

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Approved
December 13, 1978

Meeting Room, First Hawaiian Bank
Kailua, Kona, Hawaii

September 27, 1978 - 10:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
James Carras
Colette Machado
Shinsei Miyasato
Shinichi Nakagawa
Mitsuo Oura
George Pascua
Carol Whitesell

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter

ACTION

✓ SP78-313 - CHARLES T. ONAKA
SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A SMOKED BEEF
BUSINESS AT HONAUNAU MAUKA, SOUTH KONA, HAWAII

Mr. Daniel Yasui, Planner, pointed out the location of the property on the maps and oriented it with various surrounding landmarks. A resume of the staff memorandum relative to the subject request was also presented.

Commissioner Whitesell observed that the petitioner was in fact already operating a meat smoking business on the property and wondered why the County had permitted this to occur. Chairman Duke agreed that this subject Special Permit request appeared to be after the fact even though it was a request for a very small operation. However, he also felt that it would behoove the Commission to discuss this type of untimely requests with the Planning Commissions.

It was moved by Commissioner Oura to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission. The motion was seconded by Commissioner Carras and unanimously carried.

At Commissioner Whitesell's suggestion, Chairman Duke instructed staff to set up a meeting of the Commission for the purpose of discussing problems relating to Special Permit applications, such as untimely requests and others which have confronted the Commission from time to time.

SP78-318 - HAWAII COUNTY POLICE DEPARTMENT
SPECIAL PERMIT TO ALLOW THE ESTABLISHEMNT OF AN OUTDOOR PISTOL
RANGE AT KAI'AAKEA, NORTH HILO, HAWAII

A resume of the staff memorandum was presented by the Planner. The location of the subject property was also pointed out on the maps.

In response to questions which were raised by the Commissioners, Miss Piianiaia, Planner with the Hawaii Planning Department, provided the information that the Special Permit had been approved by the County for the use of the entire 15-acre parcel although the proposed use would be sited on an approximately 1.5-acre portion of the parcel.

Commissioner Carras moved to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission, subject further to clarification regarding the 1.5 acres required for the pistol range and the 15+ acres described in condition No. 1. The motion was seconded by Commissioner Oura and unanimously passed.

SP78-273 - OAHU CORPORATION
SPECIAL PERMIT TO ALLOW A ONE-YEAR TIME EXTENSION TO COMMENCE
CONSTRUCTION OF A RECREATIONAL THEME PARK AT KAHE POINT, EWA,
OAHU

Mr. Furutani, Executive Officer, pointed out the location of the subject property on the maps and oriented its location with various surrounding landmarks. A resume of the staff memorandum was presented. It was also reported that a letter had been received from the attorney for the Neighborhood Board No. 24, et al, requesting the "hearing on the building permit extension be held on Oahu and that the presently scheduled action be continued until the Land Use Commission's next meeting on Oahu", since a contested hearing procedure was indicated.

Mr. Allan Kawada, Deputy Attorney General, counselled that he did not believe a contested case hearing for a consideration of a time extension request on a Special Permit application was warranted or meritorious, inasmuch as today's request was merely a modification of a condition already imposed by the County at the original hearing. Therefore, it was his contention that the action taken by the County was not in violation of due process, as stated by the attorney for the

BEFORE THE LAND USE COMMISSION

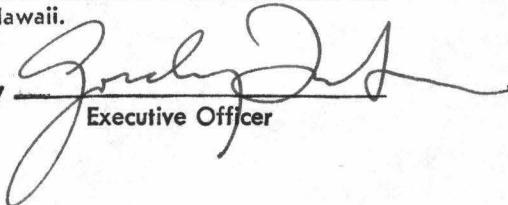
OF THE STATE OF HAWAII

In the Matter of the) SP78-313
Petition for Special Permit)
of) FINDINGS OF FACT,
CHARLES T. ONAKA) CONCLUSIONS OF LAW AND
) DECISION AND ORDER
)

This is to certify that this is a true and correct copy of the
Decision and Order on file in the office of the State Land Use
Commission, Honolulu, Hawaii.

NOV 21 1978

Date

by 
Executive Officer

FINDINGS OF FACT, CONCLUSIONS OF LAW AND
DECISION AND ORDER

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the) SP78-313
Petition for Special Permit)
of) FINDINGS OF FACT,
CHARLES T. ONAKA) CONCLUSIONS OF LAW AND
) DECISION AND ORDER

FINDINGS OF FACT, CONCLUSIONS OF LAW AND
DECISION AND ORDER

The Land Use Commission of the State of Hawaii,
having duly considered the entire record in the above-entitled
matter, makes the following Findings of Fact and Conclusions
of Law:

FINDINGS OF FACT

1. The Petition for Special Permit was filed
by Charles T. Onaka to allow the establishment of a smoked
beef business on approximately .76 acre of land situated
within the State Land Use Agricultural District at Honaunau
Mauka, South Kona, Hawaii, Tax Map Key 8-4-05: 61.

2. The subject property is situated along the
mauka side of the Mamalahoa Highway, approximately one (1)
mile south of the Honaunau Post Office.

3. The proposed facility is to include a
14-foot by 10-foot meat cutting room and a 4-foot by 4-foot
smoke room. The Petitioner has indicated that no slaugh-
tering of animals will be done on the premises.

4. The County of Hawaii's General Plan Land Use Pattern Allocation Guide Map designates the subject area as "Orchard". The property is presently zoned Agricultural-5 acres (A-5a).

5. The Land Study Bureau's overall master productivity soil rating for agricultural use is Class "E" or "Very Poor" for the subject site. The property is not designated as "Agricultural Lands of Importance" by the State Department of Agriculture.

6. The land surrounding the subject site are used for residential, coffee growing and other agricultural purposes.

7. The Petitioner has stated that the smoked beef business is ideally suited to the area and will not burden public agencies to provide services or facilities.

8. The State Department of Health, Department of Transportation, Department of Agriculture, County of Hawaii Department of Water Supply and County of Hawaii Fire Department had no objections to the proposed use.

9. The Hawaii County Planning Commission held a public hearing for the Special Permit application on July 13, 1978.

CONCLUSIONS OF LAW

1. "Unusual and reasonable" uses other than those which are permitted in an agricultural district may be permitted by Special Permit pursuant to HRS § 205-6 and the State Land Use Commission District Regulations, Part V.

2. The approval of the subject request would be consistent with the State Land Use Law and Regulations. The Land Use Law and Regulations are intended 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 health and welfare of the public. The purpose of this request is to allow the establishment of a smoked meat business on the subject area, providing a reliable outlet for the Petitioner's ranching operation. In addition, the approval of this request will result in the increased production of a desired agricultural product, as well as a new source of income for this portion of Kona. The proposed use would therefore encourage and assist the cattle industry, albeit on a small scale. Consequently, granting the request to allow the smoked meat business would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening the existing and future agricultural activities in the area.

3. The proposed use will not adversely affect the surrounding areas. These areas can be characterized as being primarily agricultural in nature. This portion of Kona is one of the main coffee growing areas as well as supporting other diversified agricultural crop and small ranching operations. The granting of this request will not alter the essential character of this area, but will allow the establishment of a use, namely the smoked meat operation, which is related to the agricultural industry.

According to the State Land Use Law and Regulations as well as the County's Agricultural zoned district regulations, the processing of agricultural products, including smoked meat, is permitted within these Agricultural designated areas provided that the products are raised or grown on the subject area. Therefore, because of the nature of the proposed use and its relation to the agricultural industry, it is concluded that the granting of this request and the subsequent establishment of the smoked meat operation on the subject property will not be out of character with the surrounding land uses and consequently, will not have any substantial adverse effect on these areas.

4. The approval of this request will not unreasonably burden public agencies to provide roads and street, water and other improvements. All necessary utilities and infrastructures are already available to the subject area.

5. The use described in the Petition is an "unusual and reasonable" use pursuant to HRS § 205-6 and State Land Use Commission District Regulations, Part V.

DECISION AND ORDER

IT IS HEREBY ORDERED that Special Permit No. 78-313, for the establishment of a smoked beef business on approximately .76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii, Tax Map Key 8-4-05: 61, be approved subject to the following conditions:

1. That the Petitioner or his authorized representative shall submit plans for plan approval within one (1) year of the effective date of the Special Permit.
2. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within one (1) year thereafter.
3. That the rules, regulations and requirements of the State Department of Health and the State Department of Agriculture be complied with.
4. That the driveway access off the Mamalahoa Highway to the proposed facility shall comply with the requirements of the State Department of Transportation, Land Transportation Facilities Division. Furthermore, the driveway shall be paved with an all-weather, dust-free surface.
5. That all other applicable rules, regulations and requirements be complied with.
6. That should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

DATED: Honolulu, Hawaii, November 9, 1978

LAND USE COMMISSION

By C. W. Duke
C. W. DUKE
Chairman and Commissioner

By Shinichi Nakagawa
SHINICHI NAKAGAWA
Vice Chairman and Commissioner

By James R. Carras
JAMES CARRAS
Commissioner

By Colette Y. Machado
COLETTE MACHADO
Commissioner

By Shinsei Miyasato
SHINSEI MIYASATO
Commissioner

By Mitsuo Oura
MITSUO OURA
Commissioner

By George Pascua
GEORGE PASCUA
Commissioner

By Carol B. Whitesell
CAROL WHITESELL
Commissioner

By Edward Yanai
EDWARD YANAI
Commissioner

974768

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO

SIDNEY FUKE

STREET AND NO.

25 Aupuni St.

P.O., STATE AND ZIP CODE

Hilo, Hi. 96720

POSTAGE

\$ 1.06

CERTIFIED FEE

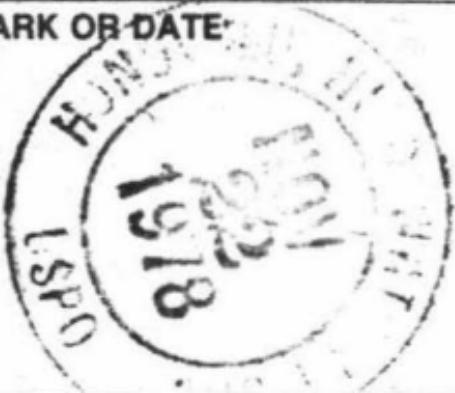
.80 \$

OPTIONAL SERVICES	SPECIAL DELIVERY	\$
	RESTRICTED DELIVERY	\$
SHOW TO WHOM AND DATE DELIVERED		.45 \$
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		\$
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		\$
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		\$

TOTAL POSTAGE AND FEES

\$ 2.31

POSTMARK OR DATE



- SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered..... \$
 Show to whom, date, and address of delivery .. \$
 RESTRICTED DELIVERY
 Show to whom and date delivered..... \$
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery . \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

SIDNEY FUKE

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	974768	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

4.

DATE OF DELIVERY

11/24/78

POSTMARK

O. HI
NOV 24 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

SP 78-306, 309, 310, 313

No.

974772

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO

CHARLES T. ONAKA

STREET AND NO.

P. O. Box 208

P.O., STATE AND ZIP CODE

Honaunau, Kona, Hi.

SP 78-313 - ONAKA

CONSULT POSTMASTER FOR FEES

OPTIONAL SERVICES

RETURN RECEIPT SERVICE

SHOW TO WHOM AND DATE
DELIVERED

SHOW TO WHOM, DATE, AND
ADDRESS OF DELIVERY

SHOW TO WHOM AND DATE
DELIVERED WITH RESTRICTED
DELIVERY

SHOW TO WHOM, DATE AND
ADDRESS OF DELIVERY WITH
RESTRICTED DELIVERY

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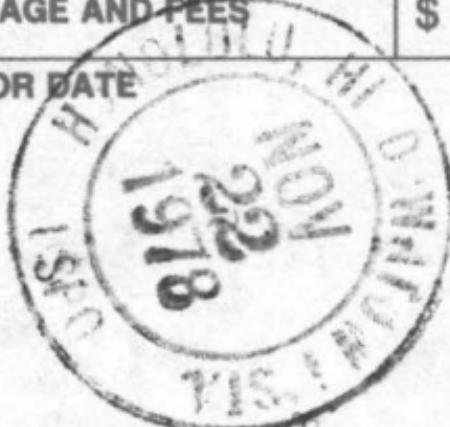
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\$ 1.66

POSTMARK OR DATE



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, afix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

- SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered..... \$
 Show to whom, date, and address of delivery..... \$
 RESTRICTED DELIVERY
 Show to whom and date delivered..... \$
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery. \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

CHARLES T. ONAKA

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

974772

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Addressee

Authorized agent

4.

