



## County of Hawai'i

### WINDWARD PLANNING COMMISSION

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

MAY 12 2015

Mr. Sidney M. Fuke  
Planning Consultant  
100 Pauahi Street, Suite 212  
Hilo, HI 96720

Dear Mr. Fuke:

Use Permit Application (USE 15-000052)

Applicant: Yuri Matsuoka

Request: To Allow the Establishment of a Five-Bedroom Bed & Breakfast Operation Within  
an Existing Dwelling

Tax Map Key: 2-2-036:036

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The Windward Planning Commission, at its duly held public hearing on May 7, 2015, voted to approve the above-referenced request to allow the establishment of a 5-bedroom bed and breakfast operation within an existing single-family dwelling on 22,500 square feet of land. The project site is situated at 665 Hinano Street, approximately 200 feet north of the Hinano Street and Leilani Street intersection, Waiākea Houselots 1<sup>st</sup> Series, South Hilo, Hawai'i.

Approval of this permit is subject to the following conditions:

1. The applicant, successor 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 five (5) bedrooms and a maximum of 10 guests per day.
4. The applicant shall comply with all applicable County, State and Federal laws, rules, regulations and requirements.

*Hawai'i County is an Equal Opportunity Provider and Employer*

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Mr. Sidney M. Fuke  
Planning Consultant  
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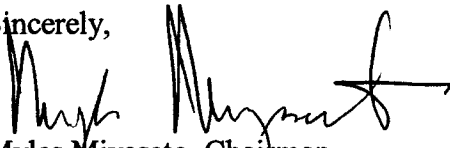
Should any of these conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke this Use Permit.

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.

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

Should you have any questions, please contact Jeff Darrow of the Planning Department at 961-8158.

Sincerely,



Myles Miyasato, Chairman  
Windward Planning Commission

LYMatsuokaUSE15-052wpc  
Enclosure: PC Findings Report

cc: Yuri Matsuoka  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division - Hilo  
State Department of Health  
Mr. Gilbert Bailado

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

**YURI MATSUOKA**  
**USE PERMIT APPLICATION NO. 15-000052**

**YURI MATSUOKA** has submitted an application for a Use Permit to allow the establishment of a 5-bedroom bed and breakfast operation within an existing single-family dwelling on 22,500 square feet of land within the County’s Single-Family Residential-10,000 square foot (RS-10) zoned district. The property is located at 665 Hinano Street, approximately 200 feet north of the Hinano Street and Leilani Street intersection, Waiākea Houselots 1<sup>st</sup> Series, South Hilo, Hawai‘i, TMK: 2-2-036:036.

The applicant is requesting a Use Permit to allow the establishment of a 5-bedroom bed and breakfast operation within an existing 2-story, 5-bedroom single-family dwelling on 22,500 square feet of land within the Single-Family Residential-10,000 square foot (RS-10) zoning district. The site would be suitable for such a use given the residential ambiance of this area plus the site’s proximity to commercial retail areas, including restaurants with walking distance. The allowance of the 5-bedroom bed and breakfast operation will help supplement the owner’s income and to enjoy the company of their guests.

In considering a Use Permit for any proposed use, Rule 7 of the Planning Commission relating to Use Permits, requires that such action conform to the following guidelines:

- A. The granting of the proposed use shall be consistent with the general purpose of the zoned district, the intent and purpose of the Zoning Code and the County General Plan;
- B. The granting of the proposed use shall not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or to surrounding properties; and
- C. The granting of the proposed use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, police and fire protection and other related infrastructure.

The 5-bedroom bed and breakfast operation meets the guidelines for approval of a Use Permit, for the reasons outlined below:

**The granting of the proposed use shall be consistent with the general purpose of the zoned district, the intent and purpose of the Zoning Code and the County General Plan.** The Use Permit process provides an avenue to review and analyze a proposed project on a case-by-case basis relative to infrastructure and impacts on surrounding properties and existing uses, as well as consistency with the goals and polices of the General Plan. According to the Zoning Code, Single-Family Residential districts “provide for lower or low and medium density residential use, for urban and suburban family life.” This includes bed and breakfast operations, which are considered accessory or subordinate to the principle use of the property as a residence. The County Zoning Code, Section 25-4-7, provides guidelines for bed and breakfast operations.

Based upon the applicant's representation, the bed and breakfast operation will meet with the requirements of the Zoning Code, Section 25-4-7(b), regarding bed and breakfast establishments.

