COUNTY OF MAUI A66-113

MAUI NEWS

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Wailuku, Maui, State of Hawaii
Sixty-Sixth Year — No. 11,307

SATURDAY, SEPTEMBER 3, 1966

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Xerox copy sent to all commissioners + Roy Takeyama

LUC Abolishment Urged

The Board of Supervisors yesterday (Friday) adopted a resolution requesting the Legislature to abolish the State Land Use Commission because it "has shown a great deal of arrogance in its recent decisions."

The resolution charged that the "land use law is being used by the Land Use Commission to discourage full utilization and development of lands in the neighbor island counties . . ."

x x x x

The State Land Use Commission has flatly refused to reconsider its action denying three zoning requests which had been recommended for approval by the Maui Planning and Traffic Commission.

Maui Planning Director Robert Ohata went before the LUC meeting in Lihue, Kauai, last Friday with the planning commission's request that the denials be reconsidered.

The LUC told him any requests for reconsideration must be submitted within 24 hours after its action, Mr. Ohata said. The Maui planners were not immediately informed of the original LUC denials, but read about them in the newspapers.

Mr. Ohata said local planning commission members were disappointed when informed of the LUC's refusal to reconsider the denied requests.

But he expects them to refrain from any further effort to have the actions reconsidered until they are formally informed in writing by the LUC that they denials will not be reconsidered.

"That is unless the Land Use Commission doesn't bother to inform them in writing," he added.

The Maui Planning Commissioners voted to ask the LUC to reconsider the three rezoning petitions after Mr. Ohata assured them that their recommendation had conformed with the Maui County master plan.

State law says that the LUC should be guided in its decisions by the recommendation of county planning commissions and by the county master plans.

"We look like darn fools here taking all that time to study these items and make recommendations and then batting zero with the Land Use Commission," Planning Commissioner Yoshikazu (Zuke) Matsui said on August 9, when he suggested that the LUC be asked to reconsider the three requests.

"It's very time-consuming for the staff and commission to deliberate and come up with a recommendation," he said.

The three applications rejected by the LUC, against the recommendation of the Maui Planning and Traffic Commission, were requests from:

1 — Frank and Bessie Moniz, to change 6.9 acres at Kaonoulu from agriculture to rural; 2 — The County, to change 15,000 square feet in Iao Valley from a conservation to a rural category, and 3 — Mr. and Mrs. Edwin Ige, to change 58 acres in Waiakoa from agriculture to rural.

What action the Maui Planning Commission will take now that the LUC has refused to reconsider the three requests remains to be seen.

But Chairman Joseph Medeiros Jr. has suggested that perhaps requests involving agriculture lands should go directly to the LUC without local planning commissions having to take the time to make a recommendation, since the suggestions are being ignored.

County Supervisor Manuel Molina has suggested that the LUC be abolished. The Board of Supervisors supported Maui planners in their effort to have the requests reconsidered

Wednesday
October 5, 1966 - Maui News

'Reporting Was Accurate': Ohata

LUC, Staff Versions Of Ruling Different

The Land Use Commission's "official" reason for refusing to reconsider three rejected Maui land use petitions does not reflect what transpired at the LUC meeting on August 26 at Lihue, Kauai, Maui County Planning Director Robert Ohata on Tuesday, September 27.

The "official" version was an August 30 letter from the LUC's executive officer, George Moriguchi, to the Maui County Planning and Traffic Commission.

The letter said reconsideration would not be in order because the original decisions "were based on the facts at hand and careful deliberations upon these facts."

The letter also said new petitions on the same parcels would be considered if "additional significant data that had not been presented previously are available and submitted" with them.

Mr. Ohata reported that the LUC told him at the Kauai meeting that it could not reconsider because the request did not come within 24 hours of its original action.

At the September 27 Maui Planning Commission meeting, Commissioner Alan Freeland said he was confused by newspaper accounts, first that the LUC had refused to reconsider then that it had left open the door for new petitions.

"The newspaper reporting was accurate," Mr. Ohata answered. "The only thing that was not accurate was the communication from the staff of the Land Use Commission. The staff did not write what transpired at the meeting.

"He (Mr. Moriguchi) wrote what he wanted us to do. The reason they could not reconsider was because of the 24-hour rule.

Mr. Ohata said earlier that the LUC told him its policy was that all requests for reconsideration must be filed within 24 hours of its decisions.

The Maui Commission was not informed of the LUC's original actions in time to submit a request within 24 hours.

The local planners asked for reconsideration because the LUC's actions were counter to the Maui Planning Commission's recommendations.

The planners felt the LUC had been consistently ignoring their recommendations. They pointed out that the rejected land use requests would have conformed with Maui's master plan, which is supposed to guide the LUC.

The three petitions were: 1—To change roughly 7 acres at Kaonoulu from agriculture to rural classification; 2 — To change 58 acres at Waiakoa from agriculture to rural, and 3—To change 15,000 square feet of County-owned land in Iao Valley from conservation to rural.

The LUC's official notification of its decision not to reconsider the rejected petitions was not discussed further at the Planning and Traffic Commission meeting last week.

New petitions on the request presumably must originate with the property owners.

County Supervisor Manuel Molina has called the LUC's insistence on new petitions "stupid."

August 30, 1966

The Honorable Members of the
Board of Supervisors
County of Maui
Wailuku, Maui

Gentlemen:

At its meeting of August 26, 1966 the Land Use Commission evaluated your request for reconsideration of decisions rendered by the Commission on two petitions involving lands at Kula, Maui and one petition involving lands at Iao Valley, Maui.

After due consideration, it was the consensus that the Commission's decisions were based on the facts at hand and careful deliberations upon these facts. Therefore, a reconsideration of its decisions as requested would not be in order. However, it was indicated that new petitions on the matter would be accepted and processed in the event that additional significant data that have not been presented previously are available and submitted with the new petitions.

The Commission appreciates your help, interest and concern in matters pertaining to administration of the Land Use Law.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Honorable John A. Burns
Chairman Thompson

August 30, 1966

Planning & Traffic Commission
County of Maui
P. O. Box 1487
Kahului, Maui

Gentlemen:

At its meeting of August 26, 1966 the Land Use Commission evaluated your request for reconsideration of decisions rendered by the Commission on two petitions involving lands at Kula, Maui and one petition involving lands at Iao Valley, Maui.

After due consideration, it was the consensus that the Commission's decisions were based on the facts at hand and careful deliberations upon these facts. Therefore, a reconsideration of its decisions as requested would not be in order. However, it was indicated that new petitions on the matter would be accepted and processed in the event that additional significant data that have not been presented previously are available and submitted with the new petitions.

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Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Honorable John A. Burns
Chairman Thompson

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Public Hearing
and Meeting

Lihue Police Station
Lihue, Kauai
August 26, 1966

Commissioners Present:	Myron B. Thompson, Chairman Jim P. Ferry Robert G. Wenkam Shelley Mark Goro Inaba Leslie Wung Shiro Nishimura
Absent:	C. E. S. Burns
Staff Present:	George S. Moriguchi, Executive Officer Roy Takeyama, Legal Counsel Ah Sung Leong, Draftsman

Chairman Thompson opened the public hearing and meeting with a short prayer, followed by an introduction of the Commissioners and staff members, outline of the procedures to be followed, and swearing in of persons testifying during the hearings.

APPLICATION OF MCBRYDE SUGAR COMPANY, LTD. (SP66-30) FOR A SPECIAL PERMIT TO BUILD A SMALL AIRCRAFT RUNWAY AT KOLOA, KAUAI

Staff report (see copy on file) was read by the Executive Officer in which it was recommended that the application be approved since the proposed use may be classified as an unusual and reasonable use.

Mr. Moriguchi advised that the five-year lease referred to in the staff report was a stipulation imposed by the petitioner. The intent here was to enable McBryde Sugar Company to replant the area at some future date, should they choose to do so.

Mr. Moriguchi further elaborated that the construction of the aircraft runway would have to meet all federal and state requirements, and that the request was only for a 100' x 2600' strip and did not include any building or other facilities.

Commissioner Wenkam moved to approve the special permit as recommended by the staff, seconded by Commissioner Nishimura. The motion was carried unanimously.

PUBLIC HEARING

PETITION OF LIHUE PLANTATION COMPANY, LTD. (A66-124) TO AMEND THE URBAN DISTRICT BOUNDARY AT LIHUE, KAUAI FOR APPROXIMATELY 4.5 ACRES PRESENTLY IN AN AGRICULTURAL DISTRICT

Mr. Moriguchi presented the staff report (see copy on file) recommending approval of the petition as modified.

See page 4

Commissioner Wenkam brought out the fact that at the time of the last request by Lihue Plantation to reclassify agricultural lands to urban, due to the frequent recurrence of these requests, the Commission had requested staff to report on lands master-planned for urban uses by Lihue Plantation with the idea of entertaining a motion to bring this to a public hearing. He added that the Commission had acted previously to reclassify all lands master-planned for urban uses for other large landowners, under a single motion.

Mr. Moriguchi agreed to check back into the records and report on the Commission's request.

A detailed and comprehensive discussion of the surrounding uses, slopes in and around the area, elevations, depths of the lots, etc. was held by the Executive Officer and the Commissioners.

Commissioner Wenkam expressed his concern over setting a precedent by allowing the petitioner to build houses on the steep slopes, although he felt that in this instance it was a reasonable use due to the flatness of the major portions of the lands.

Chairman Thompson felt that this would not constitute a precedent since the Commission had taken similar action previously, that instead it could be considered as an adjustment.

Commissioner Nishimura commented that he could see no justification for urbanization of the yellow area jutting out as shown on the map. Mr. Moriguchi explained that the yellow area was actually the road.

Mr. Clinton Childs, representing the petitioner, presented his testimony. He commented that in order to upgrade the uses in the commercial area which heretofore had been interspersed with residences, they had moved the employee housing to the residential area. He added that these were not newly constructed homes.

In reply to Commissioner Wenkam's earlier reference to a master plan by Lihue Plantation, Mr. Childs advised that they were presently in the process of contacting John Carl Warnecke & Associates to conduct an analysis and re-evaluation of Lihue's holdings. They felt this was in order since their last master plan was six years old. Mr. Childs did not think the new master plan would be completed for several months.

Commissioner Nishimura expressed concern over Lihue Plantation's reluctance to urbanize its lands despite the great demand by the people for such lands. Mr. Childs disagreed and replied that Lihue Plantation was just as interested in making more lands available for urban purposes.

Replying to Commissioner Inaba's comments about the adequacy of urban lands for the next ten years in Lihue as specified by Mr. Hansen during a previous hearing, Mr. Childs agreed that the statement was true - that this included a particular type of homes requiring certain architectural standards and in a higher price level, differing from the normal type of subdivision. He interpreted "normal" subdivision to mean tract-type homes varying in price from $11,000 to $30,000.

Commissioner Wenkam wondered if it would be feasible to continue the public hearing on the petition by Lihue Plantation until such time as the Commissioners

were able to examine the new master plan. Mr. Moriguchi advised that the deadline for the hearing on this petition was September 8, 1966. Commissioner Wenkam continued that he wanted to be fully satisfied that the extension of the urban boundary was in keeping with the proposed master plan. Mr. Childs thought that it was probably just outside of the master-planned urban area.

Mr. Takeyama advised that since the law specifies that the public hearing shall be advertised within 60 to 120 days, it would have to be held within a reasonable period of the specified number of days. It would be difficult to observe this stipulation if the hearing were postponed, in this instance, since there was no assurance of the completion date of the master plan.

Commissioner Nishimura referred to the master plan prepared by Mr. George Houghtailing and Mr. Childs replied that the Commission was in possession of a master plan in its files. He added that Lihue Plantation was not contemplating a new master plan - they were requesting a re-evaluation and analysis of the existing one.

Chairman Thompson felt that a deferral of the hearing was not justified at this time.

Mr. Walter Bryant, an interested party, urged that the Commission not delay action on the petition and give it its favorable consideration.

Since there was no further testimony, the hearing was closed.

ACTION

PETITION OF JOHN M., MARIE V., AND JULIET MEDEIROS (A66-114) TO RECLASSIFY APPROXIMATELY 18 ACRES OF LAND PRESENTLY IN AN AGRICULTURAL DISTRICT TO A RURAL DISTRICT AT OMAO, KOLOA, KAUAI

Staff memorandum (see copy on file) presented by Mr. Moriguchi recommended approval of the petition since there was no adverse testimony presented at the public hearing or the period following thereafter.

Motion to accept staff recommendation for approval was made by Commissioner Nishimura, seconded by Commissioner Ferry, and carried unanimously.

PETITION OF JOHN COSTA AYRES (A66-116) TO RECLASSIFY 1.2 ACRES OF LAND FROM AGRICULTURE TO URBAN, AT LAWAI, KAUAI

Recommendation for approval of the petition was made in the staff memorandum (see copy on file) based on the fact that topographically the subject parcel was a part of the upper plateau of the existing Urban District.

Commissioner Wung's request for background information was supplied by the Executive Officer.

Commissioner Ferry moved to accept staff recommendation for approval of the petition, seconded by Commissioner Nishimura, which was passed unanimously.

