deliberations on the Final District Boundaries for the County of Kauai

Chairman Thompson outlined the procedures to be followed throughout this deliberation.

Hawaiian Trail and Mountain Club requested the following:

1. Kalalau Valley - Requested a change of classification from agricultural to conservation. Staff recommended denial of the request. Commissioner Ferry stated that grazing will be permitted in the conservation district. The Commission approved the request for a conservation district.
2. Makahuena Point to Kipukai - Requested a change of classification from agricultural to conservation. Staff recommended denial of the request. Commission denied the request.
3. Wailua River - Requested a change of classification from agricultural to conservation. Staff recommended denial of the request. Commission denied the request.
4. Lower Waimea Canyon - Requested classification from agricultural to conservation. Staff recommended denial of the request. Commission denied the request.
5. Lumahai to Haena - Requested a change of classification from conservation - rural - urban to all conservation. Hawaiian Trail and Mountain Club supports the conservation district of Lumahai, but would like to move the conservation line up to the ridge top above the road. Staff recommended denial. Commission approved area only behind Waikoko Beach.



William Huddy requested a change of classification from agricultural to urban at Molokaa Bay consisting of 48.29 acres. Staff recommended denial of the request on the basis that this would constitute scatteration and spot zoning. Too far from central urban area. Commission denied this protest.

Virginia Worley requested a rural classification instead of an agricultural classification of Olohena, Kapaa, containing 122,260 sq. ft. Staff recommended approval of the request. The surrounding small lots should also be included in the rural district. The Commission concurred with staff and approved the request.

Col. J. Albert Roesch protested the agricultural and rural districting of Wailua Homesteads Mauka and Tropical Inn (5 acres) and requested an urban district. Staff recommended denial of the request for urban districting. Commission denied the request but classified land as rural.

Harry Ho requested agricultural districting instead of urban districting of 1.247 acres at Hanalei. Area is not suitable for resort development. Staff recommended approval of the request. Commission approved the request.

Grove Farm Company submitted a request for Puhi. Staff recommended approval of all requests except for area above highway (K-3). Also recommended approval of all requests except for the area being used for pasture. The pasture land should be kept in the conservation zone only when there is a need to be concerned with erosion problems. The Commission did not decide on this request at this time.

Bishop Estate requested agricultural districting of Lumahai instead of a conservation districting. Staff recommended denial of the request. Mauka area now in forest reserve and not suited for intensive grazing. Conservation values more important. Commission denied the request.

McBryde Sugar Company requested an urban classification instead of an agricultural classification of Kalaheo. Staff recommended approval of the request - subject parcel is contiguous to the proposed urban area. Commission approved the request.

McBryde Sugar Company requested an agricultural classification instead of an urban classification of Hanapepe. Staff recommended approval of the request - the area in sugar cane is more valuable than the urban land at this time. Commission approved the requested agricultural classification.

Matsuko K. Taguma requested a change of classification at Kalaheo from urban to agricultural. Staff recommended approval of the request. Commission approved the request.

Dorothy Ahrens and others requested an urban classification instead of a rural classification at Kawaihau, consisting of 18.36 acres. Staff recommended that the area be in the urban district based on government sanction of the area by the former Land Use Commission. The Commission voted to classify the area as rural.



Kekaha Sugar, represented by Mr. Koike, requested agricultural classification instead of urban classification of a small shoreline area at Waimea-Kekaha. Staff recommended approval of the request - area is presently being used for agricultural purposes. Commission approved the request.

Stephen Miyashiro dedicated 30.68 acres out of 32.68 acres for agricultural purposes. At present 5 acres out of the 32.68 acres have been zoned urban. Since he has reserved 2 acres for residential use, the 5 acres are in excess of his needs. He requests 2 acres be classified as urban and the rest as agricultural. Staff recommended approval of the request. Commission voted to approve the request to include the 2 acres in the proposed final urban district boundaries.

H. W. Hansen's request for a rural classification instead of an agricultural classification of Kalaheo, was withdrawn.

Dr. Patrick Cockett protested the proposed conservation classification and requested an urban classification of Wailua comprising of 15,136 sq. ft. Staff recommended approval of the request. The Commission voted to designate the area as agricultural, which was the previous designation.

