



DEPARTMENT OF PLANNING  
AND ECONOMIC DEVELOPMENT



## LAND USE COMMISSION

250 South King St. / Honolulu, Hawaii 96813 / P. O. Box 2359 / Honolulu, Hawaii 96804

December 9, 1975

# 334

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Hawaii Planning Commission  
25 Aupuni Street  
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji  
Planning Director

Gentlemen:

At its meeting on December 5, 1975, the Land Use Commission voted to approve a Special Permit to the Spiritual Assembly of the Baha'is of Puna, Inc. (SP75-229) to allow the establishment of a Community Center within the State Land Use Agricultural District, located in the Orchid Land Estates Subdivision, Keaau, Puna, Hawaii, identified as Tax Map Key 1-6-09: 347; subject to the conditions imposed by the Hawaii County Planning Commission.

A copy of the staff memorandum is enclosed for your information.

Very truly yours,

AH SUNG LEONG  
Acting Executive Officer

Encls.

cc: Spiritual Assembly of  
the Baha'is of Puna  
Dept. of Taxation, Hawaii  
Tax Maps Recorder, Dept. of Tax.  
Property Technical Office, Dept. of Tax.  
Real Property Tax Assessor, Dept. of Tax.

STATE OF HAWAII  
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission

December 5, 1975

1:30 p.m.

FROM: Staff

SUBJECT: SP75-229 - The Local Spiritual Assembly of the Baha'is  
of Puna, Inc.

A Special Permit to allow the establishment of a Community Center on a one-acre parcel of land within the State Land Use Agricultural District at Keaau, Puna, Hawaii has been requested by the Local Spiritual Assembly of the Baha'is of Puna, Inc. The subject property is situated within the Orchid Land Estates Subdivision and is identified as Tax Map Key 1-6-09:347.

The applicant proposes to construct a 1,050 sq. ft., one-story, multi-purpose building that will include meeting rooms, a kitchen and restrooms.

In support of the request, the applicant states that:

"The Baha'is of Puna have no meeting place and wish to build a one-story simple structure of one large meeting room, one small meeting room, kitchen, and two restrooms. Owners will provide own utilities of catchment water and cesspool."

"The Local Spiritual Assembly of Puna humbly requests the Commission to grant a Special Permit to construct a Bahai Center on our property in Orchid Land, District of Puna. In accordance with the guidelines:

- a) Use of the land shall not be contrary to the objectives sought by the Land Use Law and Regulations
- b) Intended use of the building and property will complement the surrounding neighborhood
- c) The Bahai faith stresses cooperation with all units of government and will not burden them unnecessarily
- d) No unusual condition

- e) We feel that the Center will blend in with the surrounding residential uses
- f) Building, play area and parking lot will not alter or change the essential character of the land and its present use
- g) The Bahai principles of good citizenship, equality of all men, high moral teachings and concern for our fellow men will tend to enhance the use of the land for the highest public good."

The subject property is vacant and the surrounding land uses include scattered single-family dwelling and vacant lands. The Soil Conservation Service rates the land capability unit for the subject property as subclass VIII. This class of soil has severe limitations that preclude its use for agricultural purposes. The dominant soil type is Pahoehoe lava. The slope of the land is relatively level and the annual rainfall ranges from 90 to over 140 inches per year.

Access to the subject parcel is through the Orchid Land Estates Subdivision roads which are privately owned. The property fronts 34th Avenue which has a forty feet right-of-way. The improved portion of this road is eight feet of packed cinder. Aulii Drive which provides access from Pahoa Road has 10 feet of improved roadway and a 50 feet right-of-way. Presently, there are no utilities available to the subject property.

The following comments regarding this Special Permit request were received by the Planning Commission staff:

1. State Department of Transportation:

"We have no objections on the proposed action but have the following comments: 1. Landscaping should be provided for noise abatement; 2. Water should be evaluated."

2. Department of Water Supply:

"...there is no public water system near the applicant parcel."

