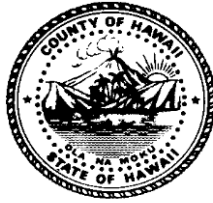


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## County of Hawai'i

### LEEWARD PLANNING COMMISSION

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

June 2, 2023

Mr. John Pipan  
Land Planning Hawai'i, LLC  
194 Wiwoole Street  
Hilo, HI 96720  
VIA EMAIL

Dear Mr. Pipan:

**SUBJECT: Special Permit Application (SPP 21-000227)**  
**Applicant: Kona Aerial Gymnastic Team Inc.**  
**Request: To Legitimize the Operation of a Youth Gymnastic and Sports Fitness Facility and Related Improvements**  
**Tax Map Key: (3) 7-5-017:044 (por); North Kona, Hawai'i**

The Leeward Planning Commission, at its duly held public hearing on May 19, 2023, voted to approve the above-referenced application to legitimize the operation of a youth gymnastic and sports fitness facility and related improvements on an approximately 2.3-acre portion of a larger 23.738-acre property in the State Land Use Agricultural District. The subject property is located at 75-476 Hualalai Road, approximately 700 feet east of its intersection with Queen Ka'ahumanu Highway, Wai'aha 1st, Puapua'anui 1<sup>st</sup>, North Kona District, Hawai'i.

Approval of this permit is subject to the following conditions:

1. The applicant, its successor(s), or assign(s) ("Applicant") shall be responsible for complying with all stated conditions of approval.
2. The proposed youth gymnastics and sports fitness facility and related improvements shall be conducted in a manner that is substantially representative of plans and details contained within the Special Permit Application dated May 7, 2021, any supplemental material, and the representations made before the Leeward Planning Commission. Any substantial expansion of the facility or uses beyond what is represented in this document shall require an amendment to this permit.

3. As represented by the applicant, the youth gymnastics facility will operate Monday through Friday, 2:00PM to 7:30PM, and Saturday, 8:00AM to 3:00PM. The sports fitness facility will operate Monday through Friday, 6:00AM to 9:00PM, and Saturday, 10:00AM to 5:00PM. Summer programs will operate during school summer breaks (May through August) with gymnastics classes held Monday/Wednesday/Friday, 7:30AM to 3:30PM, and Tuesday/Thursday, 3:00PM to 7:00PM.
4. Prior to issuance of Final Plan Approval, the Applicant shall provide to the Planning Department a metes and bounds survey of the approximately 2.3-acre permit area in map and written form, on the subject property. At no time shall the activities permitted under this Special Permit take place outside of the permit area. If Special Permit activities on the subject property exceed 15 acres, the Applicant shall go before the State Land Use Commission for approval.
5. Within six (6) months of the effective date of this permit, excepting time the plans are under government review, the Applicant shall secure Final Plan Approval for the proposed development from the Planning Director in accordance with Section 25-2-70, Chapter 25 (Zoning Code), Hawai'i County Code. Plans shall identify all existing and proposed structures, fences, signage, water sources (potable and non-potable), wastewater systems, fire protection measures, paved driveway access and paved parking stalls, outdoor lighting (if any, lighting must be shielded with light directed downwards), landscaping and other improvements associated with the proposed development.
6. Building permits for all existing and proposed structures and improvements, including water tanks, septic system and buildings, to be used for the proposed use, shall be obtained and finalized within sixteen (16) months from the issuance of Final Plan Approval, excepting time the plans are under government review.
7. Prior to issuance of a Certificate of Occupancy, the Applicant shall provide fire protection measures appropriate for the proposed use meeting with the approval of the Fire Department, including but not limited to water storage for firefighting purposes, water supply with sufficient fire flow rate, and providing fire department access roads with adequate turning radiuses to support the proposed development.
8. All earthwork and grading activity shall conform to Chapter 10, Erosion and Sedimentation Control, of the Hawai'i County Code.
9. All driveway connections to Hualālai Road shall conform to Chapter 22, County Streets, of the Hawai'i County Code.