C. Brewer & Company, Ltd. requested an agricultural district instead of a conservation district classification of Kilauea. The Commission denied the request on the basis that pasture use is permitted in conservation and the area is thus better protected against erosion problems.

Lihue Plantation Company, represented by Mr. Hansen, requested the following:

1. Lihue - Requested a change of classification from agricultural to urban, containing 42 acres more or less. Staff recommended denial of the request and let the Plantation come in for a boundary change when the additional area is needed. The Commission denied the request.
2. Lihue - Requested an agricultural classification instead of an urban classification, containing 39.48 acres more or less. Staff recommended approval of the request - area is presently in cane. The Commission denied the request.
3. Lihue - Requested an agricultural district classification instead of a conservation district classification. Wants to amend conservation boundary in future to include 500 to 800 acres for cane. Staff recommended denial of the request and that Lihue Plantation come in for a boundary change in the future when the land is needed. Commission denied the request.
4. Lihue - Requested a change of classification in the Kalepa Forest Reserve (3-8-02: 4) from conservation to agricultural, containing 4 to 6 acres more or less. Staff recommended denial of the request. Commission denied the request.



5. Kealia - Requested an urban classification instead of an agricultural classification. Staff recommended denial of the request - inappropriate location for further urbanization. Beneficial only to Plantation. Detrimental urban environment to prospective home owners. Commission approved the request.
6. Princeville, Hanalei - Requested an urban classification instead of an agricultural classification. Staff recommended approval of the request. Commission approved the request and also joined the urban beach areas.

Conservation Council requested the following:

1. Kalalau Valley - Requested a change of classification from agricultural to conservation. Staff recommended denial of the request. Commission approved the request for a conservation district.
2. Kilauea Lighthouse - Requested a change of classification from agricultural to conservation. Staff recommended approval of the request - conservation designation will not harm the federal operation of the light house. The area is scenic and a tourist stop. Commission approved the request.
3. Haena - Requested a conservation classification instead of an urban classification of all lands makai of road. Staff recommended denial of the request. Commission denied the request.
4. Lumahai Beach - Request to extend the conservation boundary from the shoreline to the top of the low hills backing the beach. Staff recommended denial of the request. Commission approved the request back to ridge line.
5. Olokele Canyon Valley - Requested a change of classification from agricultural - conservation to all conservation. Staff recommended that the area be in the conservation district. The Commission voted whether area will be in conservation or agricultural. There were 4 for conservation and 4 for agricultural. This matter was deferred till the next day when Commissioner Burns would be present.\*

Aylmer Robinson requested the following:

1. Kaheluanano Valley, Hanapepe - Requested a change of classification from conservation to agricultural of 246 acres more or less. Staff recommended denial of the request. Commission denied the request and area will remain in conservation.
2. Kahana Valley, Hanapepe - Requested a change of classification from conservation to agricultural. (332 acres more or less) Staff recommended denial of the request. Commission denied the request.

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\* Commissioner Burns left meeting to attend to other urgent business.



3. Wainiha Hui Lands, Hanalei - Requested an agricultural district classification instead of a conservation district classification. Staff recommended denial of the request - area has limited potential for grazing. Conservation values more important. Commission denied the request and area will remain in conservation.
4. Makaweli, Hanapepe - Requested a change of classification from urban to agricultural, containing 13 acres more or less. Staff recommended approval of the request - land used for grazing. Commission approved the request.
5. Koula Valley, Hanapepe - Requested an agricultural classification instead of a conservation classification of 68 acres more or less. Staff had no recommendation regarding this matter. The Commission denied the request and left area in conservation.

Joseph S. Brun requested an agricultural district classification instead of an urban classification of Kalaheo, comprising 6.013 acres. Staff recommended approval of the request. Commission approved the request.

R. Takushi and K. Nonaka, represented by Philip T. Chun, requested an urban classification instead of a rural classification of Wailua, comprising of 15.92 acres. Staff recommended that the area should be in the urban district because of prior government sanction. The Commission did not take action on this matter at this time.

