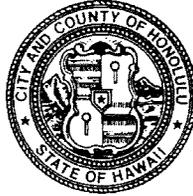


DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honolulu.gov • CITY WEB SITE: www.honolulu.gov



PETER B. CARLISLE
MAYOR

DAVID K. TANOUE
DIRECTOR

JIRO A. SUMADA
DEPUTY DIRECTOR

February 16, 2011

The Honorable Nestor R. Garcia, Chair
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

RECEIVED
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Dear Chair Garcia and Councilmembers:

Subject: Request for a Change in Zoning from the F-1 Military
and Federal Preservation to AG-2 General Agriculture;
Mokuleia, North Shore, Oahu, Tax Map Key: 6-8-003: 021

The Planning Commission held a public hearing on December 15, 2010, on the above subject matter. One written testimony was received in opposition to the request. There was no public testimony and the public hearing was closed.

The Planning Commission voted to recommend approval of the request with conditions regarding slope hazard study, archaeological resources, noise disclosures, subdivision, dwelling limitation, and other standard conditions recommended by the Director of the Department of Planning and Permitting.

Attached is the report from the Director of the Department of Planning and Permitting and the original copy of the draft Bill. The minutes will be forwarded under separate cover.

Sincerely,

Jeanne Sumida

for Rodney Kim, Chair
Planning Commission

APPROVED:

Peter B. Carlisle

Peter B. Carlisle
Mayor

APPROVED:

David K. Tanoue

David K. Tanoue, Director
Department of Planning and Permitting

Douglas S. Chin

Douglas S. Chin
Managing Director

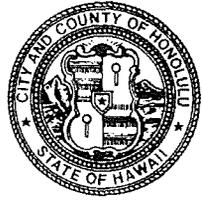
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Attachments

Authorization David Tanoue
Advertisement Nov. 5, 2010
Public Hearing Nov. 17, 2010

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10 OCT 18 P4:08

PETER B. CARLISLE
MAYOR



DAVID K. TANOUE
ACTING DIRECTOR
ROBERT M. SUMITOMO
DEPUTY DIRECTOR

2010/Z-3 (hs)

October 14, 2010

MEMORANDUM

TO: RODNEY KIM, CHAIR
AND MEMBERS OF THE PLANNING COMMISSION

FROM: DAVID K. TANOUE, ACTING DIRECTOR *DKT*
DEPARTMENT OF PLANNING AND PERMITTING

SUBJECT: REQUEST FOR A CHANGE IN ZONING FROM F-1 MILITARY AND
FEDERAL PRESERVATION TO AG-2 GENERAL AGRICULTURE;
MOKULEIA, NORTH SHORE, OAHU
TAX MAP KEY: 6-8-003:021

Transmitted for appropriate action is my report and recommendation for APPROVAL for a request by Ralph Gray for a change in zoning from F-1 Military and Federal Preservation to the AG-2 General Agricultural District for property located in Mokuleia, North Shore, Oahu.

We are recommending approval of the zone change to AG-2 with conditions regarding: slope hazard, archaeological resources, disclosures, no further subdivision, dwelling limitation, fire protection, and other standard conditions.

DKT:bkg
786538

Attachments

cc: Douglas S. Chin, Acting Managing Director
Ralph Gray, Applicant
Donald Clegg, President, Analytical Planning Consultants, Inc.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION)

OF)

FILE NO. 2010/Z-3

RALPH S. GRAY FOR A ZONE CHANGE)
FROM F-1 MILITARY AND FEDERAL)
PRESERVATION DISTRICT TO AG-2)
GENERAL AGRICULTURAL DISTRICT)
WITH A 25-FOOT HEIGHT LIMIT)
_____)

FINDINGS OF FACT, CONCLUSIONS,
AND RECOMMENDATION

I. APPLICATION

A. Basic Information

APPLICANT : Ralph S. Gray, Mokuleia Ranch Estates, LLC

LANDOWNER : Coastal View Properties, LLC (50%) and
Mokuleia Ranch Estates, LLC (50%)

LOCATION : Mokuleia, North Shore, Oahu
(Attachment 1)

TAX MAP KEY : TMK: 6-8-003:021 (the Property)

LAND AREA : 40.59 acres in 3 lots of record
(0.70 acres, 19.21 acres, and 20.68 acres)

RECORDATION : Land Court System

STATE LAND USE
DISTRICT : Agricultural

DEVELOPMENT PLAN (DP) AREA : North Shore Sustainable Communities Plan (NS SCP) in an area outside the Rural Community Boundary

PUBLIC INFRASTRUCTURE MAP : No planned improvements in the vicinity

EXISTING ZONING : F-1 Military and Federal Preservation District

EXISTING USE : Cattle grazing

SURROUNDING LAND USE : Ranch and farm land

B. Proposal

The applicant requests to rezone the Property from F-1 Military and Federal Preservation District to AG-2 General Agricultural District to engage in agricultural activities supported with up to five farm dwellings (25-foot height limit). The applicant has also proposed a unilateral agreement condition that prohibits further subdivision of the Property beyond the three existing lots. The current zoning does not allow farm dwellings and several other uses.

C. Background

Prior to 1944, the Property was part of a larger parcel of agricultural land owned by Mokuleia Ranch and Land Company Ltd. and was used for agriculture as part of the Dillingham Ranch, primarily for sugarcane production, horse, and cattle ranching. In 1944, the Property was condemned for public use and used by the U.S. military to provide a storage area and related military uses in support of Dillingham Airfield. The Declaration of Taking, filed in 1946 by the United States Government, states that the subject property was acquired for public use for the military and other war purposes. There still exists on site remnants of several former storage revetments (semi-circular earth and rock berms about 15 feet across and 4 to 5 feet high) distributed along a narrow paved road.

In 1966, the General Services Administration for Disposal of Federal Property determined the Property to be surplus and sold it to the State of Hawaii for \$110,000. There was no reference to any concerns regarding the condition of the Property in any of the documentation at the time. The deed document includes a road and cable easement in favor of the U.S. Government, the location of which may be changed with the permission of the U.S. Army. In 1989, the State entered into an agreement with the Mokuleia Land Company to exchange the Property for land to provide public access to the Mokuleia Forest Reserve (Peacock Flats).

Coastal View Properties, LLC acquired the Property in 2002. In 2005, Ralph and Cathy Gray acquired half interest in the Property from Coastal View Properties, LLC, and in 2007 transferred title to their company, Mokuleia Ranch Estates, LLC.

Section 21-3.40 (d) of the Land Use Ordinance (LUO) mandates that should lands be removed from either the State-designated Conservation district or from Federal jurisdiction, all uses, structures, and development standards shall be as specified for the P-2 General Preservation District. The P-2 zoning allows for limited agricultural uses and does not allow farm dwellings. The purpose of specifying land released from Federal use as P-2 is to put it into a limited use holding pattern until an appropriate zoning can be determined.

The applicant is seeking a zone change from F-1 (P-2) to AG-2 in order to return the Property to its agricultural use prior to use by the U.S. military from 1944 to 1966.

II. FINDINGS OF FACT

On the basis of the evidence presented, the Director has found:

A. Description of the Site

The site is located east of Dillingham Airfield, on the mauka side of Farrington Highway, in Mokuleia on Oahu's North Shore. It is a rural area characterized by agricultural and ranching land use, with recreational and residential uses near the shore. The Mokuleia area is bound to the south and southwest by the Mokuleia Forest Reserve. To the west is the Kuaokala Game Management Area.

According to the zone change application, the surrounding land use includes palm tree farming, cattle ranching, sugarcane fields, taro farming, and a banana plantation. Several farm dwellings formerly associated with Dillingham Ranch are scattered throughout the area. The nearest residential development is approximately one mile to the northeast at Laau Paina Place, across Farrington Highway.

The subject Property is sparsely vegetated mainly with Guinea grass, koa haole, and kiawe on gently sloping land. A site visit on July 1, 2010, confirmed that an unpaved compacted coral roadway exists through Dillingham Ranch which provides direct access to the Property from Farrington Highway. Within the Property there are several vegetated, crescent-shaped earth mounds which are the remnants of military storage revetments. There are no dwellings or other structures on the Property.

According to a 2007 Agricultural Feasibility Report prepared by Tropical Crops Services for the surrounding Dillingham Ranch, dominant soils in the area are

Ewa silty clay loam (6 to 12 percent slopes), Kaena clay (2 to 6 percent slopes), Kaena stony clay (2 to 6 percent slopes), and Kaena very stony clay (10 to 35 percent slopes). Ewa soils are deep, well drained, and typically have moderate infiltration rates, and are rated as prime farmland if irrigated. Kaena soils are deep and poorly drained and typically have slow infiltration rates (USGS, 2008).

While not classified under the Agricultural Lands of Importance to the State of Hawaii (ALISH) system, most likely due to its previous military usage, the Property is contained within a large tract of land in agricultural use. These adjacent land areas are designated as either Prime Agricultural Land or Other Important Agricultural Land.

B. Public Agency Comments

The following public agencies were requested to evaluate the impact of the proposed zone change on their facilities and services. Agencies that submitted written comments are identified with a plus sign (+). Agencies stating that they have “no comments,” “no objections,” or “no impacts” are identified with an asterisk (*). Agencies without a plus sign or asterisk did not comment. See **Attachment 2** for the comments received.

1. City Agencies

Board of Water Supply (BWS) +
Department of Design and Construction (DDC) +
Department of Environmental Services (ENV)
Department of Facility Maintenance (DFM)
Honolulu Fire Department (HFD) +
Honolulu Police Department (HPD) +
Department of Parks and Recreation (DPR) +
Department of Transportation Services (DTS) +
Neighborhood Commission Office (NCO) +

2. State Agencies

Department of Education (DOE)
Department of Health (DOH) +
Department of Land and Natural Resources (DLNR) +
Office of Hawaiian Affairs (OHA)*
Office of Planning (DBED&T)
State Historic Preservation Division, DLNR+
State Department of Transportation (SDOT) +

3. Hawaiian Electric Company, Inc.+

Significant agency comments are discussed in Section III, ANALYSIS.

C. Community Organizations

As required by the LUO, the applicant presented his plans for the proposed zone change to the North Shore Neighborhood Board (NB) No. 27 on June 27, 2006. At that time, the applicant had proposed to subdivide the Property into eight five-acre agricultural lots.

Minutes of the Neighborhood Board meeting is attached; along with other comments (**Attachment 2**). Following is a summation of the Neighborhood Board's main concerns:

1. The five-acre lots would not be used for agricultural purposes.
2. A request was made to include a unilateral agreement to restrict the subdivision to five-acre lots instead of the two-acre lots permitted by the AG-2 Zoning District.
3. A representative from the Mokuleia Community Association reiterated the concerns mentioned above.

At that meeting, the North Shore NB voted to oppose the proposed zone change and subdivision.

