

CERTIFIED MAIL

January 7, 1986

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

Dear Ms. Poppe:

Current TMK: 4-3-05:12

Special Permit Application(85-29)
TMK: 4-3-05:por 2

The Planning Commission at its duly held public hearing on December 30, 1985, voted to approve your application, Special Permit No. 611, to allow the establishment of a slaughterhouse and meat processing plant on 11+ acres of land situated within the State Land Use Agricultural District at Pohakuhaku, 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 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. The area under consideration is classified as Agricultural by the State Land Use Commission. The purpose of the subject request is to allow the establishment of a beef processing facility. Within the State Land Use and County Agricultural districts, the processing of agricultural products is a permitted use provided that the products are grown or raised on the premises. Although the petitioner's feed lot operation will also be situated on the subject property, the beef processing facility will also be available to third parties, regardless of where the livestock is produced. Based on the foregoing, it is apparent that the proposed use is directly related to an agricultural activity and consistent with the objectives of the State Land Use Law.

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Approval of the subject request will also be consistent with the County General Plan's goals to "protect and maintain agricultural lands on the island of Hawaii" as well as striving for the ". . . diversification of its economy by strengthening existing industries and attracting new endeavors." The petitioner is proposing a new endeavor which is intended to reduce costs and increase returns for both the cattle and sugar industries, both of which have endured hard times of late.

The proposed use will not adversely affect the surrounding properties and their improvements. The surrounding land area is presently in sugar production and controlled by the petitioner. The closest residences are situated approximately 5,000 feet away which should be a sufficient distance to keep impacts, if any, to a minimum.

The proposed use will not unreasonably burden public agencies to provide roads, water, and other similar infrastructure or services. Access to the property is available via a paved private road under the control of the petitioner. The area 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 since the establishment of the district boundaries and regulations. As stated previously, both the cattle and sugar industries have been experiencing difficulties over the years. The petitioner's proposal of having a beef processing facility in conjunction with a nearby feedlot which will utilize sugar cane by-products should result in cost savings for both the ranchers as well as the sugar operation. As such, the proposed facility may play an important role in keeping both the cattle and sugar industries viable within this portion of the island of Hawaii.

Based on the foregoing, it is determined that the proposed beef processing facility is an unusual and reasonable use of the land within the State Land Use Agricultural District. As such, it is further determined that the approval of the request would promote the effectiveness and objectives of Chapter 205, HRS, as amended.

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.

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- b. Plans for the proposed development shall be submitted to the Planning Department for Plan Approval within one year from the effective date of approval of the Special Permit.
- c. Construction of the proposed improvements shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
- d. All other applicable rules, regulations and requirements, including those of the State Department of Health, 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,



Barbara A. Koi
Chairperson, Planning Commission

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

bcc: Plan Approval Section