10. Within five (5) years from the effective date of this permit, the Applicant shall align the access driveway within the 60-foot wide future Kakalina Road extension alignment. This alignment shall be noted on all future plans submitted to the County and shall be kept clear of any permanent structures.
11. Prior to issuance of Final Plan Approval, the Applicant shall submit a drainage study prepared by a licensed engineer to the Department of Public Works (DPW). Any recommended drainage improvements, if required, shall be constructed meeting with the approval of DPW prior to receipt of a Certificate of Occupancy.
12. Prior to commencing any work, the Applicant shall comply with Chapter 27, Flood Control, of the Hawai'i County Code, which may include but not be limited to obtaining a "No-Rise Certification" or a Letter of Map Revision from the Federal Emergency Management Agency (FEMA) for any work in Zone AE, including the placement of gravel for maintenance, no matter the volume of material being moved, and paving.
13. Prior to the issuance of Final Plan Approval, the Applicant shall submit estimated wastewater generation calculations, prepared by a professional engineer licensed in the State of Hawai'i, for review and approval. The Applicant shall additionally obtain approval from the Department of Health for the existing septic system and any other individual wastewater systems that may be required.
14. Prior to issuance of a water commitment by the Department of Water Supply (DWS), the Applicant shall submit the anticipated maximum daily water usage calculations as prepared by a professional engineer licensed in the State of Hawai'i to the DWS. A water commitment deposit shall be paid to the DWS within 180 days from the effective date of this permit in accordance with Rule 5 of the DWS's Rules and Regulations. After review of the calculation, the DWS will determine the appropriate service lateral and meter size required for the proposed use, which shall be installed by the Applicant prior to issuance of a Certificate of Occupancy.
15. In the event that surface or subsurface historic resources, including human skeletal remains, structural remains (e.g. rock walls, terraces, platforms, etc.), cultural deposits, marine shell concentrations, sand deposits, or sink holes are identified during the demolition and/or construction work, the Applicant shall cease work in the immediate vicinity of the find, protect the find from additional disturbance and contact the Department of Land and Natural Resources - State Historic Preservation Division (DLNR-SHPD) at (808) 933-7651. Subsequent work shall proceed upon an archaeological clearance from DLNR-SHPD when it finds that sufficient mitigation measures have been taken.

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16. The applicant shall comply with all applicable County, State and Federal laws, rules, regulations and requirements.
17. Should any of the conditions not be met or substantially complied with in a timely fashion, the permit is null and void.

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.

Approval of this permit is based on the reasons given in the attached Findings Report.

Should you have any questions, please contact Jessica Andrews of this department at (808) 961-8155 or by email at [Jessica.Andrews@hawaiicounty.gov](mailto:Jessica.Andrews@hawaiicounty.gov).

Sincerely,



[Barbara DeFranco \(Jun 2, 2023 17:31 HST\)](#)

Barbara DeFranco, Chairperson  
Leeward Planning Commission

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Attachment: Planning Commission Findings Report

cc via email w/att.: Kona Aerial Gymnastic Team Inc.  
Department of Public Works  
Department of Water Supply  
Department of Finance, Real Property Tax Division  
Fire Department  
State Department of Health  
Planning Department, GIS Section

**COUNTY OF HAWAI‘I**  
**PLANNING COMMISSION FINDINGS**

**KONA AERIAL GYMNASTIC TEAM INC.**  
**SPECIAL PERMIT APPLICATION (SPP-21-000227)**

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Based on the following findings, the Special Permit to legitimize the operation of a youth gymnastic and sports fitness facility and related improvements on an approximately 2.3-acre portion of a larger 23.738-acre property in the State Land Use Agricultural District is hereby **approved by the Planning Commission**. At the Planning Commission meeting on May 19, 2023, the Leeward Planning Commission (LPC) voted to amend Condition Nos. 4, 5 and 6, to clarify the scope of the project as well as modify timing of the plan approval and building permitting phases of the project. Additionally, the LPC voted to delete Condition No. 17, which allowed the applicant to apply for an initial extension of time subject to certain circumstances and to add language stating that if conditions are not complied with in a timely fashion, the permit will be null and void. The subject property is located at 75-476 Hualalai Road, approximately 700 feet east of its intersection with Queen Ka‘ahumanu Highway, Wai‘aha 1st, Puapua‘anui 1<sup>st</sup>, North Kona, Hawai‘i, TMK: (3) 7-5-017:044 (por).

