KAHAULELIO / SAGUIBO
WAIALUA PROPERTIES

REZONING APPLICATION REPORT
FROM AG-1 AGRICULTURAL RESTRICTED
TO AG-2 AGRICULTURAL GENERAL

Tax Map Keys: 6-6-019: 008 and 6-6-019: 014

66-815 Kaukonahua Rd.
Waialua, HI 96791

Submitted to:
City and County of Honolulu, Department of Planning & Permitting

Applicants:
Gabriel and Iris Kahaulelio
66-130 Oliana Pl.
Waialua, HI 96791
808-777-8312

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Waialua, HI 96791
808-216-3827

Prepared by:
Iris Kahaulelio
September 2019
PLANNING DIVISION MASTER APPLICATION FORM

Additional data, drawings/plans, and fee requirements are listed on a separate sheet titled "Additional Data." Please ask for these instructions.

All specified materials described in the "Instructions for Filing" and required fees must accompany this form; incomplete applications will delay processing. You are encouraged to consult with Planning Division staff in completing the application. Please call appropriate phone number given in the "Instructions for Filing".

Please print legibly or type the required information.

SUBMITTED FEE: $2,500.

PERMIT/APPROVAL REQUESTED (Check one or more as appropriate):

- GENERAL PLAN AMENDMENT
- SPECIAL USE PERMIT ___ New ___ Modify Existing
- STATE LAND USE BOUNDARY AMENDMENT (<15 acres)
  From ____________________________ (District)
  To ____________________________ (District)
- ZONING DISTRICT BOUNDARY ADJUSTMENT, ADMINISTRATIVE
- DEVELOPMENT PLAN (DP)/SUSTAINABLE COMMUNITIES PLAN (SCP) AMENDMENT
  Indicate DP/SCP area ____________________________
- ZONE CHANGE
  From _______________ (District)
  To _______________ (District)
- AMEND UNILATERAL AGREEMENT TO ORDINANCE NO. ____________________________

PUBLIC INFRASTRUCTURE MAP REVISION (Indicate Map Symbol Request):

- CY (Corporation Yard)  ❑ DSP (Desalination Plant)
- DR (Drainage Way – Open Channel)  ❑ JSP (Desalination Plant)
- FS (Fire Station)  ❑ JPS (Police Station)
- GO (Government Building)  ❑ KS (Fire Station)
- GC (Golf Course)  ❑ M (Solid Waste Facility)
- P (Parks)  ❑ O (Arterial & Collector Roadway)
- PS (Police Station)  ❑ ORE (Water Reservoir)
- PK (Parking Facility/Transit Center)  ❑ ORE (Fire Station)
- JN (Potable Well)  ❑ RES (Water Reservoir)
- OI (Central Water Supply)  ❑ RPS (Desalination Plant)
- O (Sewage Pump Station)  ❑ RTC (Rapid Transit Corridor)
- O (Sewage Pump Station)  ❑ SC (Sewage Treatment Plant)
- SW (Solid Waste Facility)  ❑ SR (Sewage Pump Station)
- T (Vehicular Roadway)  ❑ TRC (Rapid Transit Corridor)
- T (Tirane Roadway)  ❑ W (Potable Well)

TAX MAP KEY(S): 

APPLICATION/SUBJECT AREA (Acres/sq. ft.): 3.31 + 2.41 = 5.72

THE PROPOSED PROJECT IS LOCATED INSIDE OUTSIDE THE:

- Urban Growth Boundary
- Urban Community Boundary
- Community Growth Boundary
- Rural Community Boundary

OF THE

ZONING DISTRICT(S): AG-1 AGRICULTURAL

RECORDED FEE OWNER:

Name ( & title, if any) IRIS KAHAULELIO
Organization
Mailing Address 66-130 OLIANA PL
Waialua, HI 96791
Phone Number 808-227-5312
Signature

APPLICANT:

Name IRIS KAHAULELIO
Organization
Mailing Address 66-130 OLIANA PL
Waialua, HI 96791
Phone Number 808-227-5312
Signature

AUTHORIZED AGENT/CONTACT PERSON:

Name IRIS KAHAULELIO
Mailing Address 66-130 OLIANA PL
Waialua, HI 96791
Phone Number 808-227-5312
Signature

PRESENT USE(S) OF PROPERTY/BUILDING:

PROJECT NAME (If any):

REQUEST/PROPOSAL (Briefly describe the nature of the request, proposed activity or project):

DPP/ELOG NO. ____________________________

DPP/POSSE NO. ____________________________
September 30, 2019

Re: Master Application Form

All owners acknowledge the submittal of a zone change application for TMK 6-6-019: 008 and 014, from AG-1 to AG-2.

Gabriel Kahaulelio
Iris Kahaulelio
John Saguibo
Abigail Saguibo
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1.0 PROJECT SUMMARY

Address: 66-815 Kaukonahua Rd. Waialua, HI 96791

Tax Map Keys:
- 6-6-019: 008 (Lot 7A, Regular System)
- 6-6-019: 014 (Lot 8A, Land Court)

Property Sizes:
- Parcel 008 - 3.31 acres
- Parcel 014 - 2.41 acres
  (per City and County of Honolulu HOLIS)

Recorded Fee Owners:
- Kahaulelio, Gabriel A (parcel 8)
- Kahaulelio, Iris M (parcel 8)
- Saguibo, John (parcel 14)
- Saguibo, Abigail (parcel 14)

State Land Use District: Agricultural District

Present Zoning: AG-1 Restricted Agricultural District

Proposed Zoning: AG-2 General Agricultural District

Sustainable Communities Plan Area: North Shore

Special District: None

Special Management Area: None

Present Use: Vacant, some trees and plantings

Proposed Use: Small-scale Agriculture, e.g. Fruit trees, Ornamental Plants

Note: The request for a zone change would, in effect, allow a second farm dwelling on the subject properties and further separation of the owners' interests

Pre-Application Meeting: July 18, 2019

Other Permits Required: Building Permits
2.0 PROPERTY BACKGROUND AND DESCRIPTION

2.1 LOCATION

The subject properties for the proposed zone change are located at 66-815 Kaukonahua Rd in Waialua on the rural north shore of Oahu. The Tax Map Key (TMK) identification numbers for the subject properties are 6-6-019: 008 and 014, respectively. The two parcels are adjacent to each other with parcel 008 on the east and parcel 14 on the west. Parcel 8 is a deeper lot than 14 and connects to Kaukonahua Road. Parcel 14 does not connect to Kaukonahua Road. Although the two properties are separate TMK parcels, the two properties are considered a single zoning lot for zoning purposes.

Parcel 8 is recorded in the Regular System, while parcel 14 is recorded in the State of Hawai'i Land Court System. Parcel 8 is also identified as Lot 8A and parcel 14 is also identified as Lot 7A. The properties are located between Waialua Town and Hale'iwa Town. The subject properties are on the mauka side of Waialua Beach Road, with Kiki-Kaukonahua Stream to the west, Weed circle to the east, and Kaiaka Bay to the north. See Exhibits 1 and 2.

The properties are within the North Shore Neighborhood Board #27 area, the North Shore Sustainable Communities Plan area, and Honolulu City Council district number 2. The properties are within the Kamananui ahupua'a.

2.2 SURROUNDING USES AND STRUCTURES

Land parcels adjacent to the east of the subject properties are suburbanized with relatively little vegetation. The parcels are part of the Pa' ala' a Kai residential subdivision are primarily in the R-5 residential zoning district with single-family residential units along the east/southeast edge of parcel 8 and continuing further south to Kaukonahua Road. The land parcel to the west of parcel 14 is also in the residential zoning district while the land parcel southwest of parcel 14 is in the agricultural zoning district. The land parcels to the north are both in the AG-2 zoning district. To the north east of parcel 8 is the Pa' ala' a Kai Wastewater Treatment Plant. Although it serves, and is part of, the Pa' ala' a Kai subdivision, the treatment plant spans across both parcels 8 and 14 that have an underlying zoning of AG-1 restricted agriculture. See Exhibit 3 and photos in Exhibit 11.

Across Kaukonahua Road to the south are currently unused agricultural land in the AG-1 zoning district.

2.3 EXISTING AND PAST USES AND STRUCTURES

The subject properties were owned by a private family and leased to farmers who grew vegetables such as tapioca and sweet potato and fruit such as banana and papaya. It may have been part of
larger plantations and it is likely that the land was cultivated with sugar cane or pineapple, but they may have had another function(s). Prior to the 1900's it is most likely that the properties were cultivated for subsistence purposes with rice or kalo.

Over the course of time, the subject properties were left inactive and became overgrown with California grass. Plumeria and Papaya trees and Dragon fruit are still being grown on the northern side of parcel 8. When we purchased the properties we began to clear it completely of weedy vegetation. No structures were present.

Currently, the subject properties remain vacant of structures except for a storage container on parcel 14. The first of several Coconut Palms has been planted on the north western side of parcel 8 to minimize dust and soil erosion due to the clearing of vegetation.

2.4 TOPOGRAPHY AND EXISTING DRAINAGE PATTERNS

The subject properties are relatively flat as is the surrounding area. The surface of the site is primarily dirt with sparse vegetation and California grass. The subject properties are at an elevation slightly lower than the adjacent Kaukonahua Road, but it appears that run-off from the road is mitigated by the California grass. The approximate elevation of the frontage of the properties is 36.09 feet above mean sea level. The properties gradually decreases to approximately 29.53 feet above mean sea level at the rear to parcel 66019046.

2.5 FLOOD HAZARDS

The subject properties fall into Flood Zone Area X: Areas determined to be outside the 0.2% annual chance floodplain as defined by the Emergency Management Agency.

Flood Zone X is in the NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk Flood zone. No mandatory Flood insurance purchase requirements apply, but coverage is available in participating communities. See Exhibit 4.

2.6 SOILS

The United States Department of Agriculture (USDA), Natural Resource Conservation Service's Web Soil Survey shows underlying soil type of the subject properties to be Waialua silty clay (WkA). See Exhibit 5.

Considered "prime farmland if irrigated" by the National Resource Conservation Service (NRCS) farmland classification, the WkA soil type is usually found in the Waialua area with low slopes (1 to 3%). Typical WkA soil has a 60 inch depth profile and is moderately well drained with a moderate available water capacity. (USDA, NRCS, 2013).
According to the University of Hawai'i's Land Study Bureau report, the subject properties have an agricultural productivity rating of "A", given the characteristics of the underlying soil, the area's climate, and other factors (University of Hawai'i, Land Study Bureau, 1972). Lands classified as "A" are the highest rated, which means they are the most productive lands (albeit for certain crops).

The subject properties also consist of lands considered "Prime" according to the Agricultural Lands of Importance to the State of Hawaii for islands Kauai, Oahu, Maui, Molokai, Lanai & Hawaii (State of Hawai'i Department of Agriculture, 1977). Prime lands are those best suited for the production of food, feed, forage, and fiber crops, though there is no requirement that the use of the land must be for those purposes only.

3.0 PROJECT DESCRIPTION

3.1 PROJECT AREA AND CONTEXT

The greater north shore region is a rural country-side and stands in contrast to urban Honolulu. Its natural character, large expanses of open land, agricultural orchards and fields, beach recreation areas, mountains and valleys, small towns and close-knit communities, limited growth, and low-rise density developments make the area special. The two major towns, Waialua Town and Hale'iwa Town are country towns that are reminders of the plantation era. Today, they serve crowds of tourists, as well as the local population.

As the area slowly transitions from its plantation background, smaller farms and subsistence farming are becoming the more common form of agricultural activity. Hale'iwa businesses are catering to tourism and ocean enthusiasts. Land ownership and land uses are changing to meet current needs. The result is more of a mix of uses. The subject properties are part of this area undergoing limited gradual change.

Within a half-mile of the subject properties are properties in the AG-1 restricted agricultural district, AG-2 general agricultural district, country district, R-5 residential district, R-7.5 residential district, and B-1 neighborhood business district. All properties within the half-mile radius have a 25-foot height limit, with the exception of those to the east that are within the Hale'iwa Special District, which have a height limit of 30 feet.

3.2 PROPOSED PROJECT

When the properties were on the market, they were listed as two buildable lots so the applicants combined their resources in order to purchase it. Because parcel 14 is landlocked, there was a note in the deed that both parcels be sold together. It was advised that a surveyor create an easement to show that parcel 14 has ingress/egress. When an application was denied, it was revealed that the subject properties are actually two parcels that form a single zoning lot, which was consolidated in
Each parcel has its own tax map key number, address, and will have a separate water meter. After a Condominium Property Regime (CPR) is created, ownership will be separate. The applicants desire a zone change in order to further pursue their own separate interests and to be able to build a single farm dwelling on each property. **Under current nonconforming lot size status with the AG-1 zoning and conditions, one owner is already allowed to construct a farm dwelling. The change to AG-2 zoning would, in effect, allow the second owner to construct a single farm dwelling as well.** Both owners intend to maintain the agricultural nature of the properties.

The additional dwelling would not significantly change the character or the surrounding area. The subject properties are already flanked on both sides by residential dwellings in the R-5 zoning district. The proposed zoning is still agriculture, thus agricultural activity will still be the primary use.

Additionally, although the subject properties are within the AG-1 zoning district, neither parcel meets the minimum lot size requirements for that classification. The minimum lot size requirement for the AG-1 district is 5 acres. At 3.313 (parcel 8) and 2.41 (parcel 14), both lots are considerably smaller than the required 5 acres. However, the properties would meet the minimum lot size requirement for AG-2 districts. For AG-2 districts, the minimum lot size is 2 acres. A rezoning to AG-2 would make the lots consistent with their zoning.

When the properties were purchased in 2018, the only agricultural activity on the properties was on parcel 8 and both were heavily overgrown. Since their purchase, the current owners have cleared the land and started to build wooden elevated garden planter boxes on parcel 14. Proposed agricultural use includes small scale operations such as a plant nursery with ornamental plants, vegetables, and fruit and flower trees, and continuation of the existing fruit and flower trees as well as minor livestock production such as rabbits, miniature pigs, and ducks. Fish farming is also being planned for parcel 14.

**SECTION 3.2 PROPOSED PROJECT REVISED**

When the properties were purchased in 2018, the only agricultural activity on the properties was on parcel 8 and both were heavily overgrown. Proposed structures for each parcel include a 2 story-farm dwelling that will not exceed the 5000 SF polygon limit and the 25' height limit. Parking spaces provided will be determined by architecture as per building permit requirements.

Parcel 008 proposes to build an agricultural structure (~600 SF) and a Horse Corral (~600 SF) towards the front area of the parcel closest to Kaukonahua Road, a second agricultural structure (~630 SF) for farm equipment directly behind farm dwelling, and a Chicken Coop (~100 SF) directly behind the second agricultural structure. Agricultural use includes small scale operations such as a plant nursery with ornamental plants, vegetables, and fruit and flower trees, and continuation of the existing fruit and flower trees.
Parcel 014 proposes to build an agricultural structure (~4000 SF) towards the front of their parcel with agricultural use which includes small scale operations such as a plant nursery with ornamental plants, vegetables, and fruit and flower trees directly in front of this agricultural structure. A second agricultural structure (~4000 SF) is proposed directly behind farm dwelling. Wooden elevated garden planter boxes have already started to be built. Minor livestock production such as rabbits, miniature pigs, and ducks is also being proposed. Fish farming and a chicken coop (~1000 SF) is also being planned for parcel 14. Location will be towards the front of the parcel.

3.3 DESCRIPTION OF CONSTRUCTION ACTIVITIES

Currently, a single farm dwelling are planned for each parcel. A farm dwelling permit is being processed for parcel 8. If this application for rezoning is approved, then an additional farm dwelling permit will be submitted for parcel 14.

4.0 CONSISTENCY WITH PUBLIC PLANS AND LAND USE POLICIES

4.1 HAWA'I STATE LAND USE LAW

Hawai'i State Land Use Law Districts are established by the State Land Use Commission in accordance with Chapter 205 of the Hawai'i Revised Statutes (HRS). The purpose of the districts is to regulate the use of lands within the state to accommodate population growth and development as needed, and balance this with the protection of important agricultural lands, natural resources, and resource areas supporting important natural species and ecosystems.

There are four classifications of land under this districting system: Conservation, Agriculture, Rural, and Urban. To note, O'ahu has no rural land districts. The subject property is within the Agriculture district, see Exhibit 7. The proposed land use is consistent with the Agriculture district designation and therefore, a land use district boundary amendment is not required.

