

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

February 15, 1983

Okahara, Shigeoka and Associates
200 Kohola Street
Hilo, Hawaii 96720

Gentlemen:

Proposed consolidation/resubdivision
Lot 2, Portions of Grant S-14195
Portions of Lot 28, Grant 7542
Portions of Lot 26, Grant 7746
Grant 7867, Manowaiopae Homesteads
Manowaiopae, North Hilo, Hawaii
TMK: 3-6-01:03 (80-161)

A review of our files shows that tentative approval for the subject subdivision was granted on January 19, 1982. Section 9.01 of the Subdivision Code (Chapter 9), states that: "The final plat map shall be prepared and completed within one year following the tentative approval given on the preliminary plat by the Director. If the final plat map has not been filed within this period, the preliminary plat shall be deemed null and void." To date, we have not received the final plat map.

In view of the foregoing, we hereby deem the subdivision null and void and shall remove it from our active files. A new application complete with filing fee must be submitted to this office should you elect to pursue the subdivision.

Should you have any questions, please feel free to contact Kaoru Nagai or Wally Matsunami of this office at 961-8288.

Sincerely,

Sidney Fuke

Sidney Fuke
Director

OWM:mh
cc 4 engineers
River Maus, et al
SMA Permit No. 164

Ed/Aiu

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR)	
SPECIAL MANAGEMENT AREA)	
USE PERMIT)	SMA USE PERMIT
by)	NO. 164
PROMISED LAND CORPORATION)	
for)	
9-LOT RESIDENTIAL SUBDIVISION)	
AND RELATED IMPROVEMENTS)	
in)	
LAUPAHOEHOE, MANOWAIOPAE)	
HOMESTEADS, NORTH HILO, HAWAII)	

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on August 13, 1981, considered the application of PROMISED LAND CORPORATION for a Special Management Area Use Permit in accordance with Rule No. 9 of the Planning Commission, Rules and Regulations Relating to Environmental Shoreline Protection to allow a 9-lot residential subdivision and related improvements at Laupahoehoe, Manowaiopae Homesteads, North Hilo, Hawaii, Tax Map Key 3-6-01:3.

The Commission has found the following:

The petitioner intends to create a 9-lot residential subdivision consisting of 15,000-+ square foot size lots. Site improvements proposed for the subdivision include paved roadways, grading, drainage system, utility lines and other related improvements.

That the proposed development is not anticipated to have any substantial adverse environmental or ecological effects.

The subject property has been used for the cultivation of sugarcane. No rare or endangered flora or fauna are known to exist in the area.

The primary environmental concern will be from the drainage and erosion impacts the development may create. These concerns will be mitigated by compliance with the requirements of the Department of Public Works for Final Subdivision Approval.

That the proposed development is consistent with the Objectives, Policies and Special Management Area Guidelines. Established by Chapter 205-A, Hawaii Revised Statutes, these Objectives and Policies provide guidance for the preservation protection and development of coastal resources of the State and County. Because of its topography which includes a steep cliff and its distance from the shoreline, the granting of this request will not create any adverse impact on the recreational as well as coastal ecosystems of the area. There are no historic resources on the property.

The visual quality of the area may be affected by this development. However, it should not be significant in nature since the improvements will be conducted below the elevation of the Belt Road and, in addition, the site will not be visible from the designated lookout to Laupahoehoe Point where proper facilities are provided for the enjoyment of the vista.

That the cliff makai of the project site is subject to landslides resulting from earthquake activities. To mitigate the potential impact to improvements in the subject area, it is recommended that a 50' building setback be imposed from the cliff's edge. This in turn should reduce potential impact to improvements on the property resulting from landslides of the cliff.

The low density designation of the General Plan and the existing RS-15 zoning allows the development of residential lots with a minimum lot size of 15,000 square feet. As such, it is determined that the subject request is consistent with the General Plan, the Zoning Code and other applicable land use regulations.

Based on the foregoing, it is therefore determined that the proposed development will not have any substantial adverse impact on the surrounding area. Furthermore, its approval will be consistent with the Objectives and Policies of Chapter 205-A, HRS, Relating to Coastal Zone Management, Rule 9 of the Planning Commission Relating to the Special Management Area, and the General Plan of the County of Hawaii.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow a 9-lot residential subdivision and related improvements at Laupahoehoe, Manowaiopae Homesteads, North Hilo, Hawaii, Tax Map Key 3-6-01:3, pursuant to the authority vested in it by Rule No. 9 of the Planning Commission.

Approval of the Special Management Area Use Permit is subject to the following conditions:

1. That the petitioner, Promised Land Corporation, shall be responsible for complying with the stated conditions of approval. This permit shall be non-transferable.
2. That the requirements of the Subdivision and Zoning Codes of the County of Hawaii shall be complied with.
3. That there shall be a minimum 50-foot setback from the cliff's edge for all structures. This restriction will run with the land and shall be recorded with the Bureau of Conveyances at time of Final Subdivision Approval.
4. That prospective purchasers of the subject area be notified of the potential noise resulting from the electrical substation. Such notice shall be in writing and a copy submitted to the Planning Department and shall be recorded with the Bureau of Conveyances at time of Final Subdivision Approval.
5. That grading and filling shall be conducted in compliance with the requirements of the Department of Public Works.

Furthermore, that all exposed areas shall be planted with permanent protective ground cover upon completion of project.

6. That a hydrologic/drainage study shall be submitted at the time of subdivision review to the Planning Department and the Department of Public Works for review and approval.
7. That all other applicable rules, regulations and requirements, including those of the State Department of Health, the Highways Division of the State Department of Transportation, the Fire Department and the Department of Water Supply, shall be complied with.

Should 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 13, 1981.

Dated at Hilo, Hawaii, this 9th day of October, 1981.


BERT. H. NAKANO
Chairman, Planning Commission

APPROVED AS TO FORM:


DEPUTY CORPORATION COUNSEL
County of Hawaii

Date: 6 Oct 81