PETITION OF WILLIAM FERNANDES & MARGARET ARCIA (A66-120) TO RECLASSIFY APPROXIMATELY 55 ACRES OF AGRICULTURAL LANDS TO A RURAL CLASSIFICATION AND APPROXIMATELY 5 ACRES OF URBAN LANDS TO A RURAL CLASSIFICATION

Staff recommended approval only for change of the fifty-five acre portion from Agricultural to Rural. The five acre portion involving change from Urban to Rural was not recommended. It was also recommended that the Commission initiate a petition to reclassify the three parcels fronting on the south side of Opaekaa Road from Agricultural to Rural, in the event that the Fernandes-Arcia petition was approved.

Commissioner Ferry moved to accept staff recommendation, seconded by Commissioner Inaba and the motion was passed unanimously. Commissioner Nishimura was not polled for this motion.

PETITION BY LAND USE COMMISSION TO RECLASSIFY THE THREE PARCELS FRONTING ON THE SOUTH SIDE OF OPAEKAA ROAD FROM AGRICULTURAL TO RURAL

It was moved and seconded that the Land Use Commission initiate petition to reclassify three parcels fronting on the south side of Opaekaa Road from the Agricultural District to the Rural District. The motion was carried unanimously.

REQUEST OF MAUI COUNTY PLANNING COMMISSION FOR RECONSIDERATION OF PETITIONS

At the request of the Chairman, Mr. Moriguchi gave a resume of the events leading up to the present request by the Maui County Planning and Traffic Commission to reconsider the Commission's decisions on three peitions involving lands in Maui, namely:

1. 58 acres from Agricultural to Rural
2. 6 1/2 acres from Agricultural to Rural
3. Approximately 15,000 square feet at Iao Valley, Kepaniwai Park, from Conservation to Rural

In addition, Mr. Moriguchi continued, the Commission was also in receipt of a resolution from the Maui County Board of Supervisors (see copy on file) also requesting reconsideration.

Chairman Thompson reminded the Commissioners that the Commission's policy in the past had always been for reconsideration of a decision only up to twenty-four hours following the decision, and thereafter all decisions became final.

Chairman Thompson observed that, at this point, the most logical course for the petitioners was to submit another petition with additional evidence which would be heard at another public hearing. The floor was opened for discussion.

Commissioner Ferry expressed surprise to learn of the Commission's decision on all three petitions, upon his return from the Mainland, since he was familiar with the areas involved and did not feel that any of them were controversial matters. He also pointed to the fact that there were only four Commissioners present at the time of the public hearings of the subject petitions.

Commissioner Wenkam stated that considerable discussion had taken place during the deliberation of the three petitions and that if there was additional

information now that had not been available at the time of the hearing, it would be wise for the petitioners to present it.

Mr. Takeyama, legal counsel, advised that in the light of the policy adopted by the Commission, it would not be possible to entertain a re-hearing of petitions. However, there was nothing in the Land Use Law nor in the Rules and Regulations that stipulated a time limit for reconsideration of petitions. On the other hand, he did feel that reconsideration should be entertained within a reasonable time following decision - say two days at the most.

Commissioner Wenkam raised the question of the propriety of changing the policy to accommodate one petitioner. Mr. Takeyama replied that since the policy was adopted by the Commission, the Commission was also empowered to change the policy. However, whether this would constitute a precedent was for the Commission to decide.

Commissioner Wenkam commented that if the petitioner could present additional new information never presented before, the Commission could re-open the petition or reconsider it.

Chairman Thompson summarized that the thinking of the Commission was to communicate with the Planning and Traffic Commission of Maui, recommending that new petitions be submitted with additional evidence.

For the records, Chairman Thompson advised that according to the law, the Executive Officer was empowered to conduct a public hearing by himself in the absence of any other Commissioner.

COMMUNICATIONS FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES

Mr. Moriguchi referred to two communications which were received by the Land Use Commission from the Department of Land and Natural Resources (copies transmitted to each Commissioner):

1. Decision of the Board of Land and Natural Resources to permit Hawaii Loa College to utilize approximately 149 acres of State lands for construction and operation of a four-year liberal arts college.

2. Notice of public hearing held on the application of Valley of the Temples Corporation for the proposed cemetery use of approximately 216 acres in the Conservation District in Ahuimanu Valley.

Commissioner Ferry agreed with Chairman Thompson that these communications were transmitted merely to keep the Land Use Commission apprised of applications either pending or acted upon by the Land Board within the Conservation District. The Land Board was not actively seeking any reaction or recommendation from the Land Use Commission.

Commissioner Ferry added that cemetery use was not covered within the permitted uses under Regulation IV of the Land Board; thus, necessitating a public hearing.

Commissioner Wenkam contended that at the time of the public hearing involving subject lands, the owners had indicated that they would not require any additional lands for development in the future if the Commission would place the conservation boundary as requested by the owners. Chairman Thompson concurred with

Commissioner Wenkam that this information would be relevant to the records of the Land Board.

Since cemetery use was not permitted in either the Conservation or Agricultural District, Chairman Thompson wondered if it more properly belonged in the Urban District. Commissioner Wenkam felt that a memorial park constituted one of the best uses within a Conservation District. Commissioner Ferry added that leading conservationists were exponents of the theory that cemetery uses were the highest uses within the Conservation District.

PETITIONS INVOLVING SUBSTANTIAL ACREAGE OF LAND

Chairman Thompson reviewed the thinking expressed during previous meetings with respect to special permit applications pending before the Land Board involving substantial acreage of lands:

1. Request for change of land use involving substantial acres should be referred to the Land Use Commission for boundary change.

2. Staff was directed to meet with the Land Board staff to arrive at some criteria for "substantial" acreage.

Commissioner Ferry argued that "substantial" on Oahu and "substantial" on Hawaii could have wide variance due to the differences in land ownership, population, etc.

Commissioner Ferry suggested that the Land Use Commission could, upon its own motion, initiate a petition for boundary change whenever it felt that the projected uses within the Conservation District were objectionable. He felt that the time factor involved in holding such a public hearing could be worked out between the two agencies.

Chairman Thompson commented that this was an approach which had not been considered during the previous meetings and that this was the kind of thinking the administration was seeking.

SALT LAKE APPLICATION

Commissioner Wenkam requested some affirmation or consensus from the Commission with respect to the reasons Salt Lake was placed in a Conservation District. He was convinced that the decision was based on very definite reasons in light of the fact that the surrounding areas were placed in urban.

Commissioner Ferry offered that his reason for voting it into the Conservation District was based on the fact that it was a body of water.

Chairman Thompson felt that Commissioner Wenkam's request for a consensus from the Commission on the reasons behind the decision to place Salt Lake in the Conservation District was unreasonable, coming at this time. However, the transcribed tape of the proceedings involving Salt Lake might provide the answer and the discussion could be re-opened at that time.

It was pointed out that the tape for this particular hearing had not been transcribed due to staff shortage. Requests for additional staff had never been

resolved. Commissioner Wenkam requested and Chairman Thompson directed that the minutes for the Salt Lake hearing be transcribed.

NEXT MEETING SCHEDULE

It was decided that the next Land Use Commission meeting will be held on September 16, 1966 at 9:00 a.m.

HOUSE RESOLUTION ON THE MATTER OF RURAL AND AGRICULTURAL LANDS

Chairman Thompson reminded the Commission of the pending House Resolution concerning conveyance of rural and agricultural lands to family members.

In the opinion of Mr. Takeyama, he did not believe this was a legal matter. Rather, during discussions the Commission had raised the question of good planning and had felt that allowing non-conforming subdivisions in a Rural or Agricultural District to accommodate a few families would be contradictory to the Land Use Law. However, a recommendation to the Legislature was in order. Chairman Thompson agreed that a study should be conducted and a recommendation readied for the next Legislature.

2020

G. N. TOSHI ENOMOTO
COUNTY CLERK

BONIFACE ESPINDA
DEPUTY COUNTY CLERK

OFFICE OF
COUNTY CLERK
COUNTY OF MAUI
WAILUKU, HAWAII 96793

RECEIVED
AUG 23 1966
State of Hawaii
LAND USE COMMISSION

August 22, 1966

Land Use Commission
State of Hawaii
Honolulu, Hawaii

Dear Sirs:

In behalf of the Maui County Board of Supervisors, we transmit a certified copy of Resolution No. 158, requesting the Land Use Commission to reconsider its action and to approve three applications for rezoning of certain lands in Kula, Maui, and in Iao Valley, Wailuku, Maui.

The foregoing resolution was adopted by the Board of Supervisors on August 19, 1966.

The members of the Board of Supervisors will deeply appreciate your favorable consideration of their request.

Very truly yours,

/lye

enc.

G. N. TOSHI ENOMOTO
County Clerk

Resolution

No 158 Introduced By MANUEL S. MOLINA Supervisor

WHEREAS, the State Land Use Commission recently denied the following petitions:

1. The petition of Frank and Bessie Moniz to rezone certain lands in Kula from agricultural to rural;

2. The petition of Edwin and Elsie Ige to rezone certain lands in Kula from agricultural to rural; and

3. The petition of the County of Maui to rezone certain lands in Iao Valley from conservation to rural; and

WHEREAS, all of said petitions had been approved by the Maui County Planning and Traffic Commission; and

WHEREAS, granting the above-mentioned petitions would have been in conformity with the general plan for the County of Maui; and

WHEREAS, there are many sound reasons why said petitions should have been granted; now, therefore,

BE IT RESOLVED by the Board of Supervisors of the County of Maui that it does hereby request the State Land Use Commission to reconsider its actions and to approve the above-mentioned petitions; and

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the Governor of the State of Hawaii and to the State Land Use Commission.

Seconded by S. GEORGE FUKUOKA Supervisor

BOARD OF SUPERVISORS - COUNTY OF MAUI
WAILUKU, HAWAII

MEMBERS	Eddie TAM, Chm.	Joe BULGO	Richard I. C. CALDITO	S. George FUKUOKA	Goro HOKAMA	Soon Oak LEE	Marco M. MEYER	Manuel S. MOLINA	Lanny H. MORISAKI
AYES	X	X	X	X	X	X	X	X	X
NOES									
A B.									
E X.									

Adopted on the 19th day of August 1966.

(SIGNED) G. N. TOSHI ENOMOTO
COUNTY CLERK, COUNTY OF MAUI, STATE OF HAWAII

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. 158, THE ORIGINAL OF WHICH IS NOW ON FILE IN THE OFFICE OF THE COUNTY CLERK, COUNTY OF MAUI, STATE OF HAWAII.

DATED THIS 22nd DAY OF August, 1966.

COUNTY CLERK, COUNTY OF MAUI

August 17, 1966

Mr. Kase Higa
County Attorney
Office of the County Attorney
County of Maui
Wailuku, Maui, Hawaii 96793

Dear Mr. Higa:

The petition by the County of Maui (A66-113), for an amendment to the Land Use District Boundaries from a Conservation District to a Rural District at Iao Valley, Wailuku, Maui, Tax Map Key 3-3-03: portion 5, was denied by the Land Use Commission at its meeting on August 5, 1966.

Prior to taking action on your petition, the enclosed memorandum was presented to the Commission.

Should you desire any further information, or have any questions, please feel free to contact us.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

Encl.
cc: Chairman Thompson
Planning and Traffic Commission, Maui

Planners Protest 3 Zoning Denials

WAILUKU—The Maui County Planning Commission yesterday protested three recent denials by the State Land Use Commission of requests for land use zoning changes on Maui, and asked that the State commission reconsider its action.

At the same time the local commission voted to send a copy of its protest to Gov. John A. Burns.

The subject was the reported denial by the Land Use Commission at its meeting in Hilo Friday of these three Maui zoning change requests:

By Frank and Bessie Moniz to rezone 6.9 acres at Kaonoulu, Maui, from agriculture to rural.

By Maui County to rezone 15,000 square feet in Iao Valley from conservation to rural.

By Mr. and Mrs. Edwin Ige to rezone 58 acres at Waiakoa, Kula, from agriculture to rural.

The Maui commission recommended approval of all three as conforming with Maui's general plan.

YESTERDAY'S action was initiated by Zuke Matsui of the Maui commission. He said, "We should ask the Land Use Commission to reconsider these three items. We look like darn fools here, taking all that time to study these items and make recommendations to the State and then batting zero per cent with the Land Use Commission."

Chairman Joseph Medeiros said, "I'm in agreement. If they are going to ask for our recommendation then give it no weight, maybe the law should be changed."

State law requires that County commissions recommend action on land use zoning changes to the State commission, and that the State generally give consideration to local County recommendations.

Kazuo Kage, another commissioner, suggested sending a copy of yesterday's action to the Governor, to which Medeiros commented, "A good idea, with the election coming up in November."

