

September 20, 1983

Mr. Milton Hakoda, Director  
Department of Parks and Recreation  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Hakoda:

Special Permit Application (83-9)  
TMK: 1-9-03:17 (formerly portion of 11)

The Planning Commission at its duly held public hearing on September 15, 1983, voted to approve your application, Special Permit No. 535, to allow the construction of the Volcano Community Center facility and related improvements in O'laa Summer Lots, Puna, Hawaii.

Approval of this request is based on the following:

GENERAL PLAN AND LAND USE LAW COMPLIANCE

The proposed "Community Center and related facilities" use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The intent of these statutory provisions 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 in Hawaii.

The subject property is situated within the County's Open and State Land Use "Agriculture" zoned districts. A major objective in the State Land Use Law is that the affected County's General Plan and related planning documents are being complied with when evaluating applications for "Special Permits." On the Island of Hawaii the objectives of the State Land Use are translated into the goals, policies, and standards contained within the General Plan. The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the subject area within the "Intensive Agriculture" classification.

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The State Land Use Law regulations for the Agricultural District allows "public and private open area types of recreational uses including day camps, picnic grounds, parks and riding stables" as permitted uses. The County's "Open" zone district allows "Public Parks" as a permitted use. The County's Agriculture zone district also allows "golf courses, country clubs, parks, playgrounds, tennis courts and other similar recreational areas that are essentially open lands and where none of the recreational features are entirely enclosed in a building" are permitted uses.

Based on these use relationships, we have concluded that the approval of the "Community Center and related facilities" would not be circumventing the County's planning efforts for this particular area. As such, the use of the Special Permit procedure is deemed to be reasonable and will not be detrimental to the underlying district designation, nor will it be such a large scale intrusion that would make it unreasonable for placement within the State Land Use Agricultural District.

Based on the above considerations, we have concluded that the approval of the subject request will not be contrary to the purpose and intent of the Land Use Law and Regulations but rather would promote the effectiveness and objectives of that law.

#### LAND SUITABILITY

The subject property is still in its natural state and contains no agricultural activities. The Land Study Bureau's overall master soil productivity rating for this is Class "D" or "Poor" and Class "E" or "Very Poor." Further, only half of the property is classified as "Other Important Agricultural Land" on the State Department of Agriculture's "Agricultural Lands of Importance to the State of Hawaii" Map. The subject land has not by any records been in any active agricultural production. As such, although there may be certain agricultural activities which can be undertaken on the subject property, in this particular case, we have determined that the requested use will not be detrimental to the Island's agriculture resource base nor will it have an adverse impact on the overall agricultural activity of the district, region, island or State.

#### IMPACT AND INFRASTRUCTURE

The approval of this particular request is not anticipated to have any adverse effect on surrounding properties. The subject property is of sufficient size to be developed with the structural and parking functional needs for the Community Center and related facilities. The only structural elements will be

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the community center and the comfort station improvements. All other facilities will be essentially open. The "open" characteristic of this community recreational complex will serve a compatible open space function in this rural area. The community aspect of these facilities will also enhance the social climate and environment in this particular area, where no community facilities are presently available.

The proposed use will not unreasonably burden public agencies to provide additional facilities and services. Wright Road and Kilauea Road are improved with 20-foot wide pavements which will accommodate two-way traffic. Although there is no public water system in the area, a 10,000-gallon water tank will be constructed to service the community center. Thus, all essential services and utilities are or will be made available to the subject site.

#### CHANGES IN CONDITIONS

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. The 1980 Census figures indicate that the Puna district was one of the fastest growing districts in the State. As such, we have also determined that the establishment of the Community Center and related facilities will help to meet the needs of the rapidly growing population in this particular area of the Puna District.

Based on the foregoing findings, we have further concluded that the proposed "Community Center and related facilities" use is an unusual and reasonable use and would promote the effectiveness and objectives of Chapter 205, HRS, as amended.

Approval of this special permit request is subject to the following conditions:

- A. The petitioner, successors or its assigns, shall be responsible for complying with the stated conditions of approval.
- B. Plans for the proposed "Community Center" shall be submitted to the Planning Department for "Plan Approval" within one year from the effective date of this Special Permit. Plans for the remaining phases of the development will also be submitted for "Plan Approval."
- C. The construction of the community center commence within one year from the effective date of final "Plan Approval" and be completed within two years thereafter.

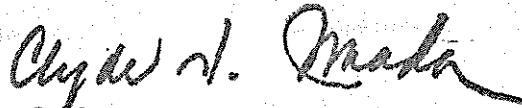
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- D. The requirements of the Department of Health, Department of Public Works, and Department of Water Supply shall be complied with.
- E. All other State and County rules, regulations, and requirements shall be complied with.

Should any of the foregoing conditions not be complied with, the Special Permit shall be automatically void.

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

Sincerely,



Clyde Imada  
Chairman, Planning Commission

cc: Chief Engineer, Public Works  
Building Division, Public Works  
Water Supply

bcc: Plan Approval Section