Hanapepe Merchant Association requested an urban classification instead of an agricultural classification at Hanapepe, comprising 369.78 acres more or less. Staff recommended denial of the request - This is Olokele Sugar Company's prime sugar lands (heart of plantation). Subject land is now in sugar cane. The State and County general plans show the area as agricultural. Commission denied the request.

Lihue Plantation and other people protested the agricultural classification of Kapaia Town and requested an urban classification. Staff recommended approval of the request - area has been a developed urban area for many years as evidenced by the existing stores and homes. Commission approved the request.

Verbal Protests by the following:

1. Raymond Aki - Put State lands back of Wailua golf course in urban for retirement and other uses. The Commission denied the request - pressure does not demand it. Area will remain in agricultural.
2. Roger Bray and Doris Foster - Requested a rural classification instead of an agricultural classification of 27 acres near Kalaheo. Wants to subdivide for residential use. The Commission deferred this matter for further study.



3. Jansen - In favor of the proposed urban district of Aliomanu.
4. Robert Wenkam - Requesting conservation district of Lydgate State Park and Polihau State Park. Commission approved request - area will be in conservation.
5. Frank De Silva requested urban district for Kealia. Commission approved his request for urban classification.

A request to zone Hanapepe rural instead of agricultural was denied by the Commission. The area will remain in agricultural.

A request to zone Hanapepe River Valley conservation instead of agricultural was denied by the Commission. The area will remain in agricultural.

The Commission decided that the Wailua area will be discussed and deliberated upon the next day.

The meeting was adjourned at 10:00 p.m.



Ref. No. LUC 359

June 15, 1964

Bishop Estate  
519 Halekauwila Street  
Honolulu, Hawaii

Attention: Mr. A. J. Dow, Secretary

Gentlemen:

The Land Use Commission, at its meeting on June 12, 1964, voted to deny your petition for a boundary change from a temporary agriculture to a temporary urban district classification for approximately 23.15 acres in Keel, Hawaii (TRK 8-3-05 and 8-3-06).

A motion was made by Commissioner Inaba and seconded by Commissioner Wenkam to approve your petition. The vote was 5 approvals versus 4 denials. Since six approvals are needed for a boundary change, the motion was defeated because of insufficient votes.

Enclosed for your information is a copy of the Land Use Commission's staff report, which the Commission based its decision.

Should there be any further questions, please feel free to contact this office.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

REM:ak  
Enclosure  
cc: M. Thompson  
Hawaii Planning & Traffic Commission



Ref. No. LUC 339

June 1, 1964

B. P. Bishop Estate  
519 Halekiauila Street  
Honolulu, Hawaii

Attention: Mr. A. J. Dow, General Superintendent

Gentlemen:

This is to inform you that the Land Use Commission of the State of Hawaii will meet on June 12, 1964 at 1:30 p.m. in the Land Use Commission hearing room, 426 Queen Street, Honolulu, Hawaii.

Your application for a boundary change (which action was deferred by the Commission May 22, 1964 in Honolulu), has been placed on the Commission's agenda for consideration at this meeting. Final action may be taken at this time.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Hawaii Planning and Traffic Commission  
Myron Thompson

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Ref. No. LUC 334

May 25, 1964

Bishop Estate  
519 Halekauwila Street  
Honolulu, Hawaii

Attention: A. J. Dow, Secretary

Gentlemen:

The Land Use Commission, at its meeting on May 22, 1964, voted to defer action on your petition for a boundary change from temporary agricultural to temporary urban for approximately 23.15 acres in Keei, Hawaii (TMK 8-3-05 and 8-3-06).

Final action on your petition will take place prior to July 1, 1964. When the specific action date on your petition has been rescheduled, you will be notified accordingly.

Should there be further questions, please feel free to contact this office.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

REM/an

cc: Hawaii Planning & Traffic Commission  
Myron Thompson



Ref. No. LUC 315

May 15, 1964

B. P. Bishop Estate  
519 Halekauwila Street  
Honolulu, Hawaii

Attention: A. J. Dow, General Superintendent

Gentlemen:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Oahu on May 22, 1964 in the Land Use Commission Hearing Room, 426 Queen Street, Honolulu, Hawaii, at 2:00 p.m.