4.2 CITY AND COUNTY OF HONOLULU GENERAL PLAN

The General Plan for the City and County of Honolulu is a collection of broad objectives and policies supported by the City and County of Honolulu government to guide the future of O'ahu toward a desirable and attainable future. It is intended to act as an "umbrella" statement and framework for other City policy and functional plans and their implementing regulations, standards, and guidelines. The most current adopted version, which was passed in 2002, contains 11 objective and policy areas which include: Population, Economic Activity, Natural Environment, Housing, Transportation and Utilities, Energy, Physical Development and Urban Design, Public Safety, Health and Education, Culture and Recreation, and Government Operations and Fiscal Management.
The subject properties are within the designated Rural area on the North Shore as shown on the General Plan Development Pattern map. According to the 2025 distribution of population, 1/7% of the population of Oahu will reside within the North Shore by 2025.

The proposed project supports the following General Plan policies and objectives:

**POPULATION**

Objective C: To establish a pattern of population distribution that will allow the people of O'ahu to live and work in harmony.

Policy 3: Manage physical growth and development in the urban-fringe and rural areas so that:

a. An undesirable spreading of development is prevented; and

b. Their population densities are consistent with the character of development and environmental qualities desired for such areas.

The proposed small scale agriculture use with a single farm dwelling on each parcel would be consistent with policy 3 above in that it does not spread undesirable development. The proposed uses also fit into the character of the surrounding properties which consist of agriculture and single-family and residential uses. The miniscule increase in density by allowing an additional single farm dwelling is appropriate for both the size of the properties and intended use of the land as well as the character of the community.

**ECONOMIC ACTIVITY**

Objective A: To promote employment opportunities that will enable all the people of O'ahu to attain a decent standard of living

Policy 1: Encourage growth and diversification of O'ahu's economic base.

Policy 2: Encourage development of small businesses and large industries which will contribute to the economic and social well-being of O'ahu residents.

Policy 4: Encourage the development of local, national, and world markets for the products of O'ahu-based industries.

Small agriculture-based businesses allow opportunities for individuals and their families to earn a living off their land and retain a lifestyle that was once predominant. With the majority of industry on O'ahu coming from tourism and the military, agriculture has economic value in diversification and the potential for providing to local as well as outside (national & worldwide) markets. The business
potential of an ornamental plant nursery, vegetables and flower and fruit trees could create opportunities to employ several residents while producing products for the local market, with potential for diversification and broader market coverage as well.

**Objective C:** To maintain the viability of agriculture on O'ahu.

**Policy 1:** Assist the agriculture industry to ensure the continuation of agriculture as an important source of income and employment.

**Policy 2:** Support agricultural diversification in all agricultural areas on O'ahu.

**Policy 3:** Support the development of markets for local products, particularly those with potential for economic growth.

**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.

**Policy 6:** Encourage the more intensive use of productive agricultural land.

Parcel 8 of the subject properties are only producing two types of crops at the time they were purchased from the previous owners. The proposed use would allow for productive use of the land, assist in creating a potential source of income and employment for two families, support agricultural diversification, and maintain North Shore agricultural land for "flower-growing,...and other types of diversified agriculture".

Production of ornamental plants (flower growing) would promote diversification of agricultural land in contrast to the larger agricultural production of pineapple and sugarcane, which are no longer economically viable, on the North Shore of O'ahu.

**PHYSICAL DEVELOPMENT AND URBAN DESIGN**

**Objective D:** To maintain those development characteristics in the urban-fringe and rural areas which make them desirable places to live.

**Policy 4:** Maintain rural areas which are intended to provide environments supportive of lifestyle choices which are dependent on the availability of land suitable for small to moderate size agricultural pursuits, a relatively open and scenic setting, and/or a small town, country atmosphere consisting of communities which are small in size, very low in density and low rise in character, and may contain a mixture of uses.
The proposed use of the properties is consistent with the objective and policy above. The area’s desirable rural agrarian character will not be changed as the land will still be designated agriculture. The farm dwelling on parcel 14 will not be very noticeable from the street as it will be behind the Mormon Church and set back more than 500 feet from Kaukonahua Road.

The small sizes of the lots support smaller-scaled pursuits of agriculture, well-suited for smaller family-run operations. While Waialua is very much tied to its history of large sugar plantation lands, crops, and operations, the small family farm is the more prevalent defining characteristic of Waialua. The proposed use preserves this characteristic.

**Objective E**: To create and maintain attractive, meaningful, and stimulating environments throughout O'ahu.

**Policy 3**: Encourage distinctive community identities for both new and existing districts and neighborhoods.

**Policy 5**: Require new developments in stable, established communities and rural areas to be compatible with the existing communities and areas.

Waialua and Hale'iwa towns are both rural country towns in relatively close proximity to each other, but they still have separate identities. Hale'iwa functions as the region’s major commercial center and captures a large portion of all travelers visiting from beaches of the North Shore. In contrast, Waialua Town may be completely missed by those who are visiting the area for the day, even by people visiting nearby Kaiaka Bay or heading further east to Mokuleia or Kaena Point. In contrast to Hale'iwa Town, much of the population within the Waialua area live there, work there, or both.

The proposed zone change will not change the overall agriculture designation of the subject properties. Therefore, it will not affect the identity of Waialua or Hale'iwa or the greater North Shore region. The proposed farm dwelling on each parcel will be compatible with the existing communities and it will help retain the existing identity and character of the surrounding area by perpetuating the rural small family farms of Waialua.

### 4.3 NORTH SHORE SUSTAINABLE COMMUNITIES PLAN

The City and County of Honolulu’s Development Plans (DPs) and Sustainable Communities Plans (SCPs) refine the provisions of the General Plan to be applied to the eight regions of O'ahu. The region in which the proposed project is located is the North Shore. The North Shore, as defined by the City and County of Honolulu Department of Planning and Permitting, spans from Ka'ena Point in the west to Waiale'e Gulch near Kawela Bay in the east, with O'ahu's shoreline defining the northern edge and Helemano and the slopes of the Waianae and Ko'olau Mountain Ranges to the south. The
North Shore, as mentioned in Section 4.2, is planned to contain 1.7 percent of O'ahu's population by the year 2025. The North Shore Sustainable Communities Plan helps guide public policy, investment, and decision making over a 25 year time frame.

SECTION 1: NORTH SHORE'S ROLE IN O'AHU'S DEVELOPMENT PATTERN

According to Section 1 of the North Shore SCP, its role is:

...to maintain the rural character, agricultural lands, open space, natural environment, recreational resources and scenic beauty of O'ahu's northern coast, in contrast to more urbanized areas of O'ahu such as the Primary Urban Center, East Honolulu, Central O'ahu, and 'Ewa.

This is reaffirmed with the following policies:

- Maintain the region's rural character by promoting diversified agriculture, preserving scenic open space, and retaining the small-town, country atmosphere of the region's typically low-rise, low density communities.

- Preserve agricultural lands for current and future agricultural uses and support the diversified agriculture industry.

- Provide sufficient lands adjacent to built areas of Hale'iwa and Waialua for housing that is compatible with the region's rural character and affordable to area residents, without exceeding the General Plan's population guidelines for the region and remaining in line with General Plan policies to maintain the North Shore as a rural area.

The proposed zone change is consistent with the above because it will continue agricultural zoning for the subject properties and promote diversified agriculture. It is also consistent in that the proposed uses will not create a significant effect on the North Shore's population and will maintain the region's rural character and small-town country atmosphere. The farm dwellings will be in the Hale'iwa/Waialua area and next to already built residential dwellings.

The North Shore SCP's vision extends to the year 2035, at which time, very little growth in population and development will have occurred. An excerpt from the vision as it pertains to agriculture is as follows:

Agriculture is a major contributor to the North Shore's economy, providing a multitude of jobs and economic opportunities for area residents. A varied quilt work of crops and forest products defines vast tracts of agricultural lands. All of O'ahu's residents enjoy the agricultural products grown on the North Shore, and value the North Shore's ability to provide food for the island's
population and reduce O'ahu's dependency on imported foods...Hale'iwa and Waialua are the region's principal commercial and civic centers, and small pockets of rural residential areas remain clustered around Mokuleia, Kawaiolua, and Sunset/Pupukea. Residents are proud of their close-knit communities and the many local families in their communities that have a history of multigenerational ties to the North Shore.

The growth of a stable and diverse agriculture industry has ensured the long-term protection of the North Shore's agricultural lands and open space setting and supported an array of flourishing agricultural enterprises, including crop production, agricultural processing, and other support industries, farmers' markets and agricultural specialty outlets. Along with the continued success of the visitor and recreational industries, the growth of the agriculture industry has resulted in further needs for conventional commercial and industrial services, and an increase in cottage industries.

To maintain the region's rural character, these new activities are centered at Hale'iwa and Waialua. Hale'iwa continues to be the North Shore's regional commercial center hosting a variety of specialty outlets, dining establishments, professional and business services, and water sport enterprises, along with low-key, small-scale, country-style visitor accommodations. Waialua is a renewed center for agricultural activity, boasting a revitalized town center for resident-focused commercial services and a resource center for technology education within its schools. While some of the needed new affordable housing has been located in Hale'iwa, most new residential neighborhoods are located in Waialua.

Both towns retain their historic character and rural charm, while serving as the main employment centers for the region. Similarly, all new residential neighborhoods and their supporting parks, playgrounds, and public services have been developed to standards which reflect their rural setting. In these ways, the North Shore of O'ahu, long an attraction for Hawai'i residents and visitors alike, has emerged in the year 2035 as a thriving model rural community that successfully preserves its natural, cultural and historical heritage, links its past with the future, and blends "Old Hawai'i" with the 21st century.

The vision for the North Shore is further defined by key elements. The proposed zone change is consistent with the following key elements:

2.2.1: Maintain the Community Growth Boundary to Protect Agricultural, Open Space, And Natural Resources

The North Shore is characterized by vast tracts of agricultural lands, open spaces, and natural and cultural resources. To protect these resources from
Development, the Community Growth Boundary was established to guide Development and preserve open space and agricultural areas.

...agricultural lands within the Community Growth Boundary continue to remain in the State Agricultural District and continue to be designated and zoned as Agriculture, so as to maintain the agricultural uses and/or open space value within the Community Growth Boundary.

The proposed AG-2 use is consistent with the broader vision. The subject properties can be productive, providing food for island residents, contributing to agricultural activities on the North Shore and strengthening the agricultural economy, lessening dependence on imported foods, allowing local families to remain in their close-knit communities (the owners of parcels 8 and 14 are long time residents of Waialua), potentially adding to the “array of flourishing agricultural enterprises”, and utilizing the old plantation lands with new forms of agricultural activity.

The proposed use is also consistent with the key elements of the vision included above. The subject properties are within the Community Growth Boundary (see Exhibit 8) and are to retain an agricultural district designation. Therefore, it is consistent with the North Shore SCP’s vision and key elements which promote the preservation of agricultural lands.

2.2.2: Promote a Diversified Agricultural Industry

A healthy agricultural industry continues to generate economic opportunities that are appropriate to the region’s open space and rural qualities. In addition to using the Community Growth Boundary to ensure long-range protection for agricultural lands, land use policies and guidelines are in place to protect agricultural lands from encroachment by incompatible uses and to encourage long-term investments in productive agricultural uses on those lands.

The proposed use of small crop production such as ornamental plants and fruit trees and fish farming promotes productive and diversified agricultural use of the properties.

2.2.4: Promote Hale‘iwa and Waialua Towns as “Country Towns”

Waialua Town is the quiet heart of the North Shore and farming community, region’s primary agricultural support area and a vibrant core with the basic retail and commercial services and light industrial uses that support the local community.

Proposed agriculture use proximal to the farm dwellings fits into the “Country Town” description of a community, as well as the description of the region as the “...heart of the North Shore’s residential and farming community...”
The proposed zone change supports the following policies and guidelines of the North Shore SCP:

SECTION 3.2  AGRICULTURE

Agricultural lands are a key component of the North Shore's rural character. Cultivated fields extending towards the mountain significantly contribute to the form and character of the North Shore's rural landscape and the visual qualities that the region is known for. The protection of agricultural lands and agricultural uses, together with the assurance of a thriving agriculture industry, is essential to retaining the rural character and scenic open space features that are so valued by North Shore residents and visitors.

Nearly 45,000 acres, or about 60 percent of the 77,000 total acres of land within the North Shore Sustainable Communities Plan region are located within the State Agricultural District. This includes the plateaus that extend north from Helemano Plantation towards Mokule'ia and Sunset Beach, to the areas bordering Hale'iwa and Waialua Towns. Of the 45,000 acres, around 20,000 acres are considered high-quality agricultural lands suitable for commercial cultivation of crops, with the balance providing agricultural land for smaller-scale, less-intensive forms of agriculture. In general, productive agricultural lands include lands designated "Prime", "Unique", or "Other" by the State ALISH (Agricultural Lands of Importance to the State of Hawai'i) system, rated "A" or "B" by the Land Study Bureau (LSB), and which have irrigation sources of other enabling infrastructure. On the North Shore, the most productive agricultural lands are located near or below the Wahiawa Reservoir Ditch. Most of these lands are favorable for cultivation because they are well-drained and generally free of stones; nearly level or gently sloping with good machine tillability; have deep soils and adequate sunlight; served by an extensive agriculture infrastructure network already in place (roads, irrigation, and power to drive water pumps); and are located within reasonable trucking distance to serve local markets and for overseas shipping. Less productive lands include lands with steep slopes, lands at higher elevation where moisture/irrigation cannot be controlled, and lands with lower-rated soils. These include some of the Mokule'ia, Kemo'o and Waimea fields and fields in the foothills of the Ko'olau Mountain Range.

Following the decline of the corporate sugar and pineapple industries during the 1990's, large acreages of agricultural lands that were historically controlled by the plantations became available for other uses, creating new opportunities for smaller-scale, entrepreneurial agriculture ventures. In contrast to the plantation
days, the agriculture industry on the North Shore is currently comprised mainly of small farms, with a few larger, corporate farms (e.g. Pioneer Hi-Bred International). While large portions of the agricultural land remains in the ownership of Dole Food Company and Kamehameha Schools, most of it is now leased to a number of farmers growing a variety of products.

Some of the crops that are being successfully grown on the North Shore include coffee, papaya, bananas, lychee, mangoes, truck crops, taro, tropical flowers, cattle feed, and seed corn. Small-scale commercial forestry and ranching, including free range cattle, has been initiated at the upper elevations where intensive cultivation of crops is not feasible. Aquaculture, which contributes to the diversification of the agricultural base and provides additional opportunities for economic development, occurs at specific sites in Moku'uleia, Hale'iwa and Kawailoa. Continued cleanup of the former Dillingham Quarry site in Moku'uleia and further expansion of existing aquaculture operations in the area would support the future growth of the aquaculture industry. As diversified agriculture continues to develop and adapt to changing market conditions, other suitable agricultural crops and uses may be introduced in the future.

The successful development of a viable agriculture industry on the North Shore provides residents with jobs and economic development opportunities that foster a connection with the land. It can also increase the production of locally grown foods and products, which may encourage greater consumption of local agricultural products, contributing to increased self-sufficiency and a reduction in O'ahu's dependency on imported foods. More importantly, it ensures that the land designated for agriculture remains in active agricultural production and is not developed for higher value uses (such as housing and commercial development). Like other rural communities, the North Shore has experienced a steady increase in land values due to a growing demand by individuals seeking a rural lifestyle. With rising land values affecting agriculture's profitability, many landowners have been seeking alternative development schemes that involve higher-intensity uses and greater economic returns, making agricultural lands increasingly vulnerable to nonagricultural development. To minimize the market pressures to subdivide agricultural lands into large-lot, rural-style estates where agriculture is no longer the primary land use, agricultural lands needs to be protected and dedicated for agricultural use and economic barriers that impede the industry's growth need to be addressed. Appropriate incentives for maintaining the long-term availability of important agricultural lands and industry development should be explored, designed, and implemented as high priority action items by pertinent agencies and parties...
The proposed use is consistent with the above as land remains in agriculture use. Fish farming and ornamental plant nurseries (mentioned as tropical flowers in section 3.2 of the NSSCP) have already been recognized as being “successfully grown” and contributing “to the diversification of the agricultural base” on the North Shore. These uses both contribute economically to the region (as well as O‘ahu’s self-sufficiency), as well as preserve the rural character of Waialua and the North Shore.

3.2.1 Policies:

The following policies are applicable to agricultural lands:

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

- Promote long-term viability of diversified agriculture on the North Shore and ensure the continued productive use of the land.

- Maintain a healthy and competitive industry that supports a range of different types and scales of agriculture.

- Ensure that agriculture is the primary use of agricultural lands. Prohibit the improper use of agricultural lands, including the development or subdivision of agriculturally designated and zoned lands for residential and other nonagricultural uses, unless accessory to agricultural use. Do not allow token farming (i.e. “fake farms”) or ranching as a ruse to exploit agricultural land.

By retaining the agriculture designation, the proposed zone change will be consistent with the above policies. Furthermore, the proposed crops of farm fishing and decorative plants support diversity of the crops and the agriculture industry on the North Shore. The proposed zone change would also support the policy ensuring primary use of the land is agriculture by allowing the owners of the subject properties only one accessory farm dwelling per parcel as is consistent with the sizes of each parcel in the proposed AG-2 zoning district; 2.86 acres for parcel 8 and 2.86 for parcel 14. By allowing accessory farm dwellings, the resident or caretaker can provide much needed security against the threat of theft or vandalism that often occurs after hours on such lands.