The applicant is requesting a Special Permit to resolve zoning code violations and to convert an existing agricultural warehouse into a youth gymnastic and sports fitness facility on an approximately 2.3-acre portion of 23.738 acres of land situated within the SLU Agricultural District. According to the applicant, the proposed development will consist of the following improvements:

- Conversion of the existing 12,600 square-foot warehouse structure for the proposed operation of a gymnastics and sports fitness facility. The applicant will obtain all necessary permits to legitimize the proposed use.
- Construction of 38 gravel surfaced parking stalls, including 2 ADA accessible stalls (1 van accessible). ADA stalls will be properly sloped and compacted to provide a firm, slip-free surface, with paving if required.
- Access to the site will be provided by the existing 12 to 15-foot wide, 1,000-foot long gravel driveway. The gravel drive is in the process of being upgraded and aligned within the permanent future roadway corridor. Secondary, emergency access will be provided by a partially paved, approximately 10-foot wide and 1,800-foot long access drive (mauka-makai).
- Current and proposed operators are as follows: Gymnastics classes are conducted by Kona Aerial Gymnastic Team, Inc., while the sports fitness facility is operated by Nakuwauna Foundation.

Use of the existing warehouse structure for gymnastics classes and fitness training is currently ongoing. The applicant previously operated at 74-550 Honokohau Street but moved from that facility due to zoning issues. The size of the warehouse is ideal and necessary for the proposed use as a youth gymnastics facility, which requires at least 5,000-square feet of unobstructed clear space and a minimum ceiling height of 21 feet. Kona Aerial Gymnastics Inc. is a non-profit organization that has served West Hawaii athletes since 1989. According to the applicant, it is the only gymnastics training facility in Kailua-Kona. Their programs offer youth with the opportunity to investigate, experiment and grow through participation in an array of activities designed to advance

physical and emotional skills. The gymnastics and sports fitness programs offered emphasize building time-management skills, leadership skills, self-confidence, teamwork and physical coordination. The proposed use would provide a space for athletes to train for national-level teams and seek college scholarship opportunities. In addition to youth classes, senior fitness and adult gymnastics are offered. Recently, Kona Aerials has partnered with Nakuwauna Foundation to expand the offerings at the site to include adult fitness, strength and conditioning facilities. Nakuwauna Foundation is proposing to share the existing structure with Kona Aerials with a partition to separate the two spaces.

The youth gymnastics facility has approximately 200 participants in 20 different classes per month. The maximum class size is proposed to be 40 participants. The sports fitness facility has approximately 70 users per day, with no more than 17 simultaneous users. Kona Aerial Gymnastics currently has 1 full-time and 6 part-time employees. Nakuwauna Foundation is currently run by volunteers but anticipates hiring 2-3 employees.

The youth gymnastics facility will operate Monday through Friday, 2:00PM to 7:30PM, and Saturday, 8:00AM to 3:00PM. The sports fitness facility will operate Monday through Friday, 6:00AM to 9:00PM, and Saturday, 10:00AM to 5:00PM. Summer programs will operate during school summer breaks (May through August) with gymnastics classes held Monday/Wednesday/Friday, 7:30AM to 3:30PM, and Tuesday/Thursday, 3:00PM to 7:00PM.

The grounds for approving a Special Permit are based on Rule 6-7 in the Planning Commission Rules. It states that the Planning Commission shall not approve a Special Permit unless it is found that the proposed use: (a) is an unusual and reasonable use of land situated within the Agricultural or Rural District, whichever the case may be; and (b) the proposed use would promote the effectiveness and objectives of Chapter 205, Hawai'i Revised Statutes, as amended.

**The proposed use is an unusual and reasonable use of land situated within the State Land Use Agricultural District and would promote the effectiveness and objectives of the State Land Use Law and Regulations and Chapter 205, HRS, as amended.** 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 Hawai'i. In the case of the Agricultural District, the intent is to preserve or keep lands of high agricultural potential in agricultural use.

The proposed youth gymnastics and sports fitness facility operation on an approximately 2.3-acre portion of 23.738 parcel is unusual in that it is not a direct agricultural use of that portion of the property. The use is reasonable in that the proposed operations will largely occur within an existing structure and improvements (existing warehouse, driveway and parking area), thus not removing the existing agricultural potential from the property. Additionally, the subject property is not considered prime agricultural land.

