



DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

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LAND USE COMMISSION

Suite 1795, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

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August 1, 1977

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GORDAN FURUTANI
Executive Officer

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke

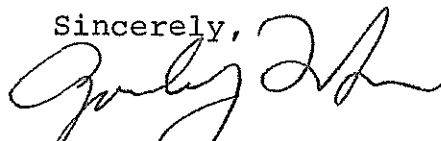
Gentlemen:

At its meeting on July 27, 1977, the Land Use Commission voted to approve a Special Permit request by Iglesia Ni Cristo (Church of Christ), Hawaii (SP77-268) to allow the establishment of a church and allied uses on 1.3 acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii, Tax Map Key 1-6-64: 251.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission.

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

Sincerely,



GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

cc: Iglesia Ni Cristo
Department of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Dept. of Planning & Economic Development
Office of Environmental Quality Control
Division of Land Management, DLNR

STATE OF HAWAII
LAND USE COMMISSION

Approved
7/27/77

MEMORANDUM

TO: Land Use Commission July 27, 1977
9:30 a.m.

FROM: Staff

SUBJECT: SP77-268 - Iglesia Ni Cristo (Church of Christ)

The petitioner, Iglesia Ni Cristo, is requesting a Special Permit to allow the establishment of a church and allied uses on 1.3 acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii, Tax Map Key 1-6-64: 251. The subject property is located along the southwest or mauka side of the Pahoa-Keaau Road (Highway 13), approximately 3.5 miles southeast of Keaau Town. The subject site is located within the Hawaiian Paradise Park Subdivision.

The petitioner intends to utilize an existing dwelling for a minister's residence and to expand and enclose an existing garage for church services and meetings. The proposed garage would be expanded from an area of 456 square feet (24'x19') to 1,080 (24'x45') and would include men's and women's restrooms.

In support of the permit request, the petitioner has in part stated the following:

"To serve the spiritual needs and demands of the Puna Community, the local members of Iglesia Ni Cristo (Church of Christ) humbly request that the Planning Commission grant a special permit to use the ... (subject) property as a place of worship, meeting hall, and minister's residence.

"Since the original establishment of Iglesia Ni Cristo back in 1968, our congregation has grown to approximately 900 members statewide. The Puna Community alone has grown to approximately 30 active and devoted members. Our church services are presently held and conducted at the Hilo Korean Church. I feel that it is in the best interest of our church and also in line with our long range goals that we now attempt to purchase a property for our congregation to worship in. Services will be conducted weekly on Thursday, between the hours of 6:00 p.m. and 9:00 p.m. and on Sunday between the hours of 12:00 noon and 3 p.m., and on other religious holidays.

"The site is fronting the Pahoa Government Road (State Highway) permitting easy ingress and egress and thus not unreasonably burdening any public agencies to provide roads and streets, sewers, water, drainage, and police and fire protection.

"The property contains approximately 1.33 acres, ample space to conduct our services without substantially altering or changing the essential character of the property or adversely affecting the surrounding properties.

"The present improvements thereon consist of three bedrooms, 2 full baths, a large living room and open patio, and a 2 car garage ... We ... have plans to upgrade the landscaping and provide a play area for the younger members of our church as well as ample onsite parking for our members... .

"It is the belief of our organization that by granting us a Special Use Permit to use the property as a place of worship, we will not be ... contrary to the objectives sought to be accomplished by the Land Use Laws and Regulations of the County of Hawaii. We feel that the church will blend in with the surrounding residential use.

"The Iglesia Ni Cristo principles of good citizenship, equality of all men and women, high moral teachings and concern for our fellow men will tend to enhance the use of the land for the highest public good."

The General Plan Land Use Pattern Allocation Guide Map designates the subject property as Orchard. This designation refers to those agricultural lands which though rocky in character and content, can support productive macadamia nuts, papaya, citrus and other similar crops.

The County zoning designation is Agriculture with a 3-acre minimum lot size (A-3a). Under the County's Zoning Code, churches and other institutions of a religious nature are conditionally permitted uses within the Agriculture zoned district.

Surrounding land uses include scattered single-family dwellings of a rural-residential nature and vacant lands.

The subject property is basically pahoehoe lava with shallow pockets of soil. Vegetation is sparse, consisting primarily of 'ohi'a trees and ferns. The Soil Conservation Service capability class for pahoehoe lava flow is VIII and the Land Study Bureau rating of these lands for overall agricultural productivity is "E", or very poor.

Rainfall in the area averages about 150 inches a year.

Pertinent comments from governmental agencies:

1. State Department of Health

The Department of Health had the following comments:

"The primary environmental health concerns are:

1. Minimum sanitary requirements for churches in our Public Health Regulations, Chapter 1, Sanitation, Section 79.
2. Crowding factor within a dwelling structure.

