

Planning Department

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

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Deputy Director

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PARKS & RECREATION
COUNTY OF HAWAII

August 2, 1990

George Yoshida, Director
County of Hawaii
Department of Parks and Recreation
25 Aupuni Street
Hilo, HI 96720

Dear Mr. Yoshida:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 90-16
Applicant: County of Hawaii, Department of Parks and Recreation
Tax Map Key: 2-1-03:23

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. 90-16 to allow the construction of a display structure for Okinawan hari boats within a portion of the Liliuokalani Gardens Park. The .706-acre parcel of land is located between Banyan Drive and the Hawaii Ice and Cold Storage facility, Waiakea, South Hilo, Hawaii, TMK: 2-1-03:23.

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. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.

George Yoshida, Director
August 2, 1990
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3. Construction of the boat shelter and related improvements shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within one year thereafter.
4. Comply with all other laws, rules, regulations and requirements of State and County agencies.
5. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) 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; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) 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).

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

Sincerely,



DUANE KANUHA
Planning Director

AJS:syw

Enclosures

cc: Chief Engineer

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 90-16

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

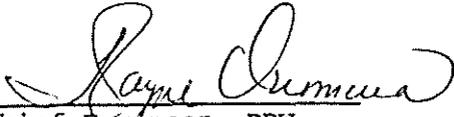
The Planning Director completed on August 2, 1990, an assessment on the application of COUNTY OF HAWAII, DEPARTMENT OF PARKS AND RECREATION for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: to allow the construction of a display structure for Okinawan hari boats within a portion of the Liliuokalani Gardens Park. The .706-acre parcel of land is located between Banyan Drive and the Hawaii Ice and Cold Storage facility, Waiakea, South Hilo, Hawaii, TIK: 2-1-03:23.

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:

PLEASE SEE ATTACHED CONDITIONS.


Chief Engineer, DPW


Planning Director

Attachment

SMA MINOR USE PERMIT 90-16 CONDITIONS

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.
3. Construction of the boat shelter and related improvements shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within one year thereafter.
4. Comply with all other laws, rules, regulations and requirements of State and County agencies.
5. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) 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; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) 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).