As the waiting period prescribed by SECTION 98H-4 of Act 205/63 will have expired, your petition for change of temporary district boundary has been placed on the Commission's agenda for consideration at this meeting. Final action may be taken on your petition at this time.

Please be advised that this notice is simply to inform you as to the status of your petition before the Land Use Commission. It is not necessary for you to be at this meeting. Should it be convenient for you to attend, of course, you may do so at your own discretion.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Myron Thompson  
Hawaii Planning & Traffic Commission

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May 5, 1964

*ask*

Mr. J. Garner Anthony  
Attorney for Trustees  
Estate of Bernice P. Bishop  
P. O. Box 3199  
Honolulu 1, Hawaii

Dear Mr. Anthony:

This is to acknowledge receipt of your letter, dated May 1, 1964, relating to Keel Beach Lots. Your letter will be brought to the attention of the Commission. Should the Commission request further data on the matter, we will so advise you.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Myron Thompson  
C.E.S. Burns



ROBERTSON, CASTLE & ANTHONY

*Law Offices*  
*312 Castle & Cooke Building*  
*P. O. Box 3199*  
*Honolulu 1, Hawaii*  
*Telephone: 571941*  
*Wireless "Hermes" Honolulu*

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MAY 4 1964

State of Hawaii  
LAND USE COMMISSION

May 1, 1964

1173

Land Use Commission  
State of Hawaii  
426 Queen Street  
Honolulu, Hawaii

Re: Keii Beach Lots

Gentlemen:

I am advised by the Trustees of the Estate of Bernice P. Bishop that a staff report dated April 4, 1964 recommends the disapproval of the petition of the trustees for a change in classification of the Keii Beach Lot Subdivision in South Kona from agricultural to urban.

As was demonstrated at the hearing, this land is not productive for agricultural use and there is a substantial demand for lots in this area for summer cottages. A denial of the petition for change of use does not appear to be justified and is not in the public interest. Accordingly, we ask that the commission grant the petition as submitted.

We call attention to the fact that a denial of this petition will result in depriving the landowner of the use of his land and as applied in this case will raise substantial constitutional questions. The trustees do not acquiesce in the position taken by the staff in its recommendation to the commission. They are ready to submit further data on the matter if requested.

Respectfully,

J. Garner Anthony

J. Garner Anthony  
Attorney for Trustees  
Estate of Bernice P. Bishop

JGA:RD



STATE OF HAWAII  
LAND USE COMMISSION

Hale Halawai Cultural Center  
Kailua-Kona, Hawaii

10:00 A.M.  
April 4, 1964

STAFF REPORT

A(T)63-56  
B.P. BISHOP ESTATE

Temporary District Classification: AGRICULTURAL

Background

The B. P. Bishop Estate has petitioned the Land Use Commission for amendment of the temporary district boundaries so that approximately 23.15 acres described by Hawaii TMK 8-3-05; 8-3-06 would be changed from an agricultural to an urban district classification.

Under Act 205, Section 98H-4, "the petitioner has submitted proof that the land is usable and adaptable for the use it is proposed to be classified."

In support of the above statement, the petitioner has submitted the following statement:

1. The petitioner has on file 178 written requests and also is in receipt of uncounted oral requests for low cost, shoreline, weekend and vacation type houselots and the change is, therefore, required to meet a public demand.
2. The land is not only useful and adaptable for the proposed use, being on the shoreline and potential of being served with potable water, power and telephone, but is not usable for its present agricultural classification, being pahoehoe and aa lava, and has a low potential for resort or other commercial uses.<sup>1/</sup>

1/ Statement filed by petitioner attached to the application for amendment of temporary district boundary.



The parcel of land under consideration is located in portions of the Kahauloa and Keel ahupuaas in Honaunau, Hawaii. It is about .35 mile south of Kealakekua Bay and .20 mile west of Puuhonua Road. The petitioner plans to subdivide the 23.15 acres in TMK 8-3-05 & 8-3-06 into 44 houselots, 9 common areas, and various roadways. The proposed subdivision will be known as the Keel Shorelots with lot sizes ranging from 7500 sq. ft. to 12,250 sq. ft.

Except for 3 fishing shacks, the subject land is vacant and has a heavy growth of bushes, shrubs, and haole koa trees. A great portion of the petitioner's property is adjacent to a narrow unpaved road that leads to a number of private weekend beach homes along the Keel shoreline.