4.4 CITY AND COUNTY HONOLULU LAND USE ORDINANCE

The purpose of the Land Use Ordinance (LUO) of the City and County of Honolulu is to “regulate land use in a manner that will encourage orderly development in accordance with adopted land use policies, including the (General Plan) and development plans..” Its intent is to provide “reasonable
development and design standards for the location, height, bulk and size of structures, yard areas, off-street parking facilities, and open spaces, and the use of structures and land for agriculture, industry, business, residence or other purposes."

The LUO designates and defines categories or zoning districts of land use as well as allowable developments and design criteria within each category zoning district. The subject property is located within the AG-1 restricted agriculture district. A change of zoning district from AG-1 to Ag-2 general agriculture district is proposed to allow for continued agricultural use of the land that will also allow for an accessory farm dwelling. The zone change is also proposed to make the lot size consistent with the zoning.

According to the LUO, the purpose of the agricultural districts is as follows:

Sec. 21-3.50 Agricultural districts-Purpose and intent.

(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.

(b) The intent of AG-1 restricted agricultural district is to conserve and protect Important agricultural lands for the performance of agricultural functions by Permitting only those uses which perpetuate the retention of these lands in the production of food, feed forage, fiber crops and horticultural plants. Only Accessory agribusiness activities which meet the above intent shall be permitted in the district.

(c) The following guidelines shall be used to identify lands which may be considered for the AG-1 restricted agricultural district:

1. Lands which are within the state designated agricultural district and designated agricultural by adopted city land use policies;
2. Lands which are predominantly classified as prime or unique under the agricultural lands of importance to the State Of Hawaii System; and
3. Lands where a substantial number of parcels are more than five acres in size
The intent of the AG-2 general agricultural district is to conserve and protect agricultural activities on smaller parcels of land.

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 city land use policies;
2. Lands which are predominantly classified other under the Agricultural lands of importance to the State of Hawaii system; and
3. Lands which are used or are suitable for agricultural purposes and Where a substantial number of parcels are less than five acres in Size.

The subject properties are designated as agricultural by the State of Hawaii, and are currently in the agricultural zoning district by the City & County of Honolulu. The Agricultural Lands of Importance study classifies the soils of the properties as "Prime". Individual acreages of both parcels are less than five acres in size. Of the 568 parcels within a half-mile radius of the site, 541 of them are less than five acres in size with 27 being greater than or equal to five acres in size. Based on the preceding information, the subject site meets guidelines 1 and 3 for the proposed AG-2 zoning, but does not meet the guideline 2 of being classified as "Other" in the State system of Agricultural Lands of Importance. However, the classification of important agricultural lands on O'ahu is being revised, as the original classification system which was written at the time when sugar and pineapple were dominant, may be outdated. It is possible that the subject properties may be reclassified in the near future.

The proposed use of farming operations with accessory farm dwellings is allowed under both current and proposed zoning, however the restrictive determination that allows the dwelling is the parcel size being greater than five acres. In the case of the subject properties, neither meets the five acre minimum size of AG-1 to be allowed the dwelling per this standard, but both do meet the minimum 2 acre requirement for AG-2 zoning.

5.0 STREETS AND TRANSPORTATION

5.1 EXISTING CONDITIONS

The subject properties are located on the makai side of Kaukonahua Road between Keakula Street and Paahihi Street. Kaukonahua Road is a two lane (one in each direction) State road that connects Waialua and Mokuleia residents and farms to Hale'iwa Town and the rest of O'ahu.

Kaukonahua Road begins at Weed Circle, where it intersects with Kamehameha Highway and
Waialua Beach Road, then continues southwest where it can continue in two directions: west on Farrington Highway, which continues to Mokuleia and terminates at Kaena Point or south towards Wahiawa and Honolulu.

Most traffic movements along Kaukonahua Road in this area are residents or farmers leaving or returning to the area. Some are visitors going to the beaches, to Kaena Point, to Dillingham Airfield, to the Waialua Farmers’ market, to Haleiwa town, or to other smaller establishments.

The subject properties can only be accessed from Kaukonahua Road; however Kaukonahua Road can be accessed from a number of ways, such as from Kamehameha Highway, Waialua Beach Road, and Farrington Highway.

Currently, the subject properties are accessed via a single gravel driveway within parcel 8. Technically, parcel 14 is landlocked so this driveway is shared with parcel 14. See Exhibit 11, Photo 1. We are in the process of obtaining a Condominium Property Regime (CPR) so parcel 14 has an official ingress/egress and boundary/ownership is established so each family can obtain a construction loan for each farm dwelling.

5.2 FUTURE TRAFFIC CONDITIONS

The increase in density with the addition of the other farm dwelling on the other parcel will be minute and will not significantly impact future traffic conditions. Overall, the Waialua-Mokuleia area is a slow-or no growth area. Future traffic conditions are not expected to significantly change.

5.3 TRAFFIC ANALYSES

The agricultural use is already permitted; therefore, the impact of the proposed zone change is limited to the addition of the one farm dwelling on the other parcel. Still, farming operations will be small scale. The proposed plant nursery may bring the most customers to the site, but this is estimated to be less than 10 customers per day on average. Farm vehicles are already parked on the site and will not be traveling on Kaukonahua Road; at least not on a daily or routine basis. Therefore, traffic impacts generated by each dwelling will be minimal.

5.4 ON-STREET PARKING

There is no on-street parking. All parking for the proposed use would be off-street.

6.0 INFRASTRUCTURE

6.1 WASTE WATER
The proposed farm dwellings would be served by new individual wastewater systems, which has been approved by the State Department of Health. Although the Pa'ala'a Kai Wastewater Treatment Plant has a connection/system running across both parcels, it is dedicated to serve the Pa'ala'a Kai single-family residential subdivision only. A sewer connection application was submitted, but denied. See Exhibit 14.

An Individual Wastewater System (IWS) for parcel 8 was submitted to the State of Hawai'i Department of Health. It was reviewed and deemed conforming to applicable provisions of Chapter 11-62. See Exhibit 14.

6.2 WATER

The subject properties are already served by the Honolulu Board of Water Supply.

6.3 SOLID WASTE

Solid Waste would be collected by the county refuse service.

6.4 DRAINAGE AND FLOODING

The additional farm dwelling is proposed to be located outside of the 0.2% annual chance floodplain. As such no mitigation is required.

6.5 PARKS & PLAYGROUNDS

Since only one additional farm dwelling is proposed, impacts to existing parks and playgrounds will be insignificant.

6.6 SCHOOLS

The proposed additional farm dwelling will have minimal or no impact to the existing public schools in the area. The subject properties are served by Hale'iwa Elementary School and Waialua High and Intermediate School.

7.0 ENVIRONMENTAL LAWS

7.1 CHAPTER 343, HRS, PERTAINING TO ENVIRONMENTAL IMPACT

The proposed project is not subject to Chapter 343, HRS. It does not involve the following "triggers" of Chapter 343, HRS.
(1) Propose the use of state or county lands or the use of state or county funds, other than funds to be used for feasibility or planning studies for possible future programs of projects that the agency has not approved, adopted, or funded, or funds to be used for the acquisition of unimproved real property; provided that the agency shall consider environmental factors and available alternatives in its feasibility or planning studies; provided further that an environmental assessment for proposed uses under section 205-2(d)(11) or 205-4.5(a)(13) shall only be required pursuant to section 205-5(b);

(2) Propose any use within any land classified as a conservation district by the state land use commission under chapter 205;

(3) Propose any use within a shoreline area as defined in section 205A-41

(4) Propose any use within any historic site as designated in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E;

(5) Propose any use within the Waikiki area of O'ahu, the boundaries of which are delineated in the land use ordinance as amended, establishing the , “Waikiki Special District”;

(6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation, except actions proposing any new county general plan or amendments to any existing county general plan initiated by a county;

(7) Proposed any reclassification of any land classified as a conservation district by the state land use commission under chapter 205;

(8) Propose the construction of new or the expansion or modification of existing helicopter facilities within the State, that by way of their activities, may affect:

   (A) Any land classified as a conservation district by the state land use commission under chapter 205

   (B) A shoreline area as defined in section 205A-41; or

   (C) Any historic site as designated in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E; or until the statewide historic places inventory is completed, any historic site that is found by a field reconnaissance of the area affected by the helicopter facility and is under
(D) consideration for placement on the National Register of Historic Places; and

(9) Propose any:

(A) Wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent;

(B) Waste-to-energy facility;

(C) Landfill

(D) Oil refinery; or

(E) Power-generating facility.

Furthermore, the project does not involve a "Significant Zone Change" defined as the following:

(1) Any change in zoning of ten or more acres to a low-density residential district from a less-intensive zoning district;

(2) Any change in zoning of two or more acres to a medium- or high-density residential (multi-family or apartment) district from a less-intensive zoning district;

(3) Any change in zoning of five or more acres to a resort, condominium, industrial or mixed use zoning district from a less-intensive zoning district; or

(4) Any development which would have a major social, environmental, or policy impact, or major cumulative impacts due to a series of applications in the same area.

7.2 CHAPTER 6E, HRS, PERTAINING TO HISTORIC PRESERVATION

The subject properties have been in agriculture use for decades and are not listed on the Hawai‘i or National Register of Historic Places, nor are there any structures present that could qualify as historic. The proposed zone change will have no effect on historic properties. However, should subterranean items be found during agricultural activities or construction of farm dwellings or irrigation systems, the historic preservation division will be consulted.

7.3 CHAPTER 23, REVISED ORDINANCES OF HONOLULU (ROH), PERTAINING TO SHORELINE SETBACKS
The subject properties are located outside of the shoreline setback area as defined by Chapter 23, ROH.

7.4 CHAPTER 25, ROH, PERTAINING TO SPECIAL MANAGEMENT AREAS

The subject properties are located outside the Special Management Areas so a SMA permit will not be needed.

7.5 ARTICLE 9 OF THE LUO, PERTAINING TO FLOOD HAZARDS

As discussed in Section 2.5, the subject properties are in Flood Zone Area X: Areas determined to be outside the 0.2% annual chance floodplain as defined by the Emergency Management Agency.

Flood Zone X is in the NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk Flood zone. No mandatory Flood insurance purchase requirements apply, but coverage is available in participating communities.

To note, the site is located outside the Tsunami Evacuation Zone.

8.0 NEIGHBORHOOD BOARD

A presentation of the proposed project will be made to the North Shore Neighborhood Board No, 27 at their regular meeting on May 28, 2019 at Waialua Elementary School. The meeting minutes are attached as Exhibit 10.

The reason for the presentation is to notify adjacent owners that we are in the process of submitting an application to rezone from AG-1 to Ag-2. We are also in the process of working with an attorney to obtain a CPR to show boundaries and ownership for each parcel. The concern is that the current AG-1 zoning would allow only one permitted farm dwelling between the two properties rather than one each, and the property owners' desire to separate the properties and operate independently of each other would be denied. This would also prevent either property owner from going through with their plans for agriculture use, which are valuable for the community.
REFERENCES

City and County of Honolulu, Department of Planning and Permitting, Honolulu Land Information System (HoLIS), http://gis.hicentral.com

City and County of Honolulu, Department of Budget and Fiscal Services, Real Property Assessment Division, Property Records Division https://www.qpublic.net/hi/honolulu/search.html

Honolulu Land Information System Division, https://www.cchnl.maps.arcgis.com

Google Maps, https://earth.google.com

State of Hawai‘i, Department of Agriculture, Agricultural Lands of Importance to the State of Hawai‘i, Honolulu, 1977.


EXHIBIT 1
*Honolulu County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the information. The information is from the last certified taxroll. All data is subject to change before the next certified taxroll. The 'parcels' layer is intended to be used for boundary interpretations or other spatial analysis beyond the limitations of the data. The 'parcels' data layer does not contain metes and bounds. Overlaying this layer with other data layers that may not have used this layer as a base may not produce precise results. GPS coordinates.
EXHIBIT 2
Honolulu County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the information is from the last certified taxroll. All data is subject to change before the next certified taxroll. The 'parcels' layer is intended to be used for boundary interpretations or other spatial analysis beyond the limitations of the data. The 'parcels' data layer does not contain metes and bounds views of this data. Overlaying this layer with other data layers that may not have used this layer as a base may not produce precise results. GPS is...
EXHIBIT 3
EXHIBIT 4
Flood Hazard Assessment Report
www.hawaiinfip.org

Property Information

COUNTY:   HONOLULU
TMK NO:   (1) 6-6-019 008 0 A 14
WATERSHED:   KIKI, PAUKAULA
PARCEL ADDRESS:   66-815 KAKONAHUA RD
                  WAIALUA, HI 96791

Flood Hazard Information

FIRM INDEX DATE:   NOVEMBER 05, 2014
LETTER OF MAP CHANGE(S):   NONE
FEMA FIRM PANEL:   15003C0105H
PANEL EFFECTIVE DATE:   JANUARY 19, 2011

THIS PROPERTY IS WITHIN A TSUNAMI EVACUATION ZONE:   NO
FOR MORE INFO, VISIT:   http://www.scd.hawaii.gov/
THIS PROPERTY IS WITHIN A DAM EVACUATION ZONE:   NO
FOR MORE INFO, VISIT:   http://dlnreng.hawaii.gov/dam/

Notes:

THIS PROPERTY IS WITHIN A TSUNAMI EVACUATION ZONE:   NO
FOR MORE INFO, VISIT:   http://www.scd.hawaii.gov/
THIS PROPERTY IS WITHIN A DAM EVACUATION ZONE:   NO
FOR MORE INFO, VISIT:   http://dlnreng.hawaii.gov/dam/

Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as 'PRELIMINARY', please note that it is being provided for informational purposes and is not to be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - The 1% annual chance flood (100-year), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHAs include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

- Zone A: No BFE determined.
- Zone AE: BFE determined.
- Zone AH: Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
- Zone AD: Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- Zone V: Coastal flood zone with velocity hazard (wave action); no BFE determined.
- Zone VE: Coastal flood zone with velocity hazard (wave action); BFE determined.
- Zone AEF: Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

- Zone XS (X shaded): Areas of 0.2% annual chance flood, areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1% annual chance flood.
- Zone X: Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

- Zone D: Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase applies, but coverage is available in participating communities.
EXHIBIT 5
The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Island of Oahu, Hawaii
Survey Area Data: Version 13, Sep 11, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Aug 14, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
EXHIBIT 6
Fence/wall proposed around boundary of each parcel

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Existing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut</td>
<td>Mango, Breadfruit, Lilikoi, Oranges, Puakenikeni, Monsterra, Torch</td>
<td>Dragon Fruit</td>
</tr>
<tr>
<td>Tree</td>
<td>Ginger, Fern, Bamboo, Green Onion</td>
<td>Papaya and Plumeria Trees</td>
</tr>
</tbody>
</table>

** indicates Banana and

Coconut

Tree

Proposed

Ginger, Fern, and Bamboo, Green Plumeria

indicates Onion Trees

Banana

Proposed

Ti Leaf

and

Chicken Coop-100 SF

Proposed

Ag Structure-630 SF

Ag Structure - 4000 SF

down

entire

length

to

boundary

6' apart

**

Proposed indicates

*** 20'

indicates crushed coral

**

Manila coral

**

Palms drive-

down way

**

entire down

**

length entire

indicates to length

Banana road to road

and

6' apart and

Coconut

Trees

Proposed

Horse Corral

down

entire

length

to

road

6' apart

Proposed

Ag Structure

625 SF

**

Parcel 008

****

Adjoining

**

Parcel 008

****

Length

to

Horse Corral

14

600 SF

625 SF

 Parcel 014

**

Kaukonahua Road

Note: Not to scale
EXHIBIT 7
EXHIBIT 9
REGULAR MEETING MINUTES
TUESDAY, MAY 28, 2019
WAIALUA ELEMENTARY SCHOOL CAFETERIA

CALL TO ORDER: Chair Kathleen Pahinui called the meeting to order at 7:00 p.m. A quorum was established with 10 members present. Note – This 15-member Board requires eight (8) members to establish a quorum and to take official Board action.

Board Members Present: Thomas Shirai, John Hirota (arrived at 7:07 p.m.), Casi Gentzel, Henry V. Courtenay, Kathleen Pahinui, Leif Andersen, Michael Lyons, Carol Philips, Bob Justice (arrived at 7:39 p.m.), SharLyn Foo, Robert "Bob" Leinau, Blake McElheny, Bill Martin (7:08 p.m.).

Board Members Absent: Andrew Green and Racquel Achiu.

