



## County of Hawai'i

### PLANNING COMMISSION

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

June 3, 2005

Candee Corwin & Teresa Reynoso  
P.O. Box 1504  
Pahoa, HI 96778

Dear Ms. Corwin and Ms. Reynoso:

Special Permit Application (SPP 04-014)

Applicant: Candee Corwin & Teresa Reynoso

Request: Two-Bedroom Bed and Breakfast and a Massage Wellness Operation  
Within an Existing Single Family Dwelling

Tax Map Key: 1-3-10:1

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The Planning Commission at its duly held public hearing on May 12, 2005, voted to approve the above-referenced application to allow the establishment of a 2-bedroom bed and breakfast establishment and a massage wellness operation within an existing single family dwelling situated on 5.06 acres of land within the State Land Use Agricultural District. The property is located along the north side of Opihikao Road, Kaueleau Farm Lots Subdivision, Kamaili Homesteads, Puna, Hawaii.

Approval of this request is based on the following:

The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. In recognizing that lands within agricultural districts might not be best suited for agricultural activities and yet classified as such, and in recognition that certain types of uses might not be strictly agricultural in nature, yet reasonable in such districts, the legislature has provided for the Special Permit process to allow certain unusual and reasonable uses within the Agricultural District. The State Land Use Law and Regulations are intended to preserve, protect and encourage the development of lands for those uses to which they are best suited in the interest of the public welfare of the people of the State of Hawaii. In the case of the Agricultural District, the intent is to preserve or keep lands of high agricultural potential in agricultural

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use. The applicant proposes to establish a 2-bedroom bed and breakfast establishment and a massage wellness operation with an existing 5-bedroom single-family dwelling. The applicants, who reside in the main dwelling, will manage the bed and breakfast and massage wellness operations. Soils are classified as pahoehoe lava (rLW) and the productivity rating is "E" or very poor. The Agricultural Lands of Importance to the State of Hawaii (ALISH) Maps identify the property as Unclassified. The property is zoned Agricultural (A-20a) and is 5.06 acres in size. Three of the five acres are landscaped with scattered fruit trees, flowering trees and plants, including coconut, banana, noni, lemon, lime, starfruit, gardenia, orchids, ginger, avocado, bougainvillea, fern, bird of paradise, heliconia and ohia. Since the bed and breakfast operation and massage wellness operation will be confined to the existing dwelling, it is not anticipated that the proposed use will diminish the agricultural potential of the project site or surrounding area.

The desired use will not adversely affect the surrounding properties. Surrounding uses include scattered dwellings, agricultural activity, pasture and vacant lands. The property is located approximately ½ mile from the Highway 11 – Opihikao Road intersection on Opihikao Road. The nearest dwellings are located on the adjacent properties to the north and northeast. The remainder of the surrounding properties is vacant or is in pasture use. The existing dwelling is located approximately in the middle of the parcel and well-established landscaping on the parcel provides a buffer for the bed and breakfast operation. Due to the nature of the operation, it is not expected that the bed and breakfast operation and massage wellness operation would create significant adverse impacts to surrounding properties.

The desired use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements and police and fire protection. Access to the property is from the Pahoia – Kalapana Road (Highway 130) onto Opihikao Road, which is paved and has a 50-foot wide right-of-way width. Opihikao Road is a County maintained roadway. Water is served by a 15,000 gallon water catchment system. Wastewater will be disposed of into two existing cesspool systems. Electricity and telephone are available to the site. Police and fire facilities are located in Pahoia, which is approximately 4 miles from the subject property. Conditions of approval will include that the applicants meet all applicable County, State and Federal laws, rules, regulations and requirements.

Unusual conditions, trends and needs have arisen since the district boundaries and regulations were established. Bed and breakfast accommodations have increasingly become a part of a worldwide trend towards providing alternative lodging sites in rural and agricultural areas such as this particular location. They are becoming popular for visitors who seek a more localized and authentic experience in a home-type setting. The County has recognized this trend, and the Zoning Code, Section 25-4-7, provides guidelines for establishing bed and breakfast operations as an accessory use to the

property as a residence. Zoning Code Section 25-4-7(b) stipulates that the bed and breakfast operator shall reside on the same building site as the bed and breakfast establishment. As the use is accessory to the use of the site as a residence and for conducting agricultural activity, the use is consistent with the social and physical character of a rural-agricultural area and will contribute to the economic development of the County.

