

CERTIFIED MAIL

March 9, 1984

Mr. Ben Tamura, President  
Nippon Tsukemono-Hawaii, Inc.  
Kawaihae, HI 96743

Dear Mr. Tamura:

Special Permit Application (84-4)  
TMK: 6-6-05:portion of 3

The Planning Commission at its duly held public hearing on March 7, 1984, voted to approve your application, Special Permit No. 547, at Waikoloa, South Kohala, Hawaii.

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 vegetable processing facility. The facility will service vegetable farmers in the area by buying their products. It will give the farmers an additional market for their products. Therefore, while the establishment on the facility will remove a small portion of the entire 21-acre lot from agricultural usage, it still will directly benefit the farmers in the area and the industry as a whole. Such support for the industry will provide greater incentives for vegetable production; thus helping to keep good agricultural lands in agricultural use and thereby fostering its preservation.

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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's Intensive Agricultural 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 goal 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 vegetable or truck crop farming. 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. In spite of the fact that most of the vegetables 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 proposed use shall not adversely affect surrounding properties. The subject property is within the Lalamilo Farm Lots Subdivision which was created by the State for agricultural purposes. Other uses are allowed with written consent from the Board of Land and Natural Resources. Consent to establish the vegetable processing plant was granted on December 16, 1983. Given the intent of the State in creating the Lalamilo Farm Lots and the purpose of the requested use, it is determined that the establishment of a vegetable processing facility on the subject property will not adversely affect surrounding properties.

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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.

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:

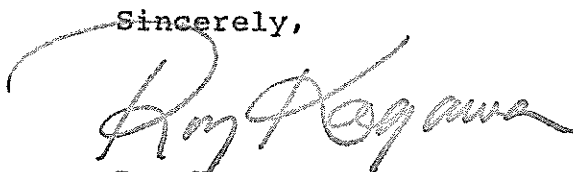
- a. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
- b. Plans for the vegetable processing facility and related improvements shall be submitted for Plan Approval within one year from the effective date of the Special Permit.
- c. The proposed use shall be established within one year from the date of receipt of Final Plan Approval.
- d. A metes and bounds description, delineating the 1-acre area affected by the Special Permit, shall be submitted to the Planning Department prior to occupancy of the proposed use 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 Director determine that any of the foregoing conditions have not been met, the Special Permit shall be void.

*Complied  
4/17/84*

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

Sincerely,

A handwritten signature in cursive script that reads "Roy Kagawa". The signature is written in dark ink and is positioned above the printed name and title.

Roy Kagawa  
Chairman, Planning Commission

cc: Chief Engineer  
Building Section, Public Works  
Dept. of Water Supply  
Kona Services Office

bcc: Plan Approval Section