STATE OF HAWAII

LAND USE COMMISSION

VOTE RECORD

Item Maui County (12a Date 8-5-66

Place Hilo (Hwy Office) Time

M

S

Commissioners	Yes	No	Abstain	Absent
BURNS, C.E.S.	✓			
~~FERRY, J.~~				
INABA, G.	✓			
MARK, S.	✓			
NISHIMURA, S.			✓	
OTA, C.	✓			
WENKAM, R.	✓			
WUNG, L.	✓			
THOMPSON, M.	✓			

Comments: Deny

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

State Highways Division
Hilo, Hawaii

9:50 a.m. - August 5, 1966

Commissioners Present: Myron B. Thompson, Chairman
C. E. S. Burns
Goro Inaba
Shelley Mark
Robert G. Wenkam
Leslie Wung
Charles Ota
Shiro Nishimura

Commissioners Absent: Jim P. Ferry

Staff Present: George S. Moriguchi, Executive Officer
Roy Takeyama, Legal Counsel
Ah Sung Leong, Draftsman
Dora Horikawa, Stenographer

Chairman Thompson opened the meeting with a short prayer, followed by an outline of the procedures to be followed, introduction of Commissioners and staff members, and swearing in of persons testifying during the hearings.

PUBLIC HEARINGS

PETITION OF LILIUOKALANI TRUST (A66-122) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT FOR APPROXIMATELY 14½ ACRES, AND FROM AN URBAN DISTRICT TO AN AGRICULTURAL DISTRICT FOR APPROXIMATELY 1¼ ACRES OF LAND AT KAILUA, KONA, HAWAII, identifiable by TMK 7-4-08: Portion 2

Staff report (see copy on file) presented by Mr. George Moriguchi recommended favorable action of the petition since utility services and access facilities were available in the area, and topographic conditions were suited for urban development.

Chairman Thompson requested that he be excused from participating in this hearing since his employment by the petitioner constituted a conflict of interest.

Mr. Robert Belt of Belt, Collins & Associates, Ltd. requested that the boundary be modified to permit a more orderly development than would be possible

See page 7

under the original boundary which was established arbitrarily on the basis of earlier plans. He added that the treatment plant was presently in operation.

Since there was no further testimony, the hearing was closed thereafter.

PETITION OF W. H. SHIPMAN, LTD. AND KEAAU LAND CO., LTD. (A66-126) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT FOR APPROXIMATELY 112 ACRES AT KEEAU, HAWAII

Staff recommendation (see copy on file) was for approval of 47.5 acres of the petitioners' lands as indicated by the limits of the orange line on the map, on the basis of the need for additional houselots to provide for families being phased out of plantation camps and the need of additional urban lands in the Keaau area.

Mr. Moriguchi pointed out the 80% planted in cane and the remaining vacant lands on the map, which left an agricultural strip right in the center of subject lands. He advised that reclassification of this strip would be considered as the next item on the agenda.

Recognizing the need for expansion of the Keeau area, the General Plan proposal is for development of the urban by phasing out the old homes and providing residential homes.

Commissioner Ota felt that prime agricultural lands would be exploited and that there were other areas suitable for the proposed urban development.

Mr. Moriguchi supported the General Plan since it proposed a logical expansion of an already existing urban complex with all of the necessary facilities such as schools, fire station, police station, plus the fact that the new civic center is located in this area.

Mr. L. N. Nevels, Jr. representing the petitioners advised that it was their desire to provide the requisite house lots so that people could move out of their dilapidated homes in the existing Keeau Village. The petitioners would also be willing to accede to staff's recommendation for reclassification of 47½ acres to an Urban District, with the hope that upon evidence of proof of demand for additional urban lands within the next 5 years, they would receive favorable consideration from the Commission.

Mr. Nevels submitted that there were almost no urban lands available for residential use in the Keaau area at the present time.

Commissioner Ota commented that it was almost incumbent on the part of large landowners to prepare a master plan involving their lands, and that without such a plan the Commission would find it difficult to arrive at a sound decision.

Mr. Suefuji, Hawaii County Planning Director, advised that such a master plan had been drawn up as represented by Ordinance 317 of the County of Hawaii, which was a reflection of coordinated efforts of the County and the private landowners. He also added that the Hawaii Planning Commission was in accord with the staff's recommendation. The hearing was closed thereafter.

PETITION OF THE LAND USE COMMISSION (A66-133) TO AMEND THE DISTRICT BOUNDARY FOR SEVERAL AREAS IN THE KEAAU DISTRICT

Staff report (see copy on file) submitted that the Land Use Commission, upon its own motion, was petitioning for boundary changes in the Keaau District, which would change 60.5 acres from Urban to Agricultural, and 43.5 acres from Agricultural to Urban. Mr. Moriguchi reported that the County of Hawaii was generally in concurrence with staff recommendation, although they felt that the 9½ mile camp should be retained in the Urban District.

Commissioner Ota reiterated his earlier comments with reference to the responsibility of the landowners to provide for an orderly phasing out program in a master plan to preclude the untimely eviction of the present tenants.

In response to Commissioner Nishimura's question, Mr. Moriguchi advised that presently there were 92 acres in the urban complex within Keaau town, which were densely developed, and that it would be unfeasible to phase out the whole structure within the urban complex until provisions were made in some other area for expansion. He felt that the 45 acres being considered under the Shipman petition could be considered a step in this direction.

It was also brought out that W. H. Shipman and Keaau Land Co. had engaged the services of Belt, Collins & Associates, Ltd. to prepare a master plan for the Keaau area, and that the County of Hawaii was also following a plan prepared by this same firm for the whole South Hilo area.

Mr. Suefuji reported that the Hawaii Planning Commission agreed with the staff's proposal except for the recommended change of Area #9 known as the 9½ mile camp. For purposes of facilitating rental transactions, and the fact that the owners would be compelled to apply for a special permit of the subdivision if the subject area were reclassified from Urban to Agriculture, the Hawaii Planning Commission complied with their request to retain the area in an Urban District for the next 10 years. Also, under the subdivision ordinance, roads would have to be brought up to County standards which would be impractical for a 10-year period.

Mr. Moriguchi advised that the primary concern here was continuation of the existing use, i.e. to permit present tenants occupancy until such time as they are able to relocate themselves, and that the present uses could be permitted even under a change in land designation. On the matter of the rental transactions, he wondered if some arrangement could not be worked out between the plantation and the tenants. Leaving Area #9 in urban would leave a pocket of urban lands in an agricultural area, Mr. Moriguchi concluded.

Mr. Nevels commented that Shipman and Keaau Land Co. were working on a community lease to enable the present occupants tenancy for a period of not more than 10 years, the expected life of the buildings. He said that the phasing out program involved making available good suitable lands within close proximity to those who may desire to situate themselves in the Keaau area. He agreed that the two firms concurred with the staff's recommendation except for Area #9 in the report.

It was pointed out by the Executive Officer that all of the individual landowners within the subject area of this petition, including Shipman and Keaau Land Co., were duly notified by mail of the hearing being held to reclassify the lands by this Commission, and in fact there were two such landowners present at this hearing.

The hearing was closed thereafter.

ACTION

PETITION OF MAUNA KEA SUGAR CO., INC. (A66-109) TO RECLASSIFY 36 ACRES PRESENTLY IN AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT IN HILO, HAWAII

Staff memorandum recommended denial of the reclassification involving the 36-acre since denuding these lands of the dense growth of trees can and will probably contribute to flood problems in the lower residential areas.

Mr. Kenneth Griffin, real estate broker, submitted that the developers were proposing a modified cluster type subdivision, after consulting with the Planning Director, which would allow for retention of some of the trees in the wooded areas. This would also permit 6 to 9 acres of the 36 acres to remain in its natural state. Mr. Griffin felt that these lands constituted prime residential areas and would be an asset to the City of Hilo.

Mr. Suefuji stated that flooding of Kaumana Terrace, Bay View and subdivisions surrounding subject lands resulted from waters coming from the mauka area 5½ miles away. Mr. Griffin added that there did not seem to be any appreciable flooding in the area under discussion.

The drainage problem would be taken care of by curbs and gutters in conformance with the County Engineer's requirements, although no detailed drainage system has as yet been drawn up. Mr. Griffin thought that the gutters would empty out into some pipe at the edge of the subdivision.

Commissioner Wenkam felt that the broad panoramic view of the Hilo Bay area would be enhanced by looking through the trees and felt that they should be kept tall and not topped off to 20 or 25' as suggested by Mr. Griffin.

Mr. Griffin also stated that fee simple lands were in demand in the area.

Mr. Moriguchi commented that although the runoff from the wooded area alone did not directly contribute to the flooding of the lower area during the recent storm, denuding the area would intensify the problem because of the topography.

Mr. Suefuji informed that in recommending approval of change from agriculture to urban, the County Planning Commission did not necessarily review the layout plan since the developers would be mandated to appear before the Commission prior to seeking approval of their subdivision plans.

Commissioner Wenkam felt that the question of leaseland versus fee simple lands should not be the concern of the Land Use Commission--that decision should

be based solely on good planning and on the need for urban use of the area in the City of Hilo.

Commissioner Inaba moved that the Land Use Commission grant the applicant the 36-acre boundary change from agriculture to urban based on petitioner's statement and the recommendation of the County of Hawaii, and also because the need has been shown, seconded by Commissioner Burns.

The Commissioners were polled as follows:

Aye: Commissioners Burns, Inaba, Wung

Nay: Commissioners Mark, Nishimura, Ota, Wenkam, Chairman Thompson

The motion was not carried.

PETITION OF ESTATE OF SOPHIE JUDD COOKE (DEC'D) (A66-110) TO RECLASSIFY APPROXIMATELY 4.9 ACRES FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT AT MOLOKAI

Staff memorandum (see copy on file) presented two alternatives to the Commission involving the above-mentioned petition: (1) Process the original petition, or (2) accept the petitioner's request to withdraw the original petition and process the new petition for reclassification from Agricultural to Rural.

Chairman Thompson commented that the second alternative would require another public hearing since the request had changed from Agricultural to Rural rather than Urban.

Commissioner Ota moved to accept the petitioner's request for withdrawal of the original petition and process the new petition by scheduling another public hearing. It was seconded by Commissioner Burns.

In reply to Commissioner Nishimura's query, Mr. Moriguchi replied that the original request would contribute to the concept of scattered urban development.

The Commissioners were polled as follows:

Aye: Commissioners Burns, Inaba, Mark, Ota, Wenkam, Chairman Thompson

Nay: Commissioners Nishimura, Wung

The motion was carried.

PETITION OF FRANK & BESSIE MONIZ (A66-112) TO RECLASSIFY APPROXIMATELY 6.9 ACRES OF LAND AT KAONOULU, KULA, MAUI, FROM AN AGRICULTURAL DISTRICT TO A RURAL DISTRICT.

Staff memorandum (see copy on file) recommended denial of the petition because of the decreasing population trend in the Waiakoa area and the lack

of supporting data for need of additional rural lands.

In support of the need for additional rural lands in the Kula District, Commissioner Ota submitted that cost of land was an important consideration, and the minimum cost of land per acre in this area would run close to $3,000. The construction of the new highway definitely contributed toward change in land use of subject parcel by separating it from the Kaonoulu Ranch. It was also pointed out by Commissioner Ota that contrary to staff's report, population was on the upward swing in the Kula area. The idea of vast amounts of rural lands and small percentage of development were not indications of population growth or adequate lands in the Kula area. As far as the subject parcel was concerned, Commissioner Ota commented that the terrain was uneven, bounded by two highways, adjacent to an Urban area with urban facilities available, appropriate for half-acre house sites. He continued that subdividing the parcel into 6 lots would not constitute an urban-like concentration, and that the Commissioners should take all of these factors into consideration.

Commissioner Ota agreed that an element of hardship did exist for the petitioner since he had purchased the land from the Kaonoulu Ranch with the intention of subdividing it for houselots, in reply to Chairman Thompson's question.

The mere fact that the petitioner was requesting reclassification of the land from Agricultural to Rural did not preclude the use of it for agricultural purposes; that supplemental income could be derived from agricultural pursuits on subject land, Commissioner Ota concluded.

Commissioner Wenkam agreed with staff that the fact petitioner claims the land is not feasible for ranching, truck crops or other related uses, should not place the land in rural or urban. However, at this particular highway junction, rural and urban uses already existed and it was highly probable that, upon subdivision of subject lands, they would be bought and built upon long before other vacant lots in the Kula area due to its proximity to the already existing residential areas.

Commissioner Nishimura expressed his concern for agricultural lands in Maui and felt that petitioner could come up with a subdivision of 2-acre minimum lot sizes without undue financial hardship.

Referring to Commissioner Wenkam's earlier comment, Mr. Moriguchi stated that even within the Urban District, lands were being used for pasture. Therefore, the Commission should be concerned with the need for urban lands and not so much with the fact that these lands are suitable and located near existing facilities.

It was moved by Commissioner Ota and seconded by Commissioner Wenkam that the petition be approved since the land is appropriate for rural development and on the basis of the petitioner's arguments in his petition. The Commissioners were polled as follows:

Aye: Commissioners Wenkam, Wung
Nay: Commissioners Burns, Inaba, Mark, Nishimura, Ota, Chairman Thompson

The motion was not carried.

SPECIAL PERMITS

APPLICATION OF SHIGE HIRANO (SP66-29) TO CONSTRUCT A SERVICE STATION, GENERAL MERCHANDISE STORE AND RESIDENCE ON AGRICULTURAL LANDS IN GLENWOOD, PUNA, HAWAII

Staff Report (see copy on file) recommended approval of the special permit application since no adverse factors were present.

