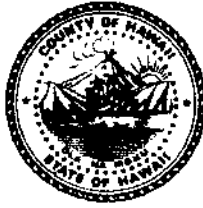


William P. Keno
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
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Phone (808) 323-4770
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County of Hawai'i PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

March 6, 2015

Steven H. Shropshire
P.O. Box 1146
Hilo, HI 96721-1146

Dear Mr. Shropshire:

SUBJECT: VARIANCE DECISION - VAR-14-000266

Applicant: STEVEN H. SHROPSHIRE

Owner: STEVEN H. SHROPSHIRE

Request: Variance from Chapter 23, Subdivisions, Article 6, Division 2, Improvements Required, Section 23-84, Water Supply; And Article 3, Division 4, Street Design, Section 23-41, Minimum Right-of way; and Article 6, Division 2, Improvements Required, Sections 23-87, -88, -93 & -95, Standard for Non-Dedicable Street, Non-Dedicable Street and Right-of-way Improvement

Tax Map Key: 3-2-005:001, 003, 004 & 005 (SUB-14-001410)

Upon review of your variance application, the Planning Director certifies the **approval** of Variance VAR-14-000266 subject to variance conditions. The variance grants relief for SUB-14-001410 from constructing minimum County dedicable water supply system improvements for 6 of the 10 lots and from dedicable roadway improvements as required by Hawai'i County Code (HCC), Chapter 23 (Subdivisions) and Department of Public Works (DPW) Standard Details (Std. Det.).

The variance is from the proposed subdivision's minimum requirements pursuant to HCC, Chapter 23 (Subdivisions), Article 6, Division 2, Improvements Required, Section 23-84, Water Supply, (1)(2) and Article 3, Division 4, Street Design, Section 23-41, Minimum Right-of way; And Article 6, Division 2, Improvements Required, Sections 23-87, -88, -93 & -95, Standard for Non-dedicable Street, Non-dedicable Street and Right-of-way Improvement.

BACKGROUND

1. **Location.** The referenced properties, being Lots 1, 3, 4 and a 5.776 acre Parcel, also being portions of Grant 4,887, containing approximately 9.789 acres, is situated in Waikaumalo, North Hilo, Hawai'i.
2. **County Zoning.** Residential and Agricultural – one-half acre (RA-.5a).

3. **State Land Use.** Rural (R).
4. **General Plan.** Land Use Pattern Allocation Guide (LUPAG) map designates the property as Rural (rur).
5. **Special Management Area (SMA).** The subject properties are situated within the SMA. SMA Major Use Permit SMA-14-000058 was issued by the Windward Planning Commission to allow the consolidation and resubdivision of the properties to which this variance application is related.
6. **Subdivision Code Requirements.** The subdivision code requires that subdivisions be served by a water system meeting the minimum requirements of the County Department of Water Supply (DWS) and be provided with water mains and fire hydrants installed to and within the subdivision in accordance with the rules and regulations of the DWS.

The code also requires dedicable right-of-way improvements consisting of 20-foot wide pavement and paved shoulders and swales within a 50-foot wide right-of-way.

7. **Subdivision Request/PPM.** Subdivision application SUB-14-001410 was submitted to subdivide the subject TMK property into 10 lots and a Road Lot. Further action on the subdivision application has been deferred pursuant to letter dated January 7, 2015 in the variance file.
8. **Variance Application.** The variance request from water supply improvements was acknowledged by Planning Department letter dated January 7, 2015. This variance application includes background history, circumstances, and information regarding the pending subdivision application.

The roadway variance request was added to the application on February 12, 2015. With the late submission of additional information on the application and of surrounding property owner notification, the applicant granted the Planning Director a time extension for the variance decision until March 20, 2015.

9. **Variance Application (VAR-14-000266) Agency Comments and Requirements.**
 - a. State of Hawai'i - Department of Health (DOH): See attached memorandum dated January 12, 2015.
 - b. County of Hawai'i Fire Department (HFD): See attached memorandum dated January 12, 2015.
 - c. Department of Water Supply (DWS): See attached memoranda dated January 21, 2015. We have also attached their comments in response to the subdivision application.
 - d. Department of Public Works (DPW): While this application was not forwarded to the DPW, we are attaching the memorandum from them in response to the subdivision application.
10. **Notice to Surrounding Owners/Posted Sign.** The applicant submitted evidence, on January 29,

2015, regarding the posting of a public notification sign on the subject property pursuant to Section 23-17(c) of the Hawai'i County Code (HCC). A picture of the posted sign was also submitted. Evidence received February 19, 2015 and mailing verification forms indicate that a notice of the application was sent to the surrounding property owners as required by Section 23-17(a).

11. **Comments from Surrounding Property Owners or Public.** There were no written comments received from the surrounding property owners or the public on this application.