DATE OF DELIVERY

11-27-78

5. ADDRESS (Complete only if requested)



6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
 JW

★ GPO: 1977-0-249-595

SP78-313 - CHARLES T. ONAKA

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the)
Petition for Special Permit) SP78-313
of CHARLES T. ONAKA) CHARLES T. ONAKA
)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use
Commission's Decision and Order was served upon the
following:

Sidney Fuke, Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Charles T. Onaka
P. O. Box 208
Honaunau, Kona, Hawaii 96726

Dated: Honolulu, Hawaii, this 21st day of November, 1978.



GORDAN V. FURUTANI
Executive Officer
Land Use Commission

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

SP78-313
ITEM CHARLES T. ONAKA

DATE September 27, 1978

PLACE First Hawaiian Bank, Kona Branch TIME 10:00 a.m.

	NAME	YES	NO	ABSTAIN	ABSENT
	YANAI, EDWARD	X			
	CARRAS, JAMES	X			
	PASCUA, GEORGE R.	X			
	WHITESELL, CAROL	X			
S	NAKAGAWA, SHINICHI	X			
M	OURA, MITSUO	X			
	MIYASATO, SHINSEI	X			
	MACHADO, COLETTE	X			
	DUKE, CHARLES	X			

Comments:

I move to approve SP78-313, subject to the conditions imposed by the Hawaii Planning Commission

SP78-313
Charles T. Onaka

LUC MAPS

NORTH
Scale: 1" = 1

165.0

31st X

PROPOSED 4'x4'
SMOKE ROOM

EXISTING CESS POOL

CARPORT

EXISTING DWELLING

BRUNNEN

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MAMALAHOA HIGHWAY

→ To Kailua

To Kau →

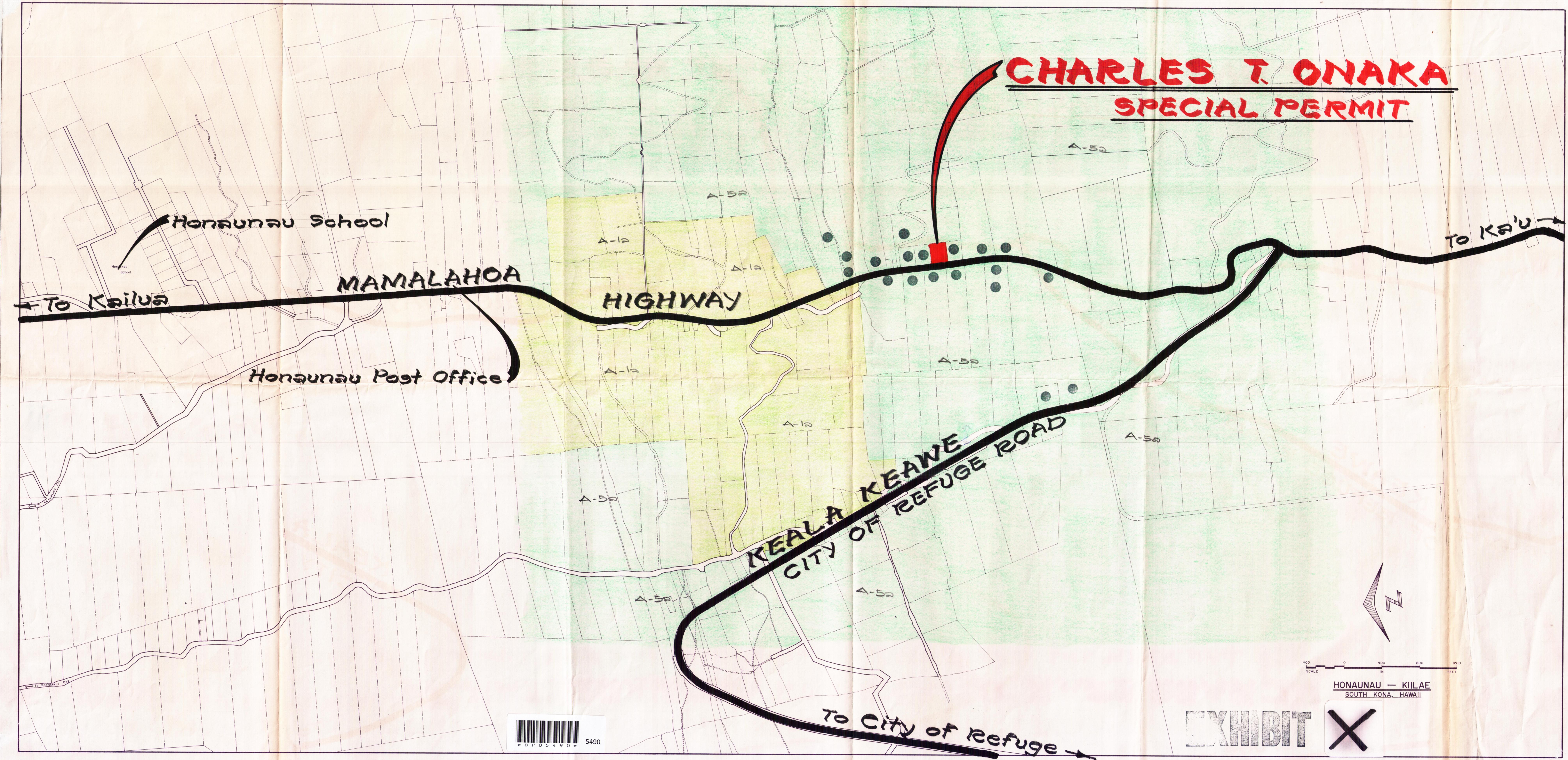
EXHIBIT Y



5489
* B P 0 5 4 8 9 *

5489

CHARLES T. ONAKA
SPECIAL PERMIT



STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission
FROM: Staff
SUBJECT: SP78-313 - Charles T. Onaka

September 27, 1978

The petitioner, Charles T. Onaka, is requesting a Special Permit to allow the establishment of a smoked beef business on approximately .76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii, Tax Map Key 8-4-05: 61. The subject property is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office (see attached County Exhibit 0-1).

The request specifically involves the renovation of an existing carport to accommodate a 14' x 10' meat cutting room and a 4' x 4' smoke room. The petitioner's residence is situated on the subject parcel, which is leased from the Bishop Estate. There will be no slaughtering done on the premises.

In support of the request, the petitioner has in part stated the following:

"Due to adverse drought condition during the past few years, I am compelled to change certain phases of my ranching operation.

"A special permit is being requested for the following reasons:

- "1) To provide an additional and necessary outlet for my cattle.
- "2) To increase the value per animal.
- "3) To supply a highly recommended item by local retailers.
- "4) To provide self-employment and future local employment as business increases.

"Surrounding properties are not affected. Only slaughtered and inspected carcasses are processed in an enclosed

structure. I estimate one to three smokings a week - depending on business demands. Since the processing requires slow-even heat, the actual amount of smoke is no greater than an average house-chimney. Nearest boundary line from smoke house is approximately 120-feet, and nearest neighbor structure is located approximately 500-feet away.

"The operation does not burden public agencies. Existing roads, water, electricity, police and fire protection are adequate. All fire precautions, in accordance with the fire safety inspector, are incorporated. A fire hydrant is located approximately 600-feet away.

"Since this is a rural area zoned for agriculture with easy and close access to cattle and slaughter facilities, I feel this smoked beef business is ideally suited to the area and will not alter the essential character of the land.

"A smoked beef business will not be contrary to the objectives of the Land Use Law and Regulations. Presently, I am operating a smoked beef business, approved by the Department of Health, selling directly to the consumers only.

"Because of the uncertainty of beef prices and unpredictable weather conditions, there is no other alternative to continue my ranching operation. Thus, your favorable consideration for my request for Special Permit is being submitted."

The County of Hawaii's General Plan Land Use Pattern Allocation Guide Map designates the subject area as Orchard and refers to those lands which though rocky in character and content, can support productive agricultural crops such as macadamia nuts, papaya, coffee, and citrus. Present County Zoning is Agricultural 5-acres (A-5a).

According to the U.S. Department of Agriculture Soil Conservation Service's Soil Survey, dated December, 1973, the land involved consists of well-drained, thin, extremely stony organic soils over fragmented a'a lava. The Soil Conservation Service's Capability Rating is VII, which refers to soils having severe limitations, making them unsuited to cultivation.

The Land Study Bureau's overall master productivity soil rating for agricultural use is Class "E" or Very Poor for the subject site. Additionally, the property is not designated as Agricultural Lands of Importance by the State Department of Agriculture.

Access to the subject property is directly off of the Mamalahoa Highway. Surrounding lands are used for residential,

coffee growing and other diversified agricultural purposes.

Pertinent comments from governmental agencies:

1. Department of Health

The State Health Department noted that wholesale meat processing establishments are under the jurisdiction of the Department of Agriculture.

2. Department of Water Supply

The Department of Water Supply had no objections to the subject request but noted that water service to the property will be limited to the existing 5/8-inch meter.

3. Department of Transportation

The State Department of Transportation commented as follows:

- "1. No objections on the proposed action.
- "2. Should the action be approved, the access off the State Highway shall meet the minimum requirements of the Land Transportation Facilities Division - 22 feet wide pavement with a 20 feet radii."

4. Fire Department

The Fire Department noted that hydrants are located on the Mamalahoa Highway and that the Captain Cook Fire Station, approximately 7 miles away, provides fire protection to the subject area.

5. Department of Agriculture

Upon review of the subject request, the State Department of Agriculture provided the following comments:

"The Department of Ag has no objections to this Special Permit Application.

"For your information, blueprints and specifications for the proposed smoked meat processing plant have been reviewed and were approved by the Meat Inspection staff of our agency on January 9, 1977. Should this Special Permit and any other necessary county approvals be granted, and all meat inspection requirements met, the proposed plant will be approved for operation under the State Meat Inspection program."

Other cooperating agencies including the Hawaii Electric Light Company, Inc., U.S. Soil Conservation Service, Department

of Public Works, and Police Department had no objections to the Special Permit request.

At the public hearing held by the Hawaii Planning Commission on July 13, 1978, the petitioner spoke in support of the request. No other persons testified concerning the Special Permit. For the Commission's information, the hearing transcript of July 13, 1978, has been attached (County Exhibit S).

On August 3, 1978, the Hawaii Planning Commission voted to recommend approval of the Special Permit to the Land Use Commission based on the following findings:

"That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The Land Use Law and Regulations are intended 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 health and welfare of the public. The purpose of this request is to allow the establishment of a smoked meat business on the subject area, providing a reliable outlet for the petitioner's ranching operation. In addition, the approval of this request will result in the increased production of a desired agricultural product, as well as a new source of income for this portion of Kona. The proposed use would therefore encourage and assist the cattle industry, albeit on a small scale. Consequently, granting the request to allow the smoked meat business would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening the existing and future agricultural activities in the area. The granting of this request would also further the Economic and Agricultural Land Use Goals and Policies of the General Plan. These goals and policies state, in part, that: 'The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors; and further, that: 'It shall be a policy of the County of Hawaii to assist the expansion of the agricultural industry...' It is therefore concluded that the granting of this Special Permit request would be beneficial to the public relative to the adopted agricultural and land use policies.