Please identify the maximum total membership projected to use the proposed church building. The number of water closets, urinals and hand washing facilities shall depend on the projected membership. Ventilation concerns are also projected."

2. Department of Water Supply

The Department of Water Supply noted that they have no water system in the subject area.

3. State Department of Transportation

The State Highways Division had the following comments:

- "1. Should the application be approved, the access shall be widened to minimum 20 feet width to provide two way accessibility.
- "2. Plan submittal will be required for approval."

4. Department of Public Works

The Department of Public Works noted the following:

- "1. A 1-hour occupancy separation required between dwelling and church or assembly area.
- "2. Provisions for the handicapped required (grab bars, ramp, etc.) per Sec. 1711 U.B.C."

5. Fire Department

The Fire Department had the following comments:

"Technically, this building does not fall within our jurisdiction being a dwelling. Our code deals with public buildings with over 100 people. Having over 30 people in this dwelling would be uncomfortable."

All other cooperating agencies, including the Hawaii Electric Light Company, Hawaii County Police Department and State Department of Agriculture had no comments on or objections to the subject request.

At the public hearing held by the Hawaii County Planning Commission on May 12, 1977, two (2) persons testified in support of the

permit request while four (4) persons testified in opposition. Those persons testifying in opposition cited the inappropriateness of the church use within the surrounding residential area. These persons recommended that the area be kept strictly for residential use. Three other persons also expressed concerns regarding possible traffic and parking problems which may be created by the proposed use.

On June 16, 1977, the Planning Commission voted to recommend approval of the Special Permit to the Land Use Commission based upon the following findings:

- "1. That the proposed use will not be contrary to the objectives sought to be accomplished by the State 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 does include lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils and other related characteristics. The subject property's dominant soil type is pahoehoe lava, which is in the U.S. Department of Agriculture, 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 activity. The Land Study Bureau's rating of these lands for overall agricultural productivity is also very poor as they are classified as Class "E". Although it is possible that some agricultural activities may be conducted on the subject property, it is determined that approval of the subject request would not be contrary to the objectives of the State 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 non-agricultural purposes is not expected to have any adverse effect on the overall agricultural potential of the region or of the island and State. In addition, institutions of a religious nature are allowed as "conditionally permitted uses" within the agriculturally zoned lands under the County's Zoning Code. As such, the granting of this particular Special Permit request for the establishment of a church and related uses on the subject property also will not be contrary to the County's Zoning Code.

- "2. That although the proposed use will somewhat alter the essential character of the land, it is determined that such a change may make the highest and best use of the land involved for the public welfare at the present time. At present, the subject property is not used for agriculture. There presently is a single family dwelling on the property. The petitioner intends to expand the present carport and utilized that area for religious purposes. The dwelling will still be utilized as living quarters for the minister of the church. Although the proposed use will undeniably alter the existing character of the property to some degree, it is determined that the provision of a religious institution on a limited scale 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 region and the entire island. Therefore, it is further determined that the establishment of the proposed use would meet the present needs of members of the congregation.
- "3. That the proposed use will not adversely affect the surrounding properties and their improvements. Surrounding land uses include scattered single family dwellings and vacant lands. This area can be classified as rural-residential in character due to the sizes of the lots. Most of the lands within this general area are 1+ acre in size. Due to the overall character of the area and the physical attributes of the land, it is acknowledged that the lots are and will be basically used as home sites. The establishment of the proposed use is determined to be compatible with the area and would not be in conflict with the surrounding uses.
- "4. That the proposed use will not unreasonably burden public agencies to provide roads and streets and other infrastructures and services. All essential services and facilities are or will be made available to the subject property. The subject property fronts the Keaau-Pahoa Road. Although concerns regarding access to the property from the main highway were expressed, the petitioner would have to comply with the requirements of the State Department of Transportation, Highways Division. One (1) of these requirements is that the access shall be a minimum width of twenty (20) feet to provide for two way accessibility."

The favorable recommendation was subject to the following conditions:

- "1. That the construction and conversion of the carport to an assembly area commence within one (1) year from the effective date of approval of the Special

Permit and be completed within one (1) year thereafter.

- "2. That the requirements of the Building and Fire Codes and the State Department of Health shall be complied with.
- "3. That the driveway to and parking area for the proposed use be paved with all-weather, dust-free surface. The width of the pavement and the number of parking stalls shall be determined at the time of Plan Approval.
- "4. That the access onto the highway must be complied with the requirements of the State Department of Transportation, Highways Division.
- "5. That all other applicable rules and regulations shall be complied with."

It was further stated by the Hawaii County Planning Commission that: "Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void."