ANALYSIS OF GROUNDS FOR VARIANCE

No variance will be granted unless it is found that:

- (a) ***There are special or unusual circumstances applying to the subject real property which exist either to a degree which deprives the owner or applicant of substantial property rights that would otherwise be available or to a degree which obviously interferes with the best use or manner of development of that property.***

The Variance application meets criterion (a) for the following reasons(s):

The subdivision request is for ten (10) lots and a Road Lot in keeping with the existing RA-.5a zoning. The DWS has indicated that their water system facilities at present are only able to serve four (4) of the proposed lots. Although a dedicable water system is a requirement of the code, the subject property is not able to be fully supported by the present service facilities of the existing DWS system and it would be unreasonable to expect the owners to construct the required service upgrades necessary to serve all of the lots. Therefore, it is reasonable that, in lieu of constructing water system improvements to either extend/upgrade the DWS facilities or provide a private water system to DWS standards for six (6) lots of the pending 10-lot subdivision, a more reasonable alternative can be allowed pursuant to Planning Department Rule No. 22, Water Variance.

Therefore, for this residential and agricultural subdivision, the best use and manner of the development allows for individual rainwater catchment systems in keeping with the rural residential and agricultural character of the surrounding area.

There is no practical reason to improve the proposed road to County standards as it serves a limited number of residential and agricultural properties and is not a through street. Paved shoulders and swales could aggravate storm water runoff whereas grassed shoulders and swales will help with absorption of the runoff.

The above special and unusual circumstances would deprive the applicant from developing this property and interferes with the best use of this property.

(b) There are no other reasonable alternatives that would resolve the difficulty.

The Variance application meets criterion (b) for the following reasons(s):

The DWS has indicated that the property is only able to be served by four (4) units of water by their existing water system facilities. Constructing water system improvements to either extend/upgrade the DWS facilities or provide a private water system to DWS standards for six (6) lots of the pending 10-lot subdivision would be placing excessive demands upon the applicant because of the extensive improvements and additions required to the existing DWS water system facilities. The drilling of wells and construction of other water system improvements to DWS standards would also be cost prohibitive and unreasonable for a ten (10) lot subdivision. Through the granted SMA Permit, the applicant has limited the height of future structures to 20 feet. The infrastructure for supplying the site with DWS standard water system improvements would require a storage tank that would be out of place in this rural area.

There is no practical reason to improve the proposed road to County standards as it serves a limited number of agricultural properties and is not a through street. This paved travel way and grassed shoulders and swales road within 50-foot wide right-of-way will be adequate for the limited vehicular use and will reduce rainwater runoff.

The proposed 50-foot wide right-of-way with 2-11-foot wide travel lanes and 14-foot wide grassed/landscaped shoulders and swales on each side will more than adequately serve the proposed subdivision.

(c) The variance will be consistent with the general purpose of the district, the intent and purpose of this chapter, and the County general plan and will not be materially detrimental to the public welfare or cause substantial, adverse impact to an area's character or to adjoining properties.

The Variance application meets criterion (c) for the following reasons(s):

Given that there is adequate rainfall (approximately 120 inches to 160 inches of rainfall annually) to support individual water catchment and this is a rural residential and agricultural subdivision, the granting of this variance would be consistent with the general purpose of the agricultural district. Water catchment is consistent with the intent of the policies of the general plan in that it will further agricultural activity. Water catchment will not be materially detrimental to the public welfare as it serves only private parties.

Subject to conditions, granting of the variance will not cause substantial, adverse impact to the area's character or to adjoining properties. The collection of rainwater could help to reduce runoff and may be a benefit to the surrounding area.

Given that the subject area receives sufficient annual rainfall, a water variance would be

consistent with the general purpose of the zoning district and the intents and purposes of the Zoning Code, Subdivision Code, Rule 22 and the Hawai'i County General Plan.

The roadway variance authorizing use of the privately-owned road, with 22-foot wide paved travel way and 14-foot wide grassed/landscaped shoulders and swales on each side will not be detrimental to public welfare or burden County resources as it will serve only the subdivided lots. The project is consistent with the intent and purpose of the Zoning and Subdivision Codes. The General Plan designation for the Property is rural and this low-volume, low-speed road is in keeping with that designation.

Further, there were no concerns expressed by the surrounding property owners or the public

DETERMINATION-VARIANCE CONDITIONS

The variance to permit the proposed 10-lot subdivision of the subject TMK property without providing dedicable water system improvements meeting DWS standards and utilizing a non-dedicable, privately-owned road with 22-foot wide paved travel way and 14-foot wide grassed/landscaped shoulders and swales on each side (road cross section attached) is hereby **approved** subject to the following variance conditions:

1. The applicant, owners, their assigns, or successors shall be responsible for complying with all stated conditions of approval.
2. Should the Council adopt a Unified Impact Fees Ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein shall be credited towards the requirements of the Unified Impact Fees Ordinance.
3. The owners, their assigns, or successors shall file a written agreement document with the Planning Department within one (1) year from the issuance of tentative subdivision approval. This written agreement shall contain deed language, being covenants, conditions, and restrictions affecting the 10 lots created by the proposed subdivision which is not serviced by a County dedicable public water system and which are serviced by a privately-owned alternative roadway. The agreement shall be duly recorded at the Bureau of Conveyances of the State of Hawai'i by and at the cost and expense of the owners. A copy of the recorded document shall be supplied to the Planning Department for our files.