Guests: Councilmember Reed Matsuura; Sergeant Gary Masiglat (Honolulu Police Department); Bryan Cheplic (Wahiawa General Hospital); Iris Kahaulelio, Kime Estores, G. Joe Estores, Larry McElheny, Ashley Harding, Lynell DaMate, Mark Clemene, Pua Ruane, Nick Kawelakai Farrant, Kathleen Ells, Phil Acosta, and Rebecca Green (Residents); Casey Ishitani (Neighborhood Assistant). Names are not included if not legible on the sign-in sheet.

The Pledge of Allegiance and Hawai‘i Pono‘i were observed.

CITY MONTHLY REPORTS
Honolulu Fire Department (HFD): HFD were responding to a call. No report was given.

Honolulu Police Department (HPD): Sergeant Gary Masiglat reported the following:
- **March 2019 Statistics:** Crime statistics are available online at [www.honolulupd.org/statistics](http://www.honolulupd.org/statistics).
- **Traffic Safety Awareness for Graduation and Prom Season:** Sergeant Masiglat informed the Board that graduation season has started. Underage drinking is illegal, with the legal age being 21 years old. Residents should not get in a vehicle operated by a drunk individual. Residents must obey speed limits. Do not use mobile devices while operating a vehicle. Wearing seatbelts is the law and can save lives.

Questions, comments, concerns followed:
1. **Parking:** Shirai raised concerns regarding tourists parking in handicap parking stalls in Haleiwa.
2. **Homeless:** Foo inquired about trespassing homeless individuals at Pupukea. Sergeant Masiglat responded that the area has a disputed region regarding homeless individuals and trespassing. Sergeant Masiglat added that the homeless individuals in that are generally conscientious.
3. **Bonfires:** A resident raised concerns regarding underage individuals have been making bonfires at Waimea Beach with wooden pallets and coral rocks, resulting in nails and sharp coral bits in the sand.

Hirota arrived at 7:07 p.m. Eleven (11) members present.

Bill Martin arrived at 7:08 p.m. Twelve (12) members present.

United States Army: Lieutenant Ryan DeBoy reported the following:
- **Training Dates and Areas:** Lightning Forge training will go into effect between Monday, May 28, 2019 and Friday, June 7, 2019 at Schofield Barracks East Range, Dillingham Army Airfield, and Kahuku Training Area.
- **Training Details:** Lightning Forge training will involve blank round firing and simulated explosions. Lieutenant DeBoy informed the Board that there will be military convoys on Kamehameha Highway, H1 and H2 in between 9:00 a.m. to 2:00 p.m. There will also be increased helicopter and military drone activity but that the Army will be keeping aircraft traffic away from residences.
- **Alternate Routes:** Lieutenant DeBoy reported that the opening of Drum Road as an alternative route for pedestrian traffic is under review.
Questions, comments, and concerns followed:
1. Road Maintenance: Lyons inquired if the United States Army could participate in road maintenance after convoy exercises are completed.
2. Cultural Concerns: Shirai provided slides and raised concerns regarding vehicles on North Shore beaches and exercises effecting archeological sites important to Kanaka Maoli. Lieutenant DeBoy responded that that the vehicles on the beach may be desalination vehicles but will report back to the North Shore Board regarding vehicles.
3. Marine Corp Osprey: A resident raised concern regarding Marine Corp Osprey flying low on Sunday, May 12, 2019. Chair Pahinui responded that though the Osprey are Marine Corp vehicles, U.S. Army Director of Public Affairs Dennis Drake will be informed of the incident for an appearance at a future North Shore Neighborhood Board meeting.
4. Helicopters: Shirai raised concerns regarding helicopter crashes, citing the fatal Kailua tour helicopter crash. Lieutenant DeBoy responded that U.S. Army helicopters will adhere to altitude and distance restrictions.

RESIDENTS'/COMMUNITY CONCERNS
Malama Waialee: Nick Kawelakai Farrant reported that Malama Waialee will be holding a Community Visioning Workshop Series until Saturday, June 1, 2019 at Sunset Beach Recreation Center, 59-540 Kamehameha Highway.

Good Pitch: Joe Wilson reported that Good Pitch Local Hawaii is a pitching and networking program aimed at generating support for media projects that raise awareness and propose solutions for challenging problems facing the islands. Good pitch is for local media makers and community advocates. Up to 16 projects will be selected and participants will be trained to pitch at the Wednesday, November 6, 2019 Good Pitch Local Hawaii event

Justice arrived at 7:39 p.m. 13 members present.

CITY MONTHLY REPORTS
Mayor Kirk Caldwell’s Representative: Wes Frystacki, Director of Department of Transportation Services (DTS) reported the following:
- Haleiwa Alii Beach Park Showers: Per resident concerns, the showers at Haleiwa Alii Beach Park are maintained daily. A Department of Parks and Recreation (DPR) inspection of the showers was conducted on Friday, May 10, 2019 with all showers found to be in good working condition.
- Pine Tree Trimming: A Board member raised concerns regarding pine tree trimming at Kaiaka Bay Beach Park. DPR has scheduled maintenance trimming of the trees, which should be completed by July 2019.
- Tour Bus: The Board requested an update regarding tour buses in residential neighborhoods and Frystacki responded that Bill 48 is related to limiting commercial vehicles parking and not passing through neighborhood. According to the Bill status report, Council Report 257 and Bill 48 were recommitted to the committee on budget on Wednesday, September 12, 2018.
- Waimea Beach Park: Frystacki provided an update regarding Waimea Beach Park, citing that the parking lot is under review for paving.
- Honolulu Authority for Rapid Transportation (HART): Frystacki reported that the HART rail system is set to open in December 2020, with a fully operational system by December 2025. Relating to North Shore, Frystacki reported that the current timetable for TheBus Route 83 from Haleiwa to Punchbowl Street in Downtown Honolulu is 71 minutes in the morning and 134 minutes in the afternoon. With the rail factored into travel time, the timetable will be 65 minutes in the morning and 65 minutes in the afternoon.

Questions, comments, and concerns followed:
1. Beach Park Facilities: Phillips raised that Haleiwa Beach Park showers are decommissioned. Martin inquired if the showers can be relocated. Andersen raised concerns about Alii Beach Park toilets being clogged. A resident raised concerns about the drainage of showers at Alii Beach Park, specifically the stagnant water around the shower facilities. The Board also raised concerns regarding faulty bathroom facilities at Waimea Bay Beach Park.
2. All-Purpose Park: Lyons raised about the logistics of having an all-purpose park in Waialua.
3. Trees: Gentzel inquired if the City and County of Honolulu would be able to plant new trees in Alii Beach Park. Frystacki responded that he would have to get back to the Board.
4. Laniakea Beach: McElheny raised concerns about a private property owner posting "No Parking" signs across Laniakea Beach, allowing cattle to graze on City and County of Honolulu land and harassing tourists.

Board of Water Supply (BWS): Chair Pahinui reported from a BWS handout.
- **Main Breaks:** There were no main breaks.
- **Scams:** Chair Pahinui urged residents to be cautious of scam calls. Utility customers are increasingly becoming targets for individuals attempting to gain access to residences, steal personal information, or trick you into giving them your money. Scammers can do this via unexpected or aggressive text messages, unexpected or aggressive phone calls, or unexpected visits to residents' property. If residents are concerned about an account status, they can call BWS Customer Care at (808) 748-5030. Residents who want to confirm the validity of an individual claiming to be a BWS employee may call BWS at (808) 748-5000. For suspicious encounters, residents may call HPD at 911 or report incidents at BWS at (808) 748-5041.
- **Rate Increase:** At its August 2018 meeting, BWS Board of Directors adopted a new five-year water rate schedule. The schedule started in September 2018, but adjustments to the rates and tiers will not become effective until Monday, July 1, 2019. Over the next five (5) years, BWS's revenues will need to increase by a total of 12.5 percent to meet anticipated operating and infrastructure improvement expenses.

Questions, comments, and concerns followed:
1. **Automatic Readings:** The Board inquired about an article in The Honolulu Star-Advertiser regarding automatic meter readings and overcharging of residents by BWS. Chair Pahinui responded that the interviewee in the article expressed inaccurate information regarding BWS meter readings.
2. **Fluoridation:** The Board inquired about fluoridation or potable water and Chair Pahinui raised that the process of fluoridation is currently too costly and difficult to do. It is also illegal to add any chemicals to the water system with the exception of chlorine as a disinfectant.

Councilmember Heidi Tsuneyoshi: Councilmember Tsuneyoshi reported the following:
- **Haleiwa Beach Park:** Councilmember Tsuneyoshi raised that residents' concerns for showers are regarding a large hole in the wall of the Puena Point showers at Haleiwa Beach Park.
- **Tax Exemption:** Bill 3 will lower property taxes for property owners.
- **Waialua Fire Station:** Councilmember Tsuneyoshi is working with HFD to relocate the Waialua Fire Station.
- **Waialua District Park:** 1.5 million dollars were allotted for the Waialua District Park community center.
- **Transient Vacation Rentals:** Bill 85 and Bill 89 were sent back to Committee.

Questions, comments, and concerns followed:
1. **Transient Vacation Rentals:** Leinau inquired about current measures to enforce vacation rental laws and Councilmember Tsuneyoshi responded that the main issue is a lack of enforcement of laws. Gentzel inquired about the "No Expansion" regarding B&Bs on the North Shore and Councilmember Tsuneyoshi elaborated that the goals of Bill 85 and Bill 89 are to curb the expansion of new licenses to operate vacation rentals and B&Bs. She also confirmed that the North Shore Sustainability Plan does not allow for any new licenses regardless of what may pass in the council.
2. **Waialua District Park:** Shirai raised concerns regarding the lights at Waialua District Park affecting the senior residents in the area. Councilmember Tsuneyoshi stated that the new lights and fixes to the pool are now scheduled for completion by the end of the year. She is monitoring this project very closely.
3. **Laniakea Beach:** McElheny reiterated his concern regarding the private property owner at Laniakea Beach harassing visitors to the area.

STATE ELECTED OFFICIALS:
**Governor David Ige's Representative:** No representative was present. No report was given.

Senator Gil Riviere: Senator Riviere reported the following:
- **Water Licenses:** Senator Riviere raised concerns regarding water rights involving Department of Land and Natural Resources (DLNR).
- **Sharks:** Senator Gil Riviere raised concerns regarding shark diving tours. He referenced the female resident bitten near Haleiwa Boat Harbor on Wednesday, May 8, 2019. Senator Riviere reported that he
is consulting shark experts on Coconut Island to investigate the effects of shark boat tours on residential swimming and surfing areas on the North Shore.

- **Transient Vacation Rentals:** Senate Bill (SB) 1292 was enrolled to Governor Ige. It requires hosting platforms that collect fees for booking services to register as tax collection agents and collect taxes for transient accommodation bookings from operators and plan managers. Senator Riviere expressed that he hopes Governor Ige vetoes the Bill.

- **Kawailoa Wind Farm:** Senator Riviere raised concerns that Kawailoa Wind Farm has exceeded its minimum of Hawaiian hoary bat deaths. Senator Riviere informed the Board that Monday, June 10, 2019 is the deadline to submit a testimony to request a Federal Environmental Impact Statement.

Questions, comments, and concerns followed: **Environmental Issues:** Lyons inquired about mitigating shark attacks and Senator Riviere responded that there needs to be minimum standards for shark boat operations. Andersen raised concerns regarding petrel safety near Kawailoa Wind Farm.

**Representative Lauren Cheape Matsumoto:** Representative Matsumoto reported the following:

- **Legislative Session:** As the Legislative session has ended, Representative Matsumoto is available to meet with residents to hear comments, concerns, or ideas. Her contact information is (808) 586-9490 or rsmartsumoto@capitol.hawaii.gov.

- **Valedictorians:** The Waialua High School Class of 2019 had nine (9) valedictorians.

- **Science, Technology, Engineering, and Mathematics (STEM):** 500,000 dollars have been secured for the planning and design of a STEM Innovation Center at Waialua High and Intermediate School.

- **Child Abuse:** House Resolution (HR) 57, HR59, and HR88 were adopted. The Resolutions were put in place to help educators mitigate and report child abuse and sexual violence.

Questions, comments, and concerns followed: **Science, Technology, Engineering, and Mathematics (STEM):** Martin inquired if the 500,000 dollars will go toward more than the planning and design process and Representative Matsumoto responded that the STEM project will still require community support after that process.

**Representative Sean Quinlan:** Representative Quinlan reported the following:

- **Small and Medium Sized Farmers Bill:** Representative Quinlan reported that House Bill (HB) 463 was passed and transmitted to Governor Ige. HB463 requires and appropriates funds to the Department of Agriculture to partner with the Hawaii agricultural community to establish a Food Safety Certification Training Program to assist small to medium sized farms to comply with the United States Department of Agriculture Good Agricultural Practices Certification Program.

- **Laniakea Beach:** Representative Quinlan and the Hawaii Tourism Authority have allocated 500,000 dollars to hire an HPD officer to act as a crossing guard at Laniakea Beach.

Questions, comments, and concerns followed:

1. **Laniakea Beach:** Gentzeh inquired if a crosswalk at Laniakea Beach will be compliant to City and Couttry of Honolulu traffic laws. Representative Quinlan responded that he will need to get back to the Board.

2. **Waimea Bay:** Leinau raised concern regarding grass growing along properties at Waimea Bay. Representative Quinlan responded that some property owners are allowing grass to grow in order to obstruct visibility into their residences.

**BOARD BUSINESS**

**ALEA Bridge Update:** Executive Director Phil Acosta reported the following:

- **Oahu Overview:** The Oahu overview of homeless individuals is as follows. A one (1) percent overall decrease in the number of homeless individuals, from 4,495 persons in 2018 to 4,453 persons in 2019. A 13 percent decrease in sheltered homeless individuals (2,350 persons in 2018 to 2,052 persons in 2019). A 12 percent increase in unsheltered homeless individuals (2,145 persons in 2018 to 2,401 persons in 2019). A five (5) percent decrease in the total number of sheltered and unsheltered homeless veterans compared with 2018. A one (1) percent increase in the total number of chronically homeless individuals and persons in chronically homeless families compared with 2018. A 15 percent decrease in the total number of people in homeless families compared with 2018.

- **State Overview:** The Hawaii State overview of homeless individuals is as follows. A one (1) percent overall decrease statewide in the number of homeless individuals, from 6,530 persons in 2018 to 6,448 persons in 2019. An eight (8) percent decrease in sheltered homeless individuals (3,055 persons in 2018
Questions, comments, and concerns followed: **Illegal Activity**: Justice inquired about a phone number to call for homeless individuals engaged in illegal activity and Acosta responded that residents can call (808) 379-2532.

**Wahiawa General Hospital (WGH)**: Communications Manager Bryan Cheplic reported the following:

- **Surgical Services Unit**: WGH will close its surgical services unit on Friday, May 31, 2019.
- **Stabilization Beds**: WGH has partnered with the Hawaii State Department of Health (DOH) to provide short-term mental health stabilization beds in a hospital setting. There will be 30 stabilization beds at WGH by early 2020.

Questions, comments, and concerns followed:

1. **Security**: Justice inquired about security for mental health stabilization areas and Cheplic responded that WGH will have security.
2. **Rural Designation**: Leinau inquired about rural designation for WGH and Cheplic responded that it will remain independent.
3. **Support**: A resident inquired about how the community can support WGH and Cheplic raised that residents are still able to receive mammograms and establish a primary care provider.

Hearing no objection, Chair Pahinui raised the addition of a zoning change testimony from Resident Iris Kahaulelo to the Agenda. Shirai Moved and Lyons Seconded to add zoning change testimony from Resident Iris Kahaulelo to the Agenda. The Motion PASSED BY UNANIMOUS CONSENT (Aye: Shirai, Hirota, Gentzel, Courtenay, Pahinui, Andersen, Lyons, Philips, Justice, Foo, Leinau, McElheny, and Martin; Nay: None; Abstain: None).

**Zoning Change Testimony**: Resident Iris Kahaulelo reported that she and the Saguibo family have purchased an Agricultural (AG) 1 property in Waialua. The property rests in two (2) Tax Map Keys (TMK) that are just over six (6) acres. Resident Kahaulelo addressed concerns regarding squatters, refuse material, and abandoned vehicles on purchased property, but will clear the property in order to refurbish it for agricultural uses and 2 family dwellings. Resident Kahaulelo summarized testimony requesting support in submitting an AG2 application.

Questions, comments, and concerns followed:

1. **Land Usage**: Justice inquired about land usage of the property. Kahaulelo responded that the property is intended to be split and rezoned to AG2 in order to build a family dwelling on each separate parcel. McElheny inquired if a Condominium Property Regime (CPR) is the only way to separate property assets and Kahaulelo responded that it is the best way to create boundaries with ingress and egress without subdividing the parcel.
2. **Community**: The Board inquired if the Kahaulelo family intend to remain in the community and Kahaulelo responded that they do.
3. **Neighboring Properties**: Leinau inquired if the Kahaulelo family has consulted with the neighboring properties and Kahaulelo responded that they have.
4. **Grading**: Chair Pahinui asked if grading on the property is affecting surrounding neighbors. Kahaulelo said no.
5. **Disclaimer**: Chair Pahinui raised that if a Motion to Support the application of zoning change is nullified by a Complaint, the Kahaulelo family will need to contact the North Shore Neighborhood Board to place the matter on the Agenda for another vote to support.

