

February 6, 1985

Mr. Hugh Ono, Chief Engineer
Department of Public Works
25 Aupuni Street
Hilo, HI 96720

Dear Mr. Ono:

Special Permit Application (84-28)
TMK: 2-1-13:156

The Planning Commission at its duly held public hearing on January 31, 1985, voted to approve your application, Special Permit No. 84-28, to allow the establishment of a sanitary landfill on 15 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, 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 State 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 the public health and welfare of the people of the State of Hawaii. Although the property is classified Agricultural by the State Land Use Commission, this district classification not only includes lands with a high capacity or potential for agricultural uses, but also includes lands which are surrounded by or contiguous to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The Land Study Bureau's overall master productivity rating for agricultural use is Class "E" or Very Poor. Although it is possible that some agricultural activities may be conducted on the property, it is determined that approval of this request at its particular location would not be contrary to the objectives of the State Land Use Law and Regulations given the low agricultural potential for the subject area and the above-cited criterion for determining the Agricultural District.

Mr. Hugh Ono, Chief Engineer
Page 2
February 6, 1985

It should be further noted that the property is designated as Industrial on the General Plan's Land Use Pattern Allocation Guide Map. The property is also situated within the County's Agricultural twenty-acre zoned district. Within this zoned district, public dumps are listed as a permitted use. As such, it is determined that the approval of this particular request would not be contrary to the County General Plan nor would it circumvent the County's planning efforts for this particular area of the South Hilo district.

The proposed use will not adversely affect the surrounding lands and their improvements. In fact, the existing landfill site is situated on the adjacent property to the west of the subject property. Other land uses in the vicinity include rock quarries and processing plants, the County Skeet Range, and vacant land.

The proposed use will not unreasonably burden public agencies to provide roads and other similar infrastructure or services. The petitioner will be responsible for providing all essential facilities to the property.

Unusual conditions, trends, and needs have arisen since the State Land Use district boundaries and regulations were established. Since the State Land Use Interim Regulations and Temporary District Boundaries became effective on April 21, 1962, the County of Hawaii has undergone many changes. Population has increased approximately 80%, from 59,000 in 1962 to well over 100,000 in 1985. The County's method of waste disposal has also undergone drastic changes during the same period of time. The present transfer station/landfill system has replaced or eliminated 18 open and ocean dump sites around the island. While the new method of waste disposal has improved ecological and sanitary conditions, the landfill system does require large acreages to implement. Since the existing landfill is nearing its capacity, additional land area must be found for present and future needs.

Although the proposed sanitary landfill will somewhat alter the existing character of the land, approval of the subject request would be compatible with the existing land uses of the surrounding area.

Based on the foregoing findings, it is determined that the sanitary landfill is an unusual and reasonable use of land within the State Land Use Agricultural district and its approval would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended.

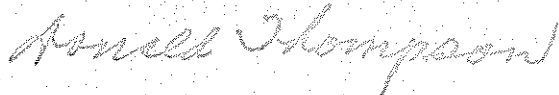
Mr. Hugh Ono, Chief Engineer
Page 3
February 6, 1985

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. Construction of the proposed facility shall commence within one year from the effective date of the Special Permit.
- c. The petitioner, its successors or assigns, shall submit an application for a State Land Use boundary amendment from an Agricultural to an Urban district for the subject property within five years from the date of approval of the Special Permit.
- d. All other applicable rules, regulations, and requirements including the terms and conditions of Solid Waste Management Permit No. 171174 and General Lease No. S-4829 shall be complied with.
- e. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Special Permit shall be void.

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

Sincerely,



Donald Thompson
Chairman, Planning Commission

cc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
State Land Use Commission

bcc: Plan Approval Section