Bed and breakfast accommodations are becoming increasingly popular with visitors to the island, who seek a quieter, more authentic experience of local life. Bed and breakfast businesses provide an economic opportunity for County residents, who can supplement their incomes by sharing their homes with visitors. Recognizing this benefit, Ordinance No. 92-104 was originally passed by the County Council in 1992 (with amendments to the Zoning Code in 1996 and 2000), to allow for bed and breakfast operations. Restrictions and standards continue to focus on the use remaining secondary to the principal use of the dwelling as a residence. On residential zoned lands within a State Land Use Urban District, impacts from bed and breakfast operations can be properly addressed and mitigated through the approval of a Use Permit.

The applicant is requesting to allow the establishment of a five-bedroom bed and breakfast establishment within an existing 2-story, 5-bedroom, single-family dwelling on a portion of a 22,500-square foot property. The owner(s) will reside within the existing dwelling by converting an existing sewing room into a bedroom. The bed and breakfast will serve breakfast and service a maximum of 10 guests per day. Adequate utilities and services are available at the site. Thus, the bed and breakfast activities would be consistent with the general purpose of the zoned district and the intent and purpose of the Zoning Code.

The General Plan designation for this area is Medium Density Urban, which allows for village and neighborhood commercial and single family and multiple family residential and related functions. As the proposed bed and breakfast operation will be established within an existing single-family dwelling, the use should not alter the appearance or character of the neighborhood, which is mainly made up of single-family residential dwellings.

The proposed bed and breakfast operation will complement the following goals, policies and standards of the Economic and Land Use elements of the General Plan:

**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 improvement shall be in balance with the physical, social, and cultural environments of the island of Hawai'i.
- Provide an economic environment that allows new, expanded, or improved economic opportunities that are compatible with the County's cultural, natural and social environment.
- Strive for an economic climate which provides its residents an opportunity for choice of occupation.
- Encourage the development of a visitor industry that is consistent with the social, physical, and economic goals of the residents of the County.

**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.

Therefore, the bed and breakfast establishment would operate within the parameters of being single-family residential in character, is consistent with the General Plan designation and is in keeping with the goals, policies and standards of the General Plan.

**The granting of the proposed use shall not be materially detrimental to the public welfare nor cause substantial, adverse impact to the community's character or to surrounding properties.** The subject property is 22,500 square feet in size and is rectangular in shape. It is located at 665 Hinano Street in the Waiākea Houselots area in Hilo. There is an existing 2-story, 5-bedroom dwelling that was constructed in 1935. The surrounding area consists mainly of urban residential uses along with some commercial uses. The dwelling and parking areas can accommodate the bed and breakfast operation. Adequate public services and facilities are also available to accommodate the proposed use. It is not anticipated that the approval of this bed and breakfast operation will have a major impact in the community or on other similar uses in the area.

**The granting of the proposed use will not unreasonably burden public agencies to provide roads and streets, sewer, water, drainage, school improvements, police and fire protection and other related infrastructure.** Access to the property is from Hinano Street, which is a County road that has an approximately 20-foot pavement with grass shoulders within a 40-foot right-of-way. There is adequate guest parking located on site. It is not anticipated that guests of the bed and breakfast establishment will substantially increase traffic on the existing roadways.

The property is serviced by County water. The dwelling is connected to the County sewer line located within Hinano Street fronting the subject property. All other essential utilities are available to the property. Fire and police services are available in Hilo. Lastly, a condition will be added requiring the applicant to comply with all applicable County, State and Federal laws, rules, regulations and requirements. Therefore, based on the above discussion, the granting of the request will not unreasonably burden public agencies to provide needed services and infrastructure.

**In addition to the criteria for granting a Use Permit, the request is not contrary to Chapter 205A, Hawai'i Revised Statutes, relating to Coastal Zone Management Area.** The property is not located within the Special Management Area and is approximately one mile from the nearest coastline. There is no record of a designated public access to the shoreline or mountain areas traversing the property. Due to the project site's distance from the shoreline, the property will not impact any recreational resources, scenic and open space or visual resources, coastal ecosystems and marine coastal resources.

The site has been cleared in the past and used residentially and it is unlikely that there are any archaeological or cultural features on the property. The vegetation on the site is non-cultivated species, including lawn grass, fern and anthurium plants.

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 the issuance of building permits, the installation of approved wastewater disposal systems, 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 the affected agencies.

Based on the above considerations, Use Permit No. 15-000052 is approved to allow the establishment of a 5-bedroom bed and breakfast operation within an existing single-family dwelling on 22,500 square feet of land within the County's Single-Family Residential-10,000 square foot (RS-10) zoned district. The property is located at 665 Hinano Street, approximately 200 feet north of the Hinano Street and Leilani Street intersection, Waiākea Houselots 1<sup>st</sup> Series, South Hilo, Hawai'i, TMK: 2-2-036:036.