In addition to the above listed criteria, the Planning Commission shall also consider the criteria listed under Section 6-3(b)(5) (A) through (G). In considering the criteria, the Deputy Planning Director recommends the following:

**(A) The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawai'i Revised Statutes, as amended.** As evaluated above, the applicant's request is considered an unusual and reasonable use of agricultural land that will not adversely affect the preservation of lands with high agricultural potential in the County of Hawai'i.

**(B) The desired use would not adversely affect surrounding properties.** Immediately adjacent properties to the north and east, of the property are similarly zoned A-1a. Adjacent properties to the south and west of the subject parcel are within the A-5a and RS-10 zoning district. Surrounding properties are mainly vacant of structures and uses apart from two existing Special Permits on adjacent properties. Special Permit No. 1047 was issued on February 4, 2000 for the property to the west of the subject parcel, TMK 7-5-017:031, to allow the establishment of a coffee visitor center. In addition, Special Permit No. 2017-000195 was issued for the property to the southwest of the subject parcel, TMK 7-5-017:040, to allow the construction of Living Stones Church. There are several residential subdivisions in the area, including Pualani Estates to the south, Hualālai Colony to the north across Hualālai Road, and Kona Hillcrest Subdivision across Queen Ka'ahumanu Highway from the subject property. These subdivisions are over 500 feet from the subject property.

According to the applicant, the youth gymnastics facility will operate Monday through Friday, 2:00PM to 7:30PM, and Saturday, 8:00AM to 3:00PM. The sports fitness facility will operate Monday through Friday, 6:00AM to 9:00PM, and Saturday, 10:00AM to 5:00PM. Summer programs will operate during school summer breaks (May through August) with gymnastics classes held Monday/Wednesday/Friday, 7:30AM to 3:30PM, and Tuesday/Thursday, 3:00PM to 7:00PM.

The youth gymnastics facility has approximately 150 participants in 20 different classes per month. The maximum class size is proposed to be 40 participants. The sports fitness facility has approximately 70 users per day, with no more than 17 simultaneous users. Kona Aerial Gymnastics currently has 1 full-time and 6 part-time employees. Nakuwauna Foundation is currently run by volunteers but anticipates hiring 2-3 employees.

According to the applicant, the proposed use would generate a modest increase in traffic to the subject property. The applicant is proposing strategies to reduce the impact of increased traffic, including limiting gymnastics class sizes to 40 participants and fitness class sizes to 10 participants. Additionally, the applicant anticipates that traffic impacts will be mitigated by encouraging participants to carpool and by scheduling classes outside of morning or afternoon commute times. The maximum number of users of the facility is anticipated to be between 110 and 166 per day. Approximately 17 peak AM trips are anticipated for fitness classes and individual use combined. During the school year, no AM trips for gymnastics users are anticipated. During summer break, gymnastics classes would contribute an estimated 20-30 peak AM trips, assuming at least half of the participants share rides for pick-ups and drop-offs. PM peak trips anticipated for competitive team gymnastics classes would also be 20-30 with the same amount of

carpooling. Recreational classes would contribute less to peak PM trips due to the smaller class size. Fitness classes are scheduled at 5 PM, Monday through Friday, and the applicant anticipates them to contribute 17 peak PM trips.

There could potentially be short-term noise impacts during the limited construction phase, however, to mitigate this impact, the development of this proposed project should be limited to daylight hours and weekdays. Given the fact that the proposed use will occur within an existing structure, the noise and construction impacts from the proposed gymnastics and sports fitness facility should not be significant.

**(C) Such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection.** The subject parcel is accessed via Hualālai Road, approximately 700 feet east of its intersection with Queen Ka‘ahumanu Highway. Hualālai Road is owned by the county and maintained with an average pavement width of 20 feet. Access within the property is by an existing 12 to 15-foot wide, 1,000-foot long gravel drive. A secondary access, proposed for emergency use only, exists along the southern boundary of the subject parcel. Since the subject property is within the Kona Urban Area and is designated Urban Expansion by the General Plan, the applicant will be required to provide a paved driveway access for the main North-South driveway access, in addition to paved parking stalls. The preceding will be added as a condition of approval.

