

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR SPECIAL PERMIT)
by) SPECIAL PERMIT NO. 467
RICHARD KOOB/KALANI-HONUA)
for)
ARTS AND AGRICULTURE)
EDUCATION FARM)
in)
KEEKEE, PUNA, HAWAII)
_____)

SPECIAL PERMIT

The County Planning Commission at a duly held public hearing on October 15, 1980, considered the application of RICHARD KOOB/KALANI-HONUA for a Special Permit in accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, as amended, and Rule No. 6 of the Planning Commission relating to Special Permit to allow the establishment of an arts and agriculture education farm at Keekee, Puna, Hawaii, Tax Map Key 1-2-09:28.

The Commission has found the following:

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 intent of the Land Use Law and Regulations is to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of 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 Land Use Regulations state that 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 may be included in the Agricultural District. The Land Study Bureau has classified this land as "E" or very poor. However, as evidenced by the existing agricultural crops grown on the premise, and the intent to establish an arts and agriculture farm, agricultural activities can still be produced on lands with Class "E" soils. (Emphasis added) As such, although the land will not solely be used for agricultural purposes, the purpose and intent of the State Land Use Agricultural District classification will not be violated.
2. That the proposed use is consistent with the policy of the County General Plan of providing a variety of educational opportunities for the island's population. It will also complement the policy of the Economic Element of the General Plan which states that "The expansion of higher and continuing educational services and institutions shall be supported by the County." Present trends and needs have arisen recently which reflect a desire for such a unique

educational facility. In this particular case, a facility as proposed by the petitioners would require a site which is agriculturally oriented as well as in its natural state. Unlike a normal educational facility where the population of the area dictates the need for an educational facility, a facility such as proposed may be more applicable in an open or isolated area. As such, it is determined that the establishment of the proposed use at the subject location will be in the public interest as it will provide an unique educational opportunity for the general public.

3. That the proposed use will not unreasonably burden public agencies to provide additional facilities and services. The Kalapana-Kapoho Road fronting the subject property is adequate to accommodate the increase in traffic to the subject area. Although concerns were expressed regarding the lack of a public water system, these concerns can be mitigated by certain conditions of approval. Further, the annual rainfall in this particular area is about 90 inches; thus, an adequate supply of water should be available for any proposed private water tank or reservoir system under mitigating conditions.

Therefore, although some increase in the need for services may be generated by the proposed use, it is not expected that the increase will be of a substantial nature.

4. That the proposed use will not adversely affect the surrounding properties since the surrounding area is in some form of agricultural activities or are vacant. In fact, since part of the proposed activity is agriculturally oriented, it will complement the agricultural activities in the area.

Therefore, the Commission hereby grants to the petitioner a Special Permit to allow the establishment of an arts and agriculture education farm at Keekee, Puna, Hawaii, pursuant to the authority vested in it by Chapter 205, Section 205-6, Hawaii Revised Statutes, as amended, and Rule No. 6 of the Planning Commission.

Approval of the Special Permit is subject to the following conditions:


1. That the petitioners or their authorized representative submit plans for and secure Final Plan Approval within one (1) year from the effective date of the Special Permit.
2. That construction of the proposed facilities shall commence within one (1) year from the date of receipt of Final Plan Approval and be completed within three (3) years thereafter.
3. That the front portion of the property situated within the Special Management Area (SMA) shall not be included as part of the proposed use. However, since related improvements such as driveways must be done within the SMA, an SMA Use Permit must be secured for any improvements.
4. That access(es) from the Kalapana-Kapoho Road shall meet with the approval of the Department of Public Works.

5. That a minimum 100,000 gallon capacity water tank or reservoir shall be provided prior to the issuance of an occupancy permit. Further, in case of a drought where the water capacity has been depleted, the facility shall cease operation until such time as the water capacity has been restored for normal usage as well as for fire protection.
6. That the requirements of the State Department of Health be complied with.
7. That an all-weather, dust-free paved parking area shall be provided. The number of parking stalls shall be determined at the time of Plan Approval.
8. That an archaeological reconnaissance survey be conducted of the subject area. Such a report shall be submitted at the time of Plan Approval.
9. That the proposed Kalapana-Kapoho Road realignment on file with the Department of Public Works, shall be delineated on the development plans. No structures shall be constructed within the proposed right-of-way.
10. That all other applicable rules, regulations and requirements be complied with.

Should the foregoing conditions not be met, the Special Permit may be deemed null and void by the Planning Commission.

The effective date of the Special Permit shall be October 15, 1980.

Dated at Hilo, Hawaii, this 17th day of Dec., 1980.


WILLIAM J. PARIS, JR.
Chairman, Planning Commission

APPROVED AS TO FORM
AND LEGALITY:


DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII

Date: 8 Dec 80