A letter from the Mokuleia Community Association, dated June 23, 2006, and referencing a June 17, 2006 meeting of the Association, made the following points:

1. There may be chemicals present in the earth from the time of military use.
2. The Property was wholly within Dillingham Ranch with no separate access to, or egress from, the Property.
3. The requested upzoning was not in accordance with the vision and stipulations of the North Shore Sustainable Communities Plan (NS SCP) which called for the preservation of open spaces, view planes, and rural quality of life for the area.
4. There was no legal right to upzone the Property, but following rezoning to AG-2, there was a legal right to subdivide the Property.

Accordingly, the Mokuleia Community Association voted to oppose the requested zone change.

Notification of the proposed zone change and acceptance of the application was sent to the North Shore NB, the Haleiwa Community Association, the Mokuleia Community Association (MCA), nearby landowners, and various public interest groups.

Comments sent by Officers of the MCA dated May 8, 2010, made the following points:

1. They reiterated their position that “no overriding substantive developments which would convince the MCA to change its opposition to the change in zoning”.
2. There is no agricultural plan included in the application and that the Agricultural Feasibility Report prepared in 2007 for Dillingham Ranch only applies to Dillingham Ranch and not to the subject Property.
3. There is no recorded access to the Property; therefore, it is considered “land locked”.
4. There is no surface water and no known potable water sources or wells on the Property.
5. In spite of the MCA’s earlier opposition to the zone change, no further presentations to the North Shore NB or MCA have been given.

III. ANALYSIS

A. Compliance with State Legislation

Hawaii Revised Statutes (HRS), Chapter 205, Land Use Commission

The zone change area is within the State Agricultural District. The applicant’s proposal for AG-2 zoning is consistent with the purpose of the State Agricultural District.

B. Compliance with City Legislation

1. The General Plan of the City and County of Honolulu (Amended October 3, 2002 by Resolution 02-205, CD1).

The proposed zone change supports the following General Plan objectives and policies:

Economic Activity

Objective C: To maintain the viability of agriculture on Oahu.

Policy 5: Maintain agricultural land along the Windward, North Shore, and Waianae coasts for truck farming, flower growing, aquaculture, livestock production, and other types of diversified agriculture.

The proposed zone change would add slightly to the acreage of agricultural land on the North Shore. AG-2 zoning would enable some increase in the diversity of allowable farming activities as compared to those allowed under current P-2 Preservation zoning, thereby maintaining agricultural land on the North Shore in accordance with the General Plan.

Farming activities allowed in AG-2 (either as permitted, accessory, or conditional uses) and not allowed in P-2 include: agribusiness activities; agricultural products processing, minor and major; collecting, storage, and distribution of agricultural products; accessory roadside stands, agricultural machinery sales and service; sawmills; storage and sale of seed, feed, fertilizer; major and minor livestock production; and livestock veterinary services.

2. Revised Ordinances of Honolulu (ROH), Chapter 24, Development Plans, Article 8, North Shore

Three types of boundaries were established by the NS SCP to guide development and aid preservation of agricultural land and open spaces. They are the Rural Community Boundary (RCB), the Agriculture Boundary, and the Preservation Boundary. The subject parcel is located within the Agriculture Boundary.

The following policy from the NS SCP applies to the Property.

- Protect all important agricultural lands, regardless of current crop production capabilities, from uses that would undermine or otherwise irreversibly compromise their agricultural potential and crop production capabilities.

The proposed zone change from F-1 (P-2) to AG-2 is consistent with the NS SCP. The proposed zone change would add to the supply of agricultural land and retain this area in an open space setting and maintain the region's rural character. Although the uses under P-2 would also retain open space and regional rural character, it would not allow the range of activities under the AG-2 zoning district.

3. Revised Ordinances of Honolulu 1990, as amended, Chapter 21, Land Use Ordinance (LUO)

The LUO states the purpose, intent and guidelines for Agricultural Districts (Section 21-3.50) as follows:

- “(a) The purpose of the agricultural districts is to maintain a strong agricultural economic base, to prevent unnecessary conflicts among incompatible uses, to minimize the cost of providing public improvements and services, and to manage the rate and location of physical development consistent with the city's adopted land use

policies. To promote the viability and economic feasibility of an existing agricultural operation, accessory agribusiness activities may be permitted on the same site as an adjunct to agricultural uses. These accessory activities must be compatible with the on-site agricultural operation and surrounding land uses.”

“(d) The intent of the AG-2 General Agricultural District is to conserve and protect agricultural activities on smaller parcels of land.”

“(e) The following guidelines shall be used to identify lands which may be considered for the AG-2 General Agricultural District:

- (1) Lands which are in the state-designated agricultural or urban district and designated agricultural by adopted city land use policies;
- (2) Lands which are predominantly classified as other under the ALISH system; and
- (3) Lands which are used or are suitable for agricultural purpose and where a substantial number of parcels are less than five acres in size.”

The subject Property meets the first guideline in that it is within the State-designated Agricultural District and is also within an Agricultural area defined by the NS SCP. The lands have not been rated under the Agricultural Lands of Importance to Hawaii (ALISH) system. However, adjacent lands have been classified as Prime and Other Important Agricultural Land according to ALISH. According to the NS SCP, some lands in Mokuleia, where the subject Property is located, are considered less productive. Therefore, the Property does not fully satisfy guideline 2. Based on its earlier use before military ownership, the Property can be suitable for agricultural uses and meets the first part of guideline 3. As only one of the three parcels of record is less than five acres in size (0.7 acre) the Property does not fully satisfy the second part of guideline 3. In summary, the Property meets LUO guideline 1 and, in part, guidelines 2 and 3 for the AG-2 zoning district. The Property is bordered on all sides by lands zoned AG-2. The AG-2 zoning would allow more agricultural uses such as agribusiness activities, agricultural products processing, and livestock production, and non-agricultural uses such as farm dwellings, group living facilities, and meeting facilities, than in the P-2 zoning district. The applicant has proposed no further subdivision of the Property and has also proposed a zoning condition prohibiting further subdivision accordingly. With no further subdivision, the applicant would be allowed up to five farm dwellings within the proposed zoning classification.

The maximum height limit in the AG-2 District is 15 feet for non-agricultural structures and dwellings, but can be increased to 25 feet with rear and side setbacks of an additional one foot for every two feet above 15 feet in height (LUO Table 21-3.1).

Based on the preceding findings of fact and analysis, a zone change to AG-2 General Agricultural District is appropriate. The proposed uses for the Property, agricultural activities and farm dwellings, are permitted in the AG-2 District. Other non-agricultural uses permitted or permitted via Conditional Use Permit (CUP) major, CUP minor, or Plan Review Use in the AG-2 District include: home occupations, trade or convention centers, dwelling for cemetery caretakers, group living facilities, resource extraction, waste disposal and processing, outdoor recreation facilities, cemeteries and columbaria, day-care facilities, hospitals, meeting facilities, prisons, public uses and structures, schools, universities and colleges, airports, helistops, broadcasting and receive only antennas, utility installations types A and B, wind machines, and joint development.

C. Environmental Impacts

1. Chapter 343, Hawaii Revised Statutes (HRS) - Due to the size of the Property exceeding 15 acres, the zoning request qualified as a significant zone change and required preparation of an Environmental Assessment (EA). An EA was prepared by the applicant's agent and was reviewed by the Department of Planning and Permitting (DPP). A Finding of No Significant Impact (FONSI) was issued on October 27, 2009 and published in the Environmental Notice on November 23, 2009.
2. Archaeological/Historical Resources – Chapter 6E-42 Historic Preservation Review - A 1992 archaeological survey, which included the Property, identified several archaeological sites on the Property. A 2007 survey for Dillingham Ranch Aina, LLC also indicated a small area of potential historic and archaeological significance in the southwest portion of the Property. According to the State Historic Preservation Division (SHPD), there are 15 archaeological sites (significance not specified) located in the southwest portion of the parcel. The general location of these sites is shown on the attached map (**Attachment 3**). Should any ground disturbance activities occur in the southwestern area of the parcel near the archaeological sites, then possible impacts would need to be mitigated through an archaeological survey and mitigation plan.

Therefore, a condition of zoning approval is recommended to require appropriate protection and/or mitigation measures for archaeological sites as determined by the SHPD.

3. Shoreline Setback Ordinance and Special Management Area Ordinance - The proposed zone change area is located outside the shoreline setback and the

Special Management Area (SMA), and is not subject to requirements under Chapter 23 (Shoreline Setback) and Chapter 25 (Special Management Area), of the Revised Ordinances of Honolulu.

No condition of zoning approval related to shoreline setback is recommended.

4. Flood Hazard District - The makai portion of the proposed zone change area is located in Zone X of Flood Insurance Rate Map (FIRM) Number 15003C0085F, with the mauka portion in Zone D, Map Number 15003C0095F. Zone X identifies areas determined to be outside the 0.2 percent annual chance floodplain, which is also known as the 500-year floodplain. Areas in FIRM Zone D have an undetermined flood risk.

Therefore, the site is not subject to the Flood Hazard District regulations of the LUO, and a condition of zoning approval is not recommended.

5. Slope Hazard - A potential rockfall hazard from the somewhat steeper adjacent land was identified during the review of the adjacent 77-lot subdivision application for the Dillingham Ranch property in 2007. Off-site conditions for the mauka portions of the Property are similar. Therefore, prior to obtaining building or grading permits for any farm dwelling, or other building, the applicant should submit an Engineering Slope Hazard Report to the DPP for review and approval as defined in Section 14-13.3 ("Definitions") of the Revised Ordinances of Honolulu 1990 as amended. Based on findings of the Report, the Declarant shall either (a) implement all mitigation measures recommended to protect farm dwellings and other buildings located in areas identified by the Report as posing a hazard, or (b) locate such structures in areas the Report deems not hazardous. It is, therefore, recommended that a condition of zoning approval require the applicant to submit an Engineering Slope Hazard Report to DPP and implement recommended protective measures as needed.

6. Former Military Storage Sites - Parsons Corporation (Parsons) conducted a site inspection and pre-assessment study of the Property during December 2007 on behalf of the Army Corps of Engineers. The inspection consisted of qualitative visual reconnaissance and surface soil sampling for munition constituents. Soil samples were collected at approximately equally spaced intervals over the entire Property. While a number of open storage areas were found to confirm the historical record, no munitions and explosives of concern or munition debris were observed during the site inspection. Further, "No explosive compounds were detected in the surface soil samples". Soil analysis determined that munition constituents of copper, lead, and zinc were present in the surface soil. The mean concentrations were below the Hawaii Department of Health Soil Action Levels and Parsons concluded, "As a result, no unacceptable risk to human health is expected from exposure to lead or zinc in the surface soil at this munitions response site."

On January 18, 2008 Kane Environmental performed a magnetometer survey of the Property to determine if any subsurface structures or objects were present. A ferro-magnetic metal detector was used, sensitive to depths of approximately ten feet. The survey did not reveal any metallic subsurface objects, such as those expected to be found in sub-grade storage or in a landfill.

Although the Parsons report recommended a remedial investigation and feasibility study be carried out, the Army Corps of Engineers currently has no plans to follow up on the recommendations of the Parson's report. If the Army determines that a Remedial Investigation and Feasibility Study is required, they will either do the study or engage a consultant to do it.

Therefore, no condition requiring further study of former munitions storage areas is recommended.