"That the proposed use will not adversely affect the surrounding areas. These areas can be characterized as being primarily agricultural in nature. This portion of Kona is one of the main coffee growing areas as well as supporting other diversified agricultural crop and small ranching operations. The granting of this request will not alter the essential character of this area, but will allow the establishment of a use, namely the

smoked meat operation, which is related to the agricultural industry. According to the State Land Use Law and Regulations as well as the County's Agricultural zoned district regulations, the processing of agricultural products, including smoked meat is permitted within these Agricultural designated areas provided that the products are raised or grown on the subject area. However, because the cattle to be smoked will be raised on another parcel and sold commercially, this Special Permit is required. Therefore, because of the nature of the proposed use and its relation to the agricultural industry, it is determined that the granting of this request and the subsequent establishment of the smoked meat operation on the subject area will not be out of character with the surrounding land uses and consequently, will not have any substantial adverse effect on these areas.

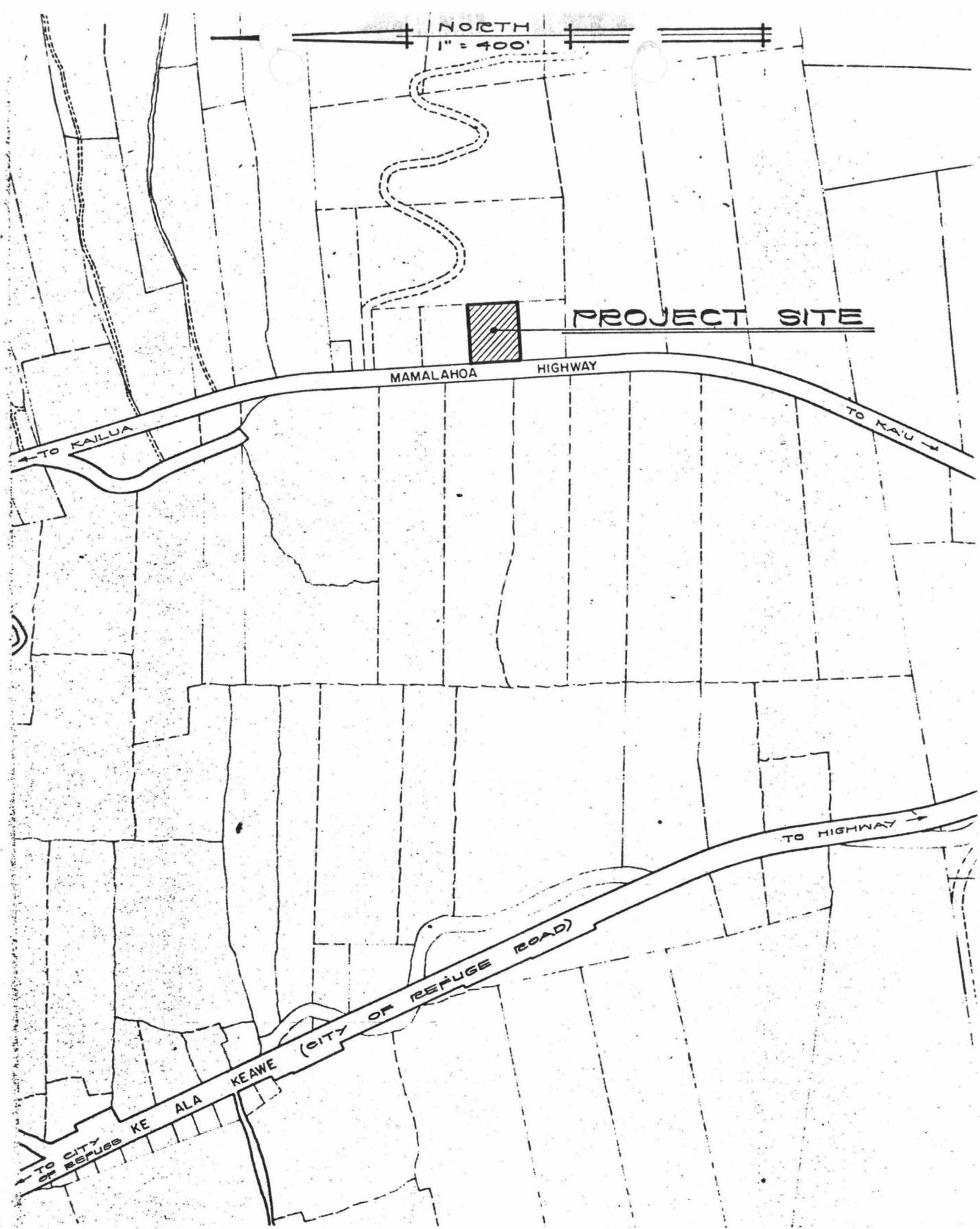
"That the approval of this request will not unreasonably burden public agencies to provide roads and street, water and other improvements. All necessary utilities and infrastructure are already available to the subject area."

For the Commission's information, the meeting minutes of August 3, 1978 have been attached (County Exhibit AA).

The favorable recommendation was subject to the following conditions:

- "1. That the petitioner or his authorized representative shall submit plans for plan approval within one (1) year of the effective date of the Special Permit.
- "2. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within one (1) year thereafter.
- "3. That the rules, regulations and requirements of the State Department of Health and the State Department of Agriculture be complied with.
- "4. That the driveway access off the Mamalahoa Highway to the proposed facility shall comply with the requirements of the State Department of Transportation, Land Transportation Facilities Division. Furthermore, the driveway shall be paved with an all-weather, dust-free surface.
- "5. That all other applicable rules, regulations and requirements be complied with."

It was further stated by the Planning Commission that: "Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void."



SPECIAL PERMIT REQUEST

ESTABLISHMENT OF A SMOKED BEEF BUSINESS

HONAUNAU, SOUTH KONA, HAWAII

TAX MAP KEY : 8-4-05 : G1

APPLICANT : CHARLES K. ONAKA

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
July 13, 1978

A regularly advertised public hearing, on the application of Charles T. Onaka, was called to order at 2:30 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
J. Walsh Hanley
Bert H. Nakano
Alfredo Orita
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami
Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Ilima Piianaia, Planner
William Moore, Planner

Edmund Morimoto, representing Ex-officio Member Edward Harada
Lionel Meyer, Deputy Corporation Counsel

and about 10 people in attendance

CHAIRMAN: We'll continue with the public hearings advertised for 2:30. Item number 1, public hearing on the application of Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District. The area under consideration is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona, TMK: 8-4-05:61. Staff?

MOORE: (Presented background on file.)

CHAIRMAN: Thank you, staff. Commissioners, are there any questions on the staff's background report? Yes, Commissioner Hanley.

HANLEY: I have a couple of questions. When was the Special Permit request filed with the Planning Department?

MOORE: It was filed on May 18, 1978.

HANLEY: The reason for the question, it seems like a long time since he got approval of the Ag Department. And what is the current driveway width?

MOORE: We don't have that information offhand. Since the petitioner is here you may refer that to him.

EXHIBIT S

HANLEY: Thank you.

CHAIRMAN: Okay, Commissioners, any further questions of the staff?

Is the applicant or a representative of the applicant present? Yes, would you come forward please to the microphone. Do you swear to tell truth and nothing but the truth on this application now before the Hawaii County Planning Commission?

ONAKA: I do.

CHAIRMAN: Would you state your name into the microphone please.

ONAKA: Charles T. Onaka.

CHAIRMAN: Yes, Mr. Onaka, couple of questions were raised by Commissioner Hanley. First, it seems that you had submitted an application back in January of 1977 of the blueprints, specifications for the proposed smoked meat processing plant have been reviewed and were approved by meat inspection staff or agency January 1977, and there there seems to be a lapse of time before you pursued this matter any further. Maybe you can just elaborate on that for the benefit of the Commission.

OKANA: Yes. I went ahead first and checked with the State, with the Board of Ag to have my things approved here first. So I went ahead first.

CHAIRMAN: To be sure that you would be able -?

ONAKA: Right.

CHAIRMAN: If you had all the necessary permits, that you would be able to proceed?

ONAKA: That's right. That's right.

CHAIRMAN: Okay, thank you. Also, Commissioner Hanley had some questions concerning the road, was that Walsh?

HANLEY: Yes, one of the comments from the Highway Department is that they would be required a 20-foot wide pavement for the driveway and a 20-foot radii, I was wondering what existed or what's existing there.

CHAIRMAN: Mr. Onaka, the State Department of Transportation commented should the action be approved, the access off the State Highway shall meet the minimum requirements of the Land Transportation Facilities Division, 22-foot wide pavement width with a 20-foot radii. What's the road going in there now, existing?

ONAKA: Right now, I think it's about 20 feet at the shoulder of the highway, but it tapers up as it goes in.

CHAIRMAN: Tapers in?

ONAKA: Yeah, tapers in.

CHAIRMAN: What is the surface on that?

ONAKA: What's that again?

CHAIRMAN: The surface of the road?

ONAKA: It's concrete.

CHAIRMAN: Concrete?

ONAKA: Yeah, concrete driveway.

CHAIRMAN: Does that answer your questions, Commissioner Hanley?

HANLEY: Yes.

CHAIRMAN: Commissioners, do you have any further questions of the applicant? Yes, Commissioner Sakamoto.

SAKAMOTO: Mr. Onaka, you know, you're coming up with the smoked meat processing plant, is it only for smoked meat only or later on you're going into other, fish, you know, other kinds?

ONAKA: Right now just smoked beef.

SAKAMOTO: But you're thinking about later on other things?

ONAKA: Might be later on, but right now strictly smoked beef.

SAKAMOTO: Thank you.

CHAIRMAN: Commissioners, any further questions of the applicant? Mr. Onaka, do you have anything you'd like to add for the benefit of the Commission?

ONAKA: No, no, not that I can think of.

CHAIRMAN: Okay. Thank you. Mr. Onaka, this is a public hearing so we're going to ask that you please be seated. There may be some questions from the public this afternoon that we might like to ask you to respond to.

PIIANAIA: Mr. Chairman, may the staff ask Mr. Onaka a couple of questions?

CHAIRMAN: Certainly, I'm sorry.

PIIANAIA: Mr. Onaka, would you folks be delivering your smoked meat or would people be coming in to pick it up, and how often or how frequently would you be smoking your cattle?

ONAKA: We'll, we're going to be delivering all our smoked beef and we'll probably smoke two or three times a week, depending on the demand.

PIIANAIA: Is this basically a family operation?

ONAKA: Yeah.

PIIANAIA: Thank you.

CHAIRMAN: Okay, Mr. Onaka, if you'll please be seated. Ladies and gentlemen, this is a public hearing on the application of Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business. The Chair at this time would like to invite anyone from the audience who would like to comment either for or against this application.

If there's no testimony to come before the Commission, the Chair will entertain a motion to either continue the public hearing or close the public hearing. Commissioners, what is your pleasure?

NAKANO: Mr. Chairman, I move to close the public hearing.

CHAIRMAN: Thank you. Is there a second to the motion?

PARIS: Second the motion, Mr. Chairman.

CHAIRMAN: It has been moved by Commissioner Nakano and seconded by Commissioner Paris that the public hearing on the application of Charles T. Onaka be closed. All those in favor so signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? Public hearing is closed.

Public hearing adjourned at 2:44 p.m.

Respectfully submitted,



Sharon M. Nomura
Secretary

ATTEST:



William F. Mielcke
Chairman, Planning Commission

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
August 3, 1978

The Planning Commission met in regular session at 12:30 p.m. in the Civic Center Conference Room, Waimea, South Kohala, Hawaii, and at 3:06 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke ABSENT: Shigeru Fujimoto
J. Walsh Hanley (From 3:06 p.m.) Lorraine R. Jitchaku
Bert H. Nakano Haruo Murakami
Alfredo Orita
William J. Paris, Jr. Ex-officio Member
Charles H. Sakamoto Akira Fujimoto

Sidney M. Fuke, Director (From 2:00 p.m.)
Virginia Goldstein, Planner (From 2:00 p.m.)
Ilima Piianaia, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward
Harada
Lionel Meyer, Deputy Corporation Counsel

and about 17 people in attendance at 12:30 p.m., 18 people
at 3:06 p.m., 37 people at 3:47 p.m. and 14 people at
6:48 p.m.

