

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 88-3

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

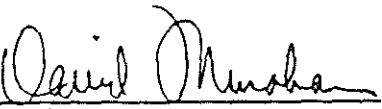
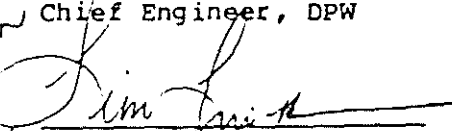
The Planning Director completed on January 26, 1988, an assessment on the application of County of Hawaii Dept. of Parks & Recreation for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: Remove a portion of an existing rockwall and construct a pedestrian stairway from the parking area to the picnicking and shoreline areas at Onekahaha Beach Park, Keaukaha, South Hilo, Hawaii, TMK: 2-1-14:13.

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 Chief Engineer, DPW

for Planning Director

Val = 5,000
PT = 6 day

Attachment

SMA Minor No. 88-3

COUNTY OF HAWAII DEPARTMENT OF PARKS AND RECREATION
Conditions

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Secure Final Plan Approval.
3. Comply with all other applicable rules, regulations, and requirements.
4. 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.

88-3

BACKGROUND

2147Q 1/26/88

The County of Hawaii Department of Parks and Recreation is requesting a Special Management Area (SMA) Use Permit to remove a portion of an existing rockwall and construct a pedestrian stairway from the parking area to the picnicking and shoreline areas at Onekahakaha Beach Park, Keaukaha, South Hilo, Hawaii, Tax Map Key 2-1-14:13.

More specifically, the applicant proposes to remove a portion of an existing rockwall and construct an 8-foot wide by 24-foot long stairway from the public parking area to the existing picnicking and shoreline areas. All the proposed improvements will occur more than 65 feet from the shoreline.

The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the area Open. The State Land Use District classification is Urban and the County zoning is Open.

Surrounding land uses include typical beach park facilities, such as picnic pavilions, restrooms, and open picnicking areas.

Immediately adjacent properties are vacant or contain single family dwellings.

According to the Flood Insurance Rate Map (FIRM), prepared by the U.S. Army Corps of Engineers, the area is situated within the coastal high hazard area.

Since the project site has been extensively improved as part of the Onekahakaha Beach Park, there are no rare or endangered plant or animal species present on the subject property. Also, no historic or archaeological sites have been identified in the vicinity.

According to the Department of Parks and Recreation, the proposed improvements are an "exempt class of action" pursuant to EIS Regulations, Section 1:33(a)(7), Chapter 343, HRS.

The total valuation of the proposed improvements will be approximately \$5,000.

RECOMMENDATION

An SMA Minor Use Permit is issued based on the following findings:

1. The total valuation of the proposal will not exceed \$65,000; and
2. The proposal will not result in a significant adverse effect on the Special Management Area since it is for existing facilities in the extensively improved Onekahakaha Beach Park. Furthermore, the construction will allow greater use of the park by making facilities more accessible.

It is determined that the granting of the request will not create a significant adverse effect on the environment and, therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of the Planning Commission relating to the Special Management Area; the Hawaii County Zoning Code; or the General Plan.

A Special Management Area Minor Use Permit is approved subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Secure Final Plan Approval.

3. Comply with all other applicable rules, regulations, and requirements.
4. 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.