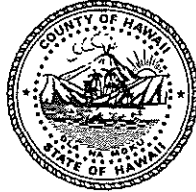


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 Fax (808) 961-9615

#### CERTIFIED MAIL

August 5, 1994

Mrs. Susan Pierce  
17350 Carlisle Drive  
Tehachapi, CA 93561

Dear Mrs. Pierce:

Special Permit Application (SPP 94-11)  
Applicant: Susan Pierce  
Request: Propose Satellite Quarantine Station for 50 Dogs  
and 10 Cats  
Tax Map Key: 1-7-17:139

The Planning Commission at a duly advertised public hearing on July 28, 1994, considered your request for a Special Permit in accordance with Chapter 205-6, Hawaii Revised Statutes, and Rule 6 of the Planning Commission, to establish a satellite quarantine station on approximately 74 acres of land within the State Land Use Agricultural District. The project site is located on the Mt. View side of North Road approximately 2 miles from its intersection with North Kulani Road, Keaau Tract, Keaau, Puna, Hawaii.

The Commission voted to deny the Special Permit based on the following findings:

1. **The desired use will unreasonably burden public agencies to provide roadway and safety protection improvements:** Access to the site is via a private subdivision road. The site is located on North Road, approximately 1.5 miles from its intersection with North Kulani Road. North Road is an unpaved road with a width of 15 feet. The road is subject to heavy rains, and portions of the gravel surface are washed out. To require the applicant to

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Mrs. Susan Pierce

Page 2

provide a pavement width which could accommodate two-way traffic over this distance would be cost prohibitive and unreasonable. In her letter of May 27, 1994, the applicant confirmed that it is not possible for them to provide road improvements: "After investigating the cost involved in paving we realize that it would be cost prohibitive for such a small facility." (See Exhibit F, Applicant's Letter of 7, 1994.)

2. **The establishment of a satellite quarantine station in an area with inadequate roadway access is not consistent with the Zoning Code or the General Plan:** The purpose of the Zoning Code is to regulate the use of land in order to ensure the safety and general welfare of the community. Permitting the establishment of a public quarantine facility on an unimproved private road which is subject to washouts, would jeopardize the County's ability to ensure the safety of patrons of the station, as well as the safety of the other drivers utilizing this road. A stated goal of the General Plan is to "designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County." A satellite quarantine station is not an appropriate land use in this area, due to the lack of adequate public access to the proposed facility. By permitting one such facility to be established on a private, unpaved roadway, the County would set a precedent which does not reflect the long-term interests of its residents.
3. **The desired use will adversely affect surrounding property owners:** Increased traffic generated by public visits to the quarantine facility would accelerate deterioration of the gravel roadway which accesses the site. This would place an unfair burden on surrounding property owners to maintain the roadway.

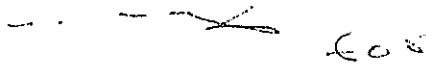
Based on these findings, the Planning Director has determined that the establishment of a satellite quarantine station **at this location** would be contrary to the objectives of State and County land use laws. Therefore, the Planning Director is recommending denial of this request.

A denial by the Commission of the desired use shall be appealable to the Circuit Court in which the land is situated and shall be made pursuant to the Hawaii Rules of Civil Procedure.

Mrs. Susan Pierce  
Page 3

Should there be further questions on this matter, please feel free to contact Linda Copman or Rodney Nakano of the Planning Department at 961-8288.

Sincerely,

  
Donald L. Manalili, Chairman  
Planning Commission

RKN:smn

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xc: Honorable Stephen K. Yamashiro, Mayor  
Planning Director  
State Land Use Commission  
Corporation Counsel  
Plan Approval Section