The use will not substantially alter or change the essential character of the land and the present use. The subject property is largely developed and landscaped. The dwelling in which the bed and breakfast operation and massage wellness operation will be conducted has already been constructed. The use will be confined to the existing dwelling and will be in keeping with the existing character of the surrounding neighborhood. The requested uses will neither conflict with nor intensify existing land uses.

The proposed use is consistent with the following goals, policies and standards of the General Plan. The subject parcel falls within an area designated as Extensive Agricultural Land on the General Plan Land Use Pattern Allocation Guide (LUPAG) Map. The zoning for the property is Agricultural (A-20a) and the State Land Use District designation is Agricultural. As such, a Special Permit is the appropriate means to establishing the bed and breakfast and massage wellness operations. The request would complement and be consistent with the following goals, policies and standards of the General Plan:

Land Use Element

- Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.
- Encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.

Economic Element

- Provide residents with opportunities to improve their quality of life through economic development that enhances the County's natural and social environments.
- Economic development and improvements shall be in balance with the physical, social and cultural environments of the island of Hawaii.

- Provide an economic environment that allows new, expanded, or improved economic opportunities that are compatible with the County's cultural, natural and social environment.
- Encourage the development of a visitor industry that is in harmony with the social, physical and economic goals of the residents of the County.

The proposed request will allow the applicants an opportunity to improve their quality of life, provide an economic environment that allows for new economic opportunity and increase the development of the visitor industry for Hawaii. Thus, the proposed request is consistent with the Land Use and Economic goals and policies of the General Plan.

The proposed use is not contrary to the objectives sought to be accomplished by Chapter 205A, Hawaii Revised Statutes, relating to coastal zone management program. Given the fact that the property has been developed with an existing residence and agricultural uses, it is unlikely that any archaeological features and threatened species of plant or animal are present on the property. The Department of Land and Natural Resources-State Historic Preservation Division has issued a "no-effect" letter stating that they believe that there are no historic properties present because activity will take place in an existing structure. Thus, they believe that "no historic properties will be affected" by this undertaking. There are no designated public access to the mountain areas over the property. The subject property is located approximately two miles from the nearest coastline. It is adjacent to existing residences, mixed agricultural and pasture uses, and vacant lands. Therefore, the proposed use will not adversely impact any recreational resources, including access to and along the shoreline, scenic and open space nor visual resources, coastal ecosystems, and marine and coastal resources. Further, the property will not be affected by any coastal hazards or beach erosion.

Based on the above considerations, the request to establish a 2-bedroom bed and breakfast establishment and a massage wellness operation on the subject property would be an unusual and reasonable use of land within the State Land Use Agricultural District, and would not be contrary to the objectives sought to be accomplished by the State Land Use Law Rules and Regulations.

Approval of this request is subject to the following conditions:

1. The applicants, successors or assigns shall be responsible for complying with all stated conditions of approval.

2. The applicant shall comply with all applicable requirements of Section 25-4-7 of the Zoning Code, as amended by Ordinance No. 00-152, relating to Bed and Breakfast Establishments.
3. The bed and breakfast operation shall be limited to the use of two (2) bedrooms and the massage wellness operation shall be limited to the use of one (1) bedroom. The bed and breakfast operation and massage wellness operation shall limited to eight (8) guests at any given time and be confined to the main dwelling.
4. The applicants shall provide bottled water for guests of the bed and breakfast operation.
5. The applicant shall comply with all applicable County, State and Federal laws, rules, regulations and requirements.

Should any of these conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke this Special Permit.

This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

Should you have any questions, please contact Norman Hayashi of the Planning Department at 961-8288.

Sincerely,



Fred Galdones, Chairman  
Planning Commission

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cc: Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
State Land Use Commission  
Rodney Haraga, Director/DOT-Highways, Honolulu  
Department of Health