

CERTIFIED MAIL

November 2, 1981

Mr. Guy A. Paul, Chief of Police  
County of Hawaii, Police Department  
394 Kapiolani Street  
Hilo, HI 96720

Dear Mr. Paul:

Special Permit Application (81-17)  
TMK: 7-4-08:Portion of 13

The Planning Commission at its duly held public hearing on October 29, 1981, voted to approve your application, Special Permit No. 499, to allow the establishment of an outdoor pistol range on approximately two (2) acres of land situated within the State Land Use Agricultural District at Honokohau 1st, North Kona, Hawaii.

Approval of this request is based on the following:

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 not only includes lands with a high capacity or potential for agricultural uses, but also lands which are surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reasons of topography, soils, and other related characteristics. The subject property's dominant soil type is A'a lava, which is in the U. S. Department of Agriculture, Soil Conservation Service's capability Class VIIIs. Class VIIIs 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 the lowest on their scale which is Class "E" or "Very Poor". Although it is

Mr. Guy A. Paul  
Page 2  
November 2, 1981

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.

Furthermore, the subject area has not been included in the Department of Agriculture's classification of "Agricultural Lands of Importance to the State of Hawaii". The area has also been used as a quarry site for a number of years. Consequently, 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 the State.

That the proposed use will not adversely affect surrounding property. The proposed site is presently vacant and is within a depressed area which was formerly utilized as a quarry. The closest structure is a weigh-in station located approximately seven-tenths (.7) of a mile makai of the proposed site. Furthermore, the closest residence is situated more than a mile away.

That the proposed use will not unreasonably burden public agencies to provide any infrastructure or services. Access to the site will be via a private roadway off the Queen Kaahumanu Highway. No other public infrastructure or service will be required.

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

1. That the petitioner, Hawaii County Police Department, shall be responsible for complying with all of the stated conditions of approval.
2. That the petitioner shall identify the specific area to be used for the pistol range activity by a metes and bounds description. The metes and bounds description shall be submitted to the Planning Department prior to the establishment of the pistol range activity.
3. That the pistol range activity be established within one year from the effective date of the Special Permit. As soon as the use has been established, the Planning Department shall be notified.

*used  
11/4/81  
Commented  
last week  
of June*

bcc: Land Use Co

Mr. Guy A. Paul  
Page 3  
November 2, 1981

4. That should the landowner, Lanihau Corporation, terminate its Memorandum of Agreement with the petitioner to utilize the premise, the petitioner shall immediately notify the Planning Department in writing.
5. That upon receipt of complaints regarding the pistol range, the Planning Department shall investigate such complaints and prepare a report to the Planning Commission, including a recommendation for corrective action. Any and all corrective action(s) required by the Commission shall be considered as additional conditions of this Special Permit.
6. That during periods of live firing, barricades and warning signs shall be erected or set in place to inform the general public that such activity is ongoing.
7. That the use of the pistol range shall be restricted between the hours of 7:00 a.m. and 9:30 p.m.
8. That all other applicable rules, regulations, and requirements be complied with.

Should any of the foregoing conditions not be met, the Special Permit may be nullified.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



BERT H. NAKANO  
Chairman, Planning Commission

lgv

cc: State Land Use Commission  
Lanihau Corporation  
Kona Services Office

bcc: Land Use Controls Division, Planning Dept.