

## Planning Department

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

Larry S. Iwata

Mayor

Duane Kanuha

Director

William L. Moore

Deputy Director

CERTIFIED MAIL

October 31, 1990

James K. Tsugawa, AIA & Associates  
P.O. Box 924  
Hilo, HI 96720

Dear Mr. Tsugawa:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 90-19  
Applicant: James K. Tsugawa on behalf of the Hilo Yacht Club  
Tax Map Key: 2-1-15:31

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. 90-19 to allow the construction of a porte cochere at the entrance to the existing Hilo Yacht Club facility in Keaukaha off Laehala Street, South Hilo, TMK 2-1-15:31.

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

1. The applicants, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicants shall comply with all other applicable laws, rules, regulations, and requirements.
3. 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. Plans shall identify structures, landscaping, parking, and driveway circulation. Plans shall indicate in detail the structural attachment of the porte cochere to the existing club house-restaurant facility.

4. Construction of the proposed improvements shall commence within one year from the date of securing Final Plan Approval and shall be completed within one year thereafter.
5. Should any unidentified sites or remains, such as artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, paving or walls be encountered, work in the area shall cease and the Planning Department immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Department when it finds that sufficient mitigating measures have been taken.
6. Should the applicant desire to add any use or construction not covered in this permit, he is required to submit an additional Special Management Area Use Permit Assessment Application for prior review and permission.
7. 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).

James K. Tsugawa, AIA & Associates  
October 31, 1990  
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Should you have any questions regarding the above, please do not hesitate to contact this department at 961-8288.

Sincerely,



DUANE KANUHA  
Planning Director

DSA:syw

Enclosures

cc/enc: Chief Engineer  
Kona Planning Office  
SMA Section ✓

PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 90-19

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

The Planning Director completed on October 30, 1990, an assessment on the application of JAMES K. TSUGAWA, on behalf of the HILO YACHT CLUB 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 porte cochere at the entrance to the existing Hilo Yacht Club facility in Keaukaha off Laehala Street, South Hilo,  
TMK: 2-1-15:31.

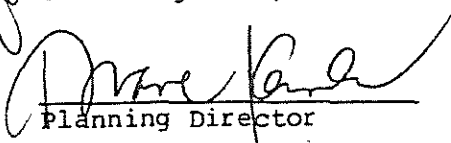
As indicated on the attached report, the Director finds that the proposed development is:

- 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.

  
for Chief Engineer, DPW

  
Planning Director

Attachment

SPECIAL MANAGEMENT AREA MINOR USE PERMIT NO. 90-19  
JAMES K. TSUGAWA on behalf of the HILO YACHT CLUB  
CONDITIONS

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1. The applicants, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicants shall comply with all other applicable laws, rules, regulations, and requirements.
3. 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. Plans shall identify structures, landscaping, parking, and driveway circulation. Plans shall indicate in detail the structural attachment of the porte cochere to the existing club house-restaurant facility.
4. Construction of the proposed improvements shall commence within one year from the date of securing Final Plan Approval and shall be completed within one year thereafter.
5. Should any unidentified sites or remains, such as artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, paving or walls be encountered, work in the area shall cease and the Planning Department immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Department when it finds that sufficient mitigating measures have been taken.
6. Should the applicant desire to add any use or construction not covered in this permit, he is required to submit an additional Special Management Area Use Permit Assessment. Application for prior review and permission.
7. 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).