7. Noise - State Department of Transportation (DOT) advised in their comments that the Property is in close proximity to Dillingham Airfield/Military Reservation. Various civilian and military activities occur at Dillingham. The landowner should provide the necessary disclosures to prospective tenants and occupants of the Property, on the possible overflights and noise due to powered aircraft, glider and parachute operations, as well as daytime and night training exercises by military units.

A condition of zoning approval is, therefore, recommended that the applicant disclose these conditions to all prospective purchasers, lessees, or tenants of the Property accordingly.

D. Public Facilities and Services

Agency comments received regarding specific public facilities and services are summarized below.

1. Water System - According to the Board of Water Supply (BWS), they have no water system able to serve this parcel. The parcel should, therefore, be served by a private water system.

There are no wells on the property. The application discusses three options for providing water. First is to obtain water from the several wells in the vicinity. Second, on September 12, 2008, Dillingham Ranch Aina, LLC applied for a certificate of Public Convenience and Necessity as the North Shore Water Company to continue to provide water for the area as a public utility. Since the Property is within the Service Area, water could therefore be supplied accordingly. The PUC application is still under review. Third, the applicant can drill a new well with the approval of the

Commission on Water Resources Management, and in compliance with all Department of Health guidelines to protect groundwater quality.

Requirements for water supply will be established as part of the building permit review process. Therefore, no condition of zoning approval is recommended.

2. Drainage System - Any development of the property, subsequent to the zone change, will have to comply with applicable grading requirements and stormwater management best practices, which are part of the additional permit reviews.

Therefore, no condition of zoning approval related to drainage is recommended.

3. Wastewater System - The area is not serviced by the municipal wastewater system. The proposed private disposal system falls under the jurisdiction of the State Department of Health.

No condition of zoning approval is recommended as the disposal system will be reviewed at the time of building permit processing.

4. Access and Transportation - According to the deed, the Property is legally landlocked, since there is no recorded access to the Property. However, 24-hour vehicular access exists via a 50-foot wide, coral roadway, owned by Dillingham Ranch Aina, which is used by Dillingham Ranch to service their agricultural properties, including the subject Property. The access roadway begins on the mauka side of Farrington Highway, across from the Mokuleia Polo Field, and follows along the property boundary between TMK: 6-8-003:015 and 019 and across parcels 06, 30, and 31. According to the applicant's agent, the applicant's use of the existing access road from Farrington Highway is currently based on a long standing informal agreement with Dillingham Ranch.

The State DOT, in their letter of 12/27/06, reviewed an earlier proposed zone change and eight parcel agricultural subdivision for the Property in 2006, and provided preliminary comments as follows:

- Access route and Farrington Highway connection should be identified, mapped, and submitted to Highways Division for review and approval in accordance with necessary requirements and standards. The Highways Division will specify the requirements, conditions, and documentation steps to formalize a permitted access.
- The submittal should include details of proposed subdivision, construction and uses. A traffic assessment should be submitted to facilitate review of traffic impacts on Farrington Highway.

- No additional storm water runoff will be allowed onto the highway right-of-way.
- Any construction work adjacent to the access connection with Farrington Highway must also be submitted for review and approval.

In a second letter from State DOT dated 2/21/07, the following comments were submitted:

- The proposed subdivision will not impact Farrington Highway, our State facility.
- The proposed subdivision should coordinate and obtain access via the Dillingham Ranch Aina agricultural subdivision access road, and that paving may be required within the highway right-of way. This subdivision access must coincide with Dillingham Ranch Aina's access.
- Recommended a cost sharing agreement should a channelized intersection be required for Dillingham Ranch Aina subdivision.
- Subdivision traffic should not track mud and debris onto the State highway.

The previously proposed eight lot subdivision of the subject Property and the 77 lot subdivision of the adjacent Dillingham Ranch Aina property are no longer active proposals. Additionally, given the restriction against further subdivision of the existing three parcels of record and the farm dwelling limitation proposed by the Applicant (see item 8. Other Considerations below), a condition of zoning relating to access is not recommended. Should the adjacent Dillingham Ranch Aina property file a new subdivision application, State DOT concerns related to the access road and its connection to Farrington Highway can be addressed at that time.

5. Fire Protection - The nearest fire station (No. 14) is located in Waialua approximately five miles from the Property.

The Honolulu Fire Department (HFD) commented that there must be a fire apparatus access road for every facility or building located more than 150 feet from a fire apparatus access road. In addition, on-site fire hydrants and mains capable of supplying the required fire flow must be provided when any portion of the facility or building is in excess of 150 feet from a water supply on a fire apparatus access road. Civil drawings should be submitted to HFD for review and approval.

The requirements of the HFD will be determined at time of building permit, therefore, a condition of zoning approval is not recommended.

6. Police - The Honolulu Police Department commented that this project should have no unanticipated impact on the facilities or operations of the Honolulu Police Department.

Therefore, a condition of zoning approval related to police matters is not recommended.

7. Parks and Schools - The nearest public park is the Makaleha Beach Park located on Farrington Highway approximately one mile makai of the subject property.

It is anticipated that impacts on park usage would be minimal. The Department of Parks and Recreation made no comment on the proposal.

The nearest public schools are the Waiialua Elementary, Middle, and High Schools. The impact of agricultural activities and the development of up to five farm dwellings within the AG-2 district are not anticipated to have a significant impact on local schools. The Department of Education made no comment on the proposal.

Therefore, a condition of zoning approval regarding parks, recreation, and schools is not recommended.

8. Other Considerations – In the zone change application, the applicant stated his intent to not subdivide the Property beyond the three existing lots of record as follows: “There will be no further subdivision of the property.” The applicant also proposed a unilateral agreement condition to prohibit subdivision accordingly. Additionally, in the application, it was acknowledged that without subdivision, the LUO would allow a maximum of five farm dwellings on the three parcels.

As proposed by the applicant, the department has no objection to a condition of zoning approval prohibiting subdivision of the three existing parcels except for purposes of consolidation and/or access or utility easements and limiting the number of farm dwellings to no more than five within the total Property area of approximately 40.59 acres.

IV. CONCLUSION

The Director hereby makes the following conclusions:

Based on the foregoing analysis, a zone change from F-1 Military and Federal Preservation to the AG-2 General Agriculture District will comply with State and City policy plans.

Private infrastructure systems with improvements for access, water supply, and waste water disposal, as required and approved by the respective responsible agencies, should be sufficient to support the proposed zone change.

V. RECOMMENDATION

Pursuant to the foregoing Findings of Fact, Analysis, and Conclusion, The Director of the Department of Planning and Permitting recommends that a change in zoning for Tax Map Key: 6-8-3: 021 from F-1 Military and Federal Preservation to AG-2 General Agriculture, with a height limit of 25 feet, as shown on Exhibit A of the attached draft ordinance, be APPROVED subject to the applicant's execution of a Unilateral Agreement (UA) under the provisions of Section 21-2.80 of the Land Use Ordinance (LUO) to be recorded with the Land Court and to include the following conditions:

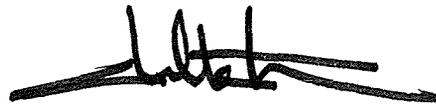
1. Slope Hazards – Prior to obtaining building or grading permits for any farm dwelling or other building, the Declarant shall submit an Engineering Slope Hazard Report to the Department of Planning and Permitting for review and approval as defined in Section 14-13.3 (“Definitions”) of the Revised Ordinances of Honolulu 1990 as amended. Based on findings of the Report, the Declarant shall either (a) implement all mitigation measures recommended to protect farm dwellings or other buildings located in areas identified by the Report as posing a hazard, or (b) locate such structures in areas the Report deems not hazardous.
2. Archaeological Resources – Prior to grading, grubbing, stockpiling, or building permit approval, the Declarant shall obtain approval from the State Historic Preservation Division (SHPD) for an archaeological inventory survey and mitigation. The Declarant shall implement protection and/or mitigation measures as required by SHPD.
3. Disclosures – Declarant shall disclose to all prospective purchasers, tenants, lessees, and occupants of the property of the potential noise impacts of civilian and/or military aircraft and training activities that utilize Dillingham Airfield during the day and night. Language of the disclosure document shall be coordinated and concurred with by the State Department of Transportation (DOT) prior to execution of sales or lease documents, and a copy of the disclosure document shall be provided to the Department of Planning and Permitting (DPP) for their records.
4. Subdivision - There shall be no further subdivision of the Property's existing three parcels of record except for the purposes of parcel consolidation and/or for access and utility easements.
5. Limit on Number of Farm Dwellings – The number of farm dwelling units shall be limited to five within the total Property area of approximately 40.59 acres.

6. Compliance with Other Government Requirements – The Declarant acknowledges that approval of this zone change does not constitute compliance with other LUO or governmental agencies' requirements. They are subject to separate review and approval. The Declarant shall be responsible for ensuring that the final plans for the project comply with all applicable LUO and other governmental provisions and requirements.
7. Noncompliance or Failure to Fulfill Any Conditions - In the event of noncompliance or failure to fulfill any of the conditions set forth herein, the Director of the DPP shall inform the City Council and may institute action to terminate or stop the project until applicable conditions are met. Noncompliance also may be grounds for revocation of the permits issued under this zone change.
8. Annual Report – On an annual basis, the Declarant shall submit a written status report to the DPP documenting its satisfaction of and/or describing its progress toward complying with each condition of approval for this zone change. The status report shall be submitted to the DPP by December 31 of each year until such time as the DPP has determined that all conditions of approval have been satisfied. If a status report is not submitted within the time specified, the DPP may defer the processing of permits until a status report is submitted.

Dated at Honolulu, Hawaii, this 15th day of October, 2010.