MINUTES: It was moved by Commissioner Orita and seconded
by Commissioner Sakamoto that the minutes of
July 19 and 20, 1978, be approved as circulated; motion was carried.

All those testifying were duly sworn in.

SMA USE PERMIT
STATE DEPARTMENT
OF HAWAIIAN HOME
LANDS
KAWAIHAE 1ST,
SOUTH KOHALA

Public hearing on the application of the State
Department of Hawaiian Home Lands for a Special
Management Area (SMA) Use Permit to allow (a)
the consolidation and resubdivision of 25 existing
lots into 42 residential lots and a remnant parcel
and (b) subdivision improvements including grading,
roadways, utilities and other related improvements.

The area involved consists of approximately 25 acres. The area under
consideration is located on the makai side of the Akoni Pule Highway
across from the Hawaiian Homes industrial lots and adjacent to the
Kawaihiae lighthouse on the northwest, Kawaihiae 1st, South Kohala,
TMK: 6-1-4:3-20; 6-1-05:1-7.

Staff presented background and recommendation for approval with conditions on file.

EXHIBIT A A

- 3) That approval of the request will not change the essential character of the land since it will still be used for agriculture.
- 4) That approval of the request will not have any adverse impact on the surrounding area inasmuch as the essential character of the land will not be changed and there are non-conforming parcels in the area which are similar to the proposed 3-acre lots.
- 5) That the proposed use will not unreasonably burden public agencies to provide additional services and facilities.

Conditions:

- 1) Require subdivision within a period of one year.
- 2) The land remain in agricultural use.
- 3) In compliance with all other applicable rules and regulations.

A roll call vote was taken and motion carried with five ayes. Commissioner Sakamoto said he voted aye because there are non-conforming lots in the Ahualoa area.

RECESS: The Chair called a recess at 2:04 p.m. until the next scheduled item at 3:00 p.m.

RECONVENED: The meeting reconvened at 3:06 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii.

SPECIAL PERMIT
CHARLES T. ONAKA
HONAUNAU MAUKA,
SOUTH KONA

Application of Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District. The area under consideration is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona, TMK: 8-4-05:61.

Staff presented recommendation for approval with conditions on file.

The petitioner, Charles T. Onaka, was in attendance.

It was moved by Commissioner Paris and seconded by Commissioner Nakano to send a favorable recommendation to the State Land Use Commission with the conditions outlined by the staff. A roll call vote was taken and motion carried with six ayes.

CHANGE OF ZONE
FRANK KU, JR.
KAWANUI 1ST,
HONALO, NORTH
KONA

Preliminary hearing on the application of Frank Ku, Jr. for a change of zone for 19,379 square feet of land from a Single Family Residential - 15,000 square foot (RS-15) to a Single Family Residential - 7,500 square foot (RS-7.5) zoned district. The area involved is located at the southwest corner of the Saint Paul Road-Mamalahoa Highway intersection, Kawanui 1st, Honalo, North Kona, TMK: 7-9-14:42.

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

September 15, 1978

Mr. Sidney Fuke
Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petitions

✓ SP78-313 - CHARLES T. ONAKA

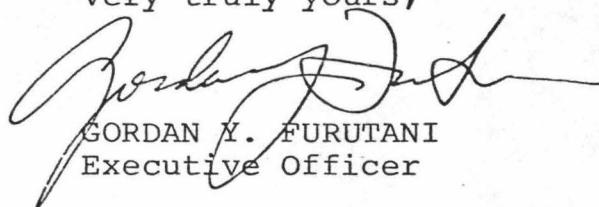
SP78-318 - HAWAII COUNTY POLICE DEPARTMENT

A78-440 - KOBAYASHI DEVELOPMENT & CONSTRUCTION, INC.

will be heard at that time.

Should you have any question on these matters, please contact this office.

Very truly yours,


GORDAN Y. FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

September 15, 1978

Mr. Charles T. Onaka
P. O. Box 208
Honauau, Kona, Hawaii 96726

Dear Mr. Onaka:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petition

SP78-313 - CHARLES T. ONAKA

will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

9/15/78 - A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND
ORGANIZATIONS ON THE ATTACHED MAILING LISTS:

1. STATEWIDE	2. OAHU	3. HAWAII	4. KAUAI
5. MAUI	6. MOLOKAI		

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME & PLACE

September 27, 1978 - 10:00 a.m.
Meeting Room First Hawaiian Bank, Kona Branch
Kailua, Kona, Hawaii

A G E N D A

I. ACTION

1. SP78-313 - Charles T. Onaka (Hawaii)

To allow the establishment of a smoked beef business on approximately .76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii.

2. SP78-318 - Hawaii County Police Department (Hawaii)

To allow the establishment of an outdoor pistol range on approximately 1.5 acres of land situated within the State Land Use Agricultural District at Kai'aakea, North Hilo, Hawaii.

3. SP77-273 - Oahu Corporation--Time Extension (Oahu)

To allow a one (1) year time extension to commence construction of a recreational theme park within the State Land Use Agricultural District at Kahe Point, Ewa, Oahu.

4. SP78-317 - Department of Public Works, City & County of Honolulu (Oahu)

To allow the establishment of a sewage treatment plant on approximately 2.0 acres of land situated within the State Land Use Agricultural District at Kahuku, Oahu.

II. HEARING

1. A78-440 - Kobayashi Development & Construction, Inc. (Hawaii)

To reclassify 214 acres of land, more or less, presently in the Conservation District into the Urban District at North Kona, Hawaii, for a light industrial subdivision of approximately 175 lots.

III. MISCELLANEOUS

1. Adoption of Minutes
2. Meeting Schedule



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF
HAWAII

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

August 17, 1978

Mr. Gordan Furutani
Executive Officer
Land Use Commission
190 South King Street
Suite 1795
Honolulu, Hawaii 96813

SP78-313

LAND USE COMMISSION
STATE OF HAWAII
AUG 21 7 33 AM '78

Dear Mr. Furutani:

Special Permit Application
Petitioner: Charles T. Onaka

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, we are transmitting the decision and findings of the County Planning Commission on the above application.

The special permit request was to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii, Tax Map Key 8-4-05:61.

The Planning Commission at a duly advertised public hearing on July 13, 1978 in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, discussed the subject request. The Commission on August 3, 1978, voted to recommend the approve of the special permit to the Land Use Commission based on the following findings:

That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The Land Use Law and Regulations are intended 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 health and welfare of the public. The purpose of this request is to allow the establishment of a smoked meat business

on the subject area, providing a reliable outlet for the petitioners ranching operation. In addition, the approval of this request will result in the increased production of a desired agricultural product, as well as a new source of income for this portion of Kona. The proposed use would therefore encourage and assist the cattle industry, albeit on a small scale. Consequently, the granting request to allow the smoked meat business would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening the existing and future agricultural activities in the area. The granting of this request would also further the Economic and Agricultural Land Use goals and policies of the General Plan. These goals and policies state, in part, that: "The County of Hawaii shall strive for diversification of this economy by strengthening existing industries and attracting new endeavors; and further, that: "It shall be a policy of the County of Hawaii to assist the expansion of the agricultural industry..." It is therefore concluded that the granting of this Special Permit request would be beneficial to the public relative to the adopted agricultural and land use policies.

That the proposed use will not adversely affect the surrounding areas. These areas can be characterized as being primarily agricultural in nature. This portion of Kona is one of the main coffee growing areas as well as supporting other diversified agricultural corp and small ranching operations. The granting of this request will not alter the essential character of this area, but will allow the establishment of a use, namely the smoked meat operation, which is related to the agricultural industry. According to the State Land Use Law and Regulations as well as the County's Agricultural zoned district regulations, the processing of agricultural products, including smoked meat is permitted within these Agricultural designated areas provided that the products are raised or grown on the subject area. However, because the cattle to be smoked will be raised on another parcel and sold commercially, this Special Permit is required. Therefore, because of the nature of the proposed use and its relation to the agricultural industry, it is determined that the granting of this request and the subsequent establishment of the smoked meat operation on the subject area will not be out of character with the surrounding land uses and consequently, will not have any substantial adverse effect on these areas.

That the approval of this request will not unreasonably burden public agencies to provide roads and street, water and other improvements. All necessary utilities and infrastructures are already available to the subject area.

The favorable recommendation was also subject to the following conditions:

1. That the petitioner or his authorized representative shall submit plans for plan approval within one (1) year of the effective date of the Special Permit.
2. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within one (1) year thereafter.
3. That the rules, regulations and requirements of the State Department of Health and the State Department of Agriculture be complied with.
4. That the driveway access off the Mamalahoa Highway to the proposed facility shall comply with the requirements of the State Department of Transportation, Land Transportation Facilities Division. Furthermore, the driveway shall be paved with an all-weather, dust-free surface.
5. That all other applicable rules, regulations and requirements be complied with.

Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

Enclosed are copies of the Exhibits from the subject docket.

Sincerely,



WILLIAM F. MIELCKE
Chairman, Planning Commission

lgv
Enclosures
cc Mr. Charles T. Onaka
Land Use Division, DPED
Kona Service Office

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

AUG 7 10 15 AM '78
LAND USE COMMISSION
STATE OF HAWAII

August 4, 1978

Mr. Charles T. Onaka
P. O. Box 208
Honaunau, Hawaii 96726

Dear Mr. Onaka:

Special Permit Application
Tax Map Key 8-4-05:61

The Planning Commission at its regular meeting of August 3, 1978 considered your application for a Special Permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii.

The Commission voted to forward a favorable recommendation to the Land Use Commission subject to the following conditions:

1. That the petitioner or his authorized representative shall submit plans for plan approval within one (1) year of the effective date of the Special Permit.
2. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within one (1) year thereafter.
3. That the rules, regulations and requirements of the State Department of Health and the State Department of Agriculture be complied with.

Mr. Charles T. Onaka
August 4, 1978
Page 2

4. That the driveway access off the Mamalahoa Highway to the proposed facility shall comply with the requirements of the State Department of Transportation, Land Transportation Facilities Division. Furthermore, the driveway shall be paved with an all-weather, dust-free surface.
5. That all other applicable rules, regulations and requirements be complied with.

Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

In the meantime, should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,

WILLIAM F. MIELCKE
Chairman, Planning Commission

lgv

cc State Land Use Commission
Land Use Division, DPED
Kona Service Office

LIST OF EXHIBITS - CHARLES T. ONAKA

- A. Application form
- A-1. Applicant's reasons
- A-2. Applicant's plot plan
- A-3. Applicant's location map
- B. Additional Information given by the applicant
- C. Departmental acknowledgement letter
- D. Memo to the agencies
- E. HELCO 6/1/78
- F. Soil Conservation Service 6/1/78
- G. Public Works 6/5/78
- H. Water Supply 6/5/78
- I. Health Dept. 6/6/78
- J. Highways 6/6/78
- K. Fire 6/8/78
- L. Police 6/8/78
- M. Agriculture 6/8/78
- N. Health Dept. 6/9/78
- O. Letter sent to the surrounding property owners 6/27/78
- O-1. Map sent to the surrounding property owners
- O-2. List of surrounding property owners
- P. Letter to the applicant 6/27/78
- P-1. Public Hearing Notice
- Q. Voting Sheet - close hearing
- R. Minutes 7/13/78
- S. Transcript 7/13/78
- T. Letter to the applicant 7/14/78

- U. Letter to the applicant 7/21/78
- V. Staff Background
- W. Staff Recommendation
- X. Location Map (please return)
- Y. Plot Plan (please return)
- Z. Voting Sheet
- AA. Minutes 8/3/78

PLICATION FOR SPECIAL PERMIT

Lhe

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: CHARLES T. ONAKA

APPLICANT'S SIGNATURE: Charles T. Onaka

ADDRESS: P. O. BOX 208

HONAUNAU, KONA, HAWAII 96726

TELEPHONE: 328-2570

TAX MAP KEY: 8-4-05-61 AREA: .76-Acres.
(Size of Parcel)

OWNER: BISHOP ESTATE

OWNER'S SIGNATURE: Lawrence Cusaba, Area Development Mgr. 5-5-78

APPLICANT'S INTEREST, IF NOT OWNER:

REQUESTED USE: Approval to sell Smoked-Beef to retailers.

