

CERTIFIED MAIL

December 9, 1985

Mr. & Mrs. Raymond Bautista
P. O. Box 896
Keaau, HI 96749

Dear Mr. & Mrs. Bautista:

Special Permit Application (85-31)
TMK: 1-5-36:111

The Planning Commission at its duly held public hearing on December 2, 1985, voted to approve your application, Special Permit No. 610, to allow the wholesale and retail sales of flowers (packing and shipping) on 1 acre of land situated within the State Land Use Agricultural District at Hawaiian Paradise Park Subdivision, Keaau, Puna, 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 an anthurium packing and shipping facility. Within the State Land Use and County Agricultural districts, the packing and shipping of agricultural products is a permitted use provided that the products are grown or raised on the premises. Although anthuriums are grown on the subject property, the petitioners also intends to purchase anthuriums from others. 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.

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

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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 provide an additional outlet for the existing anthurium industry.

The proposed use will not adversely affect the surrounding properties and their improvements. The surrounding land area is a mixture of low density residential, agricultural and vacant land uses. The proposed use is essentially non-noxious in nature and is not expected to generate excessive noise or traffic.

The proposed use will not unreasonably burden public agencies to provide roads, water, and other similar infrastructure or services. All necessary infrastructure and services are available to the subject property.

Unusual conditions, trends, and needs have arisen since the establishment of the district boundaries and regulations. Since the enactment of the State Land Use Law in 1961, the anthurium industry has grown tremendously. As a result, the need for additional packing and shipping facilities, such as proposed, has increased over the years.

Based on the foregoing, it is determined that the proposed anthurium packing and shipping 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.
- b. Plans for the proposed packing and shipping facility 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 facility shall commence within one year from the receipt of Final Plan Approval and be completed within two years thereafter.
- d. All other applicable rules, regulations, and requirements shall be complied with.

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- 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
Chairman Pro Tem, Planning Commission

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

bcc: Plan Approval Section