Department of Planning and Permitting
City and County of Honolulu
State of Hawaii

By

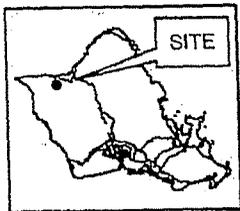
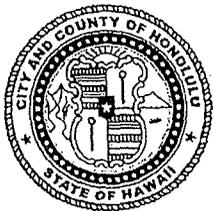
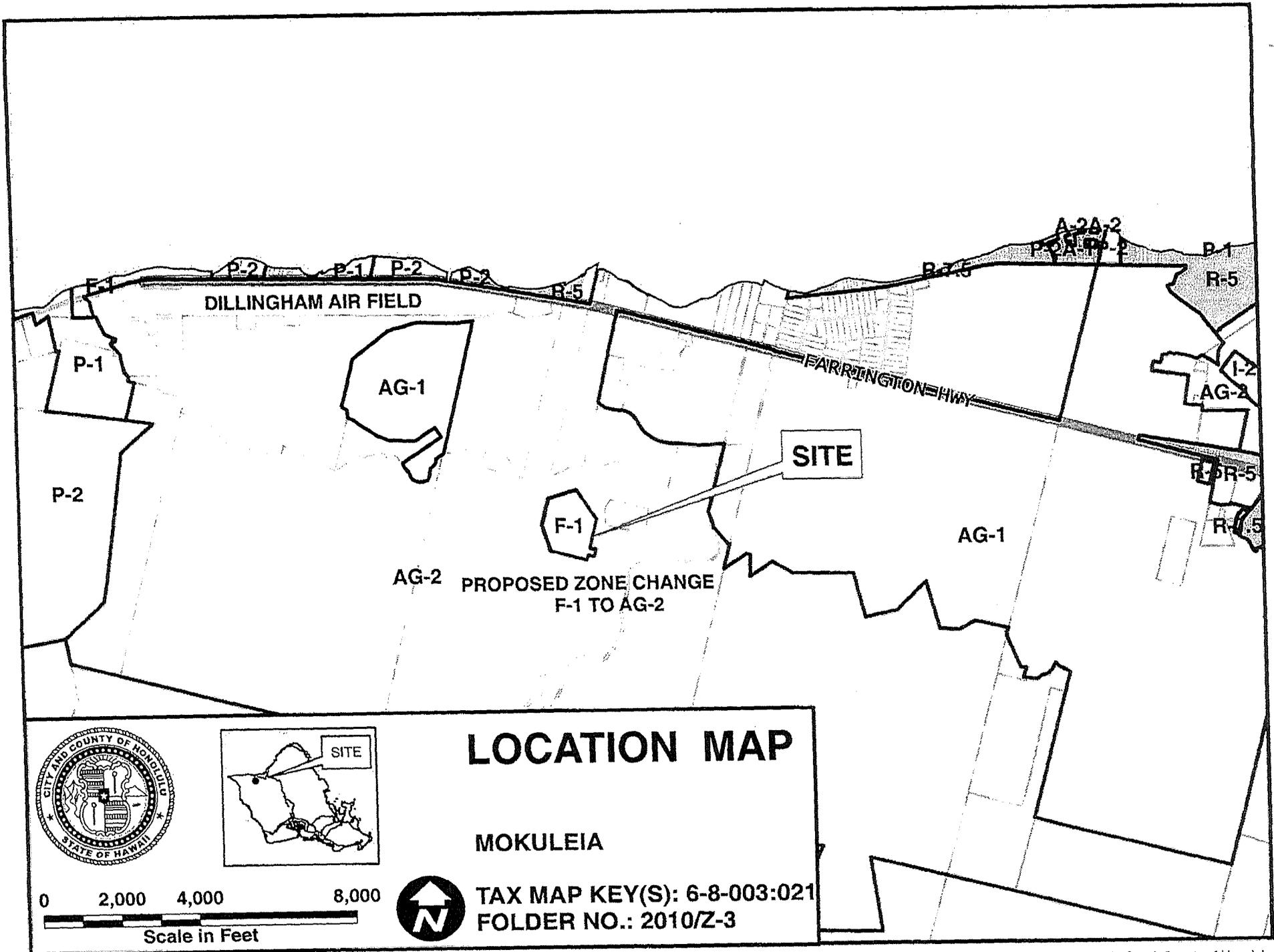


David K. Tanoue, Acting Director
Department of Planning and Permitting

DKT:bkg/hbs
788437

Attachments

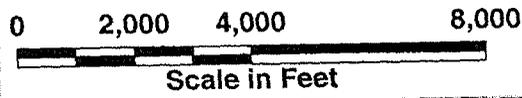
ATTACHMENT 1
(LOCATION MAP)



LOCATION MAP

MOKULEIA

TAX MAP KEY(S): 6-8-003:021
 FOLDER NO.: 2010/Z-3



ATTACHMENT 2
(AGENCY AND COMMUNITY COMMENTS)

PD CPB

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843



May 10, 2010

MUFI HANNEMANN, Mayor

RANDALL Y. S. CHUNG, Chairman
SAMUEL T. HATA
WILLIAM K. MAHOE
THERESIA C. McMURDO
ADAM C. WONG

JEFFREY S. CUDIAMAT, Ex-Officio
BRENNON T. MORIOKA, Ex-Officio

WAYNE M. HASHIRO, P.E.
Manager and Chief Engineer

DEAN A. NAKANO
Deputy Manager

RECEIVED

'10 MAY 12 P12:29

DEPT OF PLANNING
TO: AND PERMITTING DAVID K. TANOUE, DIRECTOR
CITY & COUNTY OF HONOLULU DEPARTMENT OF PLANNING AND PERMITTING

FROM: PAUL S. KIKUCHI, CHIEF FINANCIAL OFFICER
BOARD OF WATER SUPPLY

SUBJECT: YOUR MEMORANDUM DATED APRIL 26, 2010 ON THE PROPOSED ZONE CHANGE IN MOKULEIA, FILE NUMBER 2010/Z-3, TMK: 6-8-3:21

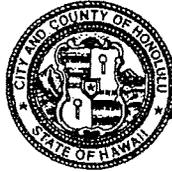
We do not have a water system able to serve this parcel. The parcel should be served by the private water system in this area

If you have any questions, please contact Robert Chun at 748-5443.

DEPARTMENT OF DESIGN AND CONSTRUCTION
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 11TH FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8480 • Fax: (808) 768-4567
Web site: www.honolulu.gov

MUFI HANNEMANN
MAYOR



RECEIVED

10 MAY 18 10:24

CRAIG I. NISHIMURA, P.E.
DIRECTOR

COLLINS D. LAM, P.E.
DEPUTY DIRECTOR

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU
May 17, 2010

MEMORANDUM

TO: DAVID K. TANOUE, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: *Collins D. Lam*
FOR CRAIG I. NISHIMURA, P.E. DIRECTOR
DEPARTMENT OF DESIGN AND CONSTRUCTION

SUBJECT: APPLICATION FOR A ZONE CHANGE FROM F-1 MILITARY AND
FEDERAL PRESERVATION DISTRICT TO AG-2 GENERAL
AGRICULTURE DISTRICT, MOKULE'IA, O'AHU
TAX MAP KEY: 6-8-003:021

Thank you for inviting us to review the above application. The Department of Design and Construction does not have any comments to offer at this time.

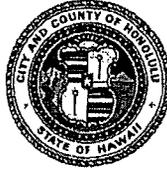
Should you have any questions, please contact Craig Nishimura, Director at ext. 88480.

CN:pg(364631)

HONOLULU FIRE DEPARTMENT
CITY AND COUNTY OF HONOLULU

636 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

MUFI HANNEMANN
MAYOR



RECEIVED

KENNETH G. SILVA
FIRE CHIEF
ROLLAND J. HARVEST
DEPUTY FIRE CHIEF

'10 MAY 20 A11 :17

May 19, 2010

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

TO: DAVID TANOUE, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: ROLLAND J. HARVEST, ACTING FIRE CHIEF

SUBJECT: APPLICATION FOR A ZONE CHANGE
MOKULEIA, OAHU, HAWAII
TAX MAP KEY: 6-8-003: 021
PROJECT FILE NUMBER: 2010/Z-3

In response to your memorandum of April 26, 2010, regarding the above-mentioned subject, the Honolulu Fire Department (HFD) reviewed the material provided and has no objections to the proposed zone change.

However, the HFD requires that the following be complied with prior to any sale and/or development of the parcels:

1. Provide a fire apparatus access road for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet (45 720 mm) from a fire apparatus access road as measured by an approved route around the exterior of the building or facility. (1997 Uniform Fire Code, Section 902.2.1.)

Note: Fire apparatus access shall be to each subdivided parcel.

2. Provide a water supply, approved by the county, capable of supplying the required fire flow for fire protection to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed or moved into or within the county.

David Tanoue, Director
Page 2
May 19, 2010

On-site fire hydrants and mains capable of supplying the required fire flow shall be provided when any portion of the facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building. (1997 Uniform Fire Code, Section 903.2, as amended.)

Note: On-site fire hydrants shall pertain to each subdivided parcel and be in relation to the fire apparatus access road.

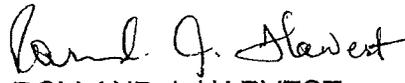
3. Submit civil drawings to the HFD for review and approval.
4. In addition to the fire apparatus access and fire hydrant requirements to each subdivided parcel, the HFD requires the installation of an approved automatic fire sprinkler system in all dwellings that are constructed in excess of 150 feet from the fire apparatus access road.

The automatic fire sprinkler system shall be in accordance with National Fire Protection Association 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings.

The fire sprinkler plans shall be stamped by a licensed mechanical engineer.

Note: It is not the intent of this requirement to mandate the installation of an automatic fire sprinkler system in every case.

Should you have any questions, please call Battalion Chief Socrates Bratakos of our Fire Prevention Bureau at 723-7151.

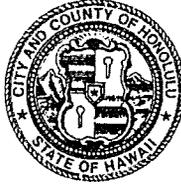

ROLLAND J. HARVEST
Acting Fire Chief

RJH/SY:bh

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

MUFI HANNEMANN
MAYOR



RECEIVED

LOUIS M. KEALOHA
CHIEF

DELBERT T. TATSUYAMA
RANDAL K. MACADANGDANG
DEPUTY CHIEFS

OUR REFERENCE DAT-VYH

'10 MAY 11 A8:42

May 7, 2010

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLU.

TO: DAVID K. TANOUE, FAICP, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: LOUIS M. KEALOHA, CHIEF OF POLICE
HONOLULU POLICE DEPARTMENT

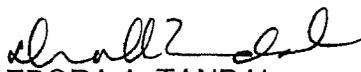
SUBJECT: APPLICATION FOR A ZONE CHANGE FROM F-1 MILITARY AND
FEDERAL PRESERVATION DISTRICT TO AG-2 GENERAL
AGRICULTURE DISTRICT, MOKULE'IA, O'AHU
TAX MAP KEY: 6-8-003:021

Thank you for the opportunity to review and comment on the subject project (2010/Z-3).

This project should have no unanticipated impact on the facilities or operations of the Honolulu Police Department.

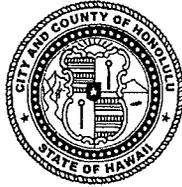
If there are any questions, please call Major Bart Huber of District 2 (Wahiawa) at 621-3725.

LOUIS M. KEALOHA
Chief of Police

By 
DEBORA A. TANDAL
Assistant Chief of Police
Support Services Bureau

DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 309 • KAPOLEI, HAWAII 96707
TELEPHONE: (808) 768-3003 • FAX: (808) 768-3053 • CITY WEB SITE: www.honolulu.gov



MUFI HANNEMANN
MAYOR

LESTER K. C. CHANG
DIRECTOR

RICHARD HARU
DEPUTY DIRECTOR

May 7, 2010

TO: DAVID K. TANOUE, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

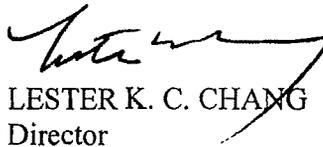
FROM: LESTER K. C. CHANG, DIRECTOR

SUBJECT: APPLICATION FOR A ZONE CHANGE FROM F-1 MILITARY AND
FEDERAL PRESERVATION DISTRICT TO AG-2 GENERAL
AGRICULTURE DISTRICT, MOKULEIA, OAHU
TAX MAP KEY: 6-8-003:021, PROJECT FILE NO. 2010/Z-3

Thank you for the opportunity to review and comment on the subject application for a zone change from Federal Preservation District to AG-2 General Agriculture District.