In the event that there are any amendments or changes to the subdivision after the agreement is signed, the applicant shall be responsible for informing the County Planning Department of such amendments or changes so that the agreement can be amended concomitantly. Further, the recorded agreement shall be binding upon the owner(s), their successors or assigns and shall be incorporated as an exhibit and made part of each agreement of sale, deed, lease, or similar documents affecting the title of the existing property or approved subdivided lots.

4. The subdivider and all grantees, successors, and assigns acknowledge that the parcels were created by a variance from the normal subdivision requirements of Hawai'i County, and that there are no longer any special or unusual circumstances applying to the property, and hence, no grounds exist or will exist for another variance from the Subdivision Code to permit further subdivision of the properties.
5. The owners, grantees, successors, and assigns agree and accept the fact that a County dedicable public water system will not be extended to serve the 10 lots within proposed subdivision SUB-14-001410.

It is also understood that they will use and maintain the privately-owned roadway on their own without any expectation of governmental assistance to maintain the improvements. They shall also indemnify and defend the State of Hawai'i or County of Hawai'i from any and all liability arising out of vehicular access to and from the subject properties utilizing the private right-of-way.

6. The owners, grantees, successors, and assigns agree and accept the fact that the County will not bear the responsibility of supplying public water to the 10 proposed lots. No further subdivision of the lots created will be permitted unless County dedicable public water system requirements and other requirements of HCC Chapter 23, Subdivisions, are met.
7. No condominium property regime will be allowed on any lot created, nor will an Ohana Dwelling Unit be permitted or allowed.
8. Any dwelling constructed on any created lot not served by the DWS shall be provided with and maintain a private rainwater catchment system which includes a minimum 6000-gallon water storage capacity for domestic consumption or potable uses. This private water storage system shall adhere to the University of Hawai'i's College of Tropical Agriculture and Human Resources' "Guidelines on Rainwater Catchment Systems for Hawai'i" as well as the DOH requirements related to water testing and water purifying devices.
9. Each permitted dwelling on a lot not served by the DWS shall also be provided with a **minimum** 3,000 gallon water storage capacity dedicated for firefighting and emergency purposes. The location and capacity of the emergency water supply system, including the necessary compatible fire apparatus connector system, shall be as specified by the HFD in the memorandum attached to this permit for reference. The HFD also advises, as a precautionary measure for other uninhabited structures, that consideration be given to the provision of a similar water storage system for firefighting and emergency purposes.
10. In the event that the County notifies the owner(s) of the lot(s) created that the County water system has been upgraded or an improvement district initiated to enable service to these lots, the owner(s) of lot(s) shall participate in such improvement district or shall pay their pro-rata share of the upgrade and installation of laterals, as determined by the DWS.

Upon written demand of the County of Hawai'i, the applicant and/or owners, their assigns, or successors shall agree to participate and pay their fair share percentage of any improvement district adopted for the purpose of roadway improvements serving the proposed lots. Should the improvement district require acquisition of any privately owned right-of-ways fronting the lots, such right-of-ways shall be dedicated to the County without cost and the value of the dedication credited to the fair share contribution of the respective lot owner(s).

11. The pending subdivision application's (SUB-14-001410) final plat map shall meet all the requirements of the Hawai'i County Zoning Code and the Subdivision Code that are not covered by this variance.
12. The subdivider, owner(s), their assigns or successors shall pay any outstanding real property taxes and comply with all other applicable State statutes and County ordinances pertaining to building improvements and land use.

Should any of the foregoing conditions not be complied with, the Planning Director may proceed to declare this Variance Permit null and void.

