

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
by) SMA USE PERMIT
KAZUO NAKAMURA) NO. 57
for)
PARK DEVELOPMENT TO INCLUDE LANDSCAPING)
WALKWAYS, A POND, PAVILIONS, OFFICE)
STRUCTURE, RESTROOM FACILITY AND)
RELATED IMPROVEMENTS)
in)
WAIAKEA LEASE LOTS, WAIAKEA,)
SOUTH HILO, HAWAII)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on April 27, 1978, considered the application of KAZUO NAKAMURA for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow a park development to include landscaping, walkways, a pond, pavilions, office structures, restroom facility and related improvements in the Waiakea Lease Lots, Waiakea, South Hilo, Hawaii, TMK: 2-1-03:8.

The Commission has found:

That the approval of the proposed project will not result in the loss of valuable natural, cultural, or recreational resources of the coastal zone. No rare native or endemic plants and/or animal species inhabit the site. Similarly, no objects of cultural or archaeological significance are known to exist on the property. In addition, the extensive use for recreational purposes of the surrounding area will be further enhanced with the additional improvements on land which would otherwise be unimproved. Also, the viewplane to the shoreline will not be significantly reduced, impaired or impacted as a result of the proposed activity.

No adverse impacts on air and water quality is anticipated since the proposed activity will not produce any noxious odor and subsequent discharge of waste from the proposed restrooms can be disposed into the existing County sewer line.

In addition, the granting of the subject request will not be detrimental to the Special Management Area in that it will

not result in the foreclosure of management options. Since the surrounding area is already extensively used for recreational purposes, the proposed use will augment the facilities in the area. The location of the proposed use is such that both vehicular and pedestrian traffic will have easy access to it. Further, this project can be considered as an extension to Liliuokalani Park. As such, it will ensure public access to the shoreline.

Based on the above, it is determined that the proposed development is consistent with and in fact implements the objectives and policies of the Environmental Shoreline Protection Act (Act 176, S.L.H., 1975), Rule 9 of the Planning Commission, and the Hawaii Coastal Zone Management Act (Act 188, S.L.H., 1977), and is contrary to any other County or State long term land use or environmental goals or policies.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow a park development to include landscaping, walkways, a pond, pavilions, office structure, restroom facility and related improvements 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 improvements shall conform to the plans submitted and the representations made by the petitioner.
2. That the proposed pavilion and other buildings not be constructed within the 40-foot shoreline setback and not exceed the specification and uses as described on the plot plan.
3. That no work be done on the pond until approvals are received from the U. S. Army Corps of Engineers for Work in Ocean and Tidal Waters and the Department of Land and Natural Resources for inter-agency requirements of Conservation District Use Application and the State Department of Transportation Permit to Work the Shore Waters of the State of Hawaii.
4. That further excavation for the pond bottom not exceed 4 feet and that the salinity of the pond not be significantly altered by the waterfall. Further, that the pond will be constructed only after previous approvals have been granted by appropriate State and Federal Agencies.
5. That the petitioner shall submit plans for plan approval within one (1) year from the effective date of approval of the Special Management Area (SMA) Use Permit. Construction shall commence within one year from the receipt of final plan approval and be completed within three (3) years thereafter.
6. That construction drawings be submitted to the Hawaii Redevelopment Agency for their review and comments.

7. That the Grading Permit be obtained from the Department of Public Works.
8. That all other applicable rules and regulations shall be complied with.

Should these 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 April 27, 1978.

Dated at Hilo, Hawaii, this _____ day of May, 1978.



William F. Mielcke
Chairman, Planning Commission