According to the Department of Water Supply (DWS), water can be made available from an existing 8-inch waterline within Hualālai Road. There are currently four (4) units of water assigned to the subject parcel. DWS has requested that the applicant submit estimated daily water usage calculations for the proposed uses, in order to determine the appropriate service lateral and meter size required. DWS has additionally informed the applicant that the existing 8-inch waterline within Hualālai Road is inadequate to provide the required 2,000 gallons per minute flow for fire protection. DWS has suggested that the applicant work with the Fire Department to determine an alternative solution. According to the applicant water is collected from roof runoff which is stored in two existing catchment tanks and used only for irrigation purposes. Additionally, according to the applicant, they have prepared plans for the installation of a 6-inch lateral and fire hydrant located approximately 70 feet from the existing structure to be used for the proposed use. According to the applicant, the lateral and hydrant are served by a 16-inch main and should have ample flow to meet DWS requirements. Additionally, the applicant understands that a reduced pressure backflow prevention assembly may need to be installed.

Public sewer is not available to the site, therefore a Department of Health approved wastewater system will be required for the proposed project once wastewater generation calculations are provided to DOH. The applicant has stated that the applicant and landowner are working with a civil engineer to secure proper permits, approvals and inspections for the existing septic system. The preceding will be added as conditions of approval.

Portions of the property, including the existing warehouse structure, are located within Zone X, an area determined by FEMA to be outside the 500-year flood plain. Other areas of the property are located within areas designated by FEMA as Flood Zone AE, defined as a Special Flood Hazard Area that can be inundated by a 100-year flood



(1% chance of occurring within the Zone X area). According to the Department of Public Works, Engineering Division, the 60-foot wide roadway corridor that provides one of the access routes to this facility does cross through Flood Zone AE. Any work in Zone AE like the placement of gravel for maintenance or paving the driveway would require either a “No-Rise Certification” or a Letter of Map Revision from FEMA, no matter the volume of material being moved. The preceding will be added as conditions of approval.

There should be no other impacts to public services due to the proposed project. The site is currently serviced by police and fire facilities that are located less than five (5) miles from the subject parcel. The project location should not require any extension or expansion of these public services.

**(D) Unusual conditions, trends, and needs have arisen since district boundaries and regulations were established.** In the 1960’s and 1970’s, the State’s agricultural district boundaries and regulations were established and subsequently amended pursuant to HRS Chapter 205. Since then, new industries have emerged, such as the proposed youth gymnastics and sports fitness facility, that were not anticipated when the district boundaries were created. Notwithstanding the current restrictions on social gatherings and indoor occupancy levels due to the COVID-19 emergency proclamations, there is a need for a gymnastics and sports fitness facility in West Hawai`i. The applicant operates what is currently the only operating gymnastics program in West Hawai`i. The inventory of properties available to host such uses has not kept pace with demand. Further the applicant understands the importance of COVID-19 regulations and will comply with the emergency proclamations while they are in effect. Through the issuance of a Special Permit, various “non-agricultural” uses may be allowed.

**(E) The land upon which the proposed use is sought is unsuited for the uses permitted within the district.** The land upon which the proposed project is situated is not suitable for agricultural uses. The site is unclassified by ALISH (Agricultural Lands in the State of Hawai`i). The soil is classified as D, or poor, with the Land Study Bureau. The land has not been used intensively for agriculture in the recent past. The Kona CDP designates the area as within the outer boundary of two neighborhood Transit-Oriented Developments (TODs) and would therefore be suitable for neighborhood commercial and recreational uses. Additionally, the nature of the proposed use aligns with its Urban Expansion designation as mentioned above. Based on the preceding, the proposed use would not represent a significant loss of potential agricultural opportunity due to the classification of the land and soil on the site and the limited area proposed to be used for the Special Permit area.

**(F) The use will not substantially alter or change the essential character of the land and the present use.** The proposed use will not substantially alter or change the essential character of the land. The land has been altered significantly in the past as it is largely cleared. The land has been used for aggregate and equipment storage by the property owners for several years. The recently constructed agricultural storage warehouse has since been converted into the proposed gymnastics and sports fitness facility and is presently being used for the proposed use. The approval of this request would serve to legitimize a facility hosting non-profit businesses seeking to serve the

needs of the community. Further, any potential perceived conflict between the present aggregate storage use and the proposed recreation and sport facility is largely mitigated by the physical separation of the two uses on the subject property.