Commissioner Burns moved to approve the special permit application on the basis of the staff's report, seconded by Commissioner Nishimura.

Chairman Thompson wondered whether the unsuitability of the land for agricultural or farming uses brought out in the staff report should not be deleted since this might set a precedent. Instead it was suggested that the reasonableness of the use requested might be substituted.

Mr. Moriguchi informed that this was just a quotation taken from documented information and that it should remain part of the report.

The Commissioners voted for unanimous approval of the petition.

The hearing was adjourned at 12:00 noon.

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The hearing was resumed at 2:45 p.m.

ACTION

PETITION OF MAUI COUNTY (IAO) (A66-113) TO RECLASSIFY 15,300 SQUARE FEET OF LANDS FROM THE CONSERVATION DISTRICT TO THE RURAL DISTRICT IN IAO VALLEY, MAUI

Staff maintained its original recommendation for denial of the petition (see copy of report) due to lack of substantiation for the need of additional rural lands and the existence of several inconsistencies involving the proposed use of the subject lands.

During the discussion that ensued, the following points were brought out:

1. It was Mr. Duarte's desire to merely append the subject parcel to his property.

2. It was possible to effect land exchange without reclassification.

3. Mr. Duarte was not willing to exchange lands unless County's conservation land could be reclassified to rural.

4. The benefit to the people of Maui by this proposed land exchange was not obvious.

5. The County of Maui should be encouraged to expand Kepaniwai Park by purchasing this land outright from Mr. Duarte rather than going through a land exchange and using this parcel for the caretaker's home.

6. The Commission's decision should be based on the merits of the reclassification of subject land.

Commissioner Burns moved to deny the petition based on the staff recommendation, seconded by Commissioner Wung. The motion was passed with Commissioner Nishimura casting the only dissenting vote.

PETITION OF HAWAII COUNTY (A66-115) LALAMILO) TO RECLASSIFY 12.1 ACRES OF AGRICULTURAL LANDS INTO URBAN LANDS AT LALAMILO, SOUTH KOHALA, HAWAII

It was moved by Commissioner Wenkam and seconded by Commissioner Wung to accept the staff recommendation (see copy on file) for approval of the petition. The motion was carried unanimously.

PETITION OF HAWAII COUNTY (A66-117) (HILO) TO RECLASSIFY 3.25 ACRES OF LAND FROM AGRICULTURAL TO URBAN AT HILO, HAWAII

Commissioner Burns moved to approve the petition on the basis of staff's recommendation as presented by the staff report (see copy on file), which was seconded by Commissioner Wung and carried unanimously.

PETITION OF EDWIN & ELSIE IGE (A66-120) TO RECLASSIFY APPROXIMATELY 58 ACRES OF AGRICULTURAL LANDS TO A RURAL CLASSIFICATION AT WAIAKOA, MAUI

Staff report (see copy on file) recommended denial of the petition due to lack of evidence of demand for rural lots and the population decline in the Waiakoa area.

Commissioner Ota emphasized the lack of half-acre residential lots in the Kula area and the demand for such lands by people who desire a more spacious lot size than is usually available under an urban classification.

Commissioner Burns moved that the petition be denied on the basis of the staff report, seconded by Commissioner Wenkam. The motion was carried with Commissioner Wung casting the only negative vote.

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RURAL DISTRICT STANDARDS

The floor was opened for a discussion of the Rural District standards. Chairman Thompson pointed to the fact that the present provisions under the Rural Districting allowed for only a grid-type subdivision of one house per ½ acre. The question was raised as to whether an amendment of the law was in order to afford a more attractive, creative type of rural development, such as a cluster-type subdivision.

Mr. Moriguchi explained that in establishing the Rural District, the law indicated that it shall include small farms mixed with very low density residential lots. However, the actual uses within the Rural District have deviated

considerably from the original intent of the law, as evidenced by the Pukalani Subdivision which is at present primarily in intensive residential use.

Mr. Moriguchi continued that our law was specific in that it specified that the lot sizes in the Rural District shall be ½ acre and not on the overall density of the subdivision.

Commissioner Ota expressed the idea that the foremost consideration should be whether the area was prime agricultural lands within the Rural District. If so, that area considered as prime agricultural lands could possibly be spot-zoned as an Agricultural District and the remainder permitted for intensive residential purposes within a Rural District.

Commissioner Wenkam expressed the view that he was opposed to any attempt to rewrite the Rural District Regulations increasing the density, since he felt that the rural areas were specifically designated for low density residential uses mixed with farm activities. Any change in the regulations would merely place into the rural areas, activities which are primarily urban. He added that the Rural District was established to afford the neighbor islands greater control and flexibility over their lands. Commissioner Wenkam suggested that perhaps it would behoove the Land Use Commission to abolish the Rural District and establish it as a non-conforming use within the Agricultural District, thereby confining urban uses to the Urban District.

Commissioner Inaba commented that the Mauna Loa Development's Volcano subdivision should have been more properly reclassified to Rural rather than Urban. However, due to the restrictions imposed by the rural classification, the developers could not pursue their cluster-type plan under this designation.

Commissioner Burns felt that it was difficult to associate each house with half-acre lots and still come up with an attractive cluster-type plan with open spaces between.

Mr. Roy Takeyama, legal counsel, advised that if the Commission were seeking control within a Rural District, petitioners could be encouraged to take the special permit approach. The only test to be applied here would be the unusual and reasonable use of the lands. The developers could proceed with their proposed plans and keep to the permitted density. He suggested that the Commission make a study of the special permit regulations to see how similar requests could be channeled through this method. This would also require amendment of Section 2.29 (b) of the Regulations concerning guidelines to aid petitioners whenever they are seeking an urban or rural use of lands in either a Rural, or Agricultural, or Conservation District, in determining which avenue they should follow.

In reply to Commissioner Mark's question, Mr. Takeyama advised that conditions could be imposed on special permits as opposed to boundary changes, since the petitioner would be bound by the plans that he submits at the time of the application.

Mr. Takeyama continued that he could not see how a residential subdivision could be considered as an unusual use under a special permit, but that a resort complex could conceivably fall within this description.

Chairman Thompson felt that a legal opinion was in order as to whether the Land Use Commission could impose conditions on special permits. However, he commented that this still did not solve the problem experienced by this Commission in the past whereby developers deviated from the intent of the law for uses within the Rural District. The basic issue here was one of assisting the developers to keep to the proposed plans and still keep within the intent of the law.

Along the lines proposed by Commissioner Wenkam, Mr. Moriguchi felt that by eliminating the Rural Districts and allowing for residential uses in Agricultural Districts under special permits, the Land Use Commission would have control over the actual final development of the land. The Rural District stipulation of "small farms mixed with residential uses" could also be satisfied in this way.

Mr. Takeyama was doubtful that this could be accomplished without changing the test to be applied under the special permit procedure.

Since considerable concern was expressed over the use of rural lands following reclassification, Mr. Takeyama advised that if the special permit procedure had been followed instead by the petitioner, control over the development of the lands could have remained with the Commission since its approval of the permit would have mandated the petitioner to adhere to the development plans as submitted during the hearing.

Commissioner Ota commented that rural districting had its place on the neighbor islands since it allowed for limited animal farming which would not be permitted in an Urban District. He was also of the opinion that eliminating the Rural District and employing the special permit procedure for marginal lands within an Agricultural District would not always be feasible.

Mr. Takeyama agreed that there was a definite need for rural districting and that perhaps the Commission should be more restrictive and selective in approving requests for rural classification.

Chairman Thompson took exception to this and submitted that the Commission had been very selective in granting rural districting and fully aware of the problem of implementing the intent of the law.

Commissioner Mark felt that Mr. Takeyama's suggestion of employing the special permit method with explicit instructions could possibly handle the situation.

As a result of the foregoing discussion,the following are some of the points that were brought out:

1. To maintain the Rural District as presently stipulated in the rules, but to amend and strengthen the special permit procedure to afford stricter controls over rural lands.

2. Request staff and legal counsel to report on a proposal to implement the above intent of the Commission, a sketchy one in September and a detailed report in October.

3. Look into the matter of assisting developers to follow original plans submitted at the time of public hearing, which was the basis for the Commission's reclassification approval.

4. The County could not impose conditions under the County Zoning Ordinances; that conditions could only be imposed under a zoning variance.

In summary, Chairman Thompson outlined the problems confronting the Land Use Commission:

1. Is there any way of holding the petitioner to the development plans and facts presented at the time decision was made?

2. If conditions or circumstances change necessitating alterations in the original plans, how can the regulations be implemented to enable Commission to negate the boundary change and require the petitioner to come in with amended plans for a new decision.

3. The Commission had the responsibility of seeing that State and County funds were expended judiciously.

With reference to the County's jurisdiction over petitioner's lands, Commissioner Mark suggested that perhaps the County Planning Commission might give tentative approval to a plan to be presented to the Land Use Commission, and grant final approval after the boundary change had been effected.

Mr. Moriguchi advised that the County Planning Commission develops a detailed land use map and the developer's plans would have to adhere to this.

Chairman Thompson requested legal counsel to research the possibility of having the County Planning Commission set conditions on the petitioner's plans before they apply to the Land Use Commission, by strengthening the County Ordinances.

CONSERVATION DISTRICT ADMINISTRATION

Commissioner Wenkam opened the discussion by expressing his fears and concerns over the administration of the Conservation District. Our regulations provide for procedures to amend district boundaries and within this section it provides for guidelines which the Commission established, namely: "Whenever a petition covers substantial acreage of land and petitioner seeks a use other than that for which it is districted, he should seek a boundary change."

Commissioner Wenkam pointed to three occasions recently where he felt the intent of the regulations had been violated: 1) Waialae-Iki special permit for use of 26 acres of conservation lands for subdivision purposes; 2) Lihue Plantation special permit to grow sugar cane on 372 acres of conservation land; 3) Church College of Hawaii special permit for 100 acres to establish a church college on conservation lands.

Commissioner Wenkam continued that when a major change of land use is proposed involving substantial acreage, the Land Use Law clearly states that the

petitioner should come in for a boundary change. He felt that the intent and essence of the Land Use Law were being injured, and that it was not being administered properly when such changes were allowed to occur under a special permit procedure with the Department of Land & Natural Resources. He did, however, advise that he felt that the uses in all three instances were reasonable and appropriate--he was only arguing from the standpoint that the proper procedure should have been through a boundary change following a public hearing.

Commissioner Ota argued that in the case of Lihue Plantation, if a boundary change had been effected from conservation to agricultural, abuse of the lands could have resulted since there would be no control over agricultural uses in an Agricultural District. Commissioner Wenkam replied that damage could occur by extensive, excessive use of the lands under any circumstances.

Commissioner Wenkam pointed out that in the past the Commission had rejected special permit applications when the requests involved large areas of land and he felt that the Department of Land & Natural Resources should respect our regulations and also do likewise under similar circumstances, especially since the Land Board was not mandated to conduct a public hearing. He thought the Land Board should guide the petitioner to seek boundary change in such instances.

Commissioner Wenkam recommended transmitting a letter to the Department of Land & Natural Resources, with a copy of the Land Use Regulations, pointing out the boundary change procedure whenever substantial lands were involved. He was of the opinion that the Division of Forestry could administer these conservation lands to evaluate whether or not the water shed areas were being observed, in much the same way the Counties administered agricultural lands. He continued that change of land use of substantial areas constituted a change in zoning and that the Land Use Law specifically spells out that urban uses shall occur within the Urban District and agricultural uses shall occur in an Agricultural District. Therefore, granting non-conservation uses in a Conservation District under a special permit was circumventing the intent of the Land Use Law. He thought perhaps the Land Board was not aware of these stipulations in the Land Use Law.

Mr. Moriguchi quoted that portion of the law, Section 19-70, which vested in the Department of Land & Natural Resources the authority to govern Conservation Districts, and that the Department of Land had no choice but to process special permit applications upon receipt.

Chairman Thompson commented that interpretation of the law was the prime consideration here and expressions of opinion from the other Commissioners in this respect were in order.

Commissioner Ota stated that at the time the Conservation District boundaries were drawn, the Commission included the grey areas suitable for limited agricultural pursuits as were areas of asthetic value.

Commissioner Wenkam argued that provisions for residential uses within a Conservation District under Section 19-70 in the Revised Laws should not be construed to include subdivisions, in reply to Mr. Takeyama's reference to the law. At the time of the Conservation District hearings, it was clearly expressed

that permissible uses were cabin communities, casual beach houses, and not subdivisions or plantations or schools.

Mr. Takeyama disagreed entirely with Commissioner Wenkam's contention that the Land Use Regulations stipulated that applicant come to the Land Use Commission for boundary change for lands of substantial nature. If petitioner chose to go before the Land Board for use within a Conservation District and the Department of Land & Natural Resources approved the request, the Land Use Commission had no say in the matter.

Commissioner Wenkam replied that he was not contesting the authority of the Department of Land & Natural Resources. He was only challenging the decision of the Land Board to accept the petition for a special permit involving substantial lands.