The lands to the south of the subject property contains approximately a dozen weekend beach homes and empty fishing shacks. Except for a well and pump site, the lands to the east of the petitioner's proposed beach lots are open lava fields covered with a mixture of haole-koa, bushes, and shrubs. To the north of the subject properties are five homes. Only two of the homes are used as permanent residences while the remaining structures are used for weekend beach cottages. The western border of the Keel beach lots is bounded by a lava coastline. At the time of the field investigation, there were no indications of a sand beach along the petitioner's properties.

The petitioner's land is in the temporary agricultural district. Under the proposed land use district, the land is being classified as conservation. The State General Plan and "A Plan for Kona" designate the area as residential adjacent to a resort site while the Kona Coast Resort Region Plan designates the petitioner's land as open space near selected resort sites.<sup>1/</sup>

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<sup>1/</sup> State General Plan, p. 79. Also see Harland Bartholomew & Associates, Visitor Destination Areas In Hawaii, p. 51.



Soil conditions on the petitioner's land are classified as unsuited for intensive agriculture by the Land Study Bureau. The general slope of land in the vicinity is almost flat but consists of undulations typical of lava flow surface. Annual rainfall is below 40" a year.<sup>1/</sup> According to Mr. Nohu of the Hawaii County Board of Water Supply, there are no existing water or power lines to service any residential development. However, the County of Hawaii proposes to put in an 8" waterline along Puuhonua road. The source of the water will be from the existing Keei tank and pump site.<sup>2/</sup>

#### Analysis

The petitioner reports that they have over 300 written requests forouselots in the North-South Kona area. 178 of these written requests are for low cost, shoreline weekend and vacation type houselots. This does represent a real demand. Further, the area may be considered "usable and adaptable for the use it is proposed to be classified" - at least when consideration is limited to physical improvements. Further, the area would join the urban district of Napoopoo to the north and the Kuleanas to the south in one continuous urban district. } ?

However, the urban pattern thus formed is the beginning of a string development. It would be expensive and inefficient to provide and maintain an adequate level of urban facilities and services to this type of urban pattern.

The statistics which indicate a demand for urban use in this area also indicate an immediate future demand for additional but perhaps limited similar developments. Any additional developments would obviously demand a

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<sup>1/</sup> State General Plan, p. 74.

<sup>2/</sup> Hawaii County Board of Water Supply.



location on the remaining shoreline towards the City of Refuge. A longer string development extending between Napoopoo and the City of Refuge could thus easily result. Such ribbons of urban developments occur along Oahu's northern shorelines. These urban ribbons effectively restrict access, use and enjoyment of one of our priceless assets to a relative few and, creates disproportionate public costs in services and facilities. The attractions of the shoreline for living and the demand for such uses are real and legitimate. The right of the present and future population to access and enjoyment of the shoreline, for the promotion of the public health and general welfare, is also real and legitimate.

In the long run, there will not be enough of the accessible and desirable shoreline areas to meet the demands of those who want to live on the shore. This fact has been demonstrated on Oahu and is becoming evident on the other islands. Therefore, foresight need be exercised to accommodate both legitimate demands - urban uses and the public health and welfare. Also, there is a question of whether or not this proposed development would be in the public interest because:

1. Substantial and adequate areas have already been placed in the urban district.
2. There is now only limited urban uses in the area which produce little pressure for governmental services and facilities now absent.
3. The remoteness of the area would make it expensive and inefficient for government to provide a decent level of services and facilities.
4. There is no evidence that a demand for urbanization exists which can result in an urban area that can support a decent level of services and facilities at reasonable cost to the taxpayers and at this time.



Although general plans indicate residential uses for this area, the plans are long range and the realization of the residential uses depend a lot upon government or public investments. The public cannot afford the investments that are needed to support all the land uses shown in the general plan all at once. The public has, however, made calculated investments in other areas in Kona with greater immediate potentials. The capital improvements program in part, reflects this public investment to accomplish a more orderly growth pattern.

