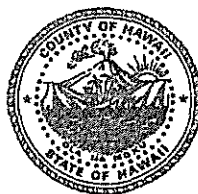


Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

December 10, 2003

Mr. Carlos A. Parisi
P. O. Box 404
Honolulu, HI 96728-0404

Dear Mr. Parisi:

Special Management Area Use Permit Assessment Application (SMAA 03-61)
Special Management Area Minor Permit No. 147

Applicant: Carlos A. Parisi

Request: Construction of a second farm dwelling

Tax Map Key: 2-8-13:10, Honouliuli, South Hilo, Hawaii

This is to follow up on our October 24, 2003 letter relating to the above-referenced Special Management Area Assessment for the construction of a second farm dwelling on the subject parcel.

The subject property is zoned Agricultural (A-20a). It is designated Agricultural and Conservation by the State Land Use Commission, with the project site in the Agricultural area. The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the parcel for Intensive Agriculture/Open uses, with the project site in the Intensive Agriculture area.

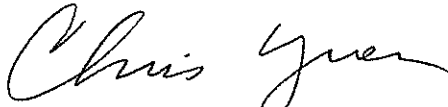
According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(10)(A)(v) relating to Special Management Area, a second farm dwelling is considered "Construction, reconstruction, or alteration of the size of any structure" and defined as "development". Therefore, a Special Management Area Minor Permit is required. For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No. 147 is hereby issued to allow for the construction of a second farm family dwelling, subject to the applicant's compliance with the conditions of approval as specified in the permit.

Mr. Carlos A. Parisi
Page 2
December 10, 2003

Finally, all other applicable Zoning and Building Code requirements must also be satisfied.

Should you have questions, please feel free to contact Esther Imamura or Larry Brown of this department at 961-8288.

Sincerely,



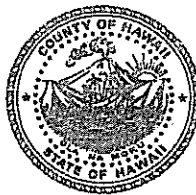
CHRISTOPHER J. YUEN
Planning Director

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Enclosures - SMM No. 147
Department of Public Works October 28, 2003 Memo

xc w/encls: Long Range Planning - Susan Gagorik
Planning - Norman Hayashi

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii
PLANNING DEPARTMENT
101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

Special Management Area Minor Permit No. 147

Project: Construction of a Second Farm Dwelling
Applicant: Carlos A. Parisi
Location: Honomu, South Hilo, Hawaii
TMK: (3) 2-8-013:010 **Land Area:** 3.725 acres

Applicant's Request

1. Project Description:

The applicant proposes to construct a second farm dwelling.

2. Purpose of Project:

The applicant will be raising exotic birds, orchids and anthuriums. The accessory agricultural building containing the aviary/greenhouse/shade house was deemed exempt from the SMA definition of development. Also, previously, SMM No. 142 was issued to legitimize the construction of an approximately 2-foot high, 16-inches wide and 657-feet long rock wall along the cliff of the subject parcel.

3. Project Valuation: \$120,000.00

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)(A)(v) relating to the Special Management Area, the construction, reconstruction, or alteration of the size of any structure is defined as "development." Therefore, the proposed construction of a second farm dwelling requires a SMA Minor Permit.

State and County Plans

1. **State Land Use District:** The subject property is designated Agricultural and Conservation by the State Land Use Commission, with the project site in the Agricultural area.
2. **General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the parcel for Intensive Agriculture/Open uses, with the project site in the Intensive Agriculture area.
3. **County Zoning:** The subject property is zoned Agricultural (A-20a). Pursuant to §25-5-72(a)(10) of the Zoning Code, farm dwellings are a permitted use provided that an Additional Farm Dwelling Agreement is approved by the Planning Department.
4. **Special Management Area:** The subject property is located in the SMA.

Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area

The project site is a shoreline property. However, the eastern boundary consists of a cliff which drops 150' – 200' down to the rocky oceanfront. Therefore, the proposed improvements will not affect the recreational resources available to the public.

Check all objectives and policies found to be consistent with proposed development. Issuance of SMA Minor Permit requires that activity be consistent with all objectives & policies.

The proposed development is consistent with the following objectives and policies:

- ☒ Development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options.
- ☒ The proposed development is consistent with the Hawaii County General Plan and the Zoning Code.
- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, HRS, to:
 - ☒ Provide coastal recreational opportunities accessible to the public.
 - ☒ Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
 - ☒ Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
 - ☒ Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.

- ☒ Provide public or private facilities and improvements important to the State's economy in suitable locations.
- ☒ Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence and pollution.
- ☒ Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- ☒ Stimulate public awareness, education, and participation in coastal management.
- ☒ Protect beaches for public use and recreation.
- ☒ Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
 - ☒ Recreational Resources
 - ☒ Historic Resources
 - ☒ Scenic and Open Space Resources
 - ☒ Coastal Ecosystems
 - ☒ Economic Uses
 - ☒ Coastal Hazards
 - ☒ Managing Development
 - ☒ Public Participation
 - ☒ Beach Protection
 - ☒ Marine Resources
- ☒ The proposed development conforms to the requirements of Chapter 343, HRS, regarding Environmental Impact Statements.

Findings

As discussed above, the proposed development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest.

The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.

The estimated project cost of approximately \$120,000 is not in excess of \$125,000.

Upon review of the subject application by the Department of Public Works – Engineering Division, the project is in compliance with Chapter 27, Flood Control, of the Hawaii County Code.

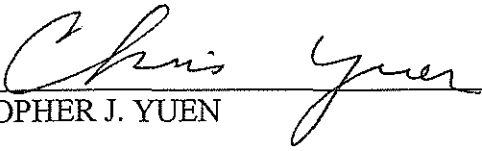
Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 147** is hereby approved to allow the construction of a second farm dwelling, subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

The Planning Director has approved **SMA Minor Permit No. 147** subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The Additional Farm Dwelling Agreement shall be secured prior to obtaining a building permit.
3. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or wall be encountered, work in the immediate area shall cease and the Planning Director shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Director when he finds that sufficient mitigative measures have been taken.
4. The applicant shall comply with all applicable requirements of the Department of Health, the Department of Public Works and other affected agencies.
5. An extension of time for the performance of the conditions contained herein 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 original reasons for the granting of the permit; and
 - c) The time extension granted shall be for a period of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).
6. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

APPROVED:


CHRISTOPHER J. YUEN

DEC 10 2000
Date

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII


2003 OCT 28 AM 11 18

DATE: October 28, 2003

Memorandum

PLANNING DEPARTMENT
COUNTY OF HAWAII

TO: Christopher J. Yuen, Planning Director

FROM: *for*  Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SMAA 03-61)

Applicant: Carlos A. Parisi

Request: Construction of a Second Farm Dwelling

Location: Honomu, South Hilo, Hawaii

TMK: 2-8-13: 010

We have reviewed the subject application for compliance with Chapter 27, Flood Control, forwarded by your memo dated October 24, 2003 and have no objections to the request.

The subject parcel is in an area that is not mapped by the Federal Emergency Management Agency (FEMA) and is designated as "minimal tsunami inundation."

KG

10-28-03