The Department of Parks and Recreation has no comment.

Should you have any questions, please contact Mr. John Reid, Planner, at 768-3017.



LESTER K. C. CHANG
Director

LKCC:jr
(364764)

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

'10 MAY -7 P2:14

RECEIVED

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

MUFI HANNEMANN
MAYOR

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'10 MAY 26 A10:32

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLU.

May 26, 2010

WAYNE Y. YOSHIOKA
DIRECTOR

SHARON ANN THOM
DEPUTY DIRECTOR

KENNETH TORU HAMAYASU
DEPUTY DIRECTOR

TP5/10-364776R

MEMORANDUM

TO: DAVID K. TANOUE, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: WAYNE Y. YOSHIOKA, DIRECTOR

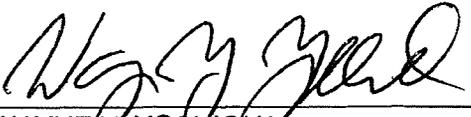
SUBJECT: APPLICATION FOR A ZONE CHANGE FROM F-1 MILITARY AND
FEDERAL PRESERVATION DISTRICT TO AG-2 GENERAL AGRICULTURE
DISTRICT, MOKULEIA, OAHU, TAX MAP KEY: 6-8-003:021

This responds to your April 26, 2010, memorandum requesting our review and comments for the subject project.

Our Traffic Engineering Division (TED) has the following comments:

- Page 5 - The 2nd and last paragraphs refer to TMK: 6-8-003:021 as being comprised of three parcels. We recommend clarifying why there is one TMK for three separate parcels.
- Page 7, Figure 2 – There is a labeling error, which appears to highlight two project sites on the Project Site and Vicinity map.
- Page 38 – The access road beginning on the mauka side of Farrington Highway, which is owned by Dillingham Ranch Aina, should be constructed to City Standards since the State Department of Transportation mandates the road as a public emergency access to higher ground.

Thank you for the opportunity to review this matter. Should you have any further questions on the matter, you may contact Ms. Virginia Bisho of my staff at Local 85461.


WAYNE Y. YOSHIOKA
Director

NEIGHBORHOOD COMMISSION OFFICE
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: www.honolulu.gov/nco

MUFI HANNEMANN
MAYOR



May 28, 2010

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

RAE GEE
EXECUTIVE SECRETARY
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10 JUN -1 P 2:26

MEMORANDUM

TO: DAVID TANOUE, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: RAE GEE, EXECUTIVE SECRETARY *RG*
NEIGHBORHOOD COMMISSION OFFICE

SUBJECT: RALPH S. GREY, ZONE CHANGE APPLICATION 40.59 ACRES OF
LAND FROM F-1 MILITARY AND FEDERAL PRESERVATION
DISTRICT TO AG-2 GENERAL AGRICULTURAL DISTRICT,
MOKULEIA, O'AHU TAX MAP KEY: 6-8-003:021

The Neighborhood Commission Office does not have any comments to provide to the Department of Planning and Permitting at this time.

A presentation was made by Mr. Don Clegg of Analytical Planning Consultants seeking Board support on behalf of applicant Mr. Ralph S. Grey and the application was denied. See attachment of the North Shore Neighborhood Board Number 27, Regular Meeting Minutes, dated June 27, 2006.

Our records show that the North Shore Neighborhood Board, Number 27 passed a motion at a Regular Board Meeting held on June 27, 2006 opposing the request to rezone 40.59 acres in Mokuleia from F-2 Military and Federal Preservation (F-2) to Agricultural-1 (AG-1).

Thank you for the opportunity to comment. If you have any questions, please feel free to call Dean Harvest, Public Relations Assistant, at 768-3781.

Enclosures



NORTH SHORE NEIGHBORHOOD BOARD NO. 27

P.O. BOX 577 • HALEIWA, HAWAII, 96712
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

**MINUTES OF REGULAR MEETING
TUESDAY, JUNE 27, 2006
JOHN KALILI SURF CENTER**

CALL TO ORDER BY VICE CHAIR: Vice Chair Gerri Meade called the meeting to order at 7:00 p.m. with quorum of 13 members present.

MEMBERS PRESENT: Lloyd O'Sullivan, Alfred Antonio, John Hirota, Oliver P. Lunasco, Jake Ng, Dan Gora, Michael D. Lyons, Carol Phillips, Warren Scoville, Bob Leinau, Blake McElheny, Gerri Meade, Antya Miller.

MEMBERS ABSENT: Kathleen Pahinui, Jimmy Awai.

GUESTS: Mineko Zeidlhack, Steve Ring (Mokuleia Community Association), Judy Rossman, Kathie St. Vincent, Jimmy N., Thomas Shirai, Meryl Andersen, Andy Keliikoa (Board of Water Supply), Josh Stanbro (Trust for Public Land), Stephen Doyle, Judy F., Robert Bailey (videographer), Pam Mills-Packo, Arjun Aryal, Medria Neepac, Ruby Dvorak, Bruce Bellows, Alenka Remecek (Mayor's Representative), Gil Riviere, Jeffrey Alameida, Diane Anderson, T, Piskal, Bob Van Dorn, Brig. Gen. Gary Ishikawa (Governor's Representative), Meredith Kelly, George Kuo and Andy Keliikoa (Board of Water Supply), Representative Michael Magaoay, Reed Matsuura (Councilmember Dela Cruz's office), Jimmy Nakatane (Congressional Representative Ed Case's Office), Lt. Douglas Beerman (HPD), Major Greg Baker and Major Stalder (U.S. Army 25th Infantry Division), Kalani Fronda (Kamehameha Schools), Don Clegg (Analytical Planning), Marie Richardson and Vanessa Matautia (Neighborhood Commission Office staff)

ELECTION OF OFFICERS:

Chair - O'Sullivan nominated Gerri Meade seconded by Antonio. Lyon moved to close nominations and with unanimous consent, Gerri Meade was elected chair.

Vice Chair - Meade nominated Michael Lyons seconded by Lunasco. Gora moved to close nominations and with unanimous consent, Michael Lyons was elected Vice-Chair.

Treasurer - Ng nominated Dan Gora seconded by Scoville. Antonio moved to close nominations and with unanimous consent, Dan Gora was elected Treasurer.

Secretary - Lyons nominated Carol Phillips seconded by Lunasco. Lunasco moved to close nominations and with unanimous consent, Carol Phillips was elected Secretary.

Chair Meade took the agenda out of order to bid a farewell to Marie Richardson, North Shore NB assistant for the past several years. Chair Meade also welcomes new NB assistant, Vanessa Matautia. Both NB assistants thanked the Board for their support and hope to provide the Board with excellent service.

APPROVAL OF MINUTES FOR THE MAY 23, 2006 REGULAR MEETING: (Deferred to July 25, 2006)
Board member Bob Leinau and Blake McElheny arrive at 7:06 p.m.

TREASURER'S REPORT; Dan Gora reported the following details for the month of June 2006. Current expenditures were totaled at \$98.08 leaving an operating account balance of \$300.02. The publicity account accrued \$150.00 leaving \$701.00 balance. There was no change to the refreshment account leaving the remaining balance at \$120.00.

Leinau moved to approve the treasurer's report seconded by Hirota. The motion carried, 14-1 with dissenting vote by Scoville.

REPORTS FROM HONOLULU POLICE AND FIRE DEPARTMENTS:



Discussion followed:

1. Pam Mills-Packo commented on the need for this agreement in which is needed in order to guarantee completion of the project. The project would look into what run-off into local streams were natural occurrences or by commercial developments in the area.
2. Leinau questioned what percentage of run-off was caused by agriculture and whether or not the project would have any ability to act on findings against offenders.

The motion carried unanimously.

NEW BUSINESS:

REZONING OF 40.59 ACRES IN MOKULEIA - Don Clegg with Analytical Planning Consultants, Inc. presented and request for Board support to rezone 40.59 acres in Mokuleia from P-2 to Ag-2, which the owner intends to divide into eight five-acre lots for lease to farmers for agricultural purposes. The land is zoned at F-1 military usage as this land was used by the government in earlier years. The land surrounding the lot is presently zoned at Ag-2 and would be not be a major change in which would provide

The Board motioned to oppose request for Board support to rezone 40.59 acres in Mokuleia from F-2 to Ag-2.

Discussion:

1. Mr. Ralph Grey, the owner of the lot, commented on his intentions of re-zoning the lot. He stated that he was a North Shore native who had lived with his family for many years in the area. He believed that he would create five-acre lots in order to help promote agricultural business within the area and would keep one five-acre lot for his family's personal use.
2. Lunasco questioned Mr. Grey's intent of creating five-acre lots because he had seen in recent years Ag-2 land become home to large mansions with no intent of actually creating agriculture farms that were economically viable. Mr. Grey insisted that if his intentions were to make a profit from the zone change, he would divide the lot into two-acre lots in which would allow for a better profit margin.
3. A resident questioned whether or not a binding agreement to create 5-acre lots rather than 2-acre lots could be provided in the zoning change. Mr. Clegg reported that this is a possible choice for the Board to recommend support.
4. Stew Ring, from the Mokuleia Community Association (MCA), read a letter to the Board regarding the request for support. During a recent Mokuleia Community Association meeting, residents were concerned regarding chemicals left from storage of ammunitions on the site. They also questioned access to the property which from past owners had none and believed that the rezoning was not in compliance with the North Shore Sustainable Communities Plan and is the reason why MCA did not approve support for this request. Mr. Ring also commented on Mr. Grey's occupation as a realtor and possible motives for rezoning the land.

The motion carried 11-0-1. Scoville abstained.

Pupukea-Paumalu Zoning Change - Trust for public land and the City- Request for Board Support from the C&C of Honolulu, Dept. of Design and Construction, to downzone land from Country to Ag-2 to facilitate the conservation of Pupukea-Paumalu.

Josh Stanbro, from the Trust for Public Land reported to the Board that this request would allow for the sale of the property from Kobayashi Hawaii Corporation to the Trust. The downzoning from County to Ag-2 would allow for the property to remain in perpetuity, protected from development.

Leinau moved to support request for the Dept. of Design and Construction, to downzone land from County to Ag-2 to facilitate the conservation of Pupukea-Paumalu and seconded by Miller.

MOKULE'IA COMMUNITY ASSOCIATION
68-703 Crozier Drive
Walalua, HI 96791

DEPT OF PLANNING
AND PERMITTING
CITY AND COUNTY OF HONOLULU

10 MAY 10 AM 1:03

RECEIVED
May 2010

Director David K. Tanoe
Department of Planning and Permitting
850 South King Street, 7th Floor
Honolulu, HI 96813

Aloha Director Tanoe,

This letter is in response to your memorandum of April 26, 2010 to Community Organizations concerning an application for a zone change, the Project File Number of which is 2010/Z-3, on which you had requested a response by May 28, 2010.

