

CERTIFIED MAIL

February 13, 1984

Mr. Aaron Hegerfeldt
Pacific Paradise, Inc.
700 Makalika Street
Hilo, Hawaii 96720

Dear Mr. Hegerfeldt:

Special Permit Application (83-13)
TMK: 1-2-06:Portion of 24

The Planning Commission at its duly held public hearing on February 9, 1984, voted to approve your application, Special Permit No. 543, at Kaimu-Makena Homesteads, Puna.

Approval of this request is based on the following:

The proposed 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. In the case of the Agricultural District, the intent is to preserve lands of high agricultural potential for agricultural use. The purpose of the subject request is to allow for a processing facility for the papaya industry in Puna. The establishment of this processing facility will directly benefit the papaya growers in the area and the industry as a whole. Such support for the industry will provide greater incentives for papaya production thus helping to keep good agricultural lands in agricultural use and thereby fostering its preservation.

Mr. Aaron Hegerfeldt

Page 2

February 13, 1984

On the Island of Hawaii the objectives of the State Land Use Law are translated into the goals, policies, and standards contained within the General Plan. Approval of the subject request would complement the General Plan orchard designation of the property in the same way that it complements the State Land Use Agricultural designation.

Approval of the subject request would also complement the General Plan Economic goals which states, "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors."

Further, the proposal is directly related to an agricultural activity, namely papaya production. Within the State Land Use and County Agricultural zoned districts, processing of agricultural products is a permitted use provided that the products are grown on the premises. Although papaya trees will be planted on the subject property, the processing facility serve a newly formed papaya coop with a present membership of 110 paid members. In spite of the fact that most of the projected production will come from off-site farms, the use of the Special Permit procedure is appropriate in view of the direct relationship between the requested use and the uses permitted within the Agricultural District. It is apparent that the requested use will complement and not be detrimental to the underlying district designation, and that it is not such a large scale intrusion that would make it inappropriate for placement within the State Land Use Agricultural district.

Based on the above consideration, it is 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.

The approval of the subject request is not expected to adversely affect surrounding properties. The proposed processing facility will be in compliance with the zoning code setback requirement of 100 feet from any property line. At the present time there are no dwellings within the immediate vicinity of the facility. Under these circumstances it is felt that the operation of the papaya processing facility should not have any adverse effects to surrounding properties.

Mr. Aaron Hegerfeldt
Page 3
February 13, 1984

The approval of the subject request will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, and police and fire protection. All essential utilities and services are already available to the subject property. It should be noted that none of the cooperating agencies had any objections to the subject request.

Unusual conditions, trends, and needs have arisen in relation to the subject request since the establishment of the district boundaries and regulations. Since the enactment of the State Land Use Law in 1961, the papaya industry has grown tremendously. As noted by the Department of Agriculture, "The papaya industry is a very important component of diversified agriculture in Hawaii, ranking fourth in value among the principal crops." The department further noted the "excellent growth potential for exporting papayas to foreign countries such as Japan." As such, the need for additional production and processing facilities has increased over the years.

The land upon which the use is proposed is suitable for agricultural activities. However, the establishment of the processing facility would do more for the papaya industry than would the exclusive growing of papaya on the property. As stated earlier, the proposed facility will support existing production and allow for future expansion where possible. While the potential for on-site cultivation may be reduced to a limited extent, the off-site agricultural potential will increase, thus resulting in an overall net benefit to the agricultural industry.

Based on the foregoing it is determined that the subject request is an unusual and reasonable use which is not contrary to the objectives sought to be accomplished by the Land Use Law and Regulations.

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

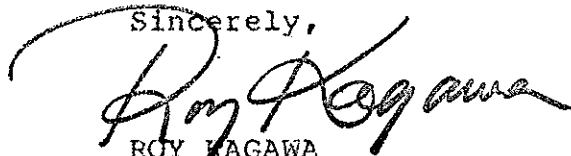
- a. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
- b. Plans for the proposed addition shall be submitted for Plan Approval within one year from the effective date of the Special Permit.

Mr. Aaron Hegerfeldt
Page 4
February 13, 1984

- c. Construction of the proposed addition shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
- d. The Special Permit shall involve a total of seven contiguous acres. A metes and bounds description, delineating the 7.0-acre area affected by the Special Permit, shall be submitted to the Planning Department prior to any further construction activity on the subject property.
- e. The requirements of the State Department of Health and the Department of Water Supply shall be complied with.
- f. All other applicable rules, regulations, and requirements shall be complied with.
- g. Should the Planning Department determine that any of the foregoing conditions have not been met, the Special Permit shall be void.

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

Sincerely,



ROY KAGAWA
Chairman, Planning Commission

cc: Chief Engineer
Building Dept.
Water Supply

bcc: Plan Approval Section