

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
by)
KEN MELROSE)
for)
RECREATIONAL PAVILION)
& RELATED IMPROVEMENTS)
in)
'Anaeho'omalu,)
South Kohala, Hawaii)
_____)

SMA Use Permit
No. 37

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on August 25, 1977, considered the application of KEN MELROSE for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the construction of a recreational pavilion and related improvements at Anaeho'omalu, South Kohala, Hawaii, Tax Map Key 6-9-07:15.

The Commission has found:

The construction of the proposed recreational pavilion will not be in conflict with the intent and purpose of Rule 9 Relating to Environmental Shoreline Protection. The purpose of Rule 9 is to preserve, protect and where possible, to restore the natural resources of the coastal zone of Hawaii. Further, it is the intent of the regulations to avoid the permanent loss of valuable resources and the foreclosure of management options, and to insure that adequate public access is provided to publicly owned or used beaches, recreation areas, and natural reserves.

The purpose of the proposed pavilion is to provide a sheltered recreational area and cooking facilities for use by Parker Ranch employees. These facilities are intended to compliment existing shoreline recreational facilities by providing a structure for more passive recreation. A variety of recreational uses will then be offered. Thus, though limited to private use, the proposed facility will give added recreational opportunities to a segment of the residential population.

Further the location of the pavilion, 400 feet inland of the beach facilities, will not really limit public access to the shoreline and beach. Public access is available along the adjacent 'Anaeho'omalu Street, thence along the shoreline.

The area is not known to be a habitat for either plant or animal species which are endangered or threatened. While it is not known what impact the proposed facility will have on historic sites, these may be clarified through conditions of approval.

Additionally, while there may be some adverse impact upon the ponds by leaching or sewage, these also may be mitigated through the conditions of approval.

Further, the recreational use of the parcel is not in conflict with land use policies as expressed through the County's General Plan and Zoning Code. Both designate the area for Open use, which do not preclude recreational use. The pavilion, if designed to be structurally open, is permissible.

Thus, it is determined that the granting of the subject request will not be in conflict with Rule 9 of the Planning Commission and the County General Plan. Nor is it anticipated to have substantial adverse impacts to the environment which cannot be mitigated by conditions of approval.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a recreational pavilion and related improvements at Anaeho'omalu, South Kohala, Hawaii, pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

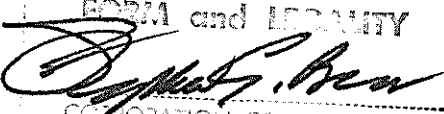
1. That the pavilion shall be designed such that there are no walls and/or windows between the covered recreation area and the open deck overlooking the pond.
2. That the petitioner shall commence construction within one (1) year of the effective date of the Special Management Area Use Permit and shall be completed within two (2) years thereafter.
3. That an archaeological reconnaissance survey shall be conducted within the area to be graded and that report shall be submitted to the Planning Director prior to any grading. The Director may cause the relocation of the proposed structure if the survey indicates the presence of historic sites worthy of preservation and/or salvage.
4. That the petitioner shall comply with the rules and regulations of the Department of Health.
5. That the petitioner shall comply with all other applicable rules and regulations including the plan approval process.

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

The effective date of this permit shall be August 25, 1977.

Dated at Hilo, Hawaii, this 3rd day of October, 1977.


(MRS.) LORRAINE R. JITCHAKU
Chairman, Planning Commission

APPROVED as to
FORM and LEGALITY

CORPORATION CLERK
COUNTY OF HAWAII
Date SEP 19 1977