The visitor industry offers the greatest potential for economic growth in Kona but faces strong competition from neighbor islands. Even other areas on the Island of Hawaii offer outstanding opportunities for resort development. "A Plan for Kona", prepared for the State, states that "Kona should not attempt to develop into a modern version of the large concentrated type of commercialized resort center that is characterized by Waikiki. While there is no doubt that such pattern attracts large numbers of visitors; Kona's best opportunity is to develop resort facilities which make the most of Kona's advantages. These include:

1. A favorable climate
2. Outstanding sport fishing
3. Historical sites of major significance
4. Authentic old Hawaiian villages
5. A head start over other Neighbor Island resort areas
6. Rugged natural beauty



By concentrating on resort facilities that complement the intrinsic charm of Kona, the region will offer a particular appeal for those visitors that appreciate such an environment. For a selected market, Kona can be relatively free of competition. The type of visitor attracted by the historical and cultural attributes of Kona is apt to stay longer and spend more than the average tourist. Preservation of Kona's beauty is not only a question of sentiment, important as this may be to many residents; it is also a question of hard dollars and cents.

In deliberations upon the proposed final boundaries, the several possible alternative land use districts for this area were considered. The Land Use Commission concluded that the general shoreline, extending from Kealahou Bay south to Hookena, with the exception of Napoopoo Village, was of exceptional rugged beauty, substantially undecimated by modern developments and rich in historical heritage of the ancient Hawaiians who once populated this area. On this basis, the area was districted as conservation. This shoreline area is the greatest single attraction that lures the visitor to Kona and its preservation is most important for the only real potential for economic development in Kona. This area, which includes the City of Refuge, is also one of the entire Island's most outstanding attractions. Although the Punaluu Beach area in Kauai is similar, there is no other area in the entire state which offers so much of the culture, legends and sites of the ancient Hawaiian civilization together with some remnants of the transitional period from ancient to modern times. The transitional elements are reflected in the village of Hookena, Honaunau, and Napoopoo.



Therefore, the retention of the proposed conservation designation of the area will best protect those characteristics of the area upon which the future development of the area depends; and to protect such investments already made and proposed to be made by the County and the State to promote such development. Further, the preservation of this scenic area is deemed necessary not only in the interest of development but necessary for the health, welfare and enjoyment of this and coming generations of local folks.

Recommendation

Staff concludes that the petition does have some bases. However, the retention of the conservation designation, as proposed in the final district boundaries, would best promote the effectiveness and objectives of the land use law in respect to:

1. The intent of conservation districts to preserve scenic areas and provide parklands, wilderness and beach reserves.
2. The prevention of scatteration which would eventually bring pressures for expensive, yet reduced public services.
3. The preservation, protection and encouragement of development of lands in the State for those uses to which they are best suited for the public welfare.

On this basis, staff recommends the disapproval of this petition.

Hawaii Planning &  
Traffic Commission  
decided to grant petition  
because the area is  
adjacent to Napoosoo  
which is under the  
Temporary Urban Zone Dist  
2/20/64





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FEB 27 1964

State of Hawaii  
LAND USE COMMISSION

PLANNING AND TRAFFIC COMMISSION

COUNTY OF HAWAII  
HILO, HAWAII, U.S.A.

February 20, 1964

Ref. No. LUC 772

Mr. Y. Yamashita  
Executive Officer  
Land Use Commission  
426 Queen Street  
Honolulu 13, Hawaii

Dear Sir:

The Planning and Traffic Commission at its regular meeting of February 17, 1964 considered the petition for amendment of Temporary District Boundary submitted by A. J. Dow in behalf of the Trustees of the B. P. Bishop Estate, Keel Shore Lots, Honaunau, Hawaii.

The Commission voted to grant the petition as the area under consideration is located adjacent to Napoopoo, which is placed under the Temporary Urban Zone District. The character of the land can be developed for urban uses, demand now exists for beach cottages as proposed, the land use as requested will establish public access to the shoreline and as such it will contribute to public convenience and general welfare.