APPLICANT'S REASON(S) FOR REQUESTING SPECIAL PERMIT: (Please attach)

NOTE: The applicant must show that:

- (a) such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
- (b) the desired use shall not adversely affect surrounding properties;
- (c) such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
- (d) unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
- (e) the land upon which the proposed use is sought is unsuited for the uses permitted within the district;
- (f) the proposed use will not substantially alter or change the essential character of the land and the present use; and
- (g) the proposed use will make the highest and best use of the land involved for the public welfare.

THIS APPLICATION MUST BE ACCOMPANIED BY:

- (a) 16 copies of the completed application form with attachments.
- (b) 16 copies of a location map.
- (c) 16 copies of a site plan with existing and proposed uses.
- (d) any additional information.
- (e) \$100.00 processing fee.

For Official Use:

Date received _____
120th day _____
Public Hearing date _____
Action date _____
To Land Use Commission _____

EXHIBIT A

RECEIVED

'78 MAY 18 PM 12 34

PLANNING DEPT.
COUNTY OF HAWAII
FILE NO

APPLICATION FOR SPECIAL PERMIT

Applicant's Reasons For Requesting Special Permit

Due to adverse drought condition during the past few years, I am compelled to change certain phases of my ranching operation.

A special permit is being requested for the following reasons:

- 1) To provide an additional and necessary outlet for my cattle.
- 2) To increase the value per animal.
- 3) To supply a highly recommended item by local retailers.
- 4) To provide self-employment and future local employment as business increases.

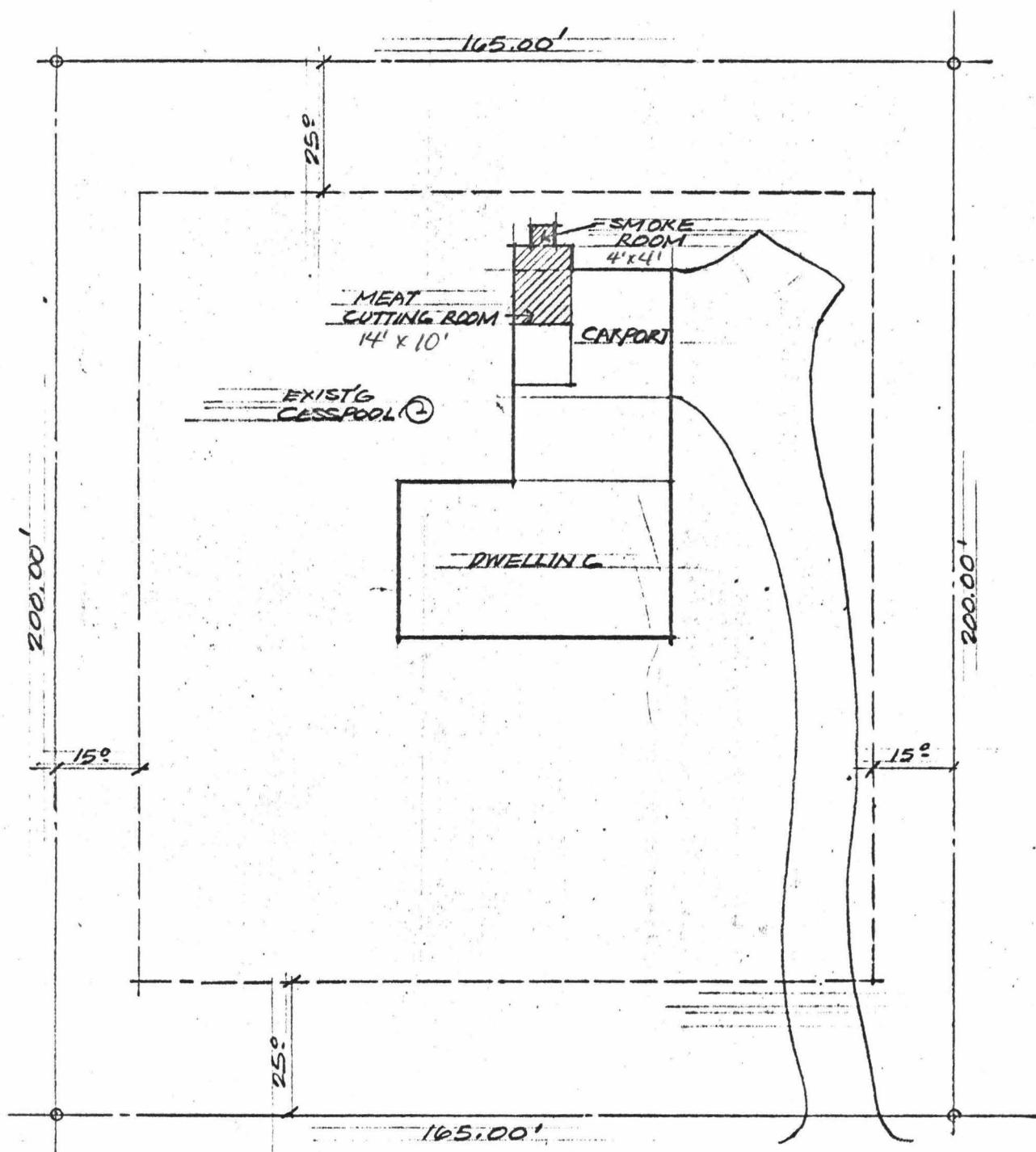
Surrounding properties are not affected. Only slaughtered and inspected carcasses are processed in an enclosed structure. I estimate one to three smokings a week - depending on business demands. Since the processing requires slow-even heat, the actual amount of smoke is no greater than an average house-chimney. Nearest boundary line from smoke house is approximately 120-feet, and nearest neighbor structure is located approximately 500-feet away.

The operation does not burden public agencies. Existing roads, water, electricity, police and fire protection are adequate. All fire precautions, in accordance with the fire safety inspector, are incorporated. A fire hydrant is located approximately 600-feet away.

Since this is a rural area zoned for agriculture with easy and close access to cattle and slaughter facilities, I feel this smoked-beef business is ideally suited to the area and will not alter the essential character of the land.

A smoked beef business will not be contrary to the objectives of the Land Use Law and Regulations. Presently, I am operating a smoked beef business, approved by the Department of Health, selling directly to the consumers only.

Because of the uncertainty of beef prices and unpredictable weather conditions, there is no ^{other} alternative to continue my ranching operation. Thus, your favorable consideration for my Request for Special Permit is being submitted.



MAMALAHOA HIGHWAY

PLOT PLAN

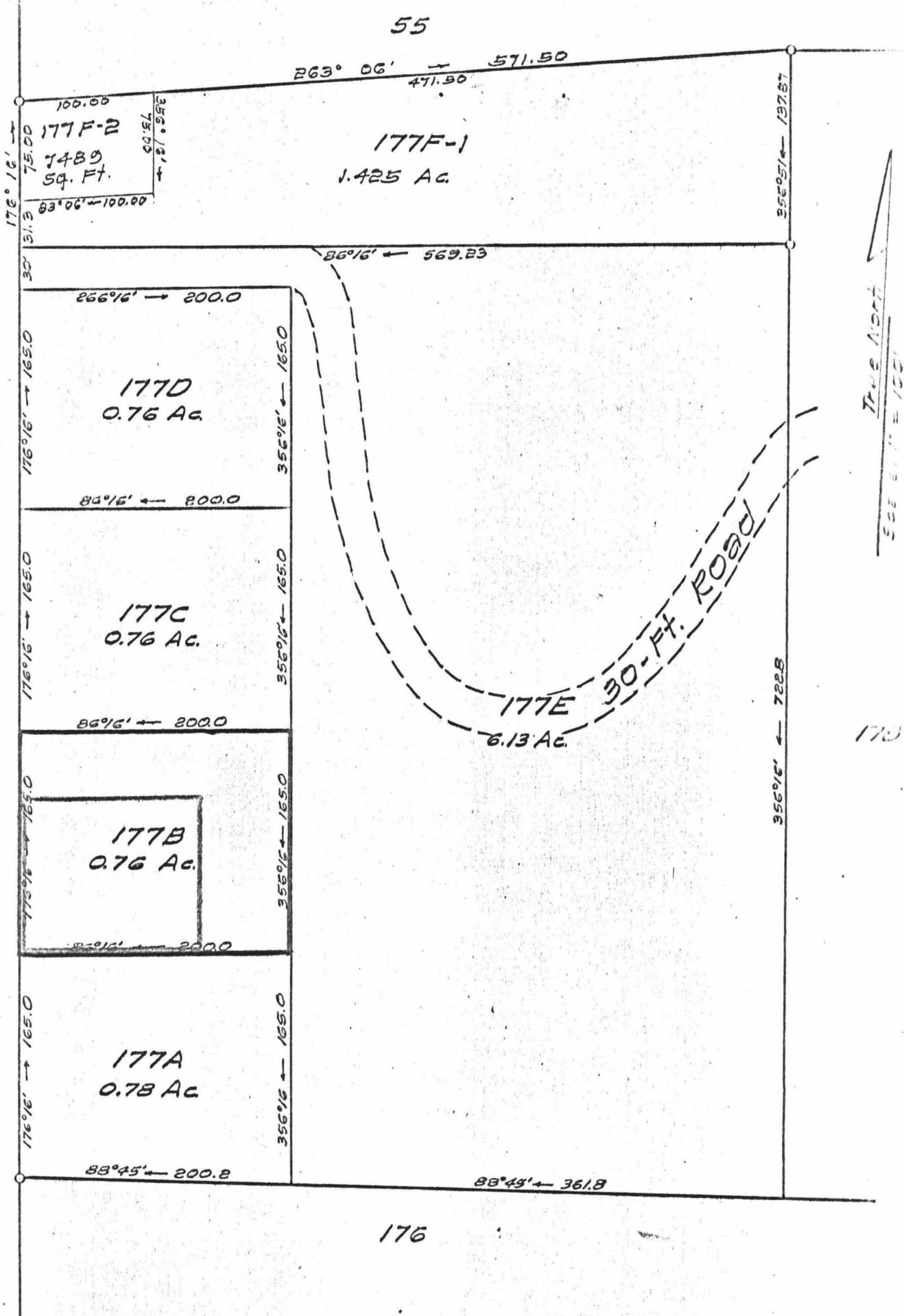
T.M.K: 8-4-05-61-
LOC: HONAUNAU, SOUTH KONA
AREA: .76 ACS.

EXHIBIT A-2

55

HIGHWAY

MAMALAHOA



PORTION OF
HONAUNAU
SOUTH KONA, HAWAII
Scale: 1IN. = 100FT.
JULY 29, 1954 - D.P.
Rev. June 5, 1967 - M.A.

EXHIBIT A-3

MEMORANDUM:

PLANNING DEPARTMENT - County of Hawaii, Hilo, Hawaii 96720

To: File

Date: 24 May 1978

From: Ilima

Subject: SP application: Charles T. Onaka

Telecon today w/ Gwen Onaka on request:

- ① Slaughtering done at Kona Meat, so Onaka's only cut and smoke.
- ② Cutting room approx. 14' x 10'. Garage wall to be extended for cutting room.
- ③ Smoke room will be approx. 4' x 4'
- ④ Ranch is about 2 miles makai. They bring up about 3 head every 3 months or so.

