

CERTIFIED MAIL

December 17, 1987

Mr. Richard M. Ranklin
P.O. Box 1481
Hilo, HI 96720

Dear Mr. Ranklin:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 87-40
Tax Map Key 2-3-08:20

Upon careful review of your SMA Use Permit request, we have found that it complies with the requirements for a Minor Permit set forth in Rule 9.7 of the Planning Commission's Rules and Regulations Relating to Special Management Area.

Accordingly, please find enclosed an SMA Minor Use Permit No. 87-40 to allow the establishment of an open air farmer's market on the corner of Mamo Street and Kamehameha Avenue in Downtown Hilo, Hawaii, Tax Map Key 2-3-08:20.

Please note that the permit approval is also subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. To establish the open air farmer's market use, applicant must submit plans for Plan Approval within one year from the effective date of approval of the SMA Minor Use Permit.
3. Secure Hawaii Revelopment Agency (HRA) approval.
4. Comply with all other applicable rules, regulations, and requirements.

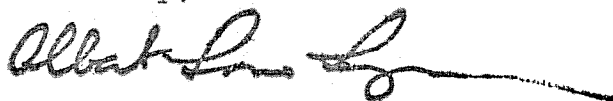
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5. An extension of time for the performance of conditions within the permit may be granted by the planning director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to nullify the permit.

Should you have any questions regarding the above, please do not hesitate to contact this department at 961-8288.

Sincerely,



ALBERT LONO LYMAN
Planning Director

EC:lv
Enclosures

cc: Chief Engineer w/enc.

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 87-40

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

The Planning Director completed on December 14, 1987, an assessment on the application of RICHARD M. RANKLIN for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: The establishment of an open air farmer's market on the corner of Mamala Street and Kamehameha Avenue in Downtown Hilo, Hawaii, TMK: 2-3-08:20.

As indicated on the attached report, the Director finds that the proposed development is:

- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

Therefore, with concurrence of the Chief Engineer, the Director hereby grants to the applicant a minor use permit under the authority vested in him by Section 9.7.C of said Rules, with the following condition(s) that:

SEE ATTACHED CONDITIONS

for Herbert Hagana
Chief Engineer, DEW

AD
Planning Director

Attachment

6257A-5/84

SMA Minor Permit No. 87-40

RICHARD M. RANKLIN

Condition

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. To establish the open air farmer's market use, applicant must submit plans for Plan Approval within one year from the effective date of approval of the SMA Minor Use Permit.
3. Secure Hawaii Revelopment Agency (HRA) approval.
4. Comply with all other applicable rules, regulations, and requirements.
5. An extension of time for the performance of conditions within the permit may be granted by the planning director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to nullify the permit.