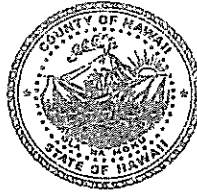


Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

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

April 28, 2004

Mr. Peter G. Mott
Ms. Pamela Frierson
P. O. Box 375
Pepeekeo, HI 96783

Dear Mr. Mott and Ms. Frierson:

Subject: Special Management Area Use Permit Assessment Application (SMAA 04-22)
Special Management Area Minor Permit No. 154
Applicants: Peter G. Mott and Pamela Frierson
Request: Construction of a one-story Storage/Warehouse Structure
Tax Map Key: 3-2-3:17, North Hilo, Hawaii

This is to follow up on our April 13, 2004 letter relating to the above-referenced Special Management Area assessment for the construction of a one-story storage/warehouse structure for the storage of a small tractor, landscaping and gardening equipment, and general tools on the subject parcel.

The subject property is zoned Agricultural (A-20a) by the County. 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 as Extensive Agricultural and Open, with the project site located in the Extensive Agricultural 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, the construction of a one-story storage/warehouse structure is considered "Construction, reconstruction, or alteration of the size of any structure" and defined as "development".

Hawai'i County is an equal opportunity provider and employer.

Mr. Peter G. Mott
Ms. Pamela Frierson
Page 2
April 28, 2004

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.154 is hereby issued to allow for the construction of a one-story storage/warehouse structure subject to the applicant's compliance with the conditions of approval as specified in the permit.

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

ETI:pak
P:\WPWIN60\CZM\SMM\2004\SMM154L MottFrierson.doc

Enclosures - SMM No. 154
Department of Public Works April 20, 2004 Memo

xc w/encls: ✓ Long Range Planning – Ms. Susan Gagorik
Planning Commission

Special Management Area Minor Permit No. 154

Project: Construction of a One-Story Storage/Warehouse Structure
Land Owners: Peter G. Mott and Pamela Frierson
Location: North Hilo, Hawaii
TMK: (3) 3-2-3:17 **Land Area:** 3.355 acres

Applicant's Request

1. Project Description:

The landowners propose to construct a one-story storage/warehouse structure for the storage of a small tractor, landscaping and gardening equipment, and general tools.

2. Purpose of Project:

The parcel is almost entirely former cane land now covered with grass. The storage facility will contain equipment and tools required for the maintenance of the grounds.

3. Project Valuation: \$18,000.00

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 one-story storage/warehouse structure requires a SMA Minor Permit.

State and County Plans

- 1. State Land Use District:** Although the subject property is designated Agricultural and Conservation by the State Land Use Commission, the project site is located in the Agricultural area.
- 2. General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the property for Extensive Agricultural and Open, with the project area located in the Extensive Agricultural area.

3. **County Zoning:** The subject property is zoned Agricultural (A-20a) by the County.
4. **Special Management Area:** The subject property is located in the SMA.
5. **Flood Zone:** According to the current Flood Insurance Rate Map (FIRM), the subject property is in an area that is not mapped by the Federal Emergency Management Agency (FEMA) and is designated as "minimal tsunami inundation". However, according to the Department of Public Works memorandum dated April 20, 2004, the proposed structure is to be located at an elevation of more than 250 feet above mean sea level.

<p style="text-align: center;">Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area</p>

Although the parcel is a shoreline property, the project site located approximately 450 feet from the coastline. 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 tsunامي, 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, 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 \$18,000 is not in excess of \$125,000.

Upon review of the subject application, the Department of Public Works, Engineering Division has no objections to the request.

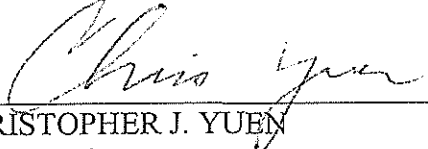
Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 154** is hereby approved to allow the construction of a one-story storage/warehouse structure, subject to the applicants compliance with the conditions of approval as specified below.

Conditions of Approval

The Planning Director has approved **SMA Minor Permit No. 154** 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 applicant shall comply with all applicable requirements of the State Department of Health, the Department of Public Works and all applicable requirements of other affected agencies.
3. 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
Planning Director

4/29/04

Date

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: April 20, 2004

Memorandum

TO: Christopher J. Yuen, Planning Director

FROM: *for*  Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SMAA 04-22)

Applicants: Peter G. Mott and Pamela Frierson

Request: Construction of a One-Story Storage/Warehouse Structure

TMK: 3-2-03: 017

We have reviewed the subject application for compliance with Chapter 27, Flood Control, forwarded by your memo dated April 13, 2004 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." The