3. Hilo Police Department:

"The only problem I can foresee would be parking. At the present time there is hardly any traffic but when more people build and move into the area, we will have

a traffic problem. The roadway at the present time is narrow and not paved. If the people put in ample parking area in their property, this will help. The only problem I can foresee in the distant future is parking. Other than parking, I see no problem if the people comply with the Land Use Laws and Regulation."

4. Department of Agriculture:

"There is no apparent agriculture impact."

5. County Fire Department:

"No fire protection and no water available other than tanks. Nearest fire station located at Pahoa. This station is in service only during the day."

Other cooperating agencies had no comments or objections. In addition to agency comments, the Planning Commission staff received a letter from Mrs. M. Bailey Jacobs dated October 9, 1975, which states that: "Because I feel the Spiritual Assembly Center plan is probably in the nature of a church, on which no property taxes will be assessed (which I believe is the case in Hawaii), this could mean higher taxes for the other land holders in Orchid Land Estates. Therefore I am not in favor of this request to construct such a center." Mrs. Jacobs is a landowner in the Orchid Land Estates Subdivision but does not reside there.

The Hawaii Planning Commission held a duly advertised public hearing on the subject request on October 16, 1975. On November 6, 1975, the Planning Commission voted to recommend approval of the Special Permit to the Land Use Commission as it was found:

- "1. That the proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands but which are not suited to agricultural and ancillary uses by reason of topography, soils, and other related characteristics. The subject property's dominant soil type is pahoehoe lava, which is in the Soil Conservation Service's Capability Class VIII.

Class VIII soils have severe limitations that preclude their use for commercial plants. This class is the lowest in the Soil Conservation Service's ranking system for agricultural productivity. Although it is possible that some agricultural activities can be conducted on the subject property, it is determined that approval of the subject request would not be contrary to the objectives of the Land Use Law and Regulations, given the capability class rating of the subject property for agricultural productivity and the above-cited criterion for determining the Agricultural District.

Further, the use of the subject property for nonagricultural purposes is not expected to have any adverse effect on the overall agricultural potential of the region or of the island. In addition, institutions of a religious nature are allowed as "conditionally permitted uses" within the agricultural zone under the County Zoning Code.

- "2. That although the proposed use will alter the essential character of the land, such change will make the highest and best use of the land involved for the public welfare. At the present time, the subject property is vacant and is not used for agriculture. The proposed use will undeniably alter the existing character of the property; however, it is determined that the provision of a meeting hall/community center on the subject land would be beneficial and well-suited to accommodate the welfare of the public; in this particular case, the members of this faith. There exists no facility serving this faith available to the residents of the Puna District. Therefore, the establishment of the proposed use would meet the needs of the residents of the area.
- "3. That the proposed use will not adversely affect surrounding property. Surrounding land uses include scattered single-family residential and vacant lands. The area is rural-residential in character. County zoning of the area is Agricultural 3-acre (A-3a). Lots in the subdivision range in area from one to three acres, with the smaller lots being closer to the Keaau-Pahoa Highway. Due to the overall character of the area and the physical attributes of land, it is acknowledged that the smaller lots are and will be basically used as houselots. The establishment of the proposed use is determined to be compatible with the area and not in conflict with the surrounding uses.

The favorable recommendation was subject to the following conditions:

- "1. That the applicant, The Local Spiritual Assembly of the Baha'is of Puna, Inc., commence construction of the community center within one (1) year from the date of approval of the Special Permit and that the structure be completed within two (2) years thereafter;
- "2. That the applicant improve 34th Avenue from Aulii Drive to the northwest boundary line of the subject property, a distance of approximately 600 feet, with a minimum 16-foot wide oil-treated surface, subject to the approval of the Planning Director and of the Chief Engineer, Department of Public Works;
- "3. That a landscape buffer be established along the side and rear property lines for the purpose of screening the proposed use from surrounding properties. This buffer shall be incorporated into plans submitted for Plan Approval and shall be approved by the Planning Director;
- "4. That all other applicable rules and regulations be complied with, including the Plan Approval process."