Shirai Moved and Andersen Seconded a Motion to Support the application of zoning change to property owned by Residents Iris Kahaulelo and Saguibo from AG1 to AG2, with an Amendment that states that all questions and concerns will be included in the letter of support. The Motion PASSED BY UNANIMOUS CONSENT (Aye: Shirai, Hirota, Gentzel, Courtenay, Pahinui, Andersen, Lyons, Philips, Justice, Foo, Leinau, McElheny, and Martin; Nay: None; Abstain: None).

APPROVAL OF MINUTES AND TREASURER’S REPORT
As there were no objections, the Board ADOPTED the Tuesday, February 26, 2019 Regular Meeting Minutes by UNANIMOUS CONSENT (Aye: Shirai, Hirota, Gentzel, Courtenay, Pahinui, Andersen, Lyons, Philips, Justice, Foo, Leinau, McElheny, and Martin; Nay: None; Abstain: None).

As there were no objections, the Board ADOPTED the Tuesday, April 23, 2019 Regular Meeting Minutes by UNANIMOUS CONSENT (Aye: Shirai, Hirota, Gentzel, Courtenay, Pahinui, Andersen, Lyons, Philips, Justice, Foo, Leinau, McElheny, and Martin; Nay: None; Abstain: None).

Treasurer's Report: Leinau reported a remaining balance of $275.86.

CHAIR'S CORRESPONDENCE: Correspondence is emailed to Board members.

NEXT MEETING: The next regular meeting is scheduled for Tuesday, June 25, 2019 at Waialua Elementary School cafeteria from 7:00 p.m. to 9:30 p.m.

ADJOURNMENT: The meeting adjourned at 9:19 p.m.

Submitted by: Casey Ishitani, Neighborhood Assistant
Reviewed by: Harry Cho, Public Relations
Finalized By:
EXHIBIT 11
1. Ingress/Egress facing North. LDS Church on left. Pa‘ala‘akai Subdivision on right.

2. Kaukonahua Road facing West.
3. Kaukonahua Road facing North.

4. Parcel 8 facing West towards LDS Church.
5. Parcel 8 facing West towards parcel 14.

6. Parcel 8 facing North towards Waialua Beach Road.
7. Parcel 14 facing South West towards Mt. Ka'ala.

8. Parcel 14 facing North East towards Pa'ala'akai Subdivision
9. Parcel 8 with Coconut Tree.

WARRANTY DEED

SELLERS: SAM K. AHIA, Trustee and ROSEMARIE G. AHIA, Trustee, of the Sam K. Ahia Living Trust dated October 9, 2002; whose mailing address is 87-3596 Mamalahoa Highway, Captain Cook, Hawaii 96704;

The Estate of William Kalaemakani Ahia III, Jennifer A. Ahia fka Jennifer A. Phelan, Personal Representative, whose mailing address is 1300 East Union Street, #2, Seattle, Washington, 98122;

ALFRED AULD DEREGO AHIA, whose mailing address is 144 Ululani Street, Suite #1, Hilo, Hawaii, 96720;

ROBERT KAMAKANUIOKALANI AHIA, whose mailing address is P.O. Box 11, Papaikou, Hawaii 96781;

ROBERT K. AHIA Successor Trustee of the Lily Ahia Revocable Living Trust Agreement, dated July 22, 1991 and whose mailing address is P.O. Box 11, Papaikou, Hawaii 96781;
ROBERT K. AHIA, Successor Trustee of the William K. Ahia Jr. Revocable Living Trust Agreement, dated July 22, 1991, and whose mailing address is P.O. Box 11, Papaikou, Hawaii 96781

MICHAEL KA'IWI-AHU'ULA O KAMEHAMEHA LUPENUI, whose mailing address is 45-075 Ka Hanahou Place, Kaneohe, Hawaii 96744;

GEORGIA P. CHING, Trustee of Ching Family Trust, dated January 30, 2002, whose mailing address is 98-1802 Kupukupu Street, Aiea, Hawaii 96701; and

SAM KAANAHOEAHALANI AHIA, husband of Rosemarie Gertrud Ahia whose mailing address is 87-3596 Mamalahoa Highway, Captain Cook, Hawaii 96704

BUYERS: GABRIEL AHLOY KAHULELIO AND IRIS MAXINE KAHULELIO, a married couple, whose mailing address is 66-122 Oliana Place, Waialua, Hawaii 96791; and

JOHN ANTHONY SAGUIBO AND ABIGAIL LEILANI SAGUIBO, a married couple, whose mailing address is 66-122 Oliana Place, Waialua, Hawaii 96791.

DESCRIPTION OF PROPERTY:

The property covered by this Warranty Deed is described in Exhibit "A" attached to this document.

SALE, TRANSFER AND CONVEYANCE OF PROPERTY:

In return for the Buyer's payment of the purchase price as agreed between Seller and Buyer, the Seller sells, transfers and conveys the property described in Exhibit "A" to the Buyer.

SALE, TRANSFER AND CONVEYANCE OF OTHER RIGHTS:

Seller also sells, transfers and conveys to the Buyer the following:
(A) All improvements, if any, located on the property;

(B) All rights the Seller has in other property because of the Seller's ownership of the property being sold (these rights are known as "easements and appurtenances");

(C) All rents or royalties from the property;

(D) Any mineral and metallic rights owned by the Seller in the property, if any; and

(E) All other rights, interests or privileges that the Seller owns because of the Seller's ownership of the property.

BUYER'S TENANCY:

As between Buyers GABRIEL AHLOY KAHAULELIO AND IRIS MAXINE KAHAULELIO, they shall take and own an undivided fifty percent (50%) interest in the property, as Tenants by the Entirety.

As between Buyers JOHN ANTHONY SAGUIBO AND ABIGAIL LEILANI SAGUIBO, they shall take and own an undivided fifty percent (50%) interest in the property, as Tenants by the Entirety.

As between Buyers GABRIEL AHLOY KAHAULELIO and Buyers JOHN ANTHONY SAGUIBO AND ABIGAIL LEILANI SAGUIBO, they will own their undivided interests in the property, as Tenants in Common.

The Buyers will also own the other rights described above in the same tenancy.

SELLER'S WARRANTIES:

By signing this Warranty Deed, Seller gives Buyer a general warranty of title. This means that Seller guarantees:

(A) That the Seller lawfully owns the property and other rights being sold to Buyer;

(B) That the Seller has the right to sell, transfer and convey the property and other rights described in Exhibit "A" and this Deed;
(C) That there are no other claims by any person against the property or the other rights being sold and no other person has any rights in the property unless those claims or rights are described in Exhibit "A" under the title "SUBJECT TO"; and

(D) That if any other person makes any lawful claim against the property or the other rights being sold, or has any rights in the property, and those claims or rights are not described in Exhibit "A," then the Seller will defend the Buyer’s ownership against those lawful claims and rights. The Seller does not have any obligation to defend the Buyer’s ownership against any claims or rights described in Exhibit "A".

DEFINITIONS:

The word "person" includes natural persons, business organizations and any other entity the law allows to own property or conduct business;

The word "Seller" and "Buyer" include the persons named in this deed and those who take over or succeed to that person’s rights or interests, whether by purchase, inheritance, operation of law or otherwise.

COUNTERPARTS:

Sellers and Buyers agree that this Warranty Deed may be signed and acknowledged in counterparts, each of which shall be considered an original, and the counterparts shall together constitute one and the same agreement, binding all of the parties to the agreement, notwithstanding that all of the parties are not signatory to the original or the same counterparts. For all purposes, including, without limitation, recordation, filing and delivery of this Warranty Deed, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

DATE:

This Deed is being signed by the Seller on the 16 day of May, 2018.

SAM K. AHIA, Trustee of the Sam K. Ahia Living Trust dated October 9, 2002

ROSEMARIE G. AHIA, Trustee of the
Sam K. Ahia Living Trust dated October 9, 2002

The Estate of William Kalaemakani Ahia III, Jennifer A. Ahia fka Jennifer A. Phelan, Personal Representative

ALFRED AULD DEREGO AHIA

ROBERT KAMAKANUIOKALANI AHIA

ROBERT K. AHIA, As Successor Trustee of the Lily Ahia Revocable Living Trust Agreement dated July 22, 1991


MICHAEL KA'IWI'AHU'ULA O KAMEHAMEHA LUPE'NEUI

GEORGIA P. CHING, Trustee of Ching Family Trust dated January 30, 2002,

SAM KAANAEOHEALANI AHIA

Sellers

APPROVED AS TO FORM:
By David B. Kaapu
Sam K. Ahia Living Trust dated October 9, 2002

The Estate of William Kalaemakani Ahia III, Jennifer A. Ahia fka Jennifer A. Phelan, Personal Representative.

ALFRED AULD DEREGO AHIA

ROBERT KAMAKANUIOKALANI AHIA

ROBERT K. AHIA, As Successor Trustee of the Lily Ahia Revocable Living Trust Agreement dated July 22, 1991


MICHAEL KA'IWI'AHU'ULA O KAMEHAMEHA LUPEUNUI

GEORGIA P. CHING, Trustee of Ching Family Trust dated January 30, 2002,

SAM KAANAOEHEALANI AHIA

Sellers

APPROVED AS TO FORM:
By David B. Kaspu
Sam K. Ahia Living Trust dated October 9, 2002

The Estate of William Kalaemakani Ahia III, Jennifer A. Ahia fka Jennifer A. Phelan, Personal Representative

ALFRED AULD DEREGO AHIA

ROBERT KAMAKANUIOKALANI AHIA

ROBERT K. AHIA, As Successor Trustee of the Lily Ahia Revocable Living Trust Agreement dated July 22, 1991


MICHAEL KA'IWI'AHU'ULA O KAMEHAMEHA LUPENUI

GEORGIA P. CHING, Trustee of Ching Family Trust dated January 30, 2002,

SAM KAANAEOHEALANI AHIA

Sellers

APPROVED AS TO FORM
By David B. Knapu
Sam K. Ahia Living Trust dated October 9, 2002

The Estate of William Kalaemakani Ahia III, Jennifer A. Ahia fka Jennifer A. Phelan, Personal Representative

ALFRED AULD DEREGO AHIA

ROBERT KAMAKANUIOKALANI AHIA

ROBERT K. AHIA, As Successor Trustee of the Lily Ahia Revocable Living Trust Agreement dated July 22, 1991


MICHAEL KA'IWI'AHU'ULA O KAMEHAMEHA LUPEINUI

GEORGIA P. CHING, Trustee of Ching Family Trust dated January 30, 2002,

SAM KAAANAOEHEALANI AHIA

Sellers

APPROVED AS TO FORM:
By David B. Kaapu
Sam K. Ahia Living Trust dated October 9, 2002

The Estate of William Kalaemakani Ahia III, Jennifer A. Ahia fka Jennifer A. Phelan, Personal Representative

ALFRED AULD DEREGO AHIA

ROBERT KAMAKANUIOKALANI AHIA

ROBERT K. AHIA, As Successor Trustee of the Lily Ahia Revocable Living Trust Agreement dated July 22, 1991


MICHAEL KA'IWI'AHU'ULA O KAMEHAMEHA LUPENUI

GEORGIA P. CHING, Trustee of Ching Family Trust dated January 30, 2002,

Sellers
STATE OF HAWAII

COUNTY OF HAWAII

On this 16th day of May 2018, before me personally appeared, SAM K. AHIA, Trustee and ROSEMARIE G. AHIA, Trustee of the Sam K. Ahia Living Trust dated October 9, 2002, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their free act and deed as Trustees.

Notary Public, State of Hawaii
MARLENE ELISAGA
Expiration Date: August 1, 2021
(Print/Type Name)

My Commission expires:__________

NOTARY CERTIFICATE (Hawaii Administrative Rules §5-11-8)

Document Description: WARRANTY DEED

Doc. Date: May 16, 2018 No. Pages 20 Third Circuit

Signature of Notary Date
Marlene Elisaga 5/16/2018

Print Name of Notary

(Official Stamp or Seal)
On this 23 day of May, 2018, before me personally appeared of
The Estate of William Kalaemakani Ahia, III, Personal Representative Jennifer A.
Ahia fka Jennifer A. Phelan, to me known to be the person described in and who
executed the foregoing instrument, and acknowledged that she executed the same as her
free act and deed.

[Signature]
Notary Public, State of Washington

Print Name
Giang Nguyen
My commission expires: 3-19-21
STATE OF HAWAI'I

COUNTY OF HAWAI'I

On this 11th day of MAY, 2018, before me personally appeared ALFRED AULD DEREKO AHIA, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

[Signature]

Notary Public, State of HAWAI'I

My Commission expires: OCTOBER 16, 2020

NOTARY CERTIFICATE (Hawaii Administrative Rules §5-11-5)

Document Description: WARRANTY DEED

Doc. Date: [Undated] No. Pages 20 Third Circuit

[Signature]

Date

Print Name of Notary

(Official Stamp or Seal)
STATE OF HAWAII   )
COUNTY OF   ) SS.

On this 11 day of MAY, 2018, before me personally appeared ROBERT KAMAKANEIOKALANI AHIA, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Elisabeth F. T'ai
Notary Public, State of Hawaii

My Commission expires: 10/10/20

 NOTARY CERTIFICATE (Hawaii Administrative Rules §5-11-8)

Document Description: WARRANTY DEED

Doc. Date: undated No. Pages: 20 Third Circuit

Elisabeth F. T'ai
Signature of Notary Date

Elisabeth F. T'ai
Print Name of Notary
STATE OF HAWAII  
COUNTY OF Hawaii  

On this 15th day of March, 2018, before me personally appeared MICHAEL KA'AWI'AHU'ULA O KAMEHAMEHA LUPENUIU, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

[Signature]
Notary Public, State of Hawaii

Expiration Date: February 21, 2020
(Print/Type Name)

My Commission expires: ______________

NOTARY CERTIFICATE (Hawaii Administrative Rules 65-11-8)

Document Description: WARRANTY DEED

Doc. Date: Undated  No. Pages 20  Third Circuit

[Signature]  5/15/18
Signature of Notary  Date

[Print Name]  
Print Name of Notary

(Official Stamp or Seal)
On this ________________ day of MAY 14 2018, before me personally appeared, GEORGIA P. CHING, Trustee of Ching Family Trust dated January 30, 2002, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged to me that she executed the same as her free act and deed as Trustee.

[Signature]

Notary Public, State of Hawaii

(Print/Type Name) LUCIANA BURKHART

My Commission expires: Expiration Date: November 15, 2019

[Official Stamp or Seal]

LUCIANA BURKHART

Signature of Notary

MAY 14 2018

Date

Luciana Burkhart

Print Name of Notary

AHIA/KAHULELIO.SAGUIBO. Warranty Deed
On this 15th day of May, 2018, before me personally appeared SAM KAANAEOEHEALANI AHIA, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

MARLENE ELISAGA
Notary Public, State of Hawaii
(Print/Type Name)
Expiration Date: August 1, 2021
My Commission expires: __________

NOTARY CERTIFICATE (Hawaii Administrative Rules §5-11-8)
Document Description: WARRANTY DEED

Doc. Date: May 15, 2018 No. Pages 20 Third Circuit
Signature of Notary Date
Marlene Elisaga 5/16/2018
Print Name of Notary

(Official Stamp or Seal)
On this 11 day of MAY, 2018, before me personally appeared ROBERT K. AHIA, Successor Trustee of the Lily Ahia Revocable Living Trust Agreement dated July 22, 1991 to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

[Signature]
Notary Public, State of Hawaii

Elisabeth K. Tai
(Print/Type Name)

My Commission expires: 10/10/20

NOTARY CERTIFICATE (Hawaii Administrative Rules §§-11-8)

Document Description: WARRANTY DEED

Doc. Date: undated No. Pages 20 Third Circuit

Signature of Notary

Elisabeth K. Tai

Print Name of Notary

(Official Stamp or Seal)
On this 11 day of May, 2018, before me personally appeared ROBERT K. AHIA, Successor Trustee of the William K. Ahia Jr. Revocable Living Trust Agreement dated July 22, 1991 to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

\[\text{Signature}\]

My Commission expires: 10/16/20

\[\text{Signature}\]

Notary Public, State of Hawaii

\[\text{Signature}\]

(Print/Type Name)

\[\text{Signature}\]

Signature of Notary

\[\text{Signature}\]

Date

\[\text{Signature}\]

Print Name of Notary

\[\text{Signature}\]

(Official Stamp or Seal)
EXHIBIT "A"

-Parcel First:-

All of that certain parcel of land (being portion of the land(s) described in and covered by Royal Patent Grant Number 236, Apana 2 to John O. Davis) situate, lying and being at Paukauila, District of Waialua, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 6-6-019-008, and containing an area of 3.313 acres, more or less.