Sincerely,



DUANE KANUHA
Planning Director

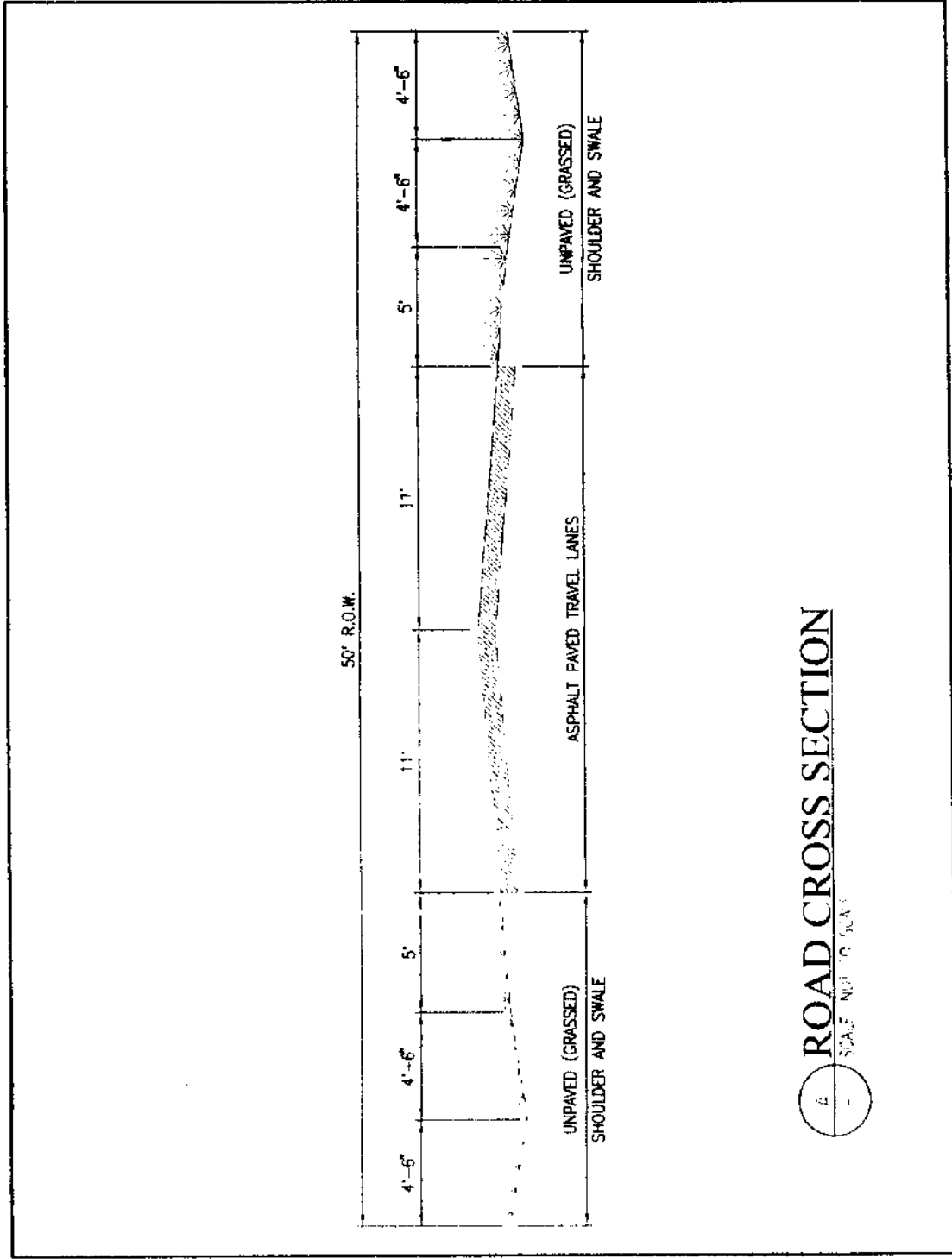
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\\COH33\planning\public\Admin Permits Division\Variance\2014\VAR-14-000266Shropshire Water-Road\APVL.docx

Encls: Agency Comments

xc: DWS-Engineering Branch
HFD
L. Gloor, CDP Planner (via email)
SUB-14-001410

xc w/encls: G. Bailado, GIS Section (via email)



ROAD CROSS SECTION



SCALE NOT TO SCALE

DAVID Y. GE
COMMISSIONER



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 615
HONOLULU, HAWAII 96821-0615

VERONICA PRESSLER, M.D.
DEPARTMENT OF HEALTH

JAN 13 2015 10:48

MEMORANDUM

DATE: January 12, 2015
TO: Duane Kanuha
Planning Director, County of Hawaii
FROM: Newton Inouye
District Environmental Health Program Chief
SUBJECT: APPLICATION: VARIANCE - VAR-14-000266
APPLICANT: STEPHEN H. SHROPSHIRE
OWNER: STEPHEN H. SHROPSHIRE
REQUEST: Variance from Chapter 23, Subdivisions, Article 6, Division 2, Improvements Required, Section 23-84, Water Supply
TAX MAP KEY: 3-2-005-003, 004 & 005 (SUB-14-001401)

The Department of Health's Safe Drinking Water Branch authority on drinking water quality is based on the definition of a "public water system." A "public water system" means a system which provides water for human consumption through pipe or other constructed conveyance if such system has fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. All public water systems are regulated by the Department of Health and shall be in compliance with the Hawaii Administrative Rules, Title 11, Chapter 33. Recommend the subdivision lots be connected to an existing public water system.

Concerns on water quality for lead, copper, algae and microbiological and chemical contaminants in private water systems have identified the need for self monitoring. The Department of Health does not support the use of these private rain catchment systems for drinking water purposes since the quality may not meet National Primary Drinking Water Standards for potable drinking water for human consumption. The U.S. Environmental Protection Agency (EPA) defines human consumption to include drinking, bathing, showering, cooking, dishwashing, maintaining oral hygiene, and includes hand washing.