Commissioner Burns commented that following the establishment of boundaries, Conservation Districts were turned over to the Department of Land & Natural Resources to administer, urban lands fell under the jurisdiction of the counties. The Commission may not always agree with their decisions, but to superimpose one agency over another did not necessarily insure better administration of the lands. In essence, we would be arguing that the Land Use Commission was more knowledgeable and astute in making decisions.

Mr. Moriguchi pointed out that our own regulations stipulated that "any and all uses permitted by the regulations of the Department of Land & Natural Resources shall be allowed in this district".

Commissioner Mark observed that it was clear that the Land Use Commission had discharged its responsibility within the Conservation District very well, and that if there were any complaints over the administration or uses of these lands, they should be properly taken up with the Department of Land and Natural Resources.

Chairman Thompson summarized that basically Commissioner Wenkam's and the other Commissioners' interpretation and intent of the law differed. Therefore, a clear definition of the intent of the law was necessary before any decision could be reached.

Commissioner Wenkam countered that the Land Use Commission was the zoning power of the State and if any interpretation were going to be made, it should be rendered by this Commission.

Commissioner Wung moved that a letter be sent to the Department of Land & Natural Resources to consider the referral of petitioner to the Land Use Commission whenever petition involved change of land use for substantial acreage in a Conservation District. Commissioner Burns seconded the motion.

Mr. Takeyama cautioned that a letter of this nature might suggest the implication that the Department of Land & Natural Resources was not carrying out its responsibilities and tend to destroy the good rapport established between the Land Use Commission and the Land Board. In other words, it would be akin to advising the Land Board of the proper execution of its responsibilities.

The Commissioners were polled as follows:

Aye: Commissioners Ota, Wenkam, Wung

Nay: Commissioners Burns, Inaba, Mark, Nishimura, Chairman Thompson

The motion was not carried.

Chairman Thompson wondered whether staff might confer with a member of the Department of Land & Natural Resources staff to define the term "substantial" so that both agencies might have some guidelines to follow in determining whether a petition should come in for a special permit or a boundary change. He suggested that this might be accomplished on an administrative level. However, the final decision to accept a special permit application within a Conservation District or refer the matter to this Commission should be left to the discretion of the Land Board, since they would be more knowledgeable and in a better position to determine uses within a Conservation District.

Mr. Takeyama expressed doubt that a determination could be reached over the definition of "substantial" since there was no planning basis, nor legal basis one could be guided by--it was a very arbitrary matter and would depend largely on the circumstances.

Commissioner Wung moved to recommend that the Land Use Commission staff confer with the Department of Land & Natural Resources staff to discuss what constitutes substantial use, which was seconded by Commissioner Burns. The motion was passed with only Commissioner Ota voting in the negative.

SALT LAKE GOLF COURSE

Chairman Thompson felt that the Salt Lake Golf Course involved a jurisdictional matter which had been lengthily discussed under the foregoing heading of "Conservation District Administration" and therefore should be considered as having been covered under that discussion.

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JOSEPH S. MEDEIROS, JR., CHAIRMAN
KAZUO KAGE, VICE-CHAIRMAN
G. ALAN FREELAND, MEMBER
WILLIAM HONG, MEMBER
YOSHIKAZU MATSUI, MEMBER
PETER MATSUOKA, MEMBER
MOTOHISA UNEMORI, MEMBER

KOICHI HAMADA, EX-OFFICIO
HIDEO HAYASHI, EX-OFFICIO
JEAN R. LANE, EX-OFFICIO
MASAO SONE, EX-OFFICIO
ROBERT O. OHATA, PLANNING DIRECTOR
MRS. EVA M. DUPONTE, ADM. ASST.

PLANNING & TRAFFIC COMMISSION
COUNTY OF MAUI
POST OFFICE BOX 1487
KAHULUI, MAUI, HAWAII 96732

RECEIVED
AUG 12 1966
State of Hawaii
LAND USE COMMISSION

August 10, 1966

Mr. Myron B. Thompson, Chairman
and Members,
State Land Use Commission
426 Queen Street
Honolulu, Hawaii 96813

Gentlemen:

The County of Maui Planning and Traffic Commission, at its meeting of August 9, 1966, voted unanimously to request the State Land Use Commission to reconsider its action in denying the applications from Mr. and Mrs. Frank Moniz of land in Kula from Agricultural to Rural District, from Mr. and Mrs. Edwin Ige for land in Kula from Agricultural to Rural District, and from the County of Maui for land in Iao Valley from Conservation to Rural.

The Maui Commission, in requesting reconsideration, feels that:

1. The land Use Law requiring "that contiguous land areas suitable for inclusion in one of these four major districts" as a criterion in classifying land has been ignored. The rural lands in Kula, as zoned by your Commission, shows disregard for planning process by spot zoning numerous rural districts throughout the area.

2. Section 98H-2 also states that "in establishing the boundaries of the districts in each County, the Commission shall give consideration to the Master Plan or General Plan of the County." The Maui Commission in recommending approval of the aforementioned applications found that they would be in conformance and would implement the County's General Plan. The State Commission in not approving the request would create an unplanned situation here on Maui.

3. Section 98H-4 requires the recommendation of the County Commissions to your Commission. The County Commission,

being close to the scene, is familiar with each request for amendment of district boundaries. The Maui Commission allocates considerable time and judgment in its recommendation to your State Commission. This Commission feels that the State Commission is not placing adequate importance to the recommendations from the Maui Commission, in that all three recommendations from this Commission was acted upon in a contrary manner by the State Commission.

Yours very truly,

MAUI PLANNING & TRAFFIC COMMISSION

Robert O. Ota

for JOSEPH S. MEDEIROS, JR.
Chairman

cc: The Honorable John A. Burns
cc: Mr. C. E. S. Burns, Vice Chairman, LUC
cc: Mr. Goro Inaba, Member, LUC
cc: Mr. Shiro Nishimura, Member, LUC
cc: Mr. Charles S. Ota, Member, LUC
cc: Mr. Robert G. Wenkam, Member, LUC
cc: Mr. Leslie E. L. Wung, Member, LUC
cc: Mr. James P. Ferry, Ex-Officio, LUC
cc: Dr. Shelley M. Mark, Ex-Officio, LUC

STATE OF HAWAII
LAND USE COMMISSION

August 5, 1966
Hilo, Hawaii

MEMORANDUM

TO: Land Use Commission

FROM: Staff

SUBJECT: A66-109 - MAUNA KEA SUGAR CO., INC.; A66-110 - ESTATE OF SOPHIE JUDD COOKE (DEC'D); A66-112 - FRANK & BESSIE MONIZ; A66-113 - MAUI COUNTY (IAO); A66-115 - HAWAII COUNTY (LALAMILO); A66-117 - HAWAII COUNTY (HILO); A66-120 - EDWIN & ELSIE IGE

A66-109 - MAUNA KEA SUGAR CO., INC.

A public hearing was held on May 6, 1966, on the matter of this petition, which requested the change in district designation for three separate parcels of land from an Agricultural District to an Urban District. The three parcels involve two acres of cane land, 5.4 acres of cane land and grazing lands, and a 36-acre parcel of wooded lands in the upper Hilo area.

On July 8, 1966, the Land Use Commission voted to approve the requested change from Agricultural to Urban for the two-acre parcel and the 5.4-acre parcel and to defer final action on the requested change for the 36-acre parcel of wooded lands. Deferral on the matter of the 36-acre parcel was based on a proposed field trip to inspect the site during the August 5 meeting of the Commission in Hilo. The petitioners have formally indicated that they would not have any objection on the deferral.

During the meeting of July 8, 1966, the staff maintained its original recommendation for denial of the reclassification involving the 36-acre parcel since:

1. The parcel contains the last vestige of handsome wooded lands in the mauka Hilo area.

2. Denuding these lands of the dense growth of trees can and will probably contribute to flood problems in the area which is presently developed for residential purposes.

3. Additional data submitted by the petitioners during the public hearing were not of such significance to warrant a change in the staff's original recommendation for denial.

Having made the field trip to inspect the 36-acre parcel under consideration, the matter of a final decision is now before this Commission.

A66-110 - ESTATE OF SOPHIE JUDD COOKE (DEC'D)

The public hearing on the matter of this petition involving the reclassification of approximately 4.9 acres from an Agricultural District to an Urban District was heard by the Commission on June 17, 1966. At that time, the staff recommended that the petition be disapproved.

Since that time, attorneys for the petitioners have submitted a new petition requesting a reclassification of the same lands from an Agricultural classification to a Rural classification. They also propose to withdraw the original petition. Accordingly, the Commission is now faced with the following alternatives:

1. Process the original petition on the basis of the public hearing held on June 17, 1966.

2. Accept the petitioners' request to withdraw the original petition and process the new petition by scheduling another public hearing for the reclassification from Agricultural to Rural.

Should it be the Commission's decision to process the original petition, it would then be the staff's recommendation that the petition be denied on the basis of the analysis of the staff report of June 17, 1966.

A66-112 - FRANK & BESSIE MONIZ

Reclassification of approximately 6.9 acres of land located at Kaonoulu, Kula, Maui, from Agricultural to Rural was the subject of a hearing held on June 17, 1966. It was recommended by the staff at that time that the petition submitted by Frank & Bessie Moniz be denied since:

1. Data submitted by the petitioners consisted primarily of statements indicating the potential uses other than agricultural for the subject lands which do not substantiate the need for additional rural lands.

2. A change of the configuration of lands due to the construction of a new highway is not a change in trends of development.

3. The U. S. Census reports a 20 per cent decline in the population of the Waiakoa area during the period from 1950 to 1960 and this decreasing trend is also predicted for the period from 1960 to the present.

4. Examination of development trends within the existing Rural Districts in the area does not support the petitioners' suggestion of need for additional rural lands.

5. The petitioners have not considered the condition that only approximately 100 acres of the total 400-acre Rural District in the Kealahou to Kaonoulu area have actually developed to date as rural lands.

6. The 915-acre Rural District situated at Pulehu contains extensive acreage of approximately 645 acres that have not been developed to date as rural lands.

During the public hearing, a representative of the petitioners submitted that the U. S. Census report, which indicated a decline in population for the Waiakoa area, was a fallacy as evidenced by the tremendous upsurge of construction taking place in the Kula area. The petitioners' representative also stated that:

1. There were many reasons why approximately 400 acres presently classified in the Rural District were not fully developed. These were land ownership, cost of developing these properties, and topography and inadequate water supply.

2. Lands approved for development under special permit involving 14 acres for residential purposes had not been carried out since the owner had gone into a financial bind.

3. It would be unjust to allow lands to lie idle merely on the premise that there were other ample lands provided for expansion.

4. The rate of sales at Pukalani Terrace, a Rural District, has been very high.

Statements made by the petitioners at the public hearing rationalizing on matters of extensive vacant rural lands and the apparent lack of success of several developments in the rural lands, do not contribute to justification of the need for the proposed boundary change from Agricultural to Rural. Moreover, there would be questions on the validity of these rationalizations.

Statements by the petitioners purporting that the U. S. Census figures of declining population are incorrect needs no further comment. However, statements relating to a tremendous upsurge of construction in the Kula area have been merely statements without substantiation. Field investigations throughout the area have not turned up any evidence of an upsurge in construction. Also, contrary to the petitioners' statements, a count of building permits issued for construction in the Kula area does not indicate a significant upsurge in construction. During the period from 1960 to 1965, only an average of less than 16 building permits per year have been issued for construction in this area. This can hardly be construed to reflect an upsurge in construction in an area containing more than 1,000 acres of Rural District lands that are undeveloped.

It is recommended that this Commission take action to disapprove the petition based on the staff's presentation at the public hearing and the discussion submitted above.

A66-113 - MAUI COUNTY (IAO)

A petition submitted by the County of Maui via the County Attorney and the County Engineer for the reclassification of approximately 15,300 square feet of lands from the Conservation District to the Rural District was heard by this Commission on June 17, 1966. The subject lands are located at the northeastern boundary of the Kepaniwai Park located in Iao Valley, Maui.

It was the staff's recommendation that the petition be denied since the need for additional rural lands in the area had not been substantiated. This recommendation was based upon evaluation of the petitioner's submittal that the reclassification is sought to effectuate a land exchange between the County and an adjoining property owner, Mrs. Adelaide Duarte. Moreover, Mr. John Duarte (the owner's spouse) had submitted that in the event that the reclassification is approved and the land exchange is effectuated, he would merely append the subject lands to his parcel. A mere appendage of the subject lands to Mr. Duarte's property, in essence, does not require a change in district classification since this can be done even with its present Conservation classification.

It is also noted that the County's proposal to relocate the existing caretaker's home to another site can be accomplished instead by using the subject lands although an expression to the contrary was made by the County. Mr. Duarte also indicated that he owned the present right-of-way to the County lot area and, therefore, his approval to move the caretaker's quarters to the County lands must be sought. However, the County Engineer's map clearly indicates that quite the opposite is the situation with Mr. Duarte presently gaining access to his lands through the County park lands and, therefore, should obtain County permission to use the access road.

In addition to the lack of substantiation for the need of additional rural lands, it is the opinion of the staff that the several inconsistencies involving the proposed land use of the subject lands, which have not been satisfactorily clarified, behoove the staff to maintain its original recommendation for denial.

