

CERTIFIED MAIL

April 18, 1985

Mr. Susumu Ono, Chairperson
Board of Land and Natural Resources
P. O. Box 621
Honolulu, HI 96809

Dear Mr. Ono:

Special Permit Application (85-3)
Applicant: Department of Land and Natural Resources
Tax Map Key: 7-9-16:18

The Planning Commission at its duly held public hearing on April 10, 1985, voted to approve your application, Special Permit No. 85-3, to allow the establishment of a farm produce marshalling yard and related improvements on 1.91 acres of land situated within the State Land Use Agricultural District at Honalo, North Kona, 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 the establishment farm produce marshalling yard where produce from local farms will be brought and consolidated for bulk shipment to Kawaihae Harbor. The facility is intended to decrease the man-hours that all farmers devote to transportation and also increase efficiency at all levels of cargo handling. By doing so, the facility will help to counteract one of the disadvantages of farming relatively small, diversified agricultural operations far from available surface transportation facilities. As such, the establishment of the farm produce marshalling yard will directly benefit the farmers in the area and the industry as a whole. Such support for the

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industry will help to keep good agricultural lands in agricultural use and thereby fostering its preservation.

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 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 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 diversified agricultural crop production. Within the State Land Use and County Agricultural zoned districts, the processing of agricultural products is a permitted use provided that the products are grown on the premises. In spite of the fact that all of the produce 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. Surrounding land uses include coffee and macadamia nut orchards as well as vacant land. Adequate mitigative measures can be imposed through conditions of approval to handle potential adverse impacts.

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 or will be provided by the petitioner.

Based on the foregoing, it is determined that the subject request is an unusual and reasonable use which is not contrary to

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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:

- OK
PA 2/2/83
No. From PA-7/7/87
- a. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
 - b. Plans for the proposed improvements shall be submitted to the Planning Department for Plan Approval within one year from the effective date of approval of the permit.
 - c. Construction of the proposed facility shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
 - d. The 24-foot wide private roadway shall be fully improved from Kuakini Highway up to and including the driveway entrance to the subject property.
 - e. The roadway connection with Kuakini Highway shall meet with the approval of the State Department of Transportation, Highways Division.
 - f. No additional storm runoff, due to the development of the parcel shall be allowed on the State's right-of-way.
 - g. All other applicable rules, regulations, and requirements shall be complied with.
 - h. Should the Planning Director 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: State Land Use Commission
Department of Public Works
Department of Water Supply
County Real Property Tax Division
County of Hawaii, Kona Office

bcc: Plan Approval Section