HAWAII, VAR-14-000266

096323

Darren J. Rosario
Fire Chief
Darren J. Victoriano
Deputy Fire Chief



County of Hawaii
HAWAII FIRE DEPARTMENT
33 Aupuni Street • Room 204 • Hilo, Hawaii 96720
(808) 932-7700 • Fax: (808) 932-2928

January 12, 2015

TO: DUANE KANUHIA, PLANNING DIRECTOR
FROM: DARREN J. ROSARIO, FIRE CHIEF
SUBJECT: VARIANCE - VAR-14-000266
APPLICANT: STEVEN SHROPSHIRE
OWNER: STEVEN SHROPSHIRE
REQUEST: VARIANCE FROM CHAPTER 23, SUBDIVISIONS, ARTICLE 6, DIVISION 2, IMPROVEMENTS REQUIRED, SECTION 23-84, WATER SUPPLY
TAX MAP KEY: 3-2-005-003, 004 & 005 (SUB-14-001401)

In regards to the above mentioned Variance application, the following shall be in accordance:

NFPA UNIFORM FIRE CODE, 2006 EDITION

Note: NFPA 1, Hawaii State Fire Code with County Amendments. County amendments are identified with a preceding "C" of the reference code.

Chapter 18 Fire Department Access and Water Supply

18.1.1 General. Fire department access and water supplies shall comply with this chapter.

For occupancies of an especially hazardous nature, or where special hazards exist in addition to the normal hazard of the occupancy, or where access for fire apparatus is unduly difficult, or areas where there is an inadequate fire flow, or inadequate fire hydrant spacing, and the AHJ may require additional safeguards including, but not limited to, additional fire appliance units, more than one type of appliance, or special systems suitable for the protection of the hazard involved.

18.1.1 Plans.

18.1.1.1 Fire Apparatus Access. Plans for fire apparatus access roads shall be submitted to the fire department for review and approval prior to construction.



096530

Hawaii County Equal Opportunity Provider and Employer

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18.2.3.1.4 When fire department access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features.

18.2.3.2 Access to Building.

18.2.3.2.1 A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside that provides access to the interior of the building. Exception: 1 and 2 single-family dwellings.

18.2.3.2.1.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13R, or NFPA 13R, the distance in 18.2.3.2.1 shall be permitted to be increased to 200 feet.

18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

18.2.3.2.2.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).

18.2.3.3 Multiple Access Roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impeded by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

18.2.3.4 Specifications.

18.2.3.4.1 Dimensions.

C- 18.2.3.4.1.1 FIDAR shall have an unobstructed width of not less than 20ft with an approved turn around area if the FIDAR exceeds 150 feet. Exception: FIDAR for one and two family dwellings shall have an unobstructed width of not less than 15 feet, with an area of not less than 20 feet wide within 150 feet of the structure being protected. An approved turn around area shall be provided if the FIDAR exceeds 250 feet.

C- 18.2.3.4.1.2 FIDAR shall have an unobstructed vertical clearance of not less than 13ft 6 in

C- 18.2.3.4.1.2.1 Vertical clearances may be increased or reduced by the AHJ, provided such increase or reduction does not impair access by the fire apparatus, and approved signs are installed

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PROJECT UTM_ZONE_LENGTH_TERRACE_SCALE _____	REVISION _____
PROJECT UTM_ZONE_WIDTH_UNITS_ROTATION_SCALE _____	REVISION _____
PROJECT UTM_ZONE_HEIGHT_UNITS_ROTATION_SCALE _____	REVISION _____
PROJECT UTM_ZONE_LENGTH_UNITS_ROTATION_SCALE _____	REVISION _____
PROJECT UTM_ZONE_WIDTH_TERRACE_ROTATION_SCALE _____	REVISION _____
PROJECT UTM_ZONE_HEIGHT_TERRACE_ROTATION_SCALE _____	REVISION _____
PROJECT UTM_ZONE_LENGTH_TERRACE_ROTATION_SCALE _____	REVISION _____

18.2.3.1.5 Plans and specifications for fire hydrant systems shall be submitted to the Fire Department for review and approval prior to construction.

18.2.3.1.5.1 Fire Hydrant Use and Restrictions. No unauthorized person shall use or operate any fire hydrant or fire hydrant system. Plans and specifications for fire hydrant systems shall be submitted to the Fire Department for review and approval prior to construction.

18.2.3.1.5.2 Fire Hydrant Use and Restrictions. No unauthorized person shall use or operate any fire hydrant or fire hydrant system. Plans and specifications for fire hydrant systems shall be submitted to the Fire Department for review and approval prior to construction.

Department personnel conducting firefighting operations, hydrant testing, and/or maintenance, and the flushing and acceptance of hydrants witnessed by Fire Prevention Bureau personnel.

18.2.3 Fire Department Access.

18.2.3.1 Fire department access and fire department access roads shall be provided and maintained in accordance with Section 18.2.