EXHIBIT B

May 26, 1978

Mr. Charles T. Onaka
P. O. Box 208
Honaunau, HI 96726

Dear Mr. Onaka:

Special Permit - Smoked Beef Business
TMK: 8-4-05:61

This is to acknowledge receipt on May 18, 1978 of the above described special permit application.

The County Planning Commission shall conduct a public hearing on the request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Planning Commission shall then act on the application not earlier than fifteen (15) days after the public hearing but within a reasonable time thereafter. Should the Planning Commission recommend favorably on the request, it will then be forwarded to the State Land Use Commission for final action.

However, the Planning Commission may deny the request if it is found that the proposed use does not meet the special permit guidelines. In this case, their decision is final. In accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a denial by the Planning Commission may be appealable to the Circuit Court of the circuit in which the land is situated, in this case, the Third Circuit Court.

Notice of the time and place of the public hearing shall be forwarded when the application is scheduled for Commission action.

Should any questions arise, please contact Ilima Piianaia or Keith Kato of this department at 961-8288.

Sincerely,

Sidney M. Fuke

SIDNEY FUKE
Director

IP:ak

cc: SLUC

DPED - Land Use Division

EXHIBIT C

MAY 30 1978

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW FIRE HELCO Date: May 26, 1978
DWS HIGHWAYS DEPT. OF AGRICULTURE
R & D HEALTH
POLICE SOIL CONSERVATION

From: DIRECTOR *Signature*

Subject: Special Permit - Smoked Beef Business
Charles T. Onaka
TMK: 8-4-05:61

The attached application for a special permit is forwarded for your review. May we have written comments within two weeks.

Thank you very much.

ak
Attachment

EXHIBIT D

HAWAII ELECTRIC LIGHT COMPANY, INC.
P. O. BOX 1027 HILO, HAWAII-96720



June 1, 1978

County of Hawaii
Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney M. Fuke
Director

Gentlemen:

SUBJECT: SPECIAL PERMIT APPLICATIONS

✓Smoked Beef Business
Charles T. Onaka
TMK: 8-4-05:61

Fraternal Home
TMK: 1-6-04: por. of 11

We have no comments to the above application as per
your memorandum of May 18th and 26th, 1978.

Very truly yours,

Ditsuo Niwao
Ditsuo Niwao, Manager
Engineering Department

JN:bk

EXHIBIT E

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

P. O. Box 636, Kealakekua, Hi. 96750

June 1, 1978

Sidney M. Fuke, Director
Planning Department
County of Hawaii
Hilo, Hawaii 96720

Dear Mr. Fuke,

Subject: Special Permit - Smoked Beef Business
Charles T. Onaka
TMK: 8-4-05: 61

We have reviewed subject application and have no comments to offer.

Thank you for the opportunity to review this document.

Sincerely,

Calvin S. Fujii

Calvin S. Fujii
Soil Technician

EXHIBIT F

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HAWAII
HILO, HAWAII

DATE June 5, 1978

Memorandum

TO : Planning Department

FROM : Chief Engineer

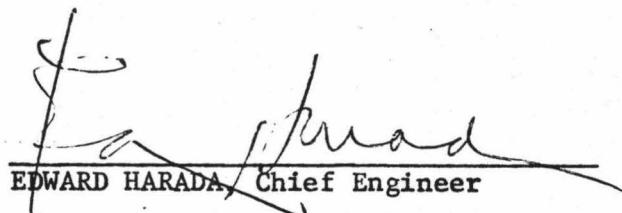
SUBJECT: Application for Special Permit (Smoked beef)

Applicant: Charles T. Onaka

Location: Honaunau, South Kona, HI

TMK: 8-4-05:61

We have reviewed the subject special permit application and we have no comments to offer.


EDWARD HARADA, Chief Engineer

EX-1 G



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

June 5, 1978

TO: Planning Department
FROM: Manager
SUBJECT: SPECIAL PERMIT APPLICATION
APPLICANT - CHARLES T. ONAKA
OWNER - BISHOP ESTATE
TAX MAP KEY 8-4-05:61

We have no objections to the subject request.

However, water service to the property shall be limited to the existing 5/8-inch meter.

Akira Fujimoto
Akira Fujimoto
Manager

QA

... Water brings progress...

EXHIBIT H

MEMORANDUM:

JUN 2 1978

PLANNING DEPARTMENT

County of Hawaii, Hilo, Hawaii 96720

To: DPW FIRE HELCO Date: May 26, 1978
DWS HIGHWAYS DEPT. OF AGRICULTURE
R & D HEALTH
POLICE SOIL CONSERVATION

From: DIRECTOR *Signature*

Subject: Special Permit - Smoked Beef Business
Charles T. Onaka
TMK: 8-4-05:61

The attached application for a special permit is forwarded for your review. May we have written comments within two weeks.

Thank you very much.

Department of Health
Hilo, Hawaii
June 6, 1978

ak
Attachment The submittals have been referred to the Department of Agriculture for their review and comment. Wholesale meat Processing Establishments are their kuleanas.

Harold
HAROLD MATSUURA
Chief Sanitarian, Hawaii

EXHIBIT I

GEORGE R. ARIYOSHI
GOVERNOR



E. ALVEY WRIGHT
DIRECTOR

DEPUTY DIRECTORS
DOUGLAS S. SAKAMOTO
WALLACE AOKI

STATE OF HAWAII

DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
HAWAII DISTRICT
50 MAKALA STREET
P. O. BOX 4277
HILO, HAWAII 96720

IN REPLY REFER TO:

LT-H 78-2.640

June 6, 1978

MEMORANDUM:

TO: Director, Planning Department
County of Hawaii

FROM: District Engineer, Hawaii

SUBJECT: () Change of Zone Application
() Variance Application
() Subdivision Application No.
(x) Special Permit Application
Charles T. Onaka
TMK 8-4-05:61

Our comments on the subject application are as follows:

1. No objections on the proposed action.
2. Should the action be approved, the access off the State Highway shall meet the minimum requirements of the Land Transportation Facilities Division--22 feet wide pavement with 20 feet radii.

Chas L. Schuster
CHAS L. SCHUSTER

EXHIBIT J

HAWAII FIRE DEPARTMENT • COUNTY OF HAWAII • HILO, HAWAII 96720

DATE June 8, 1978

Memorandum

TO : Planning Department

FROM : Hiroshi Shishido, Deputy Fire Chief

SUBJECT: SPECIAL PERMIT - SMOKED BEEF BUSINESS
CHARLES T. ONAKA
TMK: 8-4-05:61

We have no objections to the above application.

Hydrants are located on Mamalahoa Highway. Captain Cook Fire Station, approximately seven miles distant, provides fire protection to this area.

Hiroshi Shishido

HIROSHI SHISHIDO
DEPUTY FIRE CHIEF

HS/mo

EXHIBIT K



POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720



OUR REFERENCE

GUY A. PAUL

YOUR REFERENCE

CHIEF OF POLICE

June 8, 1978

TO : SIDNEY FUKE, PLANNING DIRECTOR
FROM : GUY A. PAUL, CHIEF OF POLICE
SUBJECT: SPECIAL PERMIT - SMOKED BEEF BUSINESS, CHARLES T. ONAKA
TMK: 8-4-05:61

The special permit application submitted by Mr. Onaka has been reviewed and from the police standpoint, we can foresee no adverse effects from the requested land use.

Guy A. Paul
GUY A. PAUL
CHIEF OF POLICE

RG/RLP/k

EXHIBIT L

GEORGE R. ARIYOSHI
GOVERNOR



JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

BOARD MEMBERS:

Suzanne D. Peterson
MEMBER - AT - LARGE

ERNEST F. MORGADO
MEMBER - AT - LARGE

Sidney Goo
MEMBER - AT - LARGE

Federico Galdones
HAWAII MEMBER

James E. Nishida
KAUAI MEMBER

FRED M. OGASAWARA
MAUI MEMBER

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

June 8, 1978

MEMORANDUM

To: Mr. Sidney Fuke, Director
Hawaii County Planning Department

Subject: Special Permit - Smoked Beef Business
Charles T. Onaka
TMK: 8-4-05:61

The Department of Agriculture has no objections to this Special Permit Application..

For your information, blueprints and specifications for the proposed smoked meat processing plant have been reviewed and were approved by the Meat Inspection staff of our agency on January 9, 1977. Should this Special Permit and any other necessary county approvals be granted, and all meat inspection requirements met, the proposed plant will be approved for operation under the State Meat Inspection program.

We appreciate the opportunity to comment.

A handwritten signature in black ink, appearing to read "John Farias, Jr." or a similar variation.

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT M

MEMORANDUM:

JUN 2 1978

PLANNING DEPARTMENT County of Hawaii, Hilo, Hawaii 96720

To: DPW FIRE HELCO Date: May 26, 1978
DWS HIGHWAYS DEPT. OF AGRICULTURE
R & D ✓HEALTH
POLICE ✓SOIL CONSERVATION
From: DIRECTOR *Signature*
Subject: Special Permit - Smoked Beef Business
Charles T. Onaka
TMK: 8-4-05:61

The attached application for a special permit is forwarded for your review. May we have written comments within two weeks.

Thank you very much.

Department of HEalth
Hilo, Hawaii
June 6, 1978

ak
Attachment The submittals have been referred to the Department of Agriculture for their review and comment. Wholesale meat Processing Establishments are their kuleanas.

Harold
HAROLD MATSUURA
Chief Sanitarian, Hawaii

Department of Agriculture
Hilo, Hawaii
June 9, 1978

We have no comments to make re the attached application.

Roy Nagakura
Roy Nagakura, D.V.M., Supervisor
Meat Inspection Branch

EXHIBIT N



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF
HAWAII

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKE
Director

DUANE KANUHA
Deputy Director

June 27, 1978

Dear Property Owner: TMK:

Special Permit Application
Honaunau Mauka, South Kona, Hawaii
Tax Map Key 8-4-05:61

You are hereby notified that a request for a special permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District has been submitted by the petitioner, Charles T. Onaka.

The property involved is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona.

A public hearing on the subject among others will be held beginning at 2:00 p.m. on Thursday, July 13, 1978, in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Sincerely,