Very truly yours,

PLANNING AND TRAFFIC COMMISSION

Edgar A. Hamasu  
Director

KP:ak

Enclosure - map

cc: B. P. Bishop Estate



Ref. No. LUC 188

March 18, 1964

B. P. Bishop Estate  
519 Halekauwila Street  
Honolulu, Hawaii

Attention: Mr. A. J. Dow, General Superintendent

Gentlemen:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on April 4, 1964 at 10:00 a.m. in the Hale Malama Cultural Center, Kailua-Kona, Hawaii. Your petition for Change of Temporary District Boundary from an Agricultural district to an Urban district classification will be heard at that time.

Publication of Legal Notice will appear in the Hilo Tribune Herald on March 24 and April 1, 1964; and has appeared in the Honolulu Star-Bulletin on March 14, 1964.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Mr. Myron Thompson  
Mr. Roy Takeyama

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NOTICE OF PUBLIC HEARINGS TO CONSIDER

- (1) PETITIONS FOR CHANGE OF TEMPORARY DISTRICT  
BOUNDARY WITHIN THE COUNTY OF HAWAII
- (2) THE PROPOSED FINAL DISTRICT BOUNDARIES FOR  
THE COUNTY OF HAWAII; AND
- (3) THE PROPOSED FINAL DISTRICT REGULATIONS  
BEFORE THE STATE OF HAWAII LAND USE COMMISSION

NOTICE IS HEREBY GIVEN of the public hearings to be held by the Land Use Commission of the State of Hawaii in the County of Hawaii to consider (1) Petitions for Change of Temporary District Boundary within the County of Hawaii; (2) the proposed Final District Boundaries for the County of Hawaii; and (3) the proposed Final District Regulations as provided in SECTION 2, Section 98H-3, 98H-4 and 98H-7, Revised Laws of Hawaii, as amended.

FRIDAY, APRIL 3, 1964, Hilo Electric Light Co. Auditorium, HILO, HAWAII  
at 2:30 p.m., or as soon thereafter as those  
interested may be heard.

SATURDAY, APRIL 4, 1964, Hale Halawai Cultural Center, KAILUA-KONA at 10:00  
a.m., or as soon thereafter as those interested  
may be heard.

SCHEDULE OF ITEMS TO BE HEARD

- (1) Petition of Bob Yanazaki, A(T)63-55, for  
Amendment to the Temporary District Boundary  
from an Agricultural district classification  
to an Urban district classification to subdivide  
land into 6 houselots in Waiakea, S. Hilo:  
Described as Third Division, TMK 2-2-46: 6 - Hilo Hearing only.
- (2) Petition of B. P. Bishop Estate by A. J. Dow,  
A(T)63-56, for Amendment to the Temporary  
District Boundary from an Agricultural  
district classification to an Urban  
district classification for shoreline  
houselots in Keei, Honaunau: Described  
as Third Division, TMK 8-3-05 & 8-3-06. - Kailua-Kona Hearing only.



- (3) Proposed Final District Boundaries for the County of Hawaii - Hilo and Kailua-Kona Hearings.
- (4) Proposed Final District Regulations - Hilo and Kailua-Kona Hearings

Maps showing the proposed Final District Boundaries for Hawaii County; areas under consideration for Temporary District Boundary Changes; and copies of the proposed Final District Regulations are on file in the Offices of the Hawaii County Planning and Traffic Commission and the Land Use Commission, and are open to the public for inspection during office hours.

Additional copies of the proposed Final District Regulations and the proposed Final District Boundaries for the County of Hawaii will be posted in public places in the County of Hawaii. Information regarding these places of posting may be had by contacting the offices listed above.

All written protests or comments regarding the above items may be filed with the Land Use Commission, 426 Queen Street, Honolulu, before the date of public hearing, or submitted in person at the time of the public hearing, or up to fifteen (15) days following the public hearing.

LAND USE COMMISSION

M. B. THOMPSON, Chairman

R. YAMASHITA, Executive Officer

(Legal ad - 2 cols. w/border to appear: )  
 (THE HONOLULU STAR-BULLETIN - March 14, 1964)  
 (THE HAWAII TRIBUNE HERALD - March 24 and  
 April 1, 1964 )



Ref. No. LDC 772

December 5, 1963

Planning and Traffic Commission  
County of Hawaii  
Hilo, Hawaii

Attention: Mr. Edgar A. Hamasu, Planning Director

Gentlemen:

Pursuant to Section 98H-4, RLH 1955, as amended, a copy of the  
Petition for Amendment of Temporary District Boundary submitted  
by A. J. Dow in behalf of the Trustees of the B. P. Bishop Estate  
is forwarded for your comments and recommendations.