In June 2006, both the Mokule'ia Community Association (MCA) and North Shore Neighborhood Board No. 27 addressed the request to rezone the 40.59 acres of Mokule'ia land from F-1 Military and Federal Preservation to AG-2 General Agriculture. Both community organizations opposed the requested rezoning for the reasons clearly stated in Attachment G of the March, 2010 Zoning Change Application submitted by Analytical Planning Consultants, Inc.

Since those 2006 meetings there have been no overriding substantive developments which would convince the MCA to change its opposition to the change in zoning.

Perhaps more importantly, the Zoning Change Application of March, 2010 submitted to your department raises some additional reasons to oppose the requested rezoning:

- The application states, on page 10, that "Under the University of Hawaii Land Study Bureau (LSB) classification system, the Property is rated "D". Continuing, the application points out that the "Adjacent areas of land are designated as either Prime Agricultural Land or Other Important Agricultural Land". Continuing, it refers to the Agricultural Feasibility Report done in 2007 for the adjacent Dillingham Ranch Aina LLC agricultural subdivision and states that "The Report is applicable to the subject property". But that is not true because the report is only applicable to Dillingham Ranch.

- Our understanding is that a request for rezoning to agricultural land must include an agricultural plan. But the application states, on page 23, that "At this stage of the project, soil mapping and analysis have not been performed for the subject property, therefore detailed agricultural plans are not available". Continuing, the application states "The Agricultural Feasibility Report done in 2007 for the adjacent Dillingham Ranch Aina LLC agricultural subdivision is applicable to the subject Property...". But that is not true because: 1) As reported on page 10, The Property's land is rated "D" and 2) The Department of Agriculture's report applies only to Dillingham Ranch.

- The application states, on page 37, that "According to the deed, there is no recorded access to the Property".

- And, as mentioned in numerous places, there are no known potable water sources, no surface water and there are no known wells on the Property which have been permitted by the Commission on Water Resources Management for either domestic or irrigation use.

- Finally, in spite of their earlier opposition to the change in zoning, on page 46, the application states that "... no additional presentations to the Mokule'ia Community Association or North Shore Neighborhood Board have been given".

For all the foregoing reasons, the officers of the Mokule'ia Community Association continue to oppose the requested change in zoning.

Mike Dailey, President

Lloyd O'Sullivan, Vice President

Stew Ring, Secretary

Copy to: Councilman Donovan Dela Cruz
Chair, North Shore Neighborhood Board No. 27
Mokule'ia Representatives to the North Shore Neighborhood Board

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

RECEIVED

In reply, please refer to:

EPO-I-3177

May 11, 2010

'10 MAY 13 AM 11:38

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

Mr. David K. Tanoue, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

Dear Mr. Tanoue:

SUBJECT: Application for a Zone Change from F-1 Military and Federal Preservation
District to AG-2 General Agriculture District, Mokuleia, Oahu
TMK: 6-8-003:021

Thank you for allowing us to review and comment on the subject document. The document was routed to the various branches of the Environmental Health Administration. We have no comments at this time, but reserve the right to comment in the future. We strongly recommend that you review all of the Standard Comments on our website: www.hawaii.gov/health/environmental/env-planning/landuse/landuse.html. Any comments specifically applicable to this application should be adhered to.

The same website also features a Healthy Community Design Smart Growth Checklist (Checklist). The Hawaii State Department of Health, Built Environment Working Group, recommends that State and county planning departments, developers, planners, engineers and other interested parties apply the healthy built environment principles in the Checklist whenever they plan or review new developments or redevelopments projects. We also ask you to share this list with others to increase community awareness on healthy community design.

If there are any questions about these comments, please contact the Environmental Planning Office at 586-4337.

Sincerely,

GENEVIEVE SALMONSON, Acting Manager
Environmental Planning Office

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 26, 2010

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

10 MAY 27 AM 10:20

RECEIVED

Department of Planning & Permitting
City & County of Honolulu
650 South King Street 7th Floor
Honolulu, Hawaii 96813

Attention: Mr. Hal Senter

Ladies and Gentlemen:

Subject: 2010/Z-3

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR), Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comment.

Other than the comments from Division of Aquatic Resources, Division of Forestry & Wildlife, Land Division-Oahu District, Engineering Division, the Department of Land and Natural Resources has no other comments to offer on the subject matter. Historic Preservation will be submitting comments through a separate letter. Should you have any questions, please feel free to call our office at 587-0433. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Morris M. Atta".

Morris M. Atta
Acting Administrator

54029

LINDA LINGLE
GOVERNOR OF HAWAII



Laura H. Thelen
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
RECEIVED
STATE PARKS DIV



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 5, 2010

'10 MAY -5 P3:25

DEPT OF LAND &
NATURAL RESOURCES
STATE OF HAWAII
RECEIVED
LAND DIVISION
MAY 10 A 10:16
MAY 10 A 10:16

MEMORANDUM

- TO: **DLNR Agencies:**
- Div. of Aquatic Resources
 - Div. of Boating & Ocean Recreation
 - Engineering Division
 - Div. of Forestry & Wildlife
 - Div. of State Parks
 - Commission on Water Resource Management
 - Office of Conservation & Coastal Lands
 - Land Division -Oahu District

FROM: Charlene Unoki, Assistant Administrator *Charlene*

SUBJECT: Application for Zone Change from F-1 Military and Federal Preservation District to AG-2 General Agriculture District

LOCATION: Island of Oahu

APPLICANT: Ralph S. Grey

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 25, 2010.

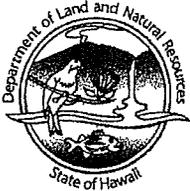
If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *[Signature]*

Date: 5/5/10



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 5, 2010

MEMORANDUM

TO: *JK*

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division - Oahu District

FROM: *To 2*

Charlene Unoki, Assistant Administrator *Charlene*

SUBJECT: Application for Zone Change from F-1 Military and Federal Preservation District to AG-2 General Agriculture District

LOCATION: Island of Oahu

APPLICANT: Ralph S. Grey

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 25, 2010.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

- () We have no objections.
- () We have no comments.
- () Comments are attached.

Signed: *Charlene*
Date: May 6, 2010 *JK*

→ NAR Section

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX OF LAND & NATURAL RESOURCES
HONOLULU, HAWAII 96820
STATE OF HAWAII
May 5, 2010

MEMORANDUM

- TO: **DLNR Agencies:**
- Div. of Aquatic Resources
 - Div. of Boating & Ocean Recreation
 - Engineering Division
 - Div. of Forestry & Wildlife
 - Div. of State Parks
 - Commission on Water Resource Management
 - Office of Conservation & Coastal Lands
 - Land Division - Oahu District

FROM: Charlene Unoki, Assistant Administrator *Charlene Unoki*

SUBJECT: Application for Zone Change from F-1 Military and Federal Preservation District to AG-2 General Agriculture District

LOCATION: Island of Oahu

APPLICANT: Ralph S. Grey

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 25, 2010.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

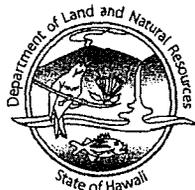
Signed: *Paul J. Conroy*

Date: 5-17-2010

LINDA LINGLE
GOVERNOR OF HAWAII



Laura H. Thielen
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 5, 2010

MEMORANDUM

TO:

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division -Oahu District



RECEIVED
LAND DIVISION
2010 MAY 20 P 3:18
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

FROM:

Charlene Unoki, Assistant Administrator *Charlene*

SUBJECT:

Application for Zone Change from F-1 Military and Federal Preservation District to AG-2 General Agriculture District

LOCATION: Island of Oahu

APPLICANT: Ralph S. Grey

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 25, 2010.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *Francis O'Neil*
Date: 5-18-10

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 5, 2010

RECEIVED
LAND DIVISION
2010 MAY 26 A 8:18
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

MEMORANDUM

- TO: **DLNR Agencies:**
- Div. of Aquatic Resources
 - Div. of Boating & Ocean Recreation
 - Engineering Division
 - Div. of Forestry & Wildlife
 - Div. of State Parks
 - Commission on Water Resource Management
 - Office of Conservation & Coastal Lands
 - Land Division - Oahu District

FROM: Charlene Unoki, Assistant Administrator *Charlene Unoki*

SUBJECT: Application for Zone Change from F-1 Military and Federal Preservation District to AG-2 General Agriculture District

LOCATION: Island of Oahu

APPLICANT: Ralph S. Grey

10 MAY 06 PM 10:13 EST HERNANDEZ

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 25, 2010.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *[Signature]*

Date: *5/25/10*

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/MorrisAtta

Ref.: ZoneChangeF-1MilitaryFedPreserve2AG-2GenAg
Oahu.770

COMMENTS

- () We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone ____.
- (X) **Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zones D & X. The Flood Insurance Program does not have any regulations for developments within Flood Zones D & X.**
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Robert Sumitomo at (808) 768-8097 or Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.
- () Mr. Frank DeMarco at (808) 961-8042 of the County of Hawaii, Department of Public Works.
- () Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.
- () Mr. Mario Antonio at (808) 241-6620 of the County of Kauai, Department of Public Works.

- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.
- () The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

- () Additional Comments: _____

- () Other: _____

Should you have any questions, please call Ms. Suzie S. Agraan of the Planning Branch at 587-0258.

Signed: 
CARY S. CHANG, ACTING CHIEF ENGINEER
Date: 5/25/10

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

June 2, 2010

Mr. David Tanoue
Department of Planning and Permitting
Honolulu Municipal Building
650 South King Street
Honolulu, Hawai'i 96813

LOG NO: 2010.1931
DOC NO: 1006NM16
Archaeology

Dear Mr. Tanoue:

**SUBJECT: Chapter 6E-42 – (Ralph Gray - Mokuleia Ranch Estates)
Zone change from F-1 Military and Federal Preservation to AG-02 Agricultural for
40.59 Acres, Mokuleia Ahupua'a, Waiialua District, O'ahu Island, Hawai'i
TMK: (1) 6-8-003: 021**

Thank you for providing the opportunity to review this Draft Environmental Assessment which we received on April 26, 2010. The proposed project is a request for a zone change for 40.59 acres in Mokuleia. It is our understanding that this is a paper transaction, and no ground disturbance or other activities with the exception of farming will occur. There are 15 archaeological sites located in the southwest portion of the parcel. Should any ground disturbance activities occur in the southwestern area of the parcel near the archaeological sites, then possible impacts would need to be mitigated, either through an archaeological inventory survey and a mitigation plan.

In accordance with a previous review of this project by the State Historic Preservation Division in 2007 (LOG2006.4139/DOC 0702aj14) there would be **no impacts to historic properties** from this project.

In the event that historic resources, including human skeletal remains, are identified during the ground disturbing activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance and the State Historic Preservation Division contacted at (808) 692-8015.

Aloha,

Nancy A. McMahon (Deputy SHPO)
State Historic Preservation Officer

DEPT. OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

10 JUN -4 P12:54

RECEIVED

LINDA LINGLE
GOVERNOR



BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI
JIRO A. SUMADA

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

STP 8.0126

June 8, 2010

Mr. David K. Tanoue
Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Tanoue:

Subject: Mokuleia Ranch Estates, LLC
Zone Change Application (2010/Z-3) from F-1 Military and Federal Preservation
District to AG-2 General Agriculture District

Thank you for requesting the State Department of Transportation's (DOT) review of the subject project to rezone approximately 40.9 acres in Mokuleia.