A66-115 - HAWAII COUNTY PLANNING COMMISSION (LALAMILO LANDS, S. KOHALA)

This petition to change the district classification for approximately 12.1 acres of agricultural lands into urban lands at Lalamilo, South Kohala, Hawaii, was heard on June 17, 1966. It was the staff's recommendation that the petition be approved since the subject parcels were actually subdivided and sold over a period of five years from 1954 to 1958 before adoption of the State Land Use District Regulations. It was also noted that this established urban use is immediately adjacent to lands classified urban.

During the public hearing, no additional significant presentations were received and, therefore, the staff recommends approval of the petition.

A66-117 - HAWAII COUNTY (HILO)

A Hawaii County petition for the reclassification of approximately 3.25 acres of land from Agricultural to Urban was heard on June 17, 1966. It was the staff's recommendation that the petition be approved since these lands were first subdivided in 1951 and again in 1953 into lot sizes primarily suited and developed for urban purposes. Since that time, the County Planning Commission has obtained signatures of four of the five land owners involved indicating their concurrence with the proposed boundary change.

No other significant data were received at the public hearing and to date and, therefore, it is recommended that the petition be approved.

A66-120 - EDWIN & ELSIE IGE

Mr. and Mrs. Edwin T. Ige's petition requesting reclassification of approximately 58 acres of agricultural lands to a Rural classification was heard by the Land Use Commission on June 17, 1966. These lands are located approximately 1/2 mile mauka of the Waiakoa Urban District along the Lower Kula Highway.

A recommendation of disapproval of the petition was made by the staff since the petitioners had not provided any evidence to support their statement that there is a definite demand for rural lots in the Waiakoa area. No further evidence was submitted by the petitioners during the public hearing.

The staff recommendation for denial was also based upon its findings indicating that population growth in the Waiakoa area showed a 20 per cent decline during the decade from 1950 to 1960. Data was also presented relating to extensive vacancies and use of rural lands for agricultural purposes within a mile of the subject lands and, also, throughout the entire Kula area.

Further investigation into the matter of development trends in the Kula area has been made by the staff and it has been found that the Keokea area has declined in population over the past years from 1940 to 1960 as with the Waiakoa area. Another item of considerable significance is the building permit count for the Kula area which indicated that less than 16 building permits per year on an average were issued. This data evaluated in light of the more than 1,000 acres of undeveloped Rural District lands in the Kula area establishes, without any doubt, that there has been no construction boom in the Kula area.

It is recommended that the Commission take action on the basis of the staff's original recommendation for denial.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kahului Library

Kahului, Maui

4:30 P.M. - June 17, 1966

Commissioners Present:	Charles S. Ota, Chairman Pro Tempore Jim Ferry Leslie Wung Shiro Nishimura
Commissioners Absent:	Myron B. Thompson Shelley Mark C. E. S. Burns, Jr. Robert Wenkam Goro Inaba
Staff Present:	George S. Moriguchi, Executive Officer Roy Takeyama, Legal Counsel Ah Sung Leong, Draftsman Dora Horikawa, Stenographer

The meeting was called to order by Acting Chairman Ota. A brief review of the procedures to be followed during the hearings was outlined by Mr. Moriguchi. Mr. Takeyama, legal counsel, swore in members in the audience who would be testifying during today's hearing.

PETITION OF ESTATE OF SOPHIE JUDD COOKE (DEC'D) (A66-110) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT AT KAHANUI, MOLOKAI, identifiable by Tax Map Key 6-2-13: 17

Staff recommendation on the above petition, presented by Mr. Moriguchi, was for denial of the request since the petitioner had not substantiated the need for additional urban lands in the area and since the present Kalae Urban District amply provides for urban expansion. (See copy of report on file.)

There was no discussion and since no representative of the petitioner was present, the hearing was closed.

See page 3

PETITION OF FRANK & BESSIE MONIZ (A66-112) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO A RURAL DISTRICT AT KAONOULU, KULA, MAUI, identifiable by Tax Map Key 2-2-06: 63

Mr. Moriguchi presented the staff report (copy on file) recommending denial of the petition in view of the fact that ample lands for expansion within the Rural District have been provided and the need for additional rural lands in the Kaonoulu area had not been substantiated.

Mr. Moriguchi elaborated on the significance of the various colored areas on the map and also pointed out the location of the Rice Memorial Park in relation to the petitioner's lands.

Mr. Douglas Sodetani, representing the petitioners, advised that Frank and Bessie Moniz were now the owners of the subject property. He also submitted that there was no access to the subject lands by the new Lower Kula Highway, as stated in the staff report--that the primary access was by the old Lower Kula Road.

Mr. Sodetani felt that the U. S. Census report of a 20 percent decline in the population of the Waiakoa area during the period 1950 to 1960 was a fallacy as evidenced by the tremendous upsurge of construction taking place in the Kula area.

Mr. Sodetani argued that there was a great need for rural development of one-half acre lots in Kula. He stated that there were many reasons why approximately 400 acres presently classified in the Rural District were not fully developed:

1. Ownership
2. Cost of developing these properties
3. Topography and inadequate water supply

Mr. Sodetani also referred to the special permit granted in March, 1963 for development of 14 acres for residential purposes. He commented that the owner had gone into a financial bind and had not been able to develop the lands for marketing.

Due to the limited amount of lands available in the County of Maui for development, Mr. Sodetani felt it was unjust to allow lands to lie idle merely on the premise that there were other ample lands provided for expansion. He felt that property owners were obliged to do one of four things: 1) sell the land, 2) develop the land, 3) lease it, or 4) find someone who can do something with it.

Mr. Sodetani added that as far back as the petitioners could remember, these lands were never used for agricultural purposes. He earnestly requested favorable consideration of the petition to help the petitioner and also the people living in the Kula area who would like to own property.

Commissioner Ferry explained that the prime consideration of the Land Use Commission was not merely to lend aid to petitioners but rather to determine whether or not the lands under consideration in the petition were suited for the classification being sought. However, he did agree somewhat with Mr. Sodetani's contention that the nearby vacant lands did not necessarily render subject lands unsuitable for a rural classification.

In reply to Commissioner Nishimura's statement that large areas zoned Urban and Rural had not yet been developed, Mr. Sodetani cited the rate of sales at Pukalani Terrace. He stated that following reclassification of the lands from Agricultural to Urban two years ago, 300 lots had been subdivided and they were presently in the third increment. Sixty-five of the lots in this third increment had already been committed, and 35 deposits had been made.

Mr. Sodetani informed that the petitioners had paid approximately $3,800 per acre for the subject parcel, which included surveyor's fees and other expenses.

Commissioner Ota clarified the matter of water availability in the area. With the approach of the Lower Kula transmission line, he felt that water would not pose a major problem. He added that other utilities, except sewer, were also available in the area.

Since there was no further discussion, the hearing was closed thereafter.

PETITION OF COUNTY OF MAUI (A66-113) TO AMEND THE DISTRICT BOUNDARY FROM A CONSERVATION DISTRICT TO A RURAL DISTRICT AT IAO VALLEY, MAUI, identifiable by Tax Map Key 3-3-03: portions of 1, 3, and 10.

It was recommended in the staff report (copy on file), presented by Mr. Moriguchi, that pending further clarification of the matter under consideration, the staff be permitted to withhold its recommendation.

Mr. Moriguchi further elaborated that it had not been apparent to him that the County of Maui would enjoy any advantages in the land exchange. He thought perhaps a representative of the County might be able to point this out.

Mr. Kase Higa, Attorney for the County of Maui, cleared several issues relating to this petition. He submitted that the discrepancy between the Parks Committee Report and the reasons given in the application by the County was due to a typographical error--that "expansion of parking area" should have read "expansion of park area." He argued that the advantages or disadvantages to the County as a result of the land exchange were matters of concern to the County. In any event, Mr. Higa continued, he had been informed that this exchange would be advantageous to the County for several reasons, one reason being that it would be better to apply this piece of property and then move the caretaker's cottage to the green area belonging to the Duartes. Referring to the fact that extensive vacant rural lands occur within the vicinity, Mr. Higa pointed out that the County was not interested in acquiring additional rural lands to add to existing rural areas, but merely to proceed with the full development of

Kepaniwai Park. Finally, both the Board of Supervisors and the County Planning Commission had gone on record as approving this exchange.

In reply to Commissioner Ferry's query as to whether both parcels were in the Conservation District, Mr. Higa advised that Mr. Duarte's property was classified Rural and that only the red portion belonging to the County of Maui was in the Conservation District.

Commissioner Ferry then asked what Mr. Duarte intended to do with the presently County-owned parcel. Mr. Duarte replied that he was going to append it to his property which was separated only by a roadway belonging to him, and incorporate the whole thing into one parcel.

Mr. Higa explained that reclassification was being sought for technical reasons. Presently, due to its size, 15,300 square feet, the County-owned parcel did not qualify as rural lands, but by incorporating it with Mr. Duarte's property, it would have the necessary land area to so qualify.

With respect to the necessity of filling Mr. Duarte's property, Mr. Higa assured that adequate fill material was available from Iao and that this was not going to cost the County any additional expense.

Mr. Moriguchi pointed to the fact that the County property offered a tremendous view of the park, was situated right next to the park, and was a more desirable location for the caretaker's home.

Mr. Duarte countered with the statement that he owned the right of way to the County parcel and that it would not be accessible unless the County built another roadway.

Mr. Moriguchi commented that according to the County map, the road to Mr. Duarte's property actually cuts through County park lands and wondered why this same road could not be used to make the County property accessible. Mr. Sone, Maui County Engineer, replied that the matter was not that simple and that there was also some danger involved due to landslides, etc.

Mr. Duarte pointed out that the subject parcel had a 20' drop and it was continuously eroding to the area below. He added that the land was not usable for anything and that not even a house could be built on it.

Mr. Takeyama advised that the advantages or disadvantages of the land exchange were matters for the County to decide and that the discussion should be confined purely to the uses, in reply to Commissioner Nishimura's question.

On the basis of the foregoing opinion expressed by Mr. Takeyama, Mr. Moriguchi submitted that the staff recommendation would have to be for denial according to the Land Use Regulations.

The hearing was closed thereafter.

PETITION OF EDWIN & ELSIE IGE (A66-120) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO A RURAL DISTRICT AT WAIAKOA, MAUI, identifiable by Tax Map Key 2-2-11: 1

Denial of the petition was recommended by the staff (see copy on file) based on the following findings:

1. Population growth for the Kula area was not optimistic.
2. There are extensive areas for rural expansion yet to be developed in the Rural District.
3. Rural subdivisions in the area are faced with considerable vacancies.
4. More suitable rural lands for development occur within the Rural District.

Acting Chairman Ota commented that the population of 416 for 1960 in the Waiakoa area mentioned in the staff report was somewhat misleading, in that at one time Kula was mentioned and Waiakoa at another. Mr. Moriguchi replied that that was the reason he had used the Makawao District population estimate since Makawao is more encompassing. He continued that the population projection for the Makawao District in 1970 shows a 6 to 7 percent decline.

As a point of clarification and also for the Commissioner's information, Acting Chairman Ota offered that generally the term Kula was confined to that area along the fringes of the outlying Lower Kula Road, stopping several miles from the junction at Pukalani, nearly all the way out to the sanatorium area. The term Makawao District included all the areas from East to West.

Mr. Charles C. Young, part-time Star Bulletin reporter, commented that all except one or two of the C. V. Land Co. lots had already been sold. He added that since 1960 Maui has had a tremendous growth.

Mr. Ige stated that all lands adjacent to his property were zoned Rural.

Mr. Moriguchi commented there was considerable pasture lands throughout the area marked in red, and the general use in this whole area was more agricultural than urban.

The hearing was closed thereafter.

July 20, 1966

Mr. Kase Higa
County Attorney
Office of the County Attorney
County of Maui
Wailuku, Maui, Hawaii 96793

Dear Mr. Higa:

The Land Use Commission next meets at 9:45 a.m. at the State Highway Division, District Engineers Office, Hawaii District, Hilo, Hawaii, on August 5, 1966.

On or about that time a decision of the petition by the County of Maui (A66-113) will be rendered.

There is no requirement for you to be present. However, should you wish to attend, please feel free to do so.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Chairman Thompson

STATE OF HAWAII
LAND USE COMMISSION

Kahului Library
Kahului, Maui

4:00 P.M.
June 17, 1966

STAFF REPORT

A66-113 COUNTY OF MAUI

Background

Amendment of Land Use Commission district boundaries from the present classification in the Conservation District into a Rural District has been requested by the County of Maui represented by its County Attorney and County Engineer. Lands involved are portions of parcels 1, 3, and 10, TMK 3-3-03, located in Iao Valley, County of Maui, in and adjacent to Kepaniwai Park.