Said above described parcel of land having been acquired as follows:

1. By SAM K. AHIA and ROSEMARIE G. AHIA, Trustees, or their successors in trust, under the Sam K. Ahia Living Trust dated October 9, 2002, with full powers to sell, mortgage, lease or otherwise deal with the land, as to an undivided 11/120 interest, by QUITCLAIM DEED of SAMMIELEINE SELENA SHAFER, wife of Lance Shafer, dated December 15, 2008, recorded as Document No. 2009-003099;

2. By LILLY AHIA, Trustee of the Lilly Ahia Revocable Living Trust Agreement dated July 22, 1991, with full powers to sell, mortgage, lease or otherwise deal with the land, as to an undivided 22/240 interest, and by WILLIAM K. AHIA, JR., Trustee of the William K. Ahia, Jr. Revocable Living Trust Agreement dated July 22, 1991, with full powers to sell, mortgage, lease or otherwise deal with the land, as to an undivided 22/240 interest, as Tenants in Common, by QUITCLAIM DEED of LILLY AHIA, wife of William K. Ahia, Jr., dated July 22, 1991, recorded as Document No. 91-108559;

3. By WILLIAM KALAEMAKANI AHIA, III, unmarried, as to an undivided 11/240 interest; ALFRED AULD DEREGO AHIA, unmarried, as to an undivided 11/240 interest; and ROBERT KAMAKANUIOKALANI AHIA, unmarried, as to an undivided 11/240 interest; as Tenants in Common, by QUITCLAIM DEED of MICHIKO (NMN) AULD, unmarried, dated October 31, 1996, recorded as Document No. 97-000473;
4. By MICHAEL K. LUPENUI, husband of Betty Ann Lupenui, as to an undivided 76/240 interest, by ORDER AND JUDGMENT ON PETITION FOR DETERMINATION AND DECLARATION OF HEIRS AND DEVOLUTION OF TITLE TO REAL PROPERTY, filed in the Circuit Court of the First Circuit, State of Hawaii, Probate No. 99-0414, on September 10, 1999, recorded at the Bureau of Conveyances as Document No. 99-170173 on October 22, 1999; and

5. By GEORGIA P. CHING, Trustee of the Ching Family Trust under that certain unrecorded Trust Agreement dated January 30, 2002, with full powers to sell, mortgage, lease or otherwise deal with the land, as to an undivided 76/240 interest, by LIMITED WARRANTY DEED of GEORGIA PUA'ENA CHING, also known as GEORGIA P. CHING, spouse of Donald D. T. Ching, dated September 13, 2002, recorded as Document No. 2002-165056.

-PARCEL SECOND:-

All of that certain parcel of land situate at Kamananui, Waialua, Oahu, State of Hawaii, described as follows:

LOT 7-A, area 2.41 acres, more or less, as shown on Map 13, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1164 of Waialua Agricultural Company Limited.

-Note:- LOT 7-A is to be sold together with Parcel 8-A, being a portion of Royal Patent Grant Number 236, Apana 2 to John O. Davis, bearing Tax Key designation (1) 6-6-019-008, for the purpose of providing access for LOT 7-A to a public road, as set forth by Land Court Order 51512, filed on October 20, 1978.

Being land(s) described in Transfer Certificate of Title No. 1,153,115.
Said above described parcel of land having been acquired as follows:

1. By JENNIFER L. AHIA, fka Jennifer A. Phelan, Personal Representative of the Estate of William Kalaemakani Ahia III, as to an undivided 22/240 interest; ALFRED AULD DEREGO AHIA, unmarried, as to an undivided 22/240 interest; and ROBERT KAMAKANUIOKALANI AHIA, unmarried, as to an undivided 22/240 interest; as Tenants in Common, by a) QUITCLAIM DEED of MICHIKO (NMN) AULD, unmarried, dated October 31, 1996, filed as Land Court Document No. 2358613; b) SUCCESSORS TRUSTEES DEED of ROBERT K. AHIA, Successor Trustee of the Lilly Ahia Revocable Living Trust Agreement dated July 22, 1991, acknowledged on March 10, 2018, filed as Land Court Document No. T-10298257; and c) SUCCESSOR TRUSTEES DEED of ROBERT K. AHIA, Successor Trustee of the William K. Ahia, Jr. Revocable Living Trust Agreement dated July 22, 1991, dated March 8, 2018, filed as Land Court Document No. T-10298258.

2. By SAM K. AHIA and ROSEMARIE G. AHIA, Trustees of the Sam K. Ahia Living Trust dated October 9, 2002, with full powers to sell, mortgage, lease or otherwise deal with the land, as to an undivided 11/240 interest, by Warranty Deed of SAMMIELEINE SELENA SHAFER, wife of Lance Shafer, dated August 23, 2013, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Land Court Document No. T-8667156;

3. By MICHAEL KA'IWI'AHU'ULA O KAMEHAMEHA LUPENUI, husband of Betty Ann Lupenui, as to an undivided 76/240 interest, by ORDER AND JUDGMENT ON PETITION FOR DETERMINATION AND DECLARATION OF HEIRS AND DEVOLUTION OF TITLE TO REAL PROPERTY, filed in the Circuit Court of the First Circuit, State of Hawaii, Probate No. 99 - 0414, on September 10, 1999, filed as Land Court Document No. 2583925 on October 22, 1999;

4. By GEORGIA P. CHING, Trustee of the Ching Family Trust under that certain unrecorded Trust Agreement dated January 30, 2002, with full powers to sell, mortgage, lease or otherwise deal with the land, as to an undivided 76/240 interest, by LIMITED WARRANTY DEED of GEORGIA PUA'ENA CHING, also known as GEORGIA P. CHING, spouse of Donald D. T. Ching, dated September 13, 2002, filed as Land Court Document No. 2841783; and

Subject to any and all liens and/or encumbrances of record.
EXHIBIT 13
This section contains pre-application correspondence between Iris Kahaulelio and various agencies. The correspondence is organized by chronological order as follows:

1. A letter from DPP, Subdivision branch rejecting a proposal to designate an easement in order to grant an ingress/egress for parcel 14, dated September 28, 2018. The reason being that both parcels were consolidated into Lot “L” in 1978.

2. City and County of Honolulu Department of Permitting and Planning, Sewer Connection Application Denial Letter, dated November 27, 2018.


4. A letter from DPP, Subdivision Branch rejecting a proposal to subdivide Lot “L” because it does meet the minimum dimension and area standards of the AG-1 Restricted Agricultural District, dated December 14, 2018.

5. Letters to DPP Director, Kathy Sokugawa, City Council Chairman, Ron Menor, City Council member, Heidi Tsuneyoshi, and The North Shore Neighborhood Board members to share the family backgrounds and why a rezone application is necessary for the two families, dated February 22, 2019. To date, there has been no reply.

6. A letter to DPP to request determination that a North Shore Communities Plan Amendment and an Environmental Assessment will not be required, dated June 3, 2019. A reply letter from DPP Director Kathy Sokugawa dated July 24, 2019 stated that (1) an amendment to the NSSCP is not required and (2) an EA is not required.

7. A letter to The City and County of Honolulu Refuse Division dated August 6, 2019 was sent asking if there are any service concerns regarding the proposed zone change. A reply letter from Manuel Lanuevo, LEED AP Chief dated August 22, 2019 was received stating that it would need to review the design plans for the construction prior to granting refuse collection.

8. A letter to the Board of Water Supply dated August 6, 2019 was sent asking if there are any service concerns to support the proposed zone change. A reply letter from Ernest Lau, Manager and Chief Engineer dated September 9, 2019 was received stating that the existing water system is adequate to accommodate the domestic demands of the proposed farm dwellings.

9. A letter to the State of Hawaii Department of Transportation dated August 6, 2019 was sent asking if there are any concerns to support the proposed zone change. A reply letter from Jade Butay, Director of Transportation dated September 10, 2019 was received stating that it only allows one access per parcel onto Kaukonahua Road.
DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET * HONOLULU, HAWAII 96813
Phone: (808) 768-8000 * Fax: (808) 768-4950

KIRK CALDWELL
MAYOR

KATHY K. SOKUGAWA
ACTING DIRECTOR
TIMOTHY F. T. HIU
DEPUTY DIRECTOR
EUGENE H. TAKAHASHI
DEPUTY DIRECTOR

SUBDIVISION

File Number : 2018/SUB-130
Project : EASE / Waialua - Kaukonahua Rd. / TMK: 6-6-019: 008
Location :
Tax Map Key : 6-6-019:008 (various)
Owner : KAHUALEIO, GABRIEL
Surveyor : Leaps & Boundaries, Inc.
Agent : Leaps & Boundaries, Inc.

Description of the Proposal: Designation of Easement A (for access and utility purposes in favor of Lot 7-A as shown on Map 13 of Land Court Application 1164) affecting Lot 8-A, a portion of Grant 236, Ap. 2 to John O. Davis.

The proposal was **REJECTED** for the following reasons:

1. The proposal is inconsistent with the approved map under DPP File No. 1978/SUB-105 which consolidated Lots 7-A and 8-A into one lot (Lot L) of 5.779 acres. As Lots 7-A and 8-A are considered part of the same single consolidated lot, an easement is not required to provide access and utilities between parts of the same lot.

   We are also returning the unused copies of your preliminary map and the application fee for $400.00 (Hawaii USA Federal Credit Union Check No. 535).

**THIS COPY IS NOTIFICATION OF THE ACTION TAKEN AND THE DATE IT WAS SIGNED.**

Signature: [Signature]
Title: ACTING DIRECTOR
Date: September 28, 2018

This action does not constitute approval of any other required permits, such as building or sign permits. Should you have any questions, please call the Subdivision Branch at 768-8100 or 768-8099.
# SEWER CONNECTION APPLICATION

**APPLICATION NO.:** 2018/SCA-1980  
**DATE RECEIVED:** 11/26/2018  
**PROJECT NAME:** 2018/SCA-1980 New SFD Unit at 66-815 Kaukonahua Road  
**APPLICANT:** Kahaulelio, Iris  
**LOCATION:** Zone Section Plat Parcel  
6 6 019 008  
**SPECIFIC LOCATION:** 66-815 Kaukonahua Road  
**DEVELOPMENT TYPE:** Dwelling, Single-family  
**OTHER USES:**  
**NON-RESIDENTIAL AREA:** s.f.  
**EXISTING UNITS:**  
No. of Existing Units: 0  
1-Bedroom:  
2-Bedroom:  
3-Bedroom:  
4-Bedroom:  
5-Bedroom:  
6-Bedroom:  
**UNITS TO BE DEMOLISHED:**  
No. of Units to Be Demolished: 0  
1-Bedroom:  
2-Bedroom:  
3-Bedroom:  
4-Bedroom:  
5-Bedroom:  
6-Bedroom:  
**REMARKS:** Sewers are not available.  
**DENIAL DATE:** 11/27/2018  
**REVIEWED BY:** Keith Miyashiro  

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ExternalID: 064259578-001  
JobId: 64259578  
Initial Print Date: Tuesday November 27, 2018 3:12 p
Roscoe O Ford  
469 Ena Road Apt. 2604  
Honolulu, HI 96815-1713

December 10, 2018

Dear Sir/Madam:

Subject: Individual Wastewater System (IWS) for  
Owner/Lessee: Iris Kahaulelio  
Project Site: 66-815 Kaukonahua Road, Haleiwa, HI  
TMK: 166019008  
IWS File No.: 61226 (Septic Tank) E-Filed  
Old File No.: N/A

The subject wastewater plans have been reviewed by the Wastewater Branch for conformance to applicable provisions of Hawaii Administrative Rules, Title 11, Chapter 62, entitled Wastewater Systems. The IWS plan conforms to applicable provisions of Chapter 11-62.

As the professional engineer responsible for the design of the above wastewater plan, it is your responsibility to inform the owner/lessee of the property that: a) the IWS plans must be attached to each set of permit construction plans, b) the IWS must be installed by a licensed contractor holding A, C-9, C-37, C-37a or C-43 license, c) inspected and certified by the designing engineer, d) authorized in writing by the Department of Health before use, and e) IWS approval expires in one year without concurrent active building permit.

For new dwellings, the Department of Health will process an applicable county building permit application provided that all information submitted as part of the IWS plan and county building permit application are consistent with each other and meet applicable provisions of Chapter 11-62, HAR at the time of permit application.

For renovation projects that require abandoning the existing cesspool and/or require building modifications to the existing dwelling (require separate permit) to comply with Chapter 11-62, HAR, the new IWS and/or required modifications to the existing dwelling must be completed prior to applying for a County Building Permit for the project. For clarification purposes, the separate building modifications permit to the existing dwelling will be considered completed when the County Building Permit is properly closed for that work.

Should you have any questions, please feel free to contact Shawn Sakoda at 586-4294.

Sincerely,

SINA PRUDER, P.E.  
Chief, Wastewater Branch
Description of the Proposal: Subdivision of Lot L as shown on DPP File No. 1978/SUB-105, into two lots: Lot 7-A of 3.313 acres and Lot 8-A of 2.410 acres; and designation of Easement A (for access and utility purposes in favor of Lot 7-A) affecting Lot 8-A.

The proposal was **REJECTED** for the following reasons:

1. The proposal does not comply with the minimum dimension and area standards of the AG-1 Restricted Agricultural District, and the adequate access provisions of the Subdivision Rules and Regulations.

We are also returning the unused copies of your preliminary map and the application fee for $400.00 (Hawaii USA Federal Credit Union Check No. 535).
February 22, 2019

Ms. Kathy Sokugawa, Director
650 South King Street Room 7th Floor
Honolulu, HI 96813

Aloha Ms. Kathy Sokugawa,

Re: 66-815 Kaukonahua Rd. Waialua, HI 96791 (Tax Map Keys: 6-6-019: 008 and 014)

I am in the process of writing a Rezoning Application Report. We propose to rezone these two parcels of land, 5.723 acres, from AG-1 Restricted Agricultural District to AG-2 General Agricultural District. The property is located on Kaukonahua Rd adjacent to the LDS Church and between the two Pa‘ala‘akai subdivisions on the island of Oahu and is planned as an AG-2 development with two farm dwellings (one on each parcel). I don't think it is a significant zone change because we are still planning to use the land for what it is intended for. We will be dedicating a portion of the property for farming.

My name is Iris Kahaulelio. I have been a Science teacher at Kahuku High School since 1994. My husband Gabby works for the City & County of Honolulu, Department of Environmental Services (Operator for Kawaiola Transfer Station) in Haleiwa. We live in Paalaa Kai. We have four daughters, Keola, twins Nohea and Kahea, and Elia and one son, Kaua. The girls dance hula for Na Lei Nani 'O Waialua and play water polo. Two years ago they started a surf school called Aloha Surfing Ohana to help subsidize college costs on the mainland. Kaua enjoys football, water polo, and playing the saxophone and now harmonica. We all surf and BBQ regularly (always including friends/family) at Ali'i Beach and are involved with many functions that help make our community a better place to live in.

Our dream has been to find a larger property for our ohana of seven. For over ten years, I was writing letters to friends/owners letting them know should they come across someone planning to sell we would be interested. My realtor, Anne Keamo, Vice-President of Coldwell Banker Pacific Properties has always known of our desire to find a property in this neighborhood so she placed me on an auto email for MLS listings. When a property appeared on the market, I immediately called her to get information about the property and someone would always beat us to it. They always seemed to be sold to an investor, who lives on the mainland, and who either rents it out or flips it. We want to continue to live and work in same community. The rising housing market would make it impossible for our children to purchase their own homes so we want to have a family house that can accommodate our growing ohana. In May, the twins will be graduating from Pitzer College in California with a degree in Environmental Analysis. A few years back one of their professors told them to look into something that was/is going on in their home state—sunscreen chemicals were destroying Hawaii's coral reefs. They came home banning Oxybenzone and the conversation rubbed off on their 6th grade brother who ended up doing a science fair project on Oxybenzone killing the reef. I joined the bandwagon and soon our entire family was all involved in getting representatives and senators to support a bill that would ban sunscreen containing Oxybenzone and Octinoxate. Kaua even presented his project to Governor Ige the day he signed the bill into law. They want to return home to live and work and they plan to raise their children here (in the very distant future, of course!). The girls plan to farm by continuing to grow their own fruits and vegetables. The twins would like to put their Environmental Analysis majors to work. Our youngest daughter is interested in getting a horse and now we have the space to house this large of an animal.