DOT's comments in its letters STP 8.2366 dated December 27, 2006 and HWY-PS 2.3672 dated February 21, 2007 (copies attached) remain valid.

DOT appreciates the opportunity to provide these comments. If there are any questions, please contact Mr. David Shimokawa of the DOT Statewide Transportation Planning Office at telephone number (808) 587-2356.

Very truly yours,

Francis Paul Keeno

fr BRENNON T. MORIOKA, Ph.D., P.E.
Director of Transportation

Attach.

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

10 JUN 10 AM 1:36

RECEIVED

LINDA I INGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

BARRY FUKUNAGA
INTERIM DIRECTOR

Deputy Directors
FRANCIS PAUL KEENO
BRENNON T. MORIOKA
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:
DIR 1735
HWY-PS
2.3672

February 21, 2007

Mr. Donald Clegg
Analytical Planning Consultants, Inc.
928 Nuuanu Avenue, Suite 502
Honolulu, Hawaii 96817

Dear Mr. Clegg:

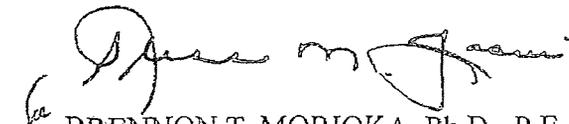
Subject: Proposed Zone Change, F-1 to Ag-2, Proposed Agricultural Subdivision, Peacock Flats, Mokuleia, TMK: 6-8-003:21

We have the following comments on the proposed rezoning and subdivision:

1. The proposed subdivision will not impact Farrington Highway, our State facility.
2. The proposed subdivision should coordinate and obtain access via the Dillingham Ranch Aina, LLC agricultural subdivision access roads. Should this subdivision's construction precede that of Dillingham Ranch Aina, we may require that the private roadway be paved to our specifications from the paved highway to the right-of-way line. This subdivision access must coincide with Dillingham Ranch Aina's access.
3. We recommend that an agreement be made regarding cost-sharing, if any, in the event a channelized intersection should be required for the Dillingham Ranch Aina subdivision.
4. The agricultural subdivision is expected to make all reasonable efforts to prevent tracking of mud and deposition of agricultural debris on the State highway. The agricultural subdivision will be prepared to clear the mud and debris in a timely manner and at its expense.

If you have any questions, please contact Ronald Tsuzuki, Head Planning Engineer, at 587-1830. Please reference file review number 06-385 in all contacts and correspondence regarding these comments.

Very truly yours,


BRENNON T. MORIOKA, Ph.D., P.E.
Deputy Director - Highways

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

RODNEY K HARAGA
DIRECTOR

Deputy Directors
FRANCIS PAUL KEENO
BARRY FUKUNAGA
BRENNON T. MORIOKA
BRIAN H. SEKIGUCHI

IN REPLY REFER TO
DIR 1735
STP 8.2366

December 27, 2006

Mr. Donald Clegg
Analytical Planning Consultants, Inc.
928 Nuuanu Avenue, Suite 502
Honolulu, Hawaii 96817

Dear Mr. Clegg:

Subject: Proposed Zone Change, 40.59 acre parcel, Mokuleia, Oahu
F-1 (Military) to Ag-2 (Agriculture)
TMK: 6-8-003: 021

We have the following preliminary comments on the subject change of zoning for a proposed agricultural subdivision:

1. The desired access route and connection to Farrington Highway needs to be identified, mapped, and submitted to our Highways Division, through the Highways Planning Branch, for necessary reviews and approvals by the appropriate highway offices. The highways staff will specify the requirements, conditions and documentation steps to formalize a permitted access, including driveway standards, for the affected parcel.
2. As part of the submittal to our Highways Division, the proposed subdivision of the affected parcel into eight (8) agricultural lots needs to be described, including any development and construction of agricultural businesses or residential uses on the lots. A traffic assessment needs to accompany the subdivision description so that the additional traffic to and from Farrington Highway as a result of the development can be accounted for and reviewed by our highways staff.
3. No additional storm water runoff from the proposed development of the affected parcel will be allowed onto the highway right-of-way.
4. Construction plans for the proposed subdivision, particularly for drainage and for work at and around the desired access at Farrington Highway, will need to be submitted to our Highways Division, through the Highways Planning Branch, for necessary reviews and approvals

Mr. Donald Clegg
Page 2
December 27, 2006

STP 8.2366

5. The affected parcel is in close proximity to Dillingham Airfield/Military Reservation. Various civilian aviation and military activities occur at Dillingham. The landowner should provide the necessary disclosures to prospective tenants and occupants of the subdivision on the possible overflights and noise due to powered aircraft, glider and parachute operations, as well as daytime and night training exercises by military units.
6. The landowner should be made aware that Dillingham Airfield/Military Reservation was designated as one of the possible training locations in the Army's environmental impact statement (EIS) for the Stryker Brigade. The Army's EIS described a proposal for the military to construct a road for military vehicle use, identified as Dillingham Trail, that would run from a mauka location of Dillingham Airfield/Military Reservation, eastward and relatively parallel with Farrington Highway towards Waialua. If and when such a road is constructed, the road may intersect with the desired access for the proposed agricultural subdivision development, as well as possibly create a path where noise may come from when used by military vehicles.

We reserve the right to offer additional comments and prescribe conditions for impacts to our transportation facilities when further submissions on the proposed zone change and subdivision are transmitted to our Department.

We appreciate the advance notification about the proposed action and for the opportunity to provide our initial comments.

Very truly yours,

Francis Paul Keeno

for

RODNEY K. HARAGA
Director of Transportation



Ken T. Morikami
Manager
Engineering Department

May 24, 2010

RECEIVED

'10 MAY 26 A10:36

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

Mr. David Tanoue
Director, Department of Planning and Permitting
City & County of Honolulu
650 South King St. 7th floor
Honolulu, Hawaii 96813

Dear Mr. Tanoue:

Subject: Application for a Zone Change from F-1 Military and Federal Preservation District to AG-2 General Agricultural District, Mokuleia, Oahu, TMK 6-8-003:021, Project file Number 2010/Z-3

Thank you for the opportunity to comment on the subject zone change. Hawaiian Electric Company has no objections to the proposed change. Should HECO have existing easements and facilities on the subject property, we will need continued access for maintenance of our facilities.

We appreciate your efforts to keep us as part of the planning process.

If you have any questions, please call Rouen Liu at 543-7245.

Sincerely,

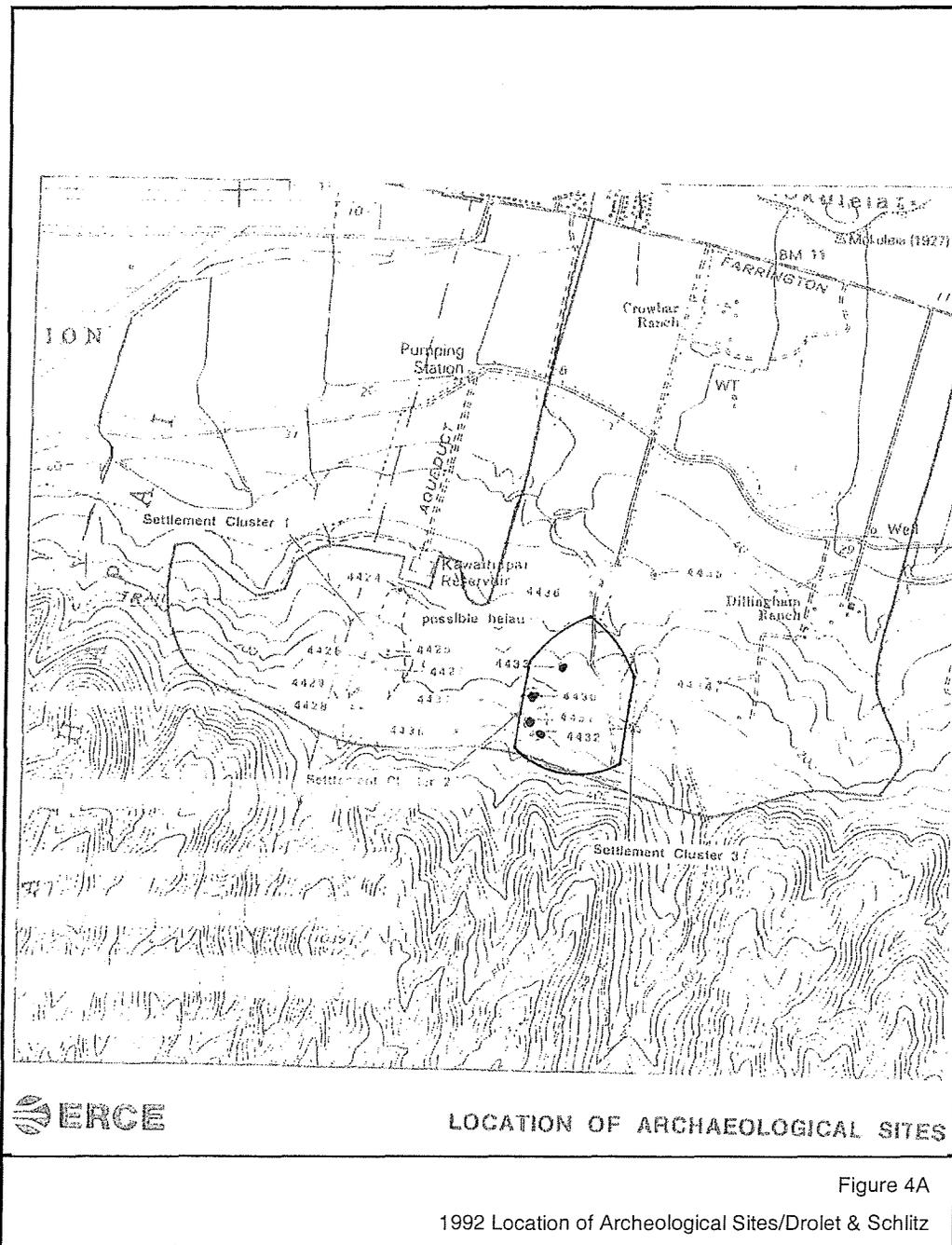
Ken T. Morikami

rl

cc: Rouen Liu
Phil Hauret

ATTACHMENT 3
(MAP OF ARCHAEOLOGICAL SITES)

ATTACHMENT 3 - General Location of Archaeological Sites



ATTACHMENT 4
(DRAFT ORDINANCE)



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

TO REZONE LANDS SITUATED AT MOKULEIA, NORTH SHORE, OAHU, HAWAII.

BE IT ORDAINED by the People of the City and County of Honolulu.

SECTION 1. Zoning Map No. 17, Mokuleia-Waiialua-Haleiwa, Ordinance 86-34, is hereby amended as follows: Land situated at Mokuleia, North Shore, Oahu, Hawaii, hereinafter described, is hereby rezoned from F-1 Military and Federal Preservation District to AG-2 General Agriculture. The boundaries and area of said District shall be described as shown on the map attached hereto, marked Exhibit "A" and made a part hereof, and further identified as Tax Map Key 6-8-003:021

SECTION 2. A Unilateral Agreement marked "Exhibit B" is by reference incorporated herein and made a part hereof.

