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County of Hawai'i PLANNING DEPARTMENT Zendo Kern Director

Jeffrey W. Darrow Deputy Director

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

February 13, 2023

Ben Lee c/o Clifford Planning and Architecture 55 Merchant Street Suite 3020 Honolulu, HI 96813 <u>VIA EMAIL</u>

Dear Mr. Lee:

SUBJECT:	Special Management Area (SMA) Use Permit Assessment Application	
		(PL-SAA-2022-000088)
	Applicant(s):	Clifford Planning and Architecture
	Landowner(s):	68-1004 Ke Kalani Drive, LLC
	Project:	Construction of a Single Family Dwelling
	Tax Map Key:	(3) 6-8-036:002
	Location:	68-1004 Ke Kailani Drive, 'Anaeho'omalu, South Kohala,
		Hawaiʻi

We have reviewed the subject Special Management Area (SMA) Use Permit Assessment Application (PL-SAA-2022-000088), submitted to this office on July 13, 2022, and additional information received on September 14, 2022, October 7, 2022, and December 10, 2022. The 1.32-acre subject parcel is zoned Multiple-Family Residential 4,000 square feet (RM-4), Multiple-Family Residential 3,000 square feet (RM-3) and Open (ope) by the County and is designated Urban by the State Land Use Commission (LUC). The entire subject parcel is designated as "Open" (ope) by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) map.

The subject parcel is within the County Special Management Area (SMA), as well as within the "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS). The Chairperson of the Board of Land and Natural Resources approved a certified shoreline survey map dated May 16, 2022. Staff notes that all work will be sited outside the minimum 40-foot shoreline setback area.

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Special Management Area Determination:

Pursuant to Chapter 205A-22, Hawai'i Revised Statutes (HRS) relating to Special Management Area, "development" does not include "Construction or reconstruction of a single-family residence that is less than seven thousand five hundred square feet of floor area, is not situated on a shoreline parcel or a parcel that is impacted by waves, storm surges, high tide, or shoreline erosion, and is not part of a larger development". Further, SMA No. 2 allowed for the development of residences. After review of the subject request, the proposed new single-family dwelling and related improvements are covered under SMA Permit No. 2.

Please note that any increase in the proposed floor area may require another SMA Assessment Application be submitted. In addition, any construction, enlargement, or reconstruction of the single-family dwelling that increases the floor area to greater than 7,500 square feet will require an SMA (Major) Use permit. It is further noted that any future developments of the parcel will require a review against SMA rules and regulations.

Parcel 2 is subject to Pedestrian Access Easement "2" which consists of an approximately 10-foot-wide easement and Archeological Easement "1" located along the western property line as shown on Exhibit 1.

Please note that it is the landowner's responsibility to adhere to all conditions set forth by SMA Permit No. 2, particularly ensuring that no fencing, wall, structure, or landscaping shall be installed that impedes usage of Pedestrian Access Easement "2" by the public, and that construction activities shall not block, disturb, or impede the public access trail currently in use.

If you have questions regarding this document, please contact Tracie-Lee Camero of this office at (808) 961-8166 or via email at <u>Tracie-Lee.Camero@hawaiicounty.gov</u>.

Sincerely,

Jeffrey W. Darrow Jeffrey W. Darrow (Feb 13, 2023 13:01 HST)

ZENDO KERN Planning Director

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Enclosures: Exhibit 1 – Site Plan

cc w/enclosures via email: GIS Section