18.2.3.1 Access to Structures or Areas.

18.2.3.1.1 Access Boxes. The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security.

18.2.3.2 Access to Gated Subdivisions or Developments. The AHJ shall have the authority to require fire department access to be provided to gated subdivisions or developments through the use of an approved device or system.

18.2.3.3 Access Maintenance. The owner or occupant of a structure or area, with required fire department access as specified in 18.2.3.1 or 18.2.3.2, shall notify the AHJ when the access is modified in a manner that could prevent fire department access.

18.2.3 Fire Department Access Roads. (*may be referred as FIDAR)

18.2.3.1 Required Access.

18.2.3.1.1 Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.

18.2.3.1.2 Fire Department access roads shall consist of roadways, fire lanes, parking fire lanes, or a combination thereof.

18.2.3.1.3* When not more than two one- and two-family dwellings or private garages, carports, sheds, agricultural buildings, and detached buildings or structures 400ft² (37 m²) or less are present, the requirements of 18.2.3.1 through 18.2.3.2.1 shall be modified by the AHJ.

and maintained indicating such approved changes.

Duane Kanuha
January 12, 2015
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- 18.2.3.4.1.2.2 Vertical clearances shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.
- C- 18.2.3.4.2 Surface. Fire department access roads and bridges shall be designed and maintained to support the imposed loads (25 Tons) of the fire apparatus. Such FDAR and shall be comprised of an all-weather driving surface.
- 18.2.3.4.3 Turning Radius.
 - C- 18.2.3.4.3.1 Fire department access roads shall have a minimum inside turning radius of 30 feet, and a minimum outside turning radius of 60 feet.
 - 18.2.3.4.3.2 Turns in fire department access road shall maintain the minimum road width.
 - 18.2.3.4.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.
- 18.2.3.4.5 Bridges.
 - 18.2.3.4.5.1 When a bridge is required to be used as part of a fire department access road, it shall be constructed and maintained in accordance with county requirements.
 - 18.2.3.4.5.2 The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.
 - 18.2.3.4.5.3 Vehicle load limits shall be posted at both entrances to bridges where required by the AHJ.
 - 18.2.3.4.6 Grade.
 - C- 18.2.3.4.6.1 The maximum gradient of a fire department access road shall not exceed 12 percent for unpaved surfaces and 15 percent for paved surfaces. In areas of the FDAR where a fire apparatus would connect to a fire hydrant or fire department connection, the maximum gradient of such area(s) shall not exceed 10 percent.
 - 18.2.3.4.6.2 The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.

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- 18.2.3.4.6.3 Fire department access roads connecting to roadways shall be provided with curb cuts extending at least 2 ft (0.61 m) beyond each edge of the fire lane.
- 18.2.3.4.7 Traffic Calming Devices. The design and use of traffic calming devices shall be approved by the AHJ.
- 18.2.3.5 Marking of Fire Apparatus Access Roads.
 - 18.2.3.5.1 Where required by the AHJ, approved signs or other approved notices shall be provided and maintained to identify fire department access roads, or to prohibit the obstruction thereof on both.
 - 18.2.3.5.2 A marked fire apparatus access road shall also be known as a fire lane.
- 18.2.4* Obstruction and Control of Fire Department Access Road
- 18.2.4.1 General.
 - 18.2.4.1.1 The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.
 - 18.2.4.1.2 Minimum required widths and clearances established under 18.2.3.4 shall be maintained at all times.
 - 18.2.4.1.3* Facilities and structures shall be maintained in a manner that does not impair or impede accessibility for fire department operations.
 - 18.2.4.1.4 Entrances to fire department access roads that have been closed with gates and barriers in accordance with 18.2.4.2.1 shall not be obstructed by parked vehicles.
- 18.2.4.2 Closure of Accessways.
 - 18.2.4.2.1 The AHJ shall be authorized to require the installation and maintenance of gates or other approved barricades across roads, trails, or other accessways not including public streets, alleys, or highways.
 - 18.2.4.2.2 Where required, gates and barricades shall be secured in an approved manner.

18.2.5 Private water supply systems shall be tested and maintained in accordance with NFPA 25 or county requirements as determined by the AHJ.

18.2.6 Where required by the AHJ, fire hydrants subject to vehicular damage shall be protected unless located within a public right of way.

18.2.7 The AHJ shall be notified whenever any fire hydrant is placed out of service or returned to service. Owners of private property required to have hydrants shall maintain hydrant records of approval, testing, and maintenance, in accordance with the respective county water requirements. Records shall be made available for review by the AHJ upon request.

C- 18.3.8 Minimum water supply for buildings that do not meet the minimum County water standards:

Buildings up to 2000 square feet, shall have a minimum of 3,000 gallons of water available for firefighting.

Buildings 2001 - 3000 square feet, shall have a minimum of 6,000 gallons of water available for firefighting.