DPP10Z-3.B10



A BILL FOR AN ORDINANCE

SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

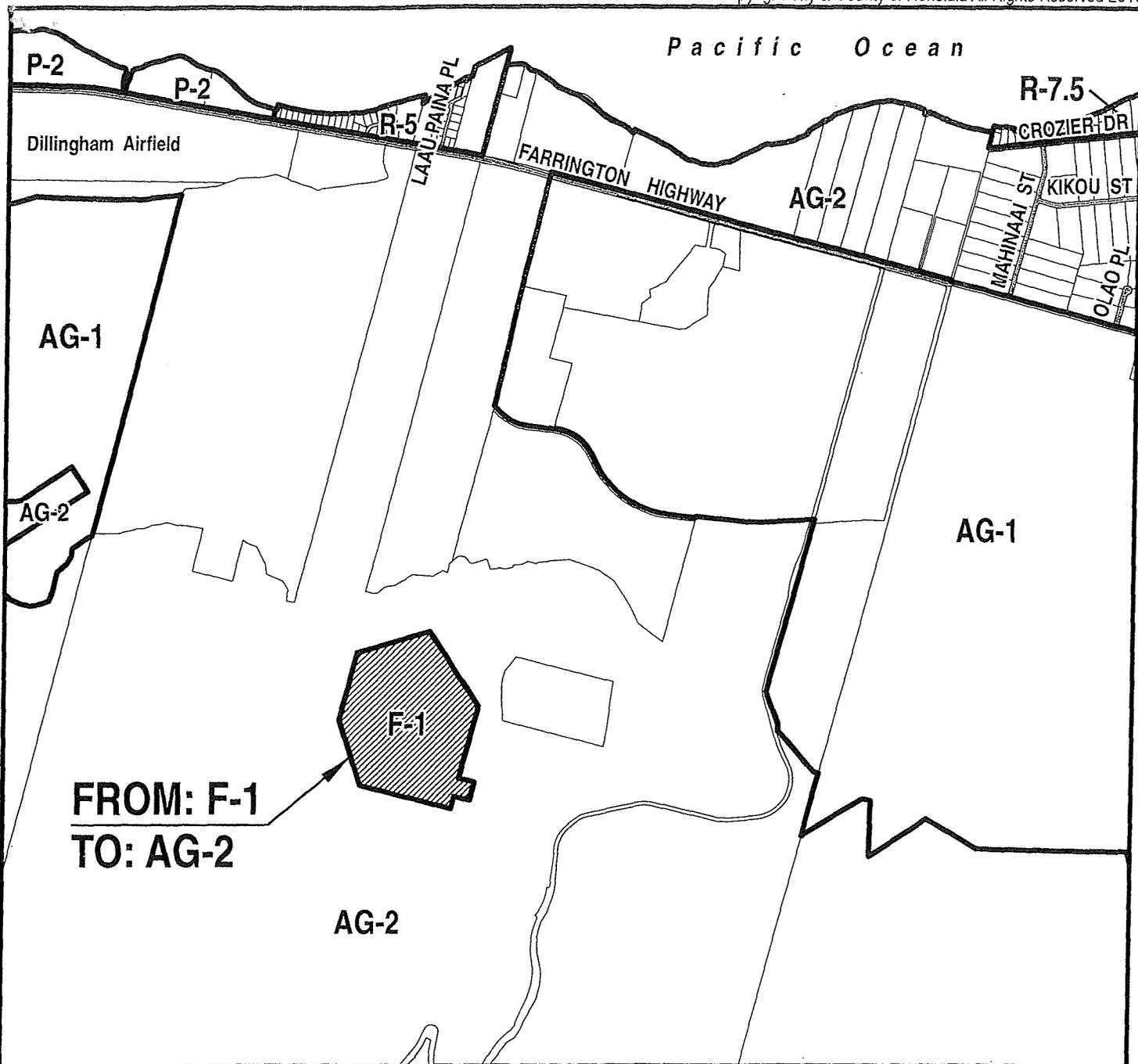
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

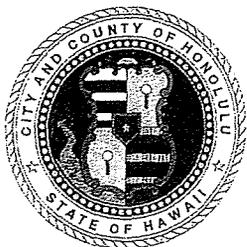
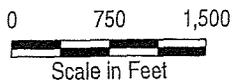
APPROVED this _____ day of _____, 20 _____.

PETER B. CARLISLE, Mayor
City and County of Honolulu



FROM: F-1
TO: AG-2

**PORTION OF
 ZONING MAP NO. 17
 (MOKULEIA - WAIALUA - HALEIWA)**



APPLICANT: RALPH GRAY

TAX MAP KEY(S): 6-8-003: 021

FOLDER NO.: 2010/Z-3

LAND AREA: 40.59 Ac.

**PREPARED BY: DEPARTMENT OF PLANNING & PERMITTING
 CITY AND COUNTY OF HONOLULU**

PUBLIC HEARING PLANNING COMMISSION CITY COUNCIL

ORD. NO.

EFF. DATE:

EXHIBIT A

BILL

2010/Z-3

EXHIBIT B
(DRAFT UNILATERAL AGREEMENT)



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

TO REZONE LANDS SITUATED AT MOKULEIA, NORTH SHORE, OAHU, HAWAII.

BE IT ORDAINED by the People of the City and County of Honolulu.

SECTION 1. Zoning Map No. 17, Mokuleia-Waiialua-Haleiwa, Ordinance 86-34, is hereby amended as follows: Land situated at Mokuleia, North Shore, Oahu, Hawaii, hereinafter described, is hereby rezoned from F-1 Military and Federal Preservation District to AG-2 General Agriculture. The boundaries and area of said District shall be described as shown on the map attached hereto, marked Exhibit "A" and made a part hereof, and further identified as Tax Map Key 6-8-003:021

SECTION 2. A Unilateral Agreement marked "Exhibit B" is by reference incorporated herein and made a part hereof.

DPP10Z-3.B10



A BILL FOR AN ORDINANCE

SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

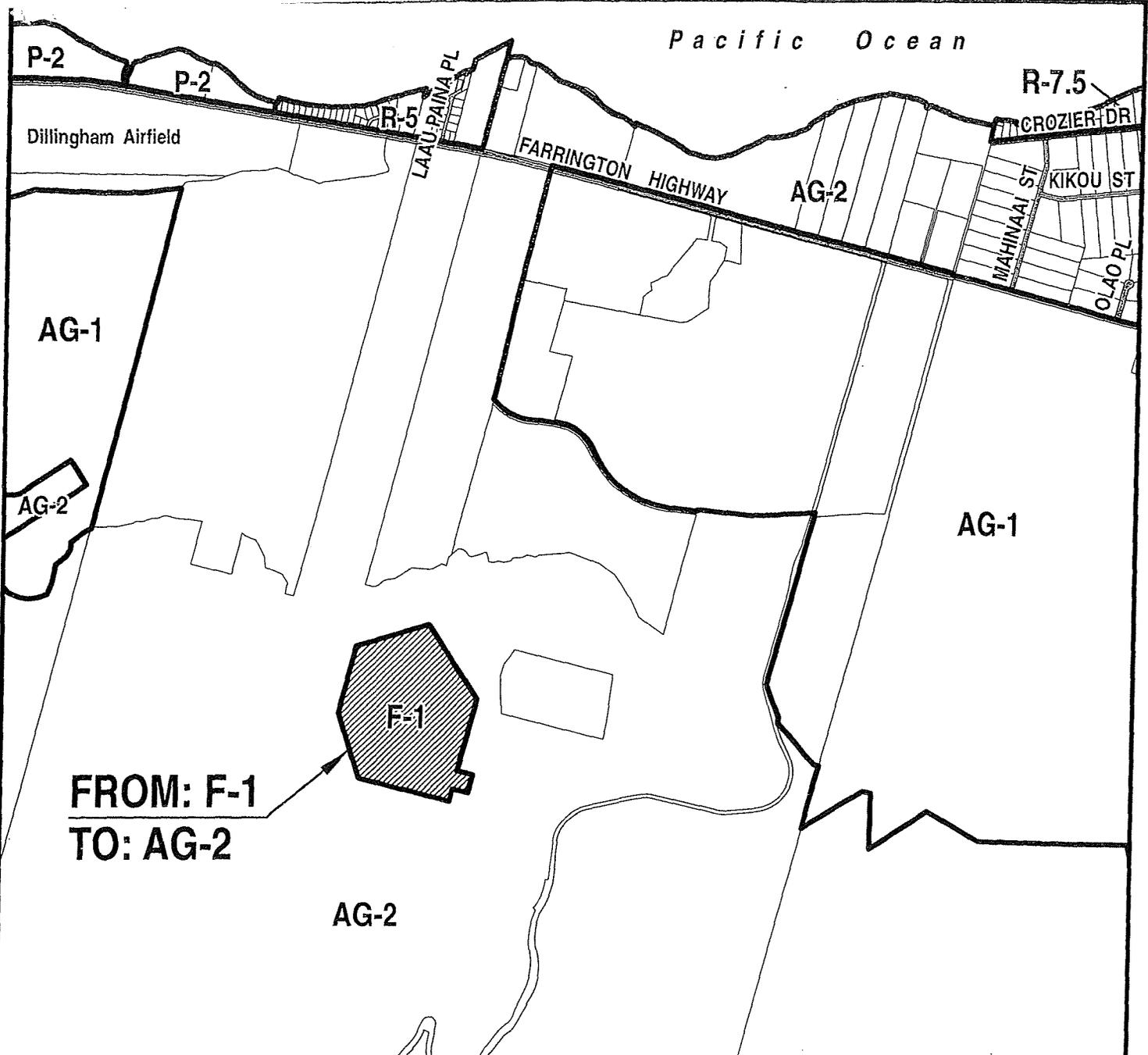
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

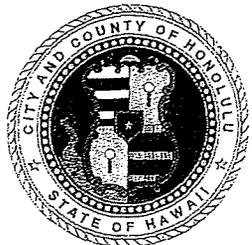
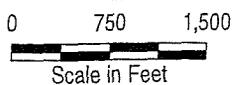
Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

PETER B. CARLISLE, Mayor
City and County of Honolulu



PORTION OF
ZONING MAP NO. 17
 (MOKULEIA - WAIALUA - HALEIWA)



APPLICANT: RALPH GRAY
 TAX MAP KEY(S): 6-8-003: 021
 FOLDER NO.: 2010/Z-3
 LAND AREA: 40.59 Ac.

PREPARED BY: DEPARTMENT OF PLANNING & PERMITTING
 CITY AND COUNTY OF HONOLULU

PUBLIC HEARING PLANNING COMMISSION CITY COUNCIL

ORD. NO.
 EFF. DATE:

EXHIBIT A

BILL

2010/Z-3

EXHIBIT B
(DRAFT UNILATERAL AGREEMENT)