In October of 2018, I came across a for sale sign right next to the Waialua LDS church, but the only way we would be able to afford the two parcels totaling 5.723 acres of AG-1 property was to have someone go in with us. The listing agent even made it difficult for us by increasing the price after we had put in an offer. Even after an initial partner submitted an offer above ours and another cash offer came in above the listing price, the Big Island owner made it clear to his agent that he would only sell to the Kahaulelio’s especially since this land has been in his family for so long. Because there were so many family members on title they wanted to cash out, but as the executor he was able to talk to the family so we could have time to figure out how to make this happen. We were able to get a home equity loan for $300,000, but were still $196,000 short. I was calling everyone and their uncle and the reason that it was difficult was because many banks don't offer land loans. We finally decided to ask our neighbors, The Saguibo's. They admitted to us that they too had been
looking for a long time as they also have 5 kids. We shared the same dream of finding a large lot and making a family compound. This was the perfect opportunity as it had two lots. They even thought about calling regarding this property. They have a successful business with military contracts. They are called when an underground pipe breaks and someone needs to dig in order to perform the necessary repairs. They were also able to get a home equity loan on their house that included loaning us $196,000 to get the money needed to purchase the property-who does this? After nine months of getting to know the seller, our dream finally became a reality in June 2018. He even agreed to reduce the price if we cleared the lot ourselves.

From the day we closed, it took us 7 weeks straight to clear the lot. My two brother-in-laws who are heavy equipment operators flew in from the mainland to help us clear 10 ft tall California grass. Gabby, our five kids, and I worked hard everyday from sun-up to sun-down (getting in the farming mode!) sifting and sorting everything from Haole Koa tree stumps, broken hollow tile, tires, batteries, carpeting, sheds/food litter left by squatters, construction debris, pvc pipes, drip lines, and drug paraphernalia then loading into trucks and trailers and then unloading at the dump (I have pictures to prove all of this!). We continue to work on the property. We have always done our own construction redefining the whole “owner-builder” concept. Blood, sweat, and tears have been shed in past projects and we intend to continue the same here.

We made a plan: 1. Have a survey done to make an easement to show access to landlocked parcel (TMK...014) and make the square footage equal for both TMK's since we both share 50% interest. 2. Petition to land court to remove the note that the parcels need to be sold together since TMK...014 now has access. 3. Attorney created two quit claim deeds-one that gives TMK..008 to the Kahaulelio's and another that gives TMK...014 to the Saguibo's 4. Since we have our separate TMK's with only one family name on each, we can now get a construction loan. I even noted/dated verbal confirmations from two DPP branch supervisors that our plan was feasible. So imagine my surprise when the surveyor informed me that he received a denial letter stating that we actually only own one lot, so an easement is not necessary since there is already access to the property. Apparently, it was consolidated into “Lot L” in 1978. This was the first time we had seen/heard of this. It was listed by the realtor with two TMK's and that the two lots were usable and buildable. Several purchase contracts were written to specifically include the two TMK's. This was never even mentioned during the long escrow process. I recently spoke to the seller and he even thought that he was selling two TMK's to two families. Otherwise, we never would have pursued this. I once again contacted the two DPP branch supervisors and confirmed we need to go with plan B.

Plan B is to request: 1. Re-zone from Ag-1 to Ag-2, which will enable each family to build one farm dwelling on each TMK, since only a minimum of two acres/dwelling is needed. 2. CPR the property to show boundaries and divide ownership of properties . 3. Obtain a construction loan.

We feel blessed to have been able to finally get a property that will accommodate each of our large families. We humbly request that we are able to rezone our property from Ag-1 to Ag-2 to help make our dreams a reality. We don't think this is a significant zone change as we are still planning to use the land for what it is intended for.

Sincerely,

Iris Kahaulelio
66-130 Oliana Pl.
Waialua, HI 96791
808-777-8312
February 22, 2019

Mr. Ron Menor, Chairman
530 South King Street Room #202
Honolulu, HI 96813

Aloha Mr. Ron Menor,

Re: 66-815 Kaukonahua Rd. Waialua, HI 96791 (Tax Map Keys: 6-6-019: 008 and 014)

I am in the process of writing a Rezoning Application Report. We propose to rezone these two parcels of land, 5.723 acres, from AG-1 Restricted Agricultural District to AG-2 General Agricultural District. The property is located on Kaukonahua Rd adjacent to the LDS Church and between the two Pa‘alae‘akai subdivisions on the island of Oahu and is planned as an AG-2 development with two farm dwellings (one on each parcel). I don’t think it is a significant zone change because we are still planning to use the land for what it is intended for. We will be dedicating a portion of the property for farming.

My name is Iris Kahaulelio. I have been a Science teacher at Kahuku High School since 1994. My husband Gabby works for the City & County of Honolulu, Department of Environmental Services (Operator for Kawailoa Transfer Station) in Haleiwa. We live in Paalaa Kai. We have four daughters, Keola, twins Nohea and Kahea, and Elia and one son, Kaua. The girls dance hula for Na Lei Nani ‘O Waialua and play water polo. Two years ago they started a surf school called Aloha Surfing Ohana to help subside college costs on the mainland. Kaua enjoys football, water polo, and playing the saxophone and now harmonica. We all surf and BBQ regularly (always including friends/family) at Ali‘i Beach and are involved with many functions that help make our community a better place to live in.

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From the day we closed, it took us 7 weeks straight to clear the lot. My two brother-in-laws who are heavy equipment operators flew in from the mainland to help us clear 10 ft tall California grass. Gabby, our five kids, and I worked hard everyday from sun-up to sun-down (getting in the farming model) sifting and sorting everything from Haole Koa tree stumps, broken hollow tile, tires, batteries, carpeting, sheds/food litter left by squatters, construction debris, pvc pipes, drip lines, and drug paraphernalia then loading into trucks and trailers and then unloading at the dump (I have pictures to prove all of this!). We continue to work on the property. We have always done our own construction redefining the whole “owner-builder” concept. Blood, sweat, and tears have been shed in past projects and we intend to continue the same here.

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Sincerely,

Iris Kahaulelio
66-130 Oliana Pl.
Waialua, HI 96791
808-777-8312
February 22, 2019

Ms. Heidi Tsuneyoshi, City Council Member
530 South King Street Room #202
Honolulu, HI 96813

Aloha Ms. Heidi Tsuneyoshi,

Re: 66-815 Kaukonahua Rd. Waialua, HI 96791 (Tax Map Keys: 6-6-019: 008 and 014)

I am in the process of writing a Rezoning Application Report. We propose to rezone these two parcels of land, 5.723 acres, from AG-1 Restricted Agricultural District to AG-2 General Agricultural District. The property is located on Kaukonahua Rd adjacent to the LDS Church and between the two Pa'a'aka'ai subdivisions on the island of Oahu and is planned as an AG-2 development with two farm dwellings (one on each parcel). I don't think it is a significant zone change because we are still planning to use the land for what it is intended for. We will be dedicating a portion of the property for farming.

My name is Iris Kahaulelio. I have been a Science teacher at Kahuku High School since 1994. My husband Gabby works for the City & County of Honolulu, Department of Environmental Services (Operator for Kawailoa Transfer Station) in Haleiwa. We live in Paalaa Kai. We have four daughters, Keola, twins Nohea and Kahea, and Elia and one son, Kaua. The girls dance hula for Na Lei Nani 'O Waialua and play water polo. Two years ago they started a surf school called Aloha Surfing Ohana to help subsidize college costs on the mainland. Kaua enjoys football, water polo, and playing the saxophone and now harmonica. We all surf and BBQ regularly (always including friends/family) at Ali'i Beach and are involved with many functions that help make our community a better place to live in.

Our dream has been to find a larger property for our ohana of seven. For over ten years, I was writing letters to friends/owners letting them know should they come across someone planning to sell we would be interested. My realtor, Anne Keamo, Vice-President of Coldwell Banker Pacific Properties has always known of our desire to find a property in this neighborhood so she placed me on an auto email for MLS listings. When a property appeared on the market, I immediately called her to get information about the property and someone would always beat us to it. They always seemed to be sold to an investor, who lives on the mainland, and who either rents it out or flips it. We want to continue to live and work in same community. The rising housing market would make it impossible for our children to purchase their own homes so we want to have a family house that can accommodate our growing ohana. In May, the twins will be graduating from Pitzer College in California with a degree in Environmental Analysis. A few years back one of their professors told them to look into something that was/is going on in their home state-sunscreen chemicals were destroying Hawaii's coral reefs. They came home banning Oxybenzone and the conversation rubbed off on their 6th grade brother who ended up doing a science fair project on Oxybenzone killing the reef. I joined the bandwagon and soon our entire family was all involved in getting representatives and senators to support a bill that would ban sunscreen containing Oxybenzone and Octinoxate. Kaua even presented his project to Governor Ige the day he signed the bill into law. They want to return home to live and work and they plan to raise their children here (in the very distant future, of course!). The girls plan to farm by continuing to grow their own fruits and vegetables. The twins would like to put their Environmental Analysis majors to work. Our youngest daughter is interested in getting a horse and now we have the space to house this large of an animal.

In October of 2018, I came across a for sale sign right next to the Waialua LDS church, but the only way we would be able to afford the two parcels totaling 5.723 acres of AG-1 property was to have someone go in with us. The listing agent even made it difficult for us by increasing the price after we had put in an offer. Even after an initial partner submitted an offer above ours and another cash offer came in above the listing price, the Big Island owner made it clear to his agent that he would only sell to the Kahaulelio's especially since this land has been in his family for so long. Because there were so many family members on title they wanted to cash out, but as the executor he was able to talk to the family so we could have time to figure out how to make this happen. We were able to get a home equity loan for $300,000, but were still $196,000 short. I was calling everyone and their uncle and the reason that it was difficult was because many banks don't offer land loans. We finally decided to ask our neighbors, The Saguibo's. They admitted to us that they too had been
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Iris Kahaulelio
66-130 Oliana Pl.
Waialua, HI 96791
808-777-8312
February 22, 2019

Aloha North Shore Neighborhood Board members,

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Sincerely,

Irish Kahaulelio
66-130 Oliana Pl.
Waialua, HI 96791
808-777-8312
June 3, 2019

Ms. Kathy Sokugawa, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street Room 7th Floor
Honolulu, HI 96813

Attention: Ms. Lisa Imata, Senior Planner
Development Plans and Zone Change Branch

Aloha Ms. Sokugawa,

Subject: Request Determination that a North Shore Sustainable Communities Plan Amendment and an Environmental Assessment will not be required for the proposed Zone Change from Ag-1 Restricted Agricultural District to AG-2 General Agricultural District in Waialua, Oahu, Hawaii

Tax Map Key 6-6-019:008 and 014

On behalf of the owners, we submit the following in support of our request for a determination that a North Shore Sustainable Communities Plan Amendment and an Environmental Assessment will not be required for the proposed Zone Change from AG-1 Restricted Agricultural District to AG-2 General Agricultural District in Waialua.

SUSTAINABLE COMMUNITIES PLAN AMENDMENT

The project site is designated as Agricultural on both the State Use Land Use Map and the North Shore Sustainable Communities Plan ("NSSCP") Land use Map.

As noted in the NSSCP:

“Agricultural lands are a key component of the North Shore’s rural character. Cultivated fields extending towards the mountain significantly contribute to the form and character of the North Shore’s rural landscape and the visual qualities that the region is known for. The protection of agricultural lands and agricultural uses, together with the assurance of a thriving agriculture industry, is essential to retaining the rural character and scenic open space features that are so valued by North Shore residents and visitors.”

An amendment to the NSSCP is not required to proceed with the proposed zone change Ag-1 Restricted Agricultural District to AG-2 General Agricultural District in Waialua.

ENVIRONMENTAL ASSESSMENT

The proposed zone change does not fall into the following Chapter 343 HRS (Hawaii Revised Statutes) categories that would require an environmental assessment:

“S343-5 Applicability and requirements. (a) Except as otherwise provided, an environmental assessment shall be required for actions that:
(1) Propose the use of state or county lands or the use state or county funds, other than funds to be used for feasibility or planning studies for possible future programs or projects that the agency has not approved, adopted, or funded, or funds to be used for the acquisition of unimproved real property; provided that the agency shall consider environmental factors and available alternatives in its feasibility or planning studies; provided further that an environmental assessment for proposed uses under section 205-2(d)(11) or 205-4.5(a)(13) shall only be required pursuant to section 205-5(b);

(2) Propose any use within any land classified as a conservation district by the state land use commission under chapter 205;

(3) Propose any use within a shoreline area as defined in section 205A-41;

(4) Propose any use within any historic site as designated in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E;

(5) Propose any use within the Waikiki area of O‘ahu, the boundaries of which are delineated in the land use ordinance as amended, establishing the “Waikiki Special District”;

(6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation, except actions proposing any new county general plan or amendments to any existing county general plan initiated by a county;

(7) Proposed any reclassification of any land classified as a conservation district by the state land use commission under chapter 205;

(8) Propose the construction of new or the expansion or modification of existing helicopter facilities within the State, that by way of their activities, may affect:

(A) Any land classified as a conservation district by the state land use commission under chapter 205;
(B) A shoreline area as defined in section 205A-41; or
(C) Any historic site as designated in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E; or until the statewide historic places inventory is completed, any historic site that is found by a field reconnaissance of the area affected by the helicopter facility and is under consideration for placement on the National Register or Historic Places; and

(9) Propose any:

(A) Wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent;
(B) Waste-to-energy facility;
(C) Landfill
(D) Oil refinery; or
(E) Power-generating facility.

Based on this Section of 343 HRS, an environmental assessment is not required for this project.

As stated in the NSSCP:

"Significant Zone Change" means a zone change that involves at least one of the following:

(1) Any change in zoning of 10 or more acres to a low-density residential district from a less-intensive zoning district;
(2) Any change in zoning of 2 or more acres to a medium- or high-density residential (multi-family or apartment) district from a less-intensive zoning district;
(3) Any change in zoning of 5 or more acres to a resort, condominium, industrial or mixed use zoning district from a less-intensive zoning district; or
(4) Any development which would have a major social, environmental, or policy impact, or major cumulative impacts due to a series of applications in the same area."

Sec. 24-6.7 Zone change applications.

"(b) Projects that involve a significant zone change will be required to submit an EA to the department of planning and permitting prior to an application for a zone. Any development or phase of a development change
The proposed zone change involves a 3.313 and 2.41 acre site and does not meet any of the criteria above for a significant zone change.

The office of Environmental Quality Control uses the following significance criteria in determining if an action may have a significant impact on the environment:

4.1 Significance Criteria

In most cases, an agency determines that an action may have a significant impact on the environment if it meets any of the following criteria:

1. Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;
2. Curtails the range of beneficial uses of the environment;
3. Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;
4. Substantially affects the economic or social welfare of the community or State;
5. Substantially affects public health;
6. Involves substantial secondary impacts, such as population changes or effects on public facilities;
7. Involves a substantial degradation of environmental quality;
8. Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;
9. Substantially affects a rare, threatened, or endangered species, or its habitat;
10. Detrimentally affects air or water quality or ambient noise levels;
11. Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water or coastal waters;
12. Substantially affects scenic vistas and view planes identified in county or state plans or studies; or
13. Requires substantial energy consumption

Source: Hawai‘i Environmental Policy Act Citizen's Guide (October 2014), page 14

The proposed zone change does not meet any of the above mentioned significance criteria. The proposed zone change will, however, provide short term economic development with construction jobs for the two farm dwellings, but will not provide long term employment at the site. The owners will consider solar panels as a way to conserve energy, as well as reduce energy costs. The proposed rezoning will be a modest expansion with two farm dwellings of an existing community. The farm dwellings will be safe, sanitary, and decent.

Based on Section 343-5 of the HRS, the NSSCP, and the Office of Environmental Quality Control significance criteria, the proposed zone change will not require a preparation of an environmental assessment.

On behalf of the owners, we would appreciate your review and determination that a NSSCP amendment and environmental assessment will not be required for the proposed zone change, at your earliest convenience.

Mahalo,

Iris Kahaulielio
Ms. Iris Kahaulelio  
66-130 Oliana Place  
Waialua, Hawaii 96791

Dear Ms. Kahaulelio:

This is in response to your letter dated June 3, 2019, which requests a determination on whether an amendment to the North Shore Sustainable Communities Plan (NSSCP) and an environmental assessment (EA) are required prior to submittal of a zone change application for Tax Map Keys 6-6-019: 008 and 014.

Our records indicate that the subject parcels are considered one lot for zoning purposes, and one farm dwelling is permitted on the 5.72-acre lot. Your proposal is to rezone the property from the AG-1 Restricted Agricultural District to the AG-2 General Agricultural District, for the purpose of adding a second farm dwelling on the property under a condominium property regime (CPR).

We have determined that: (1) an amendment to the NSSCP is not required, and (2) an EA is not required. These determinations are explained below.

**Need for an Amendment to the NSSCP**

The property is located within the Community Growth Boundary of the NSSCP area. The land use map of the NSSCP depicts the area where the property is located as intended for “Agriculture.” The proposed AG-2 General Agricultural District is consistent with the NSSCP designation.