Sidney M. Fuks
Planning Director

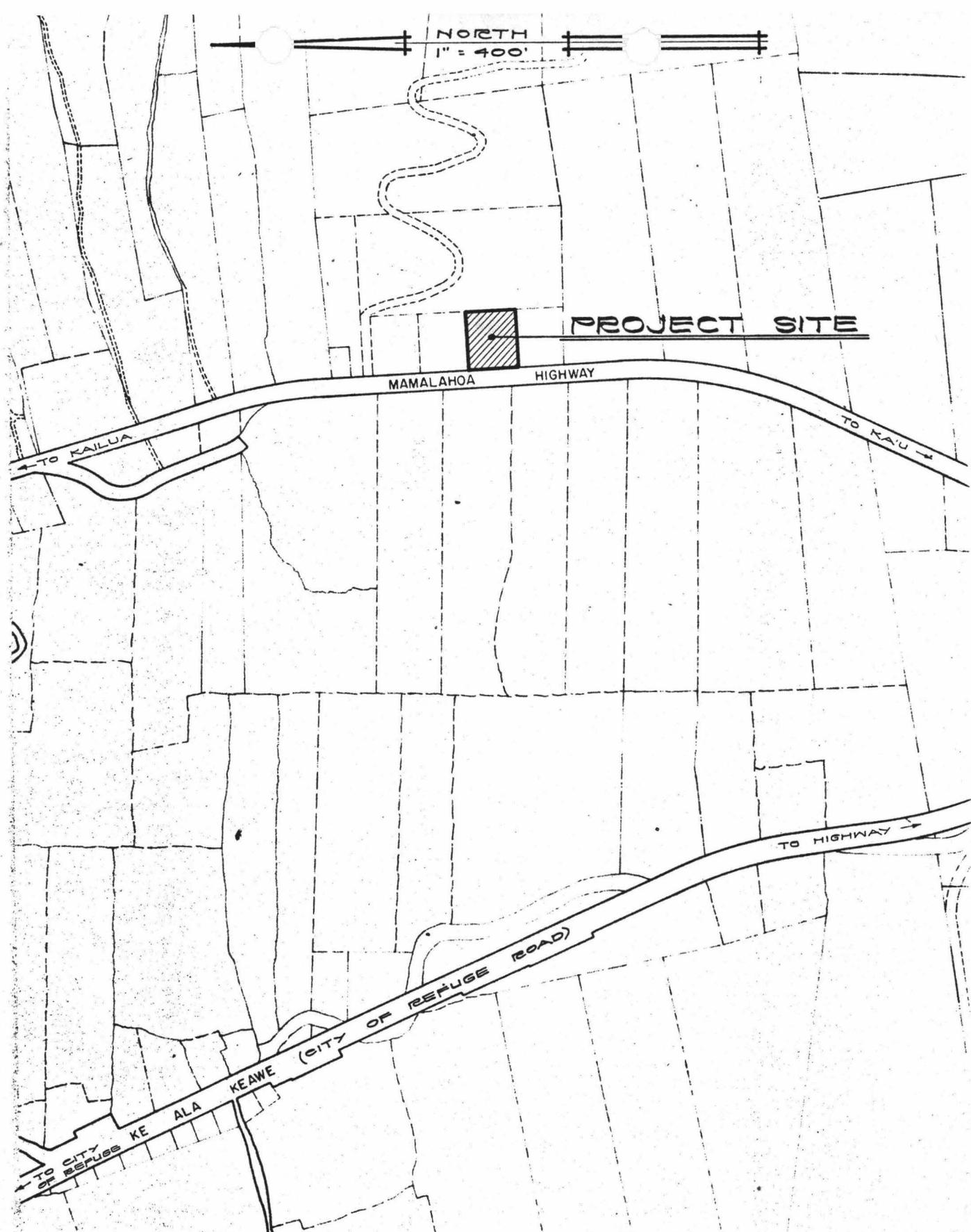
smn

Enclosure

cc: State Land Use Commission
Land Use Division, DPED

EXHIBIT O

6/28/78



SPECIAL PERMIT REQUEST

ESTABLISHMENT OF A SMOKED BEEF BUSINESS

HONAUNAU, SOUTH KONA, HAWAII

TAX MAP KEY: 8-4-05:G1

APPLICANT: CHARLES K. ONAKA

Honolulu
Kilauea Map
Honolulu
County
S.

SPECIAL PERMIT
CHARLES T. ONAKA
SMOKED BEEF BUSINESS
TMK 8-4-05:61

T.O. 6/28/78

(3)

Charles A.C. Young
8-4-05:60
PO BOX 92
Naalehu, HI 96772

Herbert Kiwahao Jr.
62
PO BOX 304
Honolulu, HI 96726

Bishop Ed.
64
PO BOX 3466
Honolulu, HI 96801

8-4-07:32 Same as 8-4-05:64

39 " " "

EXHIBIT 0-2

June 27, 1978

Mr. Charles T. Onaka
P. O. Box 208
Honaunau, HI 96726

Dear Mr. Onaka:

Notice of a Public Hearing
Special Permit Application
Tax Map Key 3-4-05:61

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 2:00 p.m. on Thursday, July 13, 1978, in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the hearing notice is enclosed for your information.

Sincerely,

Sidney M. Fuke

Sidney M. Fuke
Director

smn

Enclosure

cc: State Land Use Commission
Land Use Division, DPED

EXHIBIT ~~P~~ P

JUN 27 1978

PUBLIC HEARINGS

PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii

DATE: Thursday, July 13, 1978

TIME: Items 1-2: 2:30 p.m.
Item 3: 3:00 p.m.

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. PETITIONER: CHARLES T. ONAKA

LOCATION: Along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona.

TMK: 8-4-05:61

PURPOSE: Special Permit application to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District.

2. PETITIONER: ROBERT SMELKER

LOCATION: Site of the World Square complex on the mauka side of Ali'i Drive, Kailua Village, Honuaula 1st, North Kona.

TMK: 7-5-07:23

PURPOSE: Variance application to allow a one-inch front yard setback for a proposed bay window and the retention of an existing bay window with a 4-foot side yard setback in lieu of the minimum requirements of twenty (20) and eight (8) feet, respectively, as stipulated within the Resort - 750 square foot (V-.75) zoned district.

3. PETITIONER: GEORGE NORWOOD

LOCATION: On the makai side of Ali'i Drive, diagonally across from the Royal Kahili condominium,

TMK: 7-6-14:07

PURPOSE: Variance application to allow a 12-foot front yard setback and a 12-foot shoreline setback in lieu of the minimum requirements of 20 feet for a proposed 2-unit apartment structure within the Resort - 1,250 square foot (V-1.25) zoned district. Also requested is relief from parking improvement requirements.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building

at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION,
WILLIAM F. MIELCKE, Chairman
By SIDNEY M. FUKE
Planning Director

(Hawaii Tribune-Herald: July 3 and 11, 1978)

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date July 13, 1978

Petitioner Charles T. Onaka - Special Permit

Preliminary hearing Public hearing Request Action

ACTION: Approve

Deny

Defer

Continue

Schedule for public hearing

Other: close

Commissioners	Aye	No	Excused	Abstain
FUJIMOTO, Shigeru			-	
HANLEY, J. Walsh	-			
JITCHAKU, Lorraine R.			-	
MURAKAMI, Haruo			-	
NAKANO, Bert H. <i>Move</i>	-			
ORITA, Alfredo	-			
PARIS, William Jr. <i>2nd</i>	-			
SAKAMOTO, Charles	-			
MIELCKE, William F.	-			

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
July 13, 1978

A regularly advertised public hearing, on the application of Charles T. Onaka, was called to order at 2:30 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
J. Walsh Hanley
Bert H. Nakano
Alfredo Orita
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami
Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Ilima Piianaia, Planner
William Moore, Planner

Edmund Morimoto, representing Ex-officio Member Edward Harada
Lionel Meyer, Deputy Corporation Counsel
and about 10 people in attendance

CHAIRMAN: We'll continue with the public hearings advertised for 2:30. Item number 1, public hearing on the application of Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District. The area under consideration is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona, TMK: 8-4-05:61. Staff?

MOORE: (Presented background on file.)

CHAIRMAN: Thank you, staff. Commissioners, are there any questions on the staff's background report? Yes, Commissioner Hanley.

HANLEY: I have a couple of questions. When was the Special Permit request filed with the Planning Department?

MOORE: It was filed on May 18, 1978.

HANLEY: The reason for the question, it seems like a long time since he got approval of the Ag Department. And what is the current driveway width?

MOORE: We don't have that information offhand. Since the petitioner is here you may refer that to him.

EXHIBIT S

HANLEY: Thank you.

CHAIRMAN: Okay, Commissioners, any further questions of the staff?

Is the applicant or a representative of the applicant present? Yes, would you come forward please to the microphone. Do you swear to tell truth and nothing but the truth on this application now before the Hawaii County Planning Commission?

ONAKA: I do.

CHAIRMAN: Would you state your name into the microphone please.

ONAKA: Charles T. Onaka.

CHAIRMAN: Yes, Mr. Onaka, couple of questions were raised by Commissioner Hanley. First, it seems that you had submitted an application back in January of 1977 of the blueprints, specifications for the proposed smoked meat processing plant have been reviewed and were approved by meat inspection staff or agency January 1977, and there seems to be a lapse of time before you pursued this matter any further. Maybe you can just elaborate on that for the benefit of the Commission.

OKANA: Yes. I went ahead first and checked with the State, with the Board of Ag to have my things approved here first. So I went ahead first.

CHAIRMAN: To be sure that you would be able -?

ONAKA: Right.

CHAIRMAN: If you had all the necessary permits, that you would be able to proceed?

ONAKA: That's right. That's right.

CHAIRMAN: Okay, thank you. Also, Commissioner Hanley had some questions concerning the road, was that Walsh?

HANLEY: Yes, one of the comments from the Highway Department is that they would be required a 20-foot wide pavement for the driveway and a 20-foot radii, I was wondering what existed or what's existing there.

CHAIRMAN: Mr. Onaka, the State Department of Transportation commented should the action be approved, the access off the State Highway shall meet the minimum requirements of the Land Transportation Facilities Division, 22-foot wide pavement width with a 20-foot radii. What's the road going in there now, existing?

ONAKA: Right now, I think it's about 20 feet at the shoulder of the highway, but it tapers up as it goes in.

CHAIRMAN: Tapers in?

ONAKA: Yeah, tapers in.

CHAIRMAN: What is the surface on that?

ONAKA: What's that again?

CHAIRMAN: The surface of the road?

ONAKA: It's concrete.

CHAIRMAN: Concrete?

ONAKA: Yeah, concrete driveway.

CHAIRMAN: Does that answer your questions, Commissioner Hanley?

HANLEY: Yes.

CHAIRMAN: Commissioners, do you have any further questions of the applicant? Yes, Commissioner Sakamoto.

SAKAMOTO: Mr. Onaka, you know, you're coming up with the smoked meat processing plant, is it only for smoked meat only or later on you're going into other, fish, you know, other kinds?

ONAKA: Right now just smoked beef.

SAKAMOTO: But you're thinking about later on other things?

ONAKA: Might be later on, but right now strictly smoked beef.

SAKAMOTO: Thank you.

CHAIRMAN: Commissioners, any further questions of the applicant? Mr. Onaka, do you have anything you'd like to add for the benefit of the Commission?

ONAKA: No, no, not that I can think of.

CHAIRMAN: Okay. Thank you. Mr. Onaka, this is a public hearing so we're going to ask that you please be seated. There may be some questions from the public this afternoon that we might like to ask you to respond to.

PIIANAIA: Mr. Chairman, may the staff ask Mr. Onaka a couple of questions?

CHAIRMAN: Certainly, I'm sorry.

PIIANAIA: Mr. Onaka, would you folks be delivering your smoked meat or would people be coming in to pick it up, and how often or how frequently would you be smoking your cattle?

ONAKA: We'll, we're going to be delivering all our smoked beef and we'll probably smoke two or three times a week, depending on the demand.

PIIANAIA: Is this basically a family operation?

ONAKA: Yeah.

PIIANAIA: Thank you.

CHAIRMAN: Okay, Mr. Onaka, if you'll please be seated. Ladies and gentlemen, this is a public hearing on the application of Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business. The Chair at this time would like to invite anyone from the audience who would like to comment either for or against this application.

If there's no testimony to come before the Commission, the Chair will entertain a motion to either continue the public hearing or close the public hearing. Commissioners, what is your pleasure?

NAKANO: Mr. Chairman, I move to close the public hearing.

CHAIRMAN: Thank you. Is there a second to the motion?

PARIS: Second the motion, Mr. Chairman.

CHAIRMAN: It has been moved by Commissioner Nakano and seconded by Commissioner Paris that the public hearing on the application of Charles T. Onaka be closed. All those in favor so signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? Public hearing is closed.

Public hearing adjourned at 2:44 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura
Secretary

A T T E S T:

W.F. Mielcke

William F. Mielcke
Chairman, Planning Commission

PLANNING COMMISSION

Planning Department
County of HawaiiMINUTES
July 13, 1978

The Planning Commission met in regular session at 1:00 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
J. Walsh Hanley
Bert H. Nakano
Alfredo Orita
William J. Paris, Jr.
Charles H. Sakamoto

ABSENT: Shigeru Fujimoto
Lorraine R. Jitchaku
Haruo Murakami

Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director
Ilima Piianaia, Planner
William Moore, Planner

Edmund Morimoto, representing Ex-officio Member Edward
Harada
Lionel Meyer, Deputy Corporation Counsel

EXHIBIT R

Staff pointed out that they did not change or update the exhibits on file as this matter has been pending since 1975. Upon the Commissioners' request, staff indicated that they would prepare an updated map.