Buildings 3001 - 6000 square feet, shall have a minimum of 12,000 gallons of water available for firefighting.

Buildings greater than 6000 square feet, shall meet the minimum County water and fire flow requirements.

Multiple story buildings shall multiply the square feet by the amount of stories when determining the minimum water supply.

Commercial buildings requiring a minimum fire flow of 2000gpm per the Department of Water standards shall double the minimum water supply reserved for firefighting.

Fire Department Connections (FDC) to alternative water supplies shall comply with 18.3.8 (1)-(4) of this code

NOTE: In that water catchment systems are being used as a means of water supply for firefighting, such systems shall meet the following requirements:

(1) In that a single water tank is used for both domestic and firefighting water, the water for domestic use shall not be capable of being drawn from the water reserved for firefighting;

18.2.4.2.3 Roads, trails, and other accessways that have been closed and obstructed in the manner prescribed by 18.2.4.2.1 shall not be trespassed upon or used unless authorized by the owner and the AHJ.

18.2.4.2.4 Public officers acting within their scope of duty shall be permitted to access restricted property identified in 18.2.4.2.1.

18.2.4.2.5 Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals that have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with, or otherwise vandalized in any manner.

18.3 Water Supplies and Fire Hydrants

18.3.1* A water supply approved by the county, capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed, or moved into or within the county. When any portion of the facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the AHJ. For on-site fire hydrant requirements see section 18.3.3.

EXCEPTIONS:

1. When facilities or buildings, or portions thereof, are completely protected with an approved automatic fire sprinkler system the provisions of section 18.3.1 may be modified by the AHJ.
2. When water supply requirements cannot be installed due to topography or other conditions, the AHJ may require additional fire protection as specified in section 18.3.2 as amended in the code.
3. When there are not more than two dwellings, or two private garage, carports, sheds and agricultural, occupancies, the requirements of section 18.3.1 may be modified by AHJ.

18.3.2* Where no adequate or reliable water distribution system exists, approved reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles, or other approved systems capable of providing the required fire flow shall be permitted.

18.3.3* The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on a fire apparatus access road on the site of the premises or both, in accordance with the appropriate county water requirements.

18.3.4 Fire hydrants and connections to other approved water supplies shall be accessible to the fire department.

greater than 2000 square feet, but less than 3000 square feet and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 500 feet.
(5) For buildings with an approved automatic sprinkler system, the minimum water supply required may be modified.

If there are any questions regarding these requirements, please contact the Fire Prevention Bureau at (808)932-5915.



DARLEN J. ROSARIO
Fire Chief

KV/le

- (2) Minimum pipe diameter sizes from the water supply to the Fire Department Connection (FDC) shall be as follows:
- (a) 4" for C900 PVC pipe;
 - (b) 4" for C906 PE pipe;
 - (c) 3" for ductile iron;
 - (d) 3" for galvanized steel.
- (3) The Fire Department Connection (FDC) shall:
- (a) be made of galvanized steel;
 - (b) have a gated valve with 2-1/2 inch, National Standard Thread male fitting and cap;
 - (c) be located between 8 ft and 16 ft from the Fire Department access. The location shall be approved by the AHJ;
 - (d) not be located less than 24 inches, and no higher than 36 inches from finish grade, as measured from the center of the FDC orifice;
 - (e) be secure and capable of withstanding drafting operations. Engineered stamped plans may be required;
 - (f) not be located more than 150 feet of the most remote part, but not less than 20 feet, of the structure being protected;
 - (g) also comply with section 13.1.3 and 18.2.3.4.6.1 of *Ins Code*;
- (4) Commercial buildings requiring a fire flow of 2000gpm shall be provided with a second FDC. Each FDC shall be independent of each other, with each FDC being capable of flowing 500gpm by engineered design standards. The second FDC shall be located in an area approved by the AHJ with the idea of multiple Fire apparatus conducting drafting operations at once, in mind.
- (5) Inspection and maintenance shall be in accordance to NFPA 25.
- (6) The owner or lessee of the property shall be responsible for maintaining the water level, quality, and appurtenances of the system.

EXCEPTIONS TO SECTION 18.3.4:

- (1) Agricultural buildings, storage sheds, and shade houses with no combustible or equipment storage.
- (2) Buildings less than 800 square feet in size that meet the minimum Fire Department Access Road requirements.
- (3) For one and two family dwellings, agricultural buildings, storage sheds, and detached garages 800 to 2000 square feet in size, and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 1000 feet.
- (4) For one and two family dwellings, agricultural buildings, and storage sheds.



