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County of Hawai'i
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Zendo Kern
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June 14, 2023

Ms. Kelly Hudik
The Ironman Group
73-4080 Hulikoa Drive 101-2
Kailua-Kona, HI 96740
VIA EMAIL

Dear Ms. Hudik:

SUBJECT: Amendment to Special Management Area Minor Permit No. 19-000422, (SMM 19-000422, Amended) (PL-INT-2023-004438)
Applicant: Kelly Hudik, Assistant Race Director
Land Owner: Various Landowners
Request: Ironman World Championship Installation of the Temporary Booths/Event Spaces with Tents from September 30, 2023 to October 17, 2023.
Land Area: Approximately 14.33 acres
TMKs: (3) 7-5-006:013; 017, 020, 021; 022; 024; 030; 032; 039; 7-5-008:010, and 011

This is sent in response to your email and cover letter dated February 7, 2023, requesting for an amendment to the Special Management Area Minor Permit No. 19-000422, as amended, for the Ironman World Championship Installation of Temporary Booths and Event Spaces.

The date for this year's 2023 Ironman Race will be held on October 14, 2023, in Kailua-Kona, Hawai'i. The installation of the temporary booths/event spaces with tents over an eighteen-day period valid during the Ironman World Championship Event will occur yearly. Further, No. 4 of Special Management Area Minor Permit No. 19-000422, has been amended to be continuous and will therefore no longer require that the applicant submit a yearly SMA request. Based on the preceding, Condition No. 4 has been amended to state that the "*Hours of operation shall be limited to a period of eighteen days for the Ironman World Championship Event from 6:00 am to 8:00 pm daily and until 2:00 am, on the last day of the Ironman race event.*"

Ms. Kelly Hudik
The Ironman Group
June 14, 2023
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After review of the applicable files, Special Management Area Minor Permit No. 19-000422, as amended, and additional information including , the Planning Director has determined that the request is consistent with the Special Management Area Minor Permit No. 19-000422, as amended, for the Ironman World Championship that was approved on October 1, 2019, and subsequently amended on June 28, 2021, October 1, 2021, and February 2, 2022. Special Management Area Minor Permit No. 19-000422, as amended, is hereby amended and the original and amended permit is enclosed. It is the applicant's responsibility to read and comply with the conditions listed in the enclosed permit.

While further review of the Ironman event against the Special Management Area rules and regulations will not be required, the applicant is still responsible to secure all necessary approvals and permits from other affected Federal, State and County agencies as necessary to comply with all applicable laws and regulations.

If you have questions regarding this document, please contact Tracie-Lee Camero of this office at (808) 961-8166 or via email at Tracie-Lee.Camero@hawaiicounty.gov.

Sincerely,

Zendo Kern
Zendo Kern (Jun 14, 2023 10:42 HST)

ZENDO KERN
Planning Director

TC:mads
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Enclosure: SMM 19-000422, amended

cc via email: GIS Section

Harry Kim
Mayor



Michael Yee
Director

Daryn Arai
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Special Management Area Minor Permit No. 19-000422 (Amended)

Project: Temporary Booths/Event Spaces With Tents For A Two-Week Period
During the Ironman World Championship Event
Applicant: Kelly Hudik
Landowner: Various Landowners
Location: Various Locations – Kailua Village, North Kona, Hawai'i
TMK: 7-5-006:013; 020;021; 022; 024; 030; 032; 039; 7-5-008:010, and 011
Land Area: Approximately 13.56 acres

