

CERTIFIED MAIL

June 13, 1985

Ms. Patricia M. Poppe
Hamakua Sugar Company
P. O. Box 250
Paauilo, HI 96776

Dear Ms. Poppe:

Special Permit Application (85-12)
TMK: 4-5-02:Portion of 21

The Planning Commission at its duly held public hearing on June 6, 1985, voted to approve your application, Special Permit No. 586, to allow the establishment of a beef processing facility on 11+ acres of land situated within the State Land Use Agricultural District at Namoku, Hamakua, 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 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 this particular request is to allow the establishment of a beef processing facility. It is felt that the establishment of this processing facility will directly benefit the cattle industry of the area. Not only would the granting of this request in its particular location be beneficial to the petitioner, but it would also be of great benefit to the ranchers as well as residents of the area. The proposed facility may overcome various problems presently confronting the cattle raisers or ranchers in the area. The ranchers in the area would require a facility as proposed to accommodate their immediate and future needs. With the establishment of this facility, benefits will accrue to the ranchers in terms of proximity to cutting and storage facility, cost of processing as well as an alternate market should they desire to sell their beef products. In light of such factors, it is further determined that the proposed use will be a positive benefit and support for expansion of agriculture in the region and the benefit of existing sugar operations. Therefore,

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approval of this particular request will complement the General Plan's Economic goal which states that "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 agricultural activities. Within the State Land Use and County Agricultural zoned district, processing of agricultural products is a permitted use provided that the products are grown or raised on the premises. In this case, however, the cattle will be raised at the petitioner's feed lot operation proposed to be established at Paauilo. In spite of this fact, however, 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, rather than be detrimental to the underlying district classification. The proposed use is not such a large scale intrusion that would make it inappropriate for placement within the State Land Use Agricultural District through the Special Permit process.

The approval of this request is not expected to adversely affect surrounding properties. The surrounding properties are utilized either for the sugar mill operation or in sugar cane production. The Haina residential camp, which the petitioner intends to phase out, is located over 1,000 feet from the property. The Honokaa Village residential and commercial core is located approximately 1 mile from the subject property at its nearest point.

The approval of this request will not unreasonably burden public agencies to provide utilities and services. Access to the property is available via a paved private road under the control of the petitioner. The property is also served by the petitioner's private water system. All other essential utilities and services are available to the property.

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 cattle industry has grown tremendously. As a result, the need for additional production and processing facilities, such as proposed, has increased over the years.

Finally, it should be noted that the proposed use will not be contrary to the General Plan's agricultural land use designation for the property. As stated earlier, the proposed beef processing facility is directly related to the agricultural industry.

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Based on the above considerations, it is determined that the subject request is an unusual and reasonable use of the property, and that it would promote the effectiveness and objectives of the State Land Use Law and Regulations.

Approval of this Special Permit request is subject to the following conditions:

1. The petitioner, successors, or its assigns, shall comply with all of the stated conditions of approval.
2. Plans for the first increment of the proposed development shall be submitted to the Planning Department for Plan Approval within one year from the effective date of approval of the permit.
3. Construction of the proposed improvements in the first increment shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
4. Plans for the subsequent increment(s) shall be submitted to the Planning Department for Plan Approval within two years from the date of completion of the improvements in the first increment. Construction shall commence within one year from the date of receipt of final plan approval and be completed within two years thereafter.
5. All other applicable rules, regulations and requirements, including those of the State Department of Health, be complied with.
6. 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: State Land Use Commission
Department of Public Works
Department of Water Supply
County Real Property Tax Division

bcc: Plan Approval Section