Therefore, an amendment to the NSSCP would not be required prior to a zone change application.
Need for an EA

Section 24-8.7 of the Revised Ordinances of Honolulu (ROH), which established the NSSCP, requires preparation of an EA for zone change applications for projects which involve a “significant zone change.”

Section 24-8.1 of the ROH defines a “significant zone change” as one that involves at least one of the following:

1. Changes in zoning of 10 or more acres of land to any zoning district or combination of zoning districts, excluding preservation or agricultural zoning districts;
2. Any change in zoning of more than 5 acres to an apartment, resort, commercial, industrial, or mixed use zoning district; or
3. Any development that would have a major social, environmental, or policy impact, or major cumulative impacts due to a series of applications in the same area.

Conditions (1) and (2) are not applicable to your proposed zone change. The only trigger applicable to your project is whether a change in zoning would have a major social, environmental, or policy impact, or major cumulative impacts due to a series of applications in the same area.

The areas adjacent to the subject property are zoned AG-2 General Agricultural District and the R-5 Residential District. Surrounding uses include agriculture, residential, and a church. The proposed AG-2 zoning is consistent with the State Agricultural District. The proposed zone change from the AG-1 to the AG-2 District is not anticipated to have major social, environmental, or policy impact on the surrounding areas.

Chapter 343 of the Hawaii Revised Statutes (HRS) requires an EA for nine specified actions. Your letter addresses the nine actions and states that the proposed zone change and project are not actions that require an EA under Chapter 343. We concur with this statement.

Per the Hawaii Administrative Rules, Section 11-200-12, there are 13 criteria that can be used to determine if an action may have a significant environmental impact. As your letter points out, your proposed zone change and project are not actions that would have a significant environmental impact.
Based on the above, preparation of an EA would not be required as part of the zone change application.

Please note that both parcels are in the State Land Use Agricultural District, in which farm dwellings are allowed only in connection with a farm or where agricultural activity provides income to the people who live in the house, Section 205-4.5(4), HRS. In addition, the City and County of Honolulu Land Use Ordinance (LUO), Chapter 21 of the ROH, defines a farm dwelling as that used in connection with a farm where agricultural activity provides income to the family occupying the dwelling (LUO 21-10.1), and limits each farm dwelling and its accessory uses to an area not to exceed 5,000 square feet of the lot (LUO 21-5.250(b)).

The zone change application instructions are online, for your information and use at: http://www.honoluludpp.org/Planning/ZoneChanges.aspx

Should you have any questions, please contact Andrew Yamaguchi, at 768-8044, or Lin Wong, at 768-8018.

Very truly yours,

Kathy K. Sokugawa
Acting Director

KKS:ah
August 6, 2019

Kris Gourlay
Collections Administrator
Department of Environmental Services, Refuse Division
1000 Uluohia Street, Suite 201
Kapolei, Hawaii 96707

Re: TMK’s 6-6-019:008 and 6-6-019:014

Dear Kris Gourlay,

I am in the process of writing a zone change application report from AG-1 to AG-2. The instructions require that I contact different agencies to see if there are any concerns in terms of the adequacy of existing facilities or services to support the proposed zone change.

There will eventually be one farm dwelling on each parcel. I would like to determine if there are any concerns from your office.

Sincerely,

Iris Kahaulelio

Enclosure: New survey map
CONDOMINIUM PROPERTY REGIME
"KAUHAULEIO & SAGUIBO OHANA FARMS"
66-815 KAUKONAHUA ROAD
WAIALUA, HI 96712
TMK (1) 6-6-019: 008
AFFECTING LOT 8-A, BEING A PORTION OF
GRANT 236, AP. 2 TO JOHN O. DAVIS AND
LOT 7-A (MAP 13) OF LAND COURT APPLICATION 1164
AT PAUKAULOA, WAIALUA, OAHU, HAWAII

OWNERS: GABRIEL ANDY KAHULEIO AND IRS MARIE KAHULEIO,
HUSBAND AND WIFE - UNDIVIDED SIE
JOHN ANTHONY SAGUIBO AND ABIGAL LEIIAM SAGUIBO
HUSBAND AND WIFE - UNDIVIDED SIE

NOTE:
DASHED LINES REPRESENT DIVISION OF LIMITED COMMON ELEMENT AREAS APPURTENANT TO THE UNITS
AND DO NOT REPRESENT SUBDIVIDED LOTS OF RECORD.

THE UNITS ARE NOT STRUCTURES. THEY ARE SPATIAL PORTIONS OF THE PROJECT EACH CONSISTING OF
A 5'X5'X5' CUBE. SUCH MAY BE REPLACED BY A STRUCTURE IN ACCORDANCE WITH THE DECLARATION OF
PROPERTY REGIME.

NEIGHBORING OWNERS LISTED FROM TAX RECORDS MAY NOT BE CURRENT.

TAX MAP KEY (1) 6-6-019: 008, 014
LEAPS & BOUNDARIES, INC.
2016 WATERHOUSE ST, STE. 101
Honolulu, HI 96819
August 22, 2019

Ms. Iris Kahaulelio
66-130 Oliana Place
Waialua, Hawaii 96791

Dear Ms. Kahaulelio:

Subject: TMK’s 6-6-019:008 and 6-6-019:014

The City and County of Honolulu Refuse Division has received and reviewed your letter dated August 6, 2019, to our Collections Administrator, Mr. Kristian Gourlay.

While the Refuse Division is not involved with the zone change and permitting processes, it would need to review the design plans for the construction of the residential neighborhood prior to granting refuse collection service. If you would like the Refuse Division to take a more detailed look to see if service can be provided, please send the design plans to the address at the top of this letter.

If you have any questions, please contact Mr. Josh Nagashima of our Planning and Engineering Branch at 768-3430.

Sincerely,

[Signature]
Manuel S. Lanuevo, P.E., LEED AP
Chief

cc.: Mr. Kristian Gourlay, Collections Administrator
Iris Kahaulello
66-130 Oliana Pl.
Waialua, HI 96791

August 6, 2019

Robert Chun
Board of Water Supply
Water Resources Division, Project Review Branch
630 South Beretania Street
Honolulu, HI 96843

Re: TMK's 6-6-019:008 and 6-6-019:014

Dear Robert Chun,

I am in the process of writing a zone change application report from AG-1 to AG-2. The instructions require that I contact different agencies to see if there are any concerns in terms of the adequacy of existing facilities or services to support the proposed zone change.

There will eventually be one farm dwelling on each parcel. There will be approximately one quarter of each parcel dedicated to farming that will require water. I would like to determine if there are any concerns from your office.

Sincerely,

Iris Kahaulello

Enclosure: New survey map
CONDOMINIUM PROPERTY REGIME
"KAUHAULEO & SAGUIBO OHANA FARMS"
66-815 KAUKONAHUA ROAD
WAIALUA, HI 96712
TMK (1) 6-6-019: 008
AFFECTING LOT 8-A, BEING A PORTION OF GRANT 236, AP. 2 TO JOHN O. DAVIS AND LOT 7-A (MAP 13) OF LAND COURT APPLICATION 1164
AT PAUKAULI, WAIALUA, OAHU, HAWAII

OWNERS: GABRIEL ANDY KANUALEO AND RIS HAYNE KANUALEO, HUSBAND AND WIFE - UNDIVIDED 50%

JOHN ANTHONY SAGUIBO AND MAGALIA LILLIAN SAGUIBO, HUSBAND AND WIFE - UNDIVIDED 50%

LEAPS & BOUNDARIES, INC.
2016 WATERHOUSE ST., STE. 101 PH: (808) 484-5701
HONOLULU, HI 96819 EMAIL: SURVEYS@LEAPSANDBOUNDARIES.COM

TAX MAP KEY (1) 6-6-019: 008, 014
Ms. Iris Kahaulelio  
66-130 Oliana Place  
Waialua, Hawaii  96791  

Dear Ms. Kahaulelio:  

Subject:  Your Letter Dated August 6, 2019 Regarding Availability of Water for a Zone Change from AG-1 to AG-2 off Kaukonahua Road  
Tax Map Key:  6-6-019: 008 & 014 

Thank you for your letter regarding the proposed agriculturally zoned project. 

The City and County of Honolulu Department of Planning and Permitting recognizes Tax Map Key: 6-6-019: 008 and 014 as being previously consolidated into one parcel. Therefore, your request has been evaluated as a single lot development. 

The existing water system is adequate to accommodate the domestic demands of the proposed farm dwellings. However, please be advised that this information is based upon current data, and therefore, the Board of Water Supply reserves the right to change any position or information stated herein up until the final approval of the building permit application. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval. 

When water is made available, the applicant will be required to pay our Water System Facilities Charges for resource development, transmission and daily storage. 

Water conservation measures are required for all proposed developments. These measures include utilization of nonpotable water for irrigation using rain catchment, drought tolerant plants, xeriscape landscaping, efficient irrigation systems, such as a drip system and moisture sensors, and the use of Water Sense labeled ultra-low flow water fixtures and toilets. 

The developer should investigate the feasibility of using non-potable water for irrigation of the proposed agricultural farm. If non-potable water is either unavailable or infeasible, a report of the investigation including proposed irrigation demands should be submitted to us before we will consider the use of potable water.
The on-site fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

If you have any questions, please contact Robert Chun, Project Review Branch of our Water Resources Division at 748-5443.

Very truly yours,

[Signature]

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer
August 6, 2019

Jade Butay
Director of Transportation
State of Hawaii, Department of Transportation, Highways Division, Planning Branch
869 Punchbowl Street
Honolulu, HI 96813

Re: TMK's 6-6-019:008 and 6-6-019:014

Dear Jade Butay,

I am in the process of writing a zone change application report from AG-1 to AG-2. The instructions require that I contact different agencies to see if there are any concerns in terms of the adequacy of existing facilities or services to support the proposed zone change.

Currently, the access for both parcels is via Kaukonahua Rd. Parcel 014 is landlocked so a CPR is currently underway to show a new boundary that would grant ingress/egress to that parcel. When the CPR is finalized an easement will be created, which will result in two easements; one for parcel 008 and another for parcel 014. Included is the new survey.

Because the project site has access to a State Highway, I would like to determine if there are any concerns from your office.

Sincerely,

Iris Kahaulelio

Enclosure: New survey map
CONDOMINIUM PROPERTY REGIME
"KAUHAULELO & SAGUIBO OHANA FARMS"
66-815 KAUKONAHUA ROAD
WAIALUA, HI 96712
TMK (1) 6-6-019: 008
AFFECTING LOT 8-A, BEING A PORTION OF
GRANT 236, AP. 2 TO JOHN O. DAVIS AND
LOT 7-A (MAP 13) OF LAND COURT APPLICATION 1164

AT PAUKAULA, WAIALUA, OAHU, HAWAI'I

OWNERS: GABRIEL ARLOY KAMAULIEL, AND IRS MAXINE KAMAULIEL,
HUSBAND AND WIFE - UNDIVIDED SOLES

JOHN ANTHONY SAGUIBO AND ANGEL LEILANI SAGUIBO
HUSBAND AND WIFE - UNDIVIDED SOLE

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LEAPS & BOUNDARIES, INC.
2016 WATERHOUSE ST., STE. 101
PHONE: (808) 484-5701
HONOLULU, HI 96819 EMAIL: SURVEYS@LEAPSBOUNDARIES.COM

LICENSED PROFESSIONAL LAND SURVEYOR
CERTIFICATE NUMBER 10257
LAND COURT CERTIFICATE NUMBER 296
EXP. 6/30/2020
Ms. Iris Kahaulelio
66-130 Oliana Place
Waialua, Hawaii 96791

Dear Ms. Kahaulelio:

Subject: Kaukonahua Road, Federal Aid Project No. 21-B
TMK: (1) 6-6-019:008, Waialua, Oahu
Zone Change Application

Thank you for your letter dated August 6, 2019, requesting comments or concerns regarding a planned zoning change for the subject parcel from AG1 to AG2.

The State of Hawaii, Department of Transportation allows one access per parcel onto Kaukonahua Road to minimize the impact to our highway and would allow one driveway for the subdivided parcels instead of separate driveways.

Should you have any questions, please contact Katja M. Jordan-King, Right-of-Way Agent, of our Highways Division, Right-of-Way Branch at (808) 692-7324 or by email at Katja.M.Jordan-King@Hawaii.Gov.

Sincerely,

JADE T. BUTAY
Director of Transportation
EXHIBIT 14
May 8, 2019

Ms. Kathy Sokugawa, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813

Dear Ms. Kathy Sokugawa

SUBJECT: Affidavit Confirming Notification of Surrounding Property Owners for a Neighborhood Board Meeting and Presentation of a Proposed Zone Change; TMK's 6-6-019:008 and 014, Waialua, O'ahu, Hawai'i

I hereby affirm that the attached notice was mailed to the adjacent property owners whose mailing addresses were available through the City & County of Honolulu's HoLIS or Real Property Office. The notices were mailed on May 14, 2019 via regular USPS first class mail. Addresses of the intended recipients are attached.

If you have any questions, please contact me. Mahalo.

Sincerely,

Iris M. Kahaulelio
Owner

SUBSCRIBED AND SWORN to before me this 13 day of May, 2019

Notary Public, First Judicial Circuit, State of Hawaii
My Commission expires: MAY 2 1 2021
Aloha Neighbor,

This letter is to inform you that an application for a change in land use zoning is being proposed for properties adjacent to one that is owned or managed by you. The subject properties are identified by tax map keys 6-6-109:008 and 014 and located on Kaukonahua Road.

A public presentation of this proposed action will be given at the North Shore Neighborhood Board #27 meeting on Tuesday, May 28, 2019, 7:00 p.m., at the Waialua Elementary School Cafeteria, located at 67-020 Waialua Beach Road.

If you have any questions or require further information, please contact me at (808) 777-8312 or via email at khsiris@aol.com

Sincerely,

Iris Kahaulelio
Owner
Owner TMK:66033122
Greg,Dante,Glenn Arias
66-792 Keakula St.
Waialua, HI 96791

Owner TMK:66033125
Abraham Sumagit
66-804 Keakula St.
Waialua, HI 96791

Owner TMK:66033128
Richard & Emalia Galius
66-818 Keakula St.
Waialua, HI 96791

Owner TMK:66033131
Rosa Basilio
66-832 Keakula St.
Waialua, HI 96791

Owner TMK:66033134
Timothy Correa
66-832 Keakula St.
Waialua, HI 96791

Owner TMK:66034003
Tanya Coutsourakis
66-852 Keakula St.
Waialua, HI 96791

Owner TMK:66034022
Takahashi Family Trust
66-956 Oliana St.
Waialua, HI 96791

Owner TMK:66034025
Clarence & Rebecca Rego Trust
66-962 Oliana St.
Waialua, HI 96791

Owner TMK:66019013
Aaron Jones
PO Box 1962
Kailua, HI 96734

Owner TMK:66033123
Ronald, Meriam, Leticia Atchazo
66-796 Keakula St.
Waialua, HI 96791

Owner TMK:66033126
Tim & Betchie Curran
66-808 Keakula St.
Waialua, HI 96791

Owner TMK:66033129
Eli & Estelita Caustro
66-822 Keakula St.
Waialua, HI 96791

Owner TMK:66033132
Johnny & Edith Mendoza
66-836 Keakula St.
Waialua, HI 96791

Owner TMK:66034001
Anne Kemp
66-848 Keakula St.
Waialua, HI 96791

Owner TMK:66034016
Roberta Baclaan
66-Kolu Pl.
Waialua, HI 96791

Owner TMK:66034023
Maria & Perlita Abuluyan
66-994 Oliana St.
Waialua, HI 96791

Owner TMK:660190460001
Galapia
66-220 Waialua Beach Rd 1
Waialua, HI 96791

Owner TMK:66033124
Christine Sadoy
66-800 Keakula St.
Waialua, HI 96791

Owner TMK:66033127
Gregorio Malinay
66-814 Keakula St.
Waialua, HI 96791

Owner TMK:66033130
Sabugo Family Trust
66-826 Keakula St.
Waialua, HI 96791

Owner TMK:66033133
Calixto & Marie Lagua
66-840 Keakula St.
Waialua, HI 96791

Owner TMK:66034002
John & Lillian Heath
66-850 Keakula St.
Waialua, HI 96791

Owner TMK:66034017
James & Gunyarath Zurowski
66-955 Kolu Pl.
Waialua, HI 96791

Owner TMK:66034024
Noah & Kualalani Campbell
66-958 Oliana St.
Waialua, HI 96791

Owner TMK:660190460002
Reid Nitihara
66-220 Waialua Beach Rd 2
Waialua, HI 96791

Owner TMK:66019012
Jesus Christ of Latter Day Saints
66-847 Kaukonahua Rd.
Waialua, HI 96791