The petitioners propose the reclassification of approximately 15,300 square feet of conservation lands owned by the County at Kepaniwai Park to a rural classification. This parcel is identified as Lot KP-1, as shown on their map titled "Kepaniwai Park Land Exchange" dated February 16, 1965. The subject parcel is contiguous with the existing Rural District boundary at the Park area. Upon reclassification of Lot KP-1 into a Rural District, the petitioners propose to exchange this lot for Lot 2-A, which is presently owned by Adelaide S. Duarte. This proposal is stated as follows:

1. The County would like to acquire from Mrs. Duarte, in exchange for Lot KP-1, that parcel of land identified as Lot 2-A, containing an area of 17,117 square feet, adjacent to Iao Stream. It is the intention of the County to remove the caretaker's cottage from its present site in the midst of Kepaniwai Park to said Lot 2-A, where it will be hidden from the road. This will vastly improve the appearance of Kepaniwai Park and permit greater utilization of the park area.
2. The present land is topographically and geographically so located that the land exchange and reclassification would suit the new classification and the wishes of both Mr. Duarte and the County of Maui.

The petitioners have also submitted a copy of a report by the Parks and Recreation Committee of the Board of Supervisors, County of Maui, which indicates the following concerning the subject:

AUTHORIZE - The County Engineer & County Attorney to finalize Kepaniwai Land Exchange negotiations with the State and Mr. John Duarte for parking area purposes as follows:

a. Obtain State Land Use Commission approval to withdraw the County-owned parcel of land involved from the Conservation District.
b. Proceed with subdivision of said parcel; and proposed consolidation of land owned by the County and John Duarte.

A recommendation for approval of the petition has been received from the Maui County Planning and Traffic Commission based on the following reasons:

1. The amendment would be a logical expansion of the Rural District.
2. Public interest would be served by providing land for expansion of Kepaniwai Park.

The subject parcel, Lot KP-1, is generally overgrown with wild, natural growth with two temporary-type warehouses located thereon. These warehouses were built and are presently owned by Mr. John Duarte, although the land itself is owned by the County of Maui. Areas to the north of the subject parcels are within the Conservation District and consist of wild, mountain vegetation. The remainder of Kepaniwai Park is located to the southwest of the subject lands, with the Hotel Iao Needle adjacent and immediately to the west of the park. An existing residential subdivision generally consisting of lots smaller than one-half acre is located immediately east of the subject lands. Four residences on four separate lots exist in this area.

The Rural District in the Iao Valley area consists of approximately 46 acres strung out along the north side of the Iao Valley Road. Of the total acreage within the Rural District, only approximately 11 acres are built upon and in actual use with the remaining areas vacant and unused. A small strip of Rural districting also occurs on the south

side of the Iao Valley Road. Rainfall in the area approximates 100 inches annually. The lands are described as stony land of alluvial soil material which occurs in valleys or at the mouths of valleys. This land type is completely unsuited to cultivation and is generally idle or used for grazing. It provides some forage for cattle but it is very difficult to support this use due to the litter of stones on the surface.

Analysis

An apparent inconsistency occurs in the reasons submitted by the petitioners and by the Parks and Recreation Committee report concerning the proposed use of Lot 2-A upon effectuation of an exchange. The petition indicates relocation of the present caretaker's house to Lot 2-A whereas the Parks and Recreation Committee indicates that the exchange would be for parking area purposes. It is anticipated that the petitioner's presentation at the public hearing will resolve this discrepancy.

However, the advantage to the County is not apparent in the proposed land exchange based on the data submitted. Topographically and aesthetically Lot KP-1, presently owned by the County, is superior to Lot 2-A. Moreover, Lot 2-A is a depression with a bottom elevation of approximately 10 feet below the surrounding lots and roads. Two drainage lines discharge runoff into this depression and any proposed use of this lot would entail extensive filling and drainage construction. Surface runoff from the adjacent lots presently drain into the depression at Lot 2-A.

A Field map provided by the County indicates that the access road to the existing subdivision runs through the County property off Iao Valley Road. Lot KP-1 can be served by this same road with a slight modification should it be decided that the caretaker's house be relocated on this lot.

The need for additional rural lands in the area is obviously unsubstantiated in view of the extensive vacant lands within the existing 46 acre district. Therefore, justification of the change in classification as proposed might be justified not on the basis of need but on the basis of changes in conditions and trends of development in the area. The necessity of expanding and improving Kepaniwai Park might be considered as such a change. However, in view of the findings of the Board of Supervisors' Parks and Recreation Committee, further clarification on the proposed land exchange and land use needs to be solicited since data as submitted indicate no advantage to the County by the land exchange.

Recommendation

Pending further clarification of the matter by the petitioners at the public hearing and any further data that may be submitted at the public hearing, and in view of the suggestion that the public park might be improved for the benefit of the general public, the staff requests that it be permitted to withhold its recommendation.

June 1, 1966

Mr. Kase Higa
County Attorney
Office of the County Attorney
County of Maui
Wailuku, Maui, Hawaii 96793

Dear Mr. Higa:

The Land Use Commission next meets on June 17, 1966, at 4:00 p.m. at the Kahului Library, Kahului, Maui. At that time, the application of the County of Maui (A66-113) to amend the land use district boundaries at Wailuku, Maui, will be heard.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

File

1903

JOSEPH S. MEDEIROS, JR., CHAIRMAN
KAZUO KAGE, VICE-CHAIRMAN
G. ALAN FREELAND, MEMBER
WILLIAM HONG, MEMBER
YOSHIKAZU MATSUI, MEMBER
PETER MATSUOKA, MEMBER
MOTOHISA UNEMORI, MEMBER

KOICHI HAMADA, EX-OFFICIO
HIDEO HAYASHI, EX-OFFICIO
JEAN R. LANE, EX-OFFICIO
MASAO SONE, EX-OFFICIO
ROBERT O. OHATA, PLANNING DIRECTOR
MRS. EVA M. DUPONTE, ADM. ASST.

PLANNING & TRAFFIC COMMISSION
COUNTY OF MAUI
POST OFFICE BOX 1487
KAHULUI, MAUI, HAWAII 96732

RECEIVED
MAR 28 1966
State of Hawaii
LAND USE COMMISSION

March 23, 1966

Mr. Myron B. Thompson
Chairman
Land Use Commission
State of Hawaii
Honolulu, Hawaii

Dear Mr. Thompson:

The Maui Planning and Traffic Commission, at its meeting of March 22, 1966, voted unanimously to recommend approval of the petition for amendment of district boundary from Conservation to Rural of the application from the County of Maui.

The reasons for approval are that 1) the amendment would be a logical expansion of the rural district and 2) public interest would be served by providing land for expansion of Kepaniwai Park.

Very truly yours,

Robert O. Ohata

ROBERT O. OHATA
Planning Director

cc: County Attorney

March 11, 1966

Mr. Robert Ohata, Director
Planning & Traffic Commission
County of Maui
P. O. Box 1487
Kahului, Maui

TMK 3-3-03: parcel 5
15.287 sq ft -

Dear Mr. Ohata:

Pursuant to Section 98H-4, RLH 1955, as amended, and Act 32/SLH 1965, a copy of a petition for amendment to the land use district boundaries, submitted by the County of Maui, together with supporting data and maps, is forwarded to you for your comments and recommendations.

Thank you for your cooperation.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

Encls. - Petition
Map

March 11, 1966

Mr. Kase Higa
County Attorney
Office of the County Attorney
County of Maui
Wailuku, Maui, Hawaii 96793

Dear Mr. Higa:

This is to acknowledge the receipt of an application by the County of Maui to amend the land use district boundaries as shown on Tax Map Key 3-3-03: 1, 3 and 10 (portions), Wailuku, Maui.

In accordance with Section 98H-4, RLH 1953, as amended, and Act 32/SLH 1965, this Commission must schedule a public hearing on your petition no sooner than 60 days and no more than 120 days. After 45 but within 90 days following the public hearing, the Land Use Commission is obliged to render a decision on your petition.

A hearing schedule will be determined at a later date to consider the several pending petitions, including yours, in the County of Maui. We will inform you of the date of the hearing as soon as it is determined.

Should any questions develop in the meantime, we will contact you. If you should have any questions, please feel free to contact us.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Planning & Traffic Commission,
Maui

1888

KASE HIGA
COUNTY ATTORNEY

DEPUTIES
RICHARD R. KOMO
ARTHUR T. UEOKA

OFFICE OF THE COUNTY ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793

RECEIVED
MAR 10 1966
State of Hawaii
LAND USE COMMISSION

March 9, 1966

Honorable Myron B. Thompson, Chairman
and Members of the Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii

Gentlemen:

We transmit herewith a Petition for Amendment of District Boundary in accordance with the provisions of State Land Use Laws and in accordance with the Rules and Regulations of the Land Use Commission.

We enclose herewith copies of Committee Report No. 19, adopted February 4, 1966 by the Board of Supervisors of the County of Maui, authorizing the County Engineer and the County Attorney to submit this petition to the Land Use Commission.

The county desires to have Lot KP-1, containing an area of 15,287 square feet, changed in classification from conservation to rural in order that it may be conveyed to and consolidated with an adjoining lot owned by Adelaide S. Duarte, wife of John G. Duarte. We are aware that a rural classification calls for each parcel of land to be at least one-half acre in area. The subject parcel of land, when consolidated with the adjoining parcel of land, will contain more than one-half acre.

Doesn't jive with Parks + Rec. Com. Rpt to Bd. of Supr. ?

The county would like to acquire from Mrs. Duarte, in exchange for Lot KP-1, that parcel of land identified as Lot 2-A, containing an area of 17,117 square feet, adjacent to Iao Stream. It is the intention of the county to remove the caretaker's cottage from its present site in the midst of Kepaniwai Park to said Lot 2-A, where it will be hidden from the road. This will vastly improve the appearance of Kepaniwai Park and permit greater utilization of the park area. ? how

?

We enclose herewith maps showing Lot KP-1 and Lot 2-A.

In accordance with Sub-Part G, Section 2.34, of the Stand Land Use District Regulations, we respectfully request that the payment of a fee on this petition be waived because it is submitted by a governmental agency.

Your favorable action on this petition will be greatly appreciated.

Yours very truly,

Kase Higa

Kase Higa
County Attorney

KH:hm
encs.

cc: Honorable John G. Duarte
County Engineer

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

RECEIVED
MAR 10 1966
State of Hawaii
LAND USE COMMISSION

This space for LUC use

Date Petition and Fee received by LUC _____

Date forwarded to County for recommendation _____

Date Petition, and County recommendation received by LUC _____

A66-113

PETITION FOR AMENDMENT OF ~~TEMPORARY~~ DISTRICT BOUNDARY

(I) (We) hereby request an amendment of Land Use Commission ~~Temporary~~ District Boundary respecting the County of MAUI, Island of MAUI, map number and/or name M-5 Wailuku to change the district designation of the following described property from its present classification in a(n) CONSERVATION district into a(n) RURAL district.

Description of property: Parcel KP-1, Portion of TMK 3-3-03-1, 3 and 10, as shown on map entitled "Kepaniwai Park Land Exchange Between John G. Duarte and County of Maui", dated February 16, 1965.

Petitioner's interest in subject property:

Owner of property.

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

Kepaniwai Park Land Exchange

(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~~

COUNTY OF MAUI:

By: Signature(s) Kase Higa, County Attorney

Moses Jone County Engineer

Address: Wailuku, Maui, Hawaii

Telephone: 33-771

(1) The County of Maui Department of Parks and Recreation would like to enlarge the Kepaniwai County Park. It is necessary to acquire property owned by Mr. and Mrs. John G. Duarte to be effectuated by land exchange with Parcel KP-1, owned by the County of Maui.

(2)

(a) The present land is topographically and geographically so located that the land exchange and reclassification would suit the new classification and the wishes of both Mr. Duarte and the County of Maui.

1. County Attorney
   cc: County Engineer
2. Parks Superintendent
3. County Auditor

BOARD OF SUPERVISORS
COUNTY OF MAUI
WAILUKU, MAUI, HAWAII

February 4, 1966

Honorable Chairman & Members
of the Board of Supervisors
County of Maui

Gentlemen:

The Parks & Recreation Committee submits herewith its recommendations on the following matters:

1. APPROVE - Permit Fee of $5.00 for use of Kitchen Facilities at the New Kalama Park Pavilion-Conference Room in Kihei; and the H.A. Baldwin Park Pavilion in Paia; to provide for future replacement costs. The County Attorney is hereby requested to amend the "General Rules & Regulations" accordingly.

2. AUTHORIZE - The County Engineer & County Attorney to finalize Kepaniwai Land Exchange negotiations with the State and Mr. John Duarte for parking area purposes; as follows:

   a. Obtain State Land Use Commission approval to withdraw the County-owned parcel of land involved from the Conservation District.

   b. Proceed with subdivision of said parcel; and proposed consolidation of land owned by the County and John Duarte.

3. REFER TO PARKS SUPT FOR PROPER ACTION: - Board Requests 1/21/66:

   a. Trimming of overgrown plants & shrubbery at Kepaniwai Park.
   b. Maintenance of Girls' Toilets at Wells Park.
   c. Observance of "Starting Times" by golfers at Waiehu.

4. ACCEPT - Attached reports from the Recreation Director:

   a. Summary of Recreational Activities held in 1965.
   b. Calendar of Recreational Activities for 1966.

Adoption of this report is respectfully requested.

CR-19

FEB 4 1966

Very truly yours,

PARKS & RECREATION COMMITTEE

Richard Caldito
RICHARD CALDITO, Vice-Chmn.