Sincerely,

R. YAMASHITA  
Executive Officer

**Enclosure**

1. Petition
2. Map - please return map upon forwarding your comments and  
recommendations.



OFFICE OF THE TRUSTEES OF THE

# BERNICE P. BISHOP ESTATE

THE FOUNDATION OF THE KAMEHAMEHA SCHOOLS

519 HALEKAUWILA STREET  
P.O. BOX 3466

HONOLULU 1, HAWAII

December 2, 1963

CABLE ADDRESS "PAUAAHI"

RECEIVED

DEC 5 1963

State of Hawaii  
LAND USE COMMISSION

State of Hawaii  
Land Use Commission  
426 Queen Street  
Honolulu, Hawaii

Attention: Mr. Raymond Yamashita  
Executive Officer

Gentlemen:


Petition for Amendment of Temporary  
District Boundary

In accordance with the provision and instruction as contained in Section No. 4, Chapter 98H RLH, we submit herewith "Petition for Amendment of Temporary District Boundary" covering certain lands at Keei 1 and Kahauloa 2, South Kona.

The required statements and evidence is attached to the petition as is our check in the amount of \$50.00.

Further details will be supplied upon request, and we ask that you process the petition at your early convenience.

Very truly yours,



A. J. Dow  
For Secretary

HJ:lg

Encl.



STATE OF HAWAII  
LAND USE COMMISSION

426 Queen Street  
Honolulu, Hawaii

RECEIVED  
This space for LUC use

DEC 5 1963

Date Petition and Fee received  
by LUC \_\_\_\_\_

State of Hawaii  
LAND USE COMMISSION

Date forwarded to County  
for recommendation \_\_\_\_\_

Date Petition, and County  
recommendation received  
by LUC \_\_\_\_\_

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

(I) (We) hereby request an amendment of Land Use Commission Temporary District Boundary respecting the County of Hawaii, Island of Hawaii, map number and/or name H-9, Honaunau, Hawaii to change the district designation of the following described property from its present classification in a(n) agricultural district into a(n) urban district.

Description of property: Comprising portions of the shoreline areas of the lands of Kahauloa 2 (R.P. 4513, M.A. 32, to Kanele) and Keel 1 (R. P. 7733, L. C. Aw. 5368, Ap. 4 to Akahi), subdivision to be known as "Keel Shore Lots".

Petitioner's interest in subject property: Petitioners are the owners in fee simple of the above-described property.

Petitioner's reason(s) for requesting boundary change:

See attached sheet

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following statements (cross out one):

(a) The land is usable and adaptable for the use it is proposed to be classified.

~~(b) Conditions and trends of development have so changed since adoption of the present classification, that the proposed classification is reasonable.~~

Trustees, B. P. Bishop  
Estate

Signature(s) By A. J. Row  
General Supt.

Address: 519 Halekauwila Street

Telephone: 511-684



Petitioner's Reason

3/31/64  
H Jackson -  
says for Kona Coast

(1)

"The Petitioner has on file 178 written requests and also is in receipt of uncounted oral requests for low cost, shoreline, weekend and vacation type house lots and the change is, therefore, required to meet a public demand."

(2)-(a)

"The land is not only useful and adaptable for the proposed use, being on the shoreline and potential of being served with potable water, power and telephone, but is not usable for its present agricultural classification, being pahoehoe and aa lava, and has a low potential for resort or other commercial uses."



State Form B14

STATE OF HAWAII

OFFICIAL  
RECEIPT

No

72

COND USE Commission  
920 Queen St. Honolulu, Hawaii

Department, Bureau or Commission

Dec. 5, 1963

RECEIVED from S. C. Soper, Jr. & Alberton Richards for Bernice P.  
Lilly & ~~others~~ Bishop estate

DOLLARS

For public hearing by the Cond Use Commission  
for property on Hawaii to change the temporary  
boundaries

\$ 50.00

Alberton L. Kai

Public Accountant

CR#18081 FNB