Applicant's Request

- 1. Project Description:** Proposed are temporary booths/event spaces for the Ironman World Championship held annually in Kailua-Lona, Hawai'i, every October for approximately a two week period, leading up to the race event, with tents ranging in size from 10' x 30', 10' x 40', 20' x 40' and 40' x 60' for the vendors and exhibitors. The accessory event uses include; pop-up retail; bag check; volunteer aid station; finish line access point, finish line volunteer tent; finish line timing tent; Ironman Production tent; banquets; body marking; athlete recovery area and post-race press area; post-race medals and T's; athlete aid station; pre-swim aid station and race aid station; Ho'ala training swim station; VIP tent; Nurse triage; (7) medical tents; changing tents, volunteer shade tents; timing tents; registration and check-in; for approximately a two-week period for the annual Ironman World Championship event every October. The annual event consists of over twenty events leading up to the Ironman race itself, in which booths and pop-up tents are erected at various locations in Kailua Village over a two-week period, at locations from King Kamehameha Kona Beach Hotel to Hale Halawai Community Center. Hours of operation will be from 6:00 am to 8:00 pm and until 2am, on the last day of the Ironman race event.
- 2. Purpose of Project:** This temporary vendor booth/exhibits venue will provide the Ironman production office to manage the annual Ironman World Championship event held in Kailua Kona and providing over twenty events leading up to the race day event, with vendor booths, exhibits, registration and check-in tents, medical and nurse tents, for the athletes, and merchandise, athletic gear, and exhibits for the athletes and spectators. The Ironman World Championship now consists of approximately a two-week period of twenty plus events leading up to the race event itself, to compete the ultimate challenge of a 2.4-mile swim, 112-mile bike, and 26.2-mile run.

3. **Project Valuation:** \$42,000 for the set up and take down of tents.
4. **Determination:** According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission (PC) Rule No. 9-4(e)(1)(E) and relating to Special Management Area (SMA), "*Construction, reconstruction, demolition or alteration of the size of any structure*" is defined as "development." Therefore, this proposed temporary booths/events spaces with tents for over a two-week period valid annually during the Ironman World Championship Event is considered "development" and require a review against the Special Management Area rules and regulations and requires an SMA Minor Permit.

State and County Plans

1. **State Land Use District:** The various parcels are designated Urban by the State Land Use Commission.
2. **General Plan:** The various parcels are designated Resort Node and Open by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map.
3. **Hawai'i County Code and Ordinance:**
 - a. The parcels zoned Resort-Hotel (V-1.25). According to Hawai'i County Code Section 25-5-92(a)(24), permitted uses includes "*Major outdoor amusement and recreation facilities*" and Section 25-5-92(a)(37), "*Visitor information centers*". Section 25-5-(c) further states that "*Buildings and Uses considered directly accessory to the uses permitted in this section shall also be permitted in the V district*".
 - b. The parcels zoned Open (O). According to Hawai'i County Code Section 25-5-162(a)(10), permitted uses includes "*Private recreational uses involving no aboveground structure except dressing rooms and comfort stations*". Section 25-5-162(c) further states that "*Uses considered directly accessory to the uses permitted in this section shall also be permitted in the O district*".
4. **Special Management Area:** The subject parcel is located entirely within the Special Management Area (SMA). However, they are not located in a "shoreline area" as defined by Hawai'i Revised Statutes (HRS) Chapter 205A-41.
5. **Flood Zone:** VE, X and AE.

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

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 Hawai‘i 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

1. 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.
2. The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.
3. The estimated project cost for the set up and take down of the temporary tent structures is \$42,000.

Pursuant to Planning Commission Rule 9-10(e), the Planning Director hereby approves the temporary farmers' market with pop up tents twice a week, subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

This SMA Minor Permit is 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 secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
3. All construction shall comply with Chapter 27, Floodplain Management, of the Hawai'i County Code.
4. Hours of operation shall be limited to a period of eighteen days for the Ironman World Championship Event from 6:00 am to 8:00 pm daily and until 2:00 am, on the last day of the Ironman race event.
5. The disposal of waste material is subject to the requirements of Chapter 20 - Refuse, of the Hawai'i County Code and may require a Landfill Disposal Permit from the Department of Environmental Management, Solid Waste Division.
6. Best Management Practices must be followed to ensure the grounds surrounding the project area is kept clear of any rubbish or debris.
7. Any further uses, activities or operations proposed for the subject property shall require further review and approval as provided under Chapter 205A of the Hawai'i Revised Statutes, and Rule 9 of Planning Commission Rules of Practice and Procedure. Should the cost of any new activities or operations not included in the subject proposal but related to the subject undertaking move the total valuation of the project over \$500,000, this permit will be deemed void and a Special Management Area "Major" Use Permit will be required for the project.
8. In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division (DLNR-SHPD) at (808) 933-7651. The applicant shall also notify the Planning Department immediately after contacting the DLNR-SHPD.
9. 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.

Kelly Hudik
c/o Ironman World Championship
June 14, 2023
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APPROVED:

Zendo Kern
Zendo Kern (Jun 14, 2023 10:42 HST)

ZENDO KERN
Planning Director

June 14, 2023

Date