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
 345 KUKUNAOA STREET SUITE 20 • HILO HAWAII 96720
 TELEPHONE (808) 951-8050 • FAX (808) 961-8657

October 24, 2014

TO: Mr. Duane Kamaha, Director
 Planning Department

FROM: Quirino Antonio, Jr., Manager, Chief Engineer

SUBJECT: PRELIMINARY PLAT MAP AND DEFER ACTION
 SUBDIVISION APPLICATION NO. 14-001410
 SPECIAL MANAGEMENT AREA (SMA 14-000058)
 SUBDIVIDER - SHROPSHIRE GROUP LLC
 TAX MAP KEY 3-2-003-001, 003, 004 AND 005

We have reviewed the subject application for the proposed subdivision

Please be informed that the required water system improvements for the previous subdivision action (SUB 31-00; 09) have not been completed. This application should also indicate Parcel 1.

Upon completion of the above water system improvements, Parcels 1, 3 and 4 will be, individually, served by one (1) existing 28-inch meter, which is limited to one (1) unit of water with an average daily usage of 400 gallons per day and suitable for only one single-family dwelling.

The current water availability conditions in the area, which are subject to change without notice, only allows for one (1) unit of water, or one (1) 5/8-inch meter, per pre-existing lot of record. One (1) unit of water is available for Parcel 5 (formerly Tax Map Key 3-2-002-031).

The Department's existing water system facilities cannot support the proposed subdivision at this time. Extensive water system improvements would be required, which may include, but not be limited to, additional sources, storage, booster pumps, and transmission facilities. Currently, funding is not available and no time schedule is set for such improvements by the Department.

Should the subject application be approved, the applicant must designate, in writing, which lot within the proposed subdivision will be assigned the one available service. Further, the applicant shall be informed that the existing meter shall not be shared with the other proposed lot and the water system piping between the lots shall not be interconnected in any way.

2014 OCT 27 PM 4 42
 RECEIVED BY PLANNING DEPARTMENT
 COUNTY OF HAWAII

095031

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DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
 345 KUKUNAOA STREET SUITE 20 • HILO HAWAII 96720
 TELEPHONE (808) 951-8050 • FAX (808) 961-8657

January 21, 2015

TO: Mr. Duane Kamaha, Director
 Planning Department

FROM: Quirino Antonio, Jr., Manager, Chief Engineer

SUBJECT: VARIANCE APPLICATION (VAR-14-00256)
 SUBDIVISION APPLICATION NO. 14-001401
 SUBDIVIDER - STEVEN H. SHROPSHIRE
 TAX MAP KEY 3-2-003-003, 004 AND 005

We have reviewed the subject application and our comments and conditions stated in our October 24, 2014 letter to your department regarding the subject subdivision application will stand.

Prior to final subdivision approval being granted, the applicant must inform our department, in writing, which lot within the proposed subdivision will be assigned the one available service. Further, the applicant shall be informed that the existing meter shall not be shared with the other proposed lot and the water system piping between the lots shall not be interconnected in any way.

Should there be any questions, please contact Ryan Quinteriano of our Water Resources and Planning Branch at 961-8070, extension 256.

Sincerely yours,

Quirino Antonio, Jr., P.E.
 Manager, Chief Engineer

RQ/dlg

copy: Mr. Steven H. Shropshire

096461

...Water, Our Most Precious Resource... Ag. Wai. A. Kane
 The Department of Water Supply is an Equal Opportunity provider and employer.

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: February 9, 2015

Memorandum

TO: Planning Department
FROM: ^{CLR} Department of Public Works
SUBJECT: SUBDIVISION: SUB 14-001410
Subdivider: Shropshire Group, LLC
"Ninole View Estates, Phase II"
Location: Waikuaialo, North Hilo, Hawaii
TMK: 3-2-005-003, 004 & 005
Folder No.: 3230-A

We have reviewed the revised preliminary plat map and have the following comments:

1. §23-30. Identify all watercourses and drainageways and encumber with drainage easements.
2. §23-86. For the Road Lot and Easement RU-1-2, construct minimum 20-ft wide deducible roadway with paved shoulders and swales within a minimum 50-ft wide right-of-way conforming to Standard Detail R-33. The proposed Road Lot is less than the minimum width. Pavement shall be designed to support axle and wheel loads permitted under Section 281-35, Hawaii Revised Statutes.
3. §23-48. Construct deducible turnaround conforming to Standard Detail R-33.
- §23-45. Provide minimum 25-ft radius at the intersection of the Road Lot and Easement RU-1-3.
- §23-79. Submit construction plans and drainage report for review and comment.
 - a. §23-92. Additional storm runoff due to development shall be disposed within the subdivision and shall not be discharged onto adjacent properties or streets.
 - b. §23-93. Install streetlights and traffic control devices as required by the Traffic Division.

Questions may be referred to Carter Romero at 961-6943.

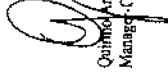
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Mr. Duane Kanuha, Director
Page 2
October 24, 2014

Should there be any questions, please contact Mr. Ryan Quitoriano of our Water Resources and Planning Branch at 961-8079, extension 256.

Sincerely yours,



Quirino Antonio, Jr., P. E.
Manager, Chief Engineer

RQ:dfg

copy - Shropshire Group LLC
The Independent Hawaii Surveyors, LLC