**(G) The request will not be contrary to the General Plan and official Community Development Plan and other documents such as Design Plans.** The County of Hawai‘i’s General Plan is the policy document for the long range comprehensive development of the island of Hawai‘i. One of the purposes of the General Plan is to guide the pattern of future development in this County based on long-term goals. The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the majority of the property, including the proposed Special Permit area as Urban Expansion, which allows for a mix of high density, medium density, low density, industrial, industrial-commercial and/or open designations in areas where new settlements may be desirable, but where the specific settlement pattern and mix of uses have not yet been determined, thus the youth gymnastics and sports fitness facility would be consistent with this designation. As such, the proposed use will support many of the agricultural land use policies of the General Plan and Kona CDP including the following policies:

**General Plan – Goals and Policies**

- Provide residents with opportunities to improve their quality of life through economic development that enhances the County’s natural and social environments;
- Encourage the health/wellness industry;
- Provide a wide variety of recreational opportunities for the residents and visitors of the County;
- Provide facilities and a broad recreational program for all age groups, with special considerations for the handicapped, the elderly and young children; and
- Coordinate recreational programs and facilities with governmental and private agencies and organizations. Innovative ideas for improving recreational facilities and opportunities shall be considered.

**Kona CDP Guiding Principles**

- The majority of future growth in Kona shall be directed to the Kona Urban Area shown on the Official Kona Land Use Map, which spans from the Kona International Airport to Keauhou subject to the policies set forth under Objective LU-2 Urban Area Growth Management.
- Transit-Oriented Development (TOD): The development of compact mixed-use villages which would integrate housing, employment, shopping and recreation opportunities. Villages would be designed around transit stations/shops which would reduce the need for daily trips and financially support the expanded transit system. The subject parcel is located within the Pua‘a-Wa‘iaha neighborhood village. According to the KCDP, neighborhood village core areas allow for small-scale commercial uses like the proposed gymnastics facility. Further the proposed use is aligned with the subject parcel’s designation as a part of the Neighborhood Village secondary area, intended to include uses that serve TOD residents, such as

schools and community parks.

- The Kona CDP includes plans for a future connector street, the 60-foot wide future Kakalina Road. The proposed access road will need to be aligned with this extension alignment.

Based on the preceding, the request will not be contrary to the General Plan and Kona Community Development Plan.

**The proposed use is not contrary to the objectives sought to be accomplished by Chapter 205A, Hawai'i Revised Statutes, relating to Coastal Zone Management program.** SMA is part of the Coastal Zone Management Program regulated by the County. The subject property is located approximately one (1) mile from the nearest coastline and is not situated within the Special Management Area. There is no known public access to the shoreline or mountains through the subject property.

Structures for the proposed use will connect to a Department of Health approved wastewater system and all project related drainage shall be handled on-site. Furthermore, the applicant shall comply with Chapter 10, Erosion and Sedimentation Control, Hawai'i County Code, and State Department of Health (DOH) water pollution control regulations therefore, the project is not anticipated to have any negative impact on coastal ecosystems, marine resources.

According to a July 6, 2021 letter from the State Historic Preservation Division (SHPD), no historic properties have been identified on the subject parcel. Additionally, aerial imagery indicates that the current project area has been impacted by previous ground-disturbing activities associated with the development of the existing warehouse structure and the existing gravel access roads. The letter concludes that it is unlikely that historic properties remain intact within the currently proposed project area. Thus, it is not anticipated that the proposed request will have an adverse impact on cultural or historical resources in the area.

Lastly, this approval is made with the understanding that the applicant remains responsible for complying with all other applicable governmental requirements in connection with the approved use, prior to its commencement or establishment upon the subject property. Additional governmental requirements may include issuance of building permits, compliance with the Fire Code, installation of improvements required by the American with Disabilities Act (ADA), among many others. Compliance with all applicable governmental requirements is a condition of this approval; failure to comply with such requirements will be considered a violation that may result in enforcement action by the Planning Department and/or affected agencies.

Based on the above considerations, establishment of the proposed use on an approximately 2.3-acre portion of a larger 23.738-acre property is an unusual and reasonable use of land in the Agricultural district and would promote the effectiveness and objectives of Chapter 205, Hawai'i Revised Statutes.