

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for )  
SPECIAL MANAGEMENT AREA )  
USE PERMIT )  
by )  
PACIFIC PARADISE OCEAN FRONT ) SMA USE PERMIT NO. 32  
ESTATES, LTD. )  
for )  
UTILITIES, ROADWAY AND LOT )  
IMPROVEMENTS )  
in )  
Kapa'ahu, Puna, Hawaii )

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on July 21, 1977, considered the application of PACIFIC PARADISE OCEAN FRONT ESTATES, LTD. for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the installation of an underground utilities system and to make certain improvements to the roads and lots within the Pacific Paradise Ocean Front Estates Subdivision at Kapa'ahu, Puna, TMK: 1-2-28 and 29.

The Commission has found:

That the approval of the subject request will not be contrary to the Environmental Shoreline Protection Act (Act 176 SLH 1975) or Rule 9 of the Planning Commission. The purpose of the Environmental Shoreline Protection Act and of Rule 9 is to preserve, protect and where possible, restore the natural resources of the coastal zone of Hawai'i. These regulations are also intended to avoid the permanent loss of valuable resources and the foreclosure of management options, as well as to insure that adequate public access is provided to public-owned or used beaches, recreation areas and natural reserves.

The purpose of the proposed development is to provide utilities and water systems for the subdivision which has been in existence since 1963. The road improvements are for the purpose of repairing damages sustained in the 1975 earthquake and to resurface all roads affected by the installation. At present telephone service is available to the entrance of the subdivision, electrical service is not available. The two residences are serviced by individual generators. The water system has been partially installed and provides service to the two residences. All underground lines and improvements are proposed to be located within existing road right-of-ways. Thus, damage to natural vegetation and landforms will be minimal. The proposed underground utilities system will in fact maintain the visual and scenic qualities of the area.

The area is not known to be a habitat for rare and endangered plant or animal species. Both known historic sites are located within parcels and should not be affected by the installation of the underground utilities system. Neither of the parcels on which they are located have been scheduled for grading or improvements.

The proposed grading and improvements to some of the lots are for the purpose of obtaining fill for the road and to make them suitable for building purposes. This grading may affect brackish water ponds, however, these concerns may be minimized through conditions of approval.

Based on the above, it is determined that the proposed actions will not have a substantial adverse ecological or environmental effect.

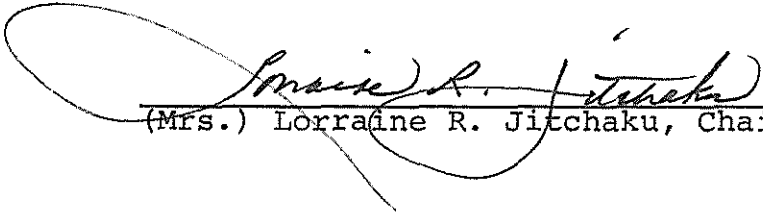
Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the installation of an underground utilities system and to make certain improvements to the roads and lots within the Pacific Paradise Ocean Front Estates Subdivision at Kapa'ahu, Puna pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

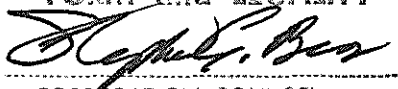
1. That the proposed underground utilities system, the water system and the road improvements shall conform substantially with the representation made by the petitioner and plans submitted with the application.
2. That the petitioner shall obtain a Conservation District Use Permit for the proposed lot improvements. 10-22-76
3. That the petitioner shall commence construction within one (1) year of the effective date of the Special Management Area Use Permit and be completed within two (2) years thereafter. 9-28-76
4. That prior to any construction, the petitioner shall submit plans for the underground utilities system for review and approval by the Department of Water Supply and Planning Department.
5. That should any proposed road work encroach into the State highway right-of-way, the petitioner shall submit construction plans to the Department of Transportation for their review and approval.
6. That the petitioner shall submit grading plans for the proposed grading and improvements on 33 lots for the review and approval by the Chief Engineer and the Planning Director.
7. That should any grading affect pond areas, the petitioner shall also secure the approval or concurrence of the Corps of Engineers.
8. That all other rules and regulations shall be complied with.

Should any of the foregoing conditions not be met, this Special Management Area Use Permit may be deemed null and void by the Planning Commission.

The effective date of this permit shall be July 21, 1977.

Dated at Hilo, Hawaii, this 11th day of August, 1977.

  
(Mrs.) Lorraine R. Jitchaku, Chairman

APPROVED as to  
FORM and LEGALITY  
  
CORPORATION COUNSEL  
COUNTY OF HAWAII  
Date AUG 5 1977