Manuel S. Molina
MANUEL MOLINA, Chairman

Marco Meyer
MARCO MEYER, Member

Soon Oak Lee
SOON OAK LEE, Member

Joe Bulgo
JOE BULGO, Member

Lanny Morisaki
LANNY MORISAKI, Member

/mkm

atts:

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

This space for LUC use

Date Petition and Fee received by LUC _____

Date forwarded to County for recommendation _____

Date Petition, and County recommendation received by LUC _____

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COUNTY OF MAUI:

By: Signature(s) Kase Higa County Attorney
Macao Sone County Engr.

Address: **Wailuku, Maui, Hawaii**

Telephone: **33-771**

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   cc: County Engineer
2. Parks Superintendent
3. County Auditor

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COUNTY OF MAUI
WAILUKU, MAUI, HAWAII

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FEB 4 1966

Very truly yours,

PARKS & RECREATION COMMITTEE

Richard Caldito
RICHARD CALDITO, Vice-Chmn.

Manuel J. Molina
MANUEL MOLINA, Chairman

Mario Meyer
MARCO MEYER, Member

Soon Oak Lee
SOON OAK LEE, Member

Joe Bulgo
JOE BULGO, Member

Lanny Morisaki
LANNY MORISAKI, Member

/mkm

atts:

Scale: 1 inch = 50 feet

Approx. Center Line Tunnel

GRANT 3343 TO CLAUS SPRECKELS

CONS. R. P. 3959 R U R A L

L.C.Aw. 3539 to Kuahine LOT 1 1.627 Ac.

Easement 42 for Perpetual To W. S. Co.

1220.93 N 12427.59 W

30 Foot Easement 8,808 Sq. Ft.

1369.67 N "LUKE" 12957.16 W

1333.51 N "LUKE" 13088.07 W

KP.1 15,287 Sq. ft.

Adelaide S. Duarte LOT 5-B 36,172 Sq.ft. = 0.830 Ac

LOT 1 7200 Sq. ft. Thomas N. Duarte & Wif. Phyllis L.

LOT 2 11,000 Sq. ft. Robert C. Silva & Wif. Bernice

LOT 3 10,613 Sq. ft. Patrick M. Murakami & Wif. Jessie H.

LOT 4 10,247 Sq. ft. James T. Murakami & Wif. Cyrilla L. A.

KUIKUI PLACE Area 5825 Sq. ft.

LOT 2-B 4,709 Sq. ft. Adelaide S. Duarte

LOT 2-A 17,117 Sq. ft. LOT 2

W. S. Co Owner

1035.60 N "LUKE" 12928.60 W

LOT 6 Road ½ Int. to Lots 1,2,3 & 4

WEST MAUI FOREST RESERVE

IAO VALLEY ROAD

IAO STREAM

KEPANIWAI PARK

KONOHIKI GRANT 3343 TO CLAUS SPRECKELS

KEPANIWAI KP.2 Total Area 302,553 Sq. ft.

7.106 Ac.

R P 3530 KEALA & KAPAWEUWEU

HOTEL IAO NEEDLE

"LUKE" County Triang. 383.88 N 3718.92 W

MANIANIA

R P 7302 L H KALAMA 4452 AP 10

Outside Curve No 15: Δ = 85°40'00" D = 85°39'30" R = 66.85' T = 57.26' L = 100.00' Chord = 90.85' Seq Area = 1782.48 Sq. ft.

Curve No 15: Δ = 85°40'00" D = 85°39'30" R = 66.85' T = 57.26' L = 100.00' Chord = 90.85'

Inside Curve No 15: Δ = 85°40'00" D = 85°39'30" R = 66.85' T = 57.26' L = 100.00' Seq Area = 5822.21 Sq. ft.

Outside Curve No 14: Δ = 91°13'42" D = 15°18'30" R = 374.40' T = 364.15' L = 595.96' Chord = 534.96' Seq Area = 4,483.20 Sq. ft.

Curve No 14: Δ = 91°13'42" D = 15°18'30" R = 374.40' T = 364.15' L = 595.96' Chord = 534.96'

Inside Curve No 14: Δ = 91°13'42" D = 15°18'30" R = 374.40' T = 364.15' L = 595.96' Chord = 534.96' Seq Area = 8,584.79 Sq. ft.

Outside Curve No 16: Δ = 91°58'30" D = 15°18'30" R = 374.40' T = 364.15' L = 600.80' Chord = 538.80' Seq Area = 4,524 Sq. ft.

Curve No 16: Δ = 91°58'30" D = 15°18'30" R = 374.40' T = 364.15' L = 600.80' Chord = 538.80'

Inside Curve No 16: Δ = 91°58'30" D = 15°18'30" R = 374.40' T = 364.15' L = 600.80' Seq Area = 8,671 Sq. ft.

DANIEL T. K. LOW REGISTERED LAND SURVEYOR No. 191 HAWAII U.S.A.

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
WAILUKU, MAUI, HAWAII.

KEPANIWAI PARK LAND EXCHANGE

BETWEEN JOHN G. DUARTE AND COUNTY OF MAUI

IAO VALLEY, WAILUKU, MAUI, HAWAII.

Scale: 1 inch = 50 feet — February 16, 1965

Survey & Plan By: K. Maio & Daniel T. K. Low

Checked By: Daniel T. K. Low 1965

Under Direction Of: MASAO SOKE, County Engineer — 670-ES

Tax Map Key 3-3-03-1, 3 & 10

F.B. 610 Pg. 18
C.S. 54-1-S, H Ap 80

7558

17.35

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

LAND USE DISTRICT BOUNDARIES

DISTRICT MAP **M-5**

STATE OF HAWAII
LAND USE COMMISSION
DEPT. OF PLANNING & ECONOMIC DEVELOPMENT
EFFECTIVE DATE: AUG 23, 1964

DISTRICTS
U = URBAN
R = RURAL
A = AGRICULTURAL
C = CONSERVATION

WAILUKU QUADRANGLE
HAWAII—MAUI CO.
ISLAND OF MAUI
7.5 MINUTE SERIES (TOPOGRAPHIC)

SP68-54 DUARTE

A66-113 COUNTY OF MAUI

Mapped, edited, and published by the Geological Survey

Control by USGS, USC&GS, and USCE

Topography by multiplex methods from aerial photographs taken 1950, by USGS planetable surveys 1932, and by Hawaiian Commercial and Sugar Co. 1951. Field check 1955

Hydrography compiled from USC&GS chart 4124 (1952)

Polyconic projection. Old Hawaiian datum
10,000-foot grid based on Hawaiian coordinate system, zone 2

Red tint indicates areas in which only landmark buildings are shown

Unclassified elevations are shown in brown

APPROXIMATE MEAN DECLINATION, 1955
11½° TRUE NORTH MAGNETIC NORTH

SCALE 1:24000
1 0 1 MILE
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET
1 0 1 KILOMETER

CONTOUR INTERVAL 40 FEET
DASHED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL
DEPTH CURVES IN FEET – DATUM IS MEAN LOWER LOW WATER
SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER
THE AVERAGE RANGE OF TIDE IS APPROXIMATELY 2 FEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

QUADRANGLE LOCATION

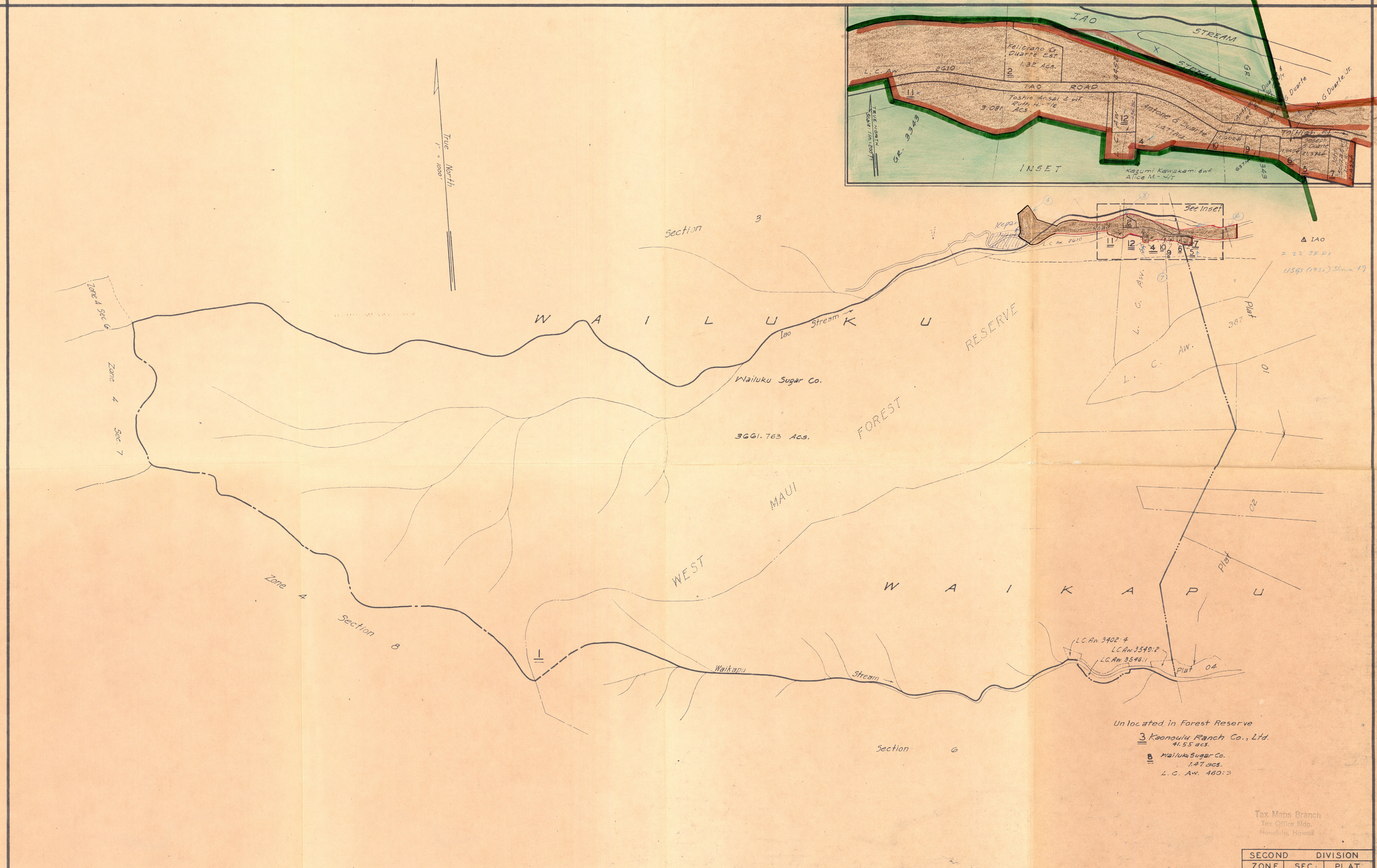
ROAD CLASSIFICATION
Heavy-duty
Medium-duty
Light-duty
Unimproved dirt

Map of the Island of Maui, scale 1:62 500, from an earlier survey, is available

M-5 WAILUKU, HAWAII
N2050—W15627.5/7.5
1955

INTERIOR GEOLOGICAL SURVEY, WASHINGTON, D. C.—1957—NS

7559



Dwg No: 2[illegible] Revised to
By: H.N. May 1934
Source: Tax Maps Bureau

Por. WAIKAPU, WAILUKU, MAUI

ADVANCE SHEET
SUBJECT TO CHANGE

Tax Maps Branch
Tax Office Bldg.
Honolulu, Hawaii

SECOND DIVISION		
ZONE	SEC.	PLAT
3	5	03
CONTAINING PARCELS		
SCALE: 1in. = 1000 ft.		

PRINTED MAY 3 1966

7560

COMPILED
APR 7 1939
OCT 2 3 1950
MAR 5 52
SEP 23 57
SEP 6 59

INSET

SEC. 3

RESERVE

ZONE 4 SEC 8

KAUAULA 4 INOZ

L 335

FOREST

03

MAUI

TRUE NORTH
Scale 1 in. 1000 ft.

WEST

OLOWALU

ZONE 4 SEC 8

(SEE INSET)

SEC. 3

RESERVE

FOREST

MAUI

L.C.Aw. 3530

L.C.Aw. 3529:1

L.C.Aw. 849

IAO

STREAM

L.C.Aw. 2610

L.C.Aw. 2457

L.C.Aw. 2414

L.C.Aw. 3529:2

L.C.Aw. 3530

L.C.Aw. 3529:3

L.C.Aw. 3529:4

L.C.Aw. 3529:5

L.C.Aw. 3529:6

L.C.Aw. 3529:7

L.C.Aw. 3529:8

L.C.Aw. 3529:9

L.C.Aw. 3529:10

L.C.Aw. 3529:11

L.C.Aw. 3529:12

L.C.Aw. 3529:13

L.C.Aw. 3529:14

L.C.Aw. 3529:15

L.C.Aw. 3529:16

L.C.Aw. 3529:17

L.C.Aw. 3529:18

L.C.Aw. 3529:19

L.C.Aw. 3529:20

L.C.Aw. 3529:21

L.C.Aw. 3529:22

L.C.Aw.