It was moved by Commissioner Orita and seconded by Commissioner Hanley that the application be set up for a public hearing; motion was carried.

RECESS: A recess was called at 2:01 p.m. until the scheduled public hearings at 2:30 p.m.

RECONVENED: The meeting reconvened at 2:30 p.m.

SPECIAL PERMIT
CHARLES T. ONAKA
HONAUNAU MAUKA,
SOUTH KONA

Public hearing on the application of Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District. The area under consideration is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona, TMK: 8-4-05:61.

Staff presented background on file.

The petitioner, Charles T. Onaka, explained that the lapse of time from January 1977 till the present was because he first went to the Board of Agriculture to be sure he had the necessary permits to proceed. He added that the present concrete access is about 20 feet wide from the shoulders of the main highway and then tapers in as it goes up. Mr. Onaka pointed out that at present he will be smoking strictly beef, although in the future he may smoke other things such as fish.

For the staff's information, Mr. Onaka stated that they will be delivering their smoked meat and that they would be smoking two or three times a week, depending on the demand. He added that it was basically a family operation.

There was no one from the public testifying on the application.

It was moved by Commissioner Nakano and seconded by Commissioner Paris that the public hearing be closed; motion was carried.

VARIANCE
ROBERT SMELKER
HONUAULA 1ST,
NORTH KONA

Public hearing on the application of Robert Smelker for a variance to allow a one-inch front yard setback for a proposed bay window and the retention of an existing bay window with a side yard setback of four (4) feet in lieu of the minimum requirements of twenty and eight feet, respectively, as stipulated within the Resort - 750 square foot (V-.75) zoned district. The property involved is the site of the World Square complex on the mauka side of Ali'i Drive, Kailua Village, Honauaula 1st, North Kona, TMK: 7-5-07:23.

Staff presented background and recommendation for approval with conditions on file.

The petitioner, Robert Smelker, stated he would be able to comply with the conditions as outlined by the staff.

For the petitioner's information, staff clarified that he would now have to go through the final Plan Approval process.

July 14, 1978

Mr. Charles Onaka
P. O. Box 208
Honaunau, Hawaii 96726

Dear Mr. Onaka:

Special Permit Application
Tax Map Key 8-4-05:61

The Planning Commission at its meeting of July 13, 1978, held a duly advertised public hearing on your application for a special permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii.

In accordance with the provisions of Section 205-6, Hawaii Revised Statutes, the Commission shall act on such petition not earlier than fifteen (15) days after the said public hearing.

We shall notify you when the Commission is ready to take action on your request.

Sincerely,



WILLIAM F. MIELCKE
Chairman, Planning Commission

lgv
cc State Land Use Commission
Land Use Division

JUL 18 1978

EXHIBIT T

July 21, 1978

Mr. Charles T. Onaka
P. O. Box 208
Honaunau, HI 96726

Dear Mr. Onaka:

Special Permit Application
Tax Map Key 8-4-05:61

Your application will again be discussed on Thursday, August 3, 1978, by the Planning Commission. The meeting will be held in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, and is scheduled to begin at 3:00 p.m.

You will be notified of the Commission's decision.

A copy of the agenda is enclosed for your information.

Sincerely,

Sidney M. Fuke

Sidney M. Fuke
Planning Director

smn

Enclosure

cc: State Land Use Commission
Land Use Division, DPED

EXHIBIT

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JUL 21 1978

SPECIAL PERMIT: CHARLES T. ONAKA

An application has been submitted by Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business on 0.76 acres (33,105⁺ square feet) of land situated within the State Land Use Agricultural District. The area involved is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona (TMK: 8-4-05:61).

The petitioner's residence is located on the subject parcel. It is the petitioner's intent to renovate a portion of an existing carport to accommodate a 14' x 10' meat cutting room and a 4' x 4' smoke room. The petitioner does not intend to slaughter any cattle on the premises, but to continue to have slaughtering done at the Kona Meat Company.

In support of the subject request, the petitioner has stated the following:

(SEE ATTACHMENT A)

The area under consideration is zoned Agricultural with a 5-acre minimum lot size. The General Plan Land Use Pattern Allocation Guide Map designation is orchards and refers to those lands which though rocky in character and content can support productive agricultural crops such as macadamia nuts, papaya, coffee, citrus and similar products.

Soils in the subject are of the Puna series. These consist of well-drained, thin, extremely stony organic soils over fragmental a'a lava. In a representative profile the surface layer is very dark brown extremely stony muck about 5 inches thick. Permeability is rapid, runoff is slow, and the erosion hazard is slight. Roots are matted in the surface layer, but some extend to a depth of 20 inches into the cracks in the lava. The Soil Conservation Service Capability Rating is VII, which refers to soils that have very severe limitations, making them unsuited to cultivation and restricting their use largely to pasture or range, woodland or wildlife.

The Land Study Bureau classification of the subject area is E, or very poor in terms of overall agricultural productivity. The subject property is not included as lands of agricultural importance to the State of Hawaii.

Access to the subject property is directly off of the Mamalahoa Highway.

All essential utilities and services are available.

Surrounding land uses are residential, coffee and other diversified agricultural activities.

The State Health Department noted that wholesale meat processing establishments are under the jurisdiction of the Department of Agriculture.

Upon review of the subject request, the State Department of Agriculture provided the following comments:

"The Department of Ag has no objections to this Special Permit Application.

"For your information, blueprints and specifications for the proposed smoked meat processing plant have been reviewed and were approved by the Meat Inspection staff of our agency on January 9, 1977. Should this Special Permit and any other necessary county approvals be granted, and all meat inspection requirements met, the proposed plant will be approved for operation under the State Meat Inspection program."

The State Department of Transportation commented as follows:

"1. No objections on the proposed action.

"2. Should the action be approved, the access off the State Highway shall meet the minimum requirements of the Land Transportation Facilities Division - 22 feet wide pavement with a 20 feet radii."

The Fire Department noted that hydrants are located on the Mamalāhoa Highway and that the Captain Cook Fire Station, approximately 7 miles away, provides fire protection to the subject area.

The Department of Water Supply had no objections to the subject request but noted that water service to the property will be limited to the existing 5/8-inch meter.

None of the other cooperating agencies had any comments on or objections to the subject request.

RECOMMENDATION: CHARLES T. ONAKA

Upon review of the request against the guidelines established for considering Special Permits, staff recommends it be given favorable consideration based on the following findings:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The Land Use Law and Regulations are intended 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 health and welfare of the public. The purpose of this request is to allow the establishment of a smoked meat business on the subject area, providing a reliable outlet for the petitioners ranching operation. In addition, the approval of this request will result in the increased production of a desired agricultural product, as well as a new source of income for this portion of Kona. The proposed use would therefore encourage and assist the cattle industry, albeit on a small scale. Consequently, the granting request to allow the smoked meat business would further the objectives of the State Land Use Law and Regulations by encouraging and strengthening the existing and future agricultural activities in the area. The granting of this request would

RECOMMENDATION

W

also further the Economic and Agricultural Land Use goals and policies of the General Plan. These goals and policies state, in part, that: "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors; and further, that: "It shall be a policy of the County of Hawaii to assist the expansion of the agricultural industry..." It is therefore concluded that the granting of this Special Permit request would be beneficial to the public relative to the adopted agricultural and land use policies.

2. That the proposed use will not adversely affect the surrounding areas. These areas can be characterized as being primarily agricultural in nature. This portion of Kona is one of the main coffee growing areas as well as supporting other diversified agricultural crop and small ranching operations. The granting of this request will not alter the essential character of this area, but will allow the establishment of a use, namely the smoked meat operation, which is related to the agricultural industry. According to the State Land Use Law and Regulations as well as the County's Agricultural zoned district regulations, the processing of agricultural products, including smoked meat is permitted within these Agricultural designated areas provided

that the products are raised or grown on the subject area. However, because the cattle to be smoked will be raised on another parcel and sold commercially, this Special Permit is required. Therefore, because of the nature of the proposed use and its relation to the agricultural industry, it is determined that the granting of this request and the subsequent establishment of the smoked meat operation on the subject area will not be out of character with the surrounding land uses and consequently, will not have any substantial adverse effect on these areas.

3. That the approval of this request will not unreasonably burden public agencies to provide roads and street, water and other improvements. All necessary utilities and infrastructures are already available to the subject area.

It is further recommended that the request be given favorable consideration subject to the following conditions:

1. That the petitioner or his authorized representative shall submit plans for plan approval within one (1) year of the effective date of the Special Permit.
2. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within one (1) year thereafter.

3. That the rules, regulations and requirements of the State Department of Health and the State Department of Agriculture be complied with.
4. That the driveway access off the Mamalahoa Highway to the proposed facility shall comply with the requirements of the State Department of Transportation, Land Transportation Facilities Division. Furthermore, the driveway shall be paved with an all-weather, dust-free surface.
5. That all other applicable rules, regulations and requirements be complied with.

Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

Exhibits "X" + "Y"

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date August 3, 1978

Petitioner CHARLES T. ONAKA - Special Permit

Preliminary hearing Public hearing Request Action

ACTION: Approve

Deny

Defer

Continue

Schedule for public hearing

Other: _____

Commissioners	Aye	No	Excused	Abstain
FUJIMOTO, Shigeru			—	
HANLEY, J. Walsh	—			
JITCHAKU, Lorraine R.			—	
MURAKAMI, Haruo			—	
NAKANO, Bert H.	2 nd			
ORITA, Alfredo	—			
PARIS, William Jr.	None	—		
SAKAMOTO, Charles	—			
MIELCKE, William F.	—			

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
August 3, 1978

The Planning Commission met in regular session at 12:30 p.m. in the Civic Center Conference Room, Waimea, South Kohala, Hawaii, and at 3:06 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT:	William F. Mielcke J. Walsh Hanley (From 3:06 p.m.) Bert H. Nakano Alfredo Orita William J. Paris, Jr. Charles H. Sakamoto	ABSENT:	Shigeru Fujimoto Lorraine R. Jitchaku Haruo Murakami
			Ex-officio Member Akira Fujimoto

Sidney M. Fuke, Director (From 2:00 p.m.)
Virginia Goldstein, Planner (From 2:00 p.m.)
Ilima Piianaia, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward
Harada
Lionel Meyer, Deputy Corporation Counsel

and about 17 people in attendance at 12:30 p.m., 18 people at 3:06 p.m., 37 people at 3:47 p.m. and 14 people at 6:48 p.m.

MINUTES: It was moved by Commissioner Orita and seconded by Commissioner Sakamoto that the minutes of July 19 and 20, 1978, be approved as circulated; motion was carried.

All those testifying were duly sworn in.

SMA USE PERMIT
STATE DEPARTMENT
OF HAWAIIAN HOME
LANDS
KAWAIHAE 1ST,
SOUTH KOHALA

Public hearing on the application of the State Department of Hawaiian Home Lands for a Special Management Area (SMA) Use Permit to allow (a) the consolidation and resubdivision of 25 existing lots into 42 residential lots and a remnant parcel and (b) subdivision improvements including grading, roadways, utilities and other related improvements.

The area involved consists of approximately 25 acres. The area under consideration is located on the makai side of the Akoni Pule Highway across from the Hawaiian Homes industrial lots and adjacent to the Kawaihae lighthouse on the northwest, Kawaihae 1st, South Kohala, TMK: 6-1-4:3-20; 6-1-05:1-7.

Staff presented background and recommendation for approval with conditions on file.

EXHIBIT A A

- 3) That approval of the request will not change the essential character of the land since it will still be used for agriculture.
- 4) That approval of the request will not have any adverse impact on the surrounding area inasmuch as the essential character of the land will not be changed and there are non-conforming parcels in the area which are similar to the proposed 3-acre lots.
- 5) That the proposed use will not unreasonably burden public agencies to provide additional services and facilities.

Conditions:

- 1) Require subdivision within a period of one year.
- 2) The land remain in agricultural use.
- 3) In compliance with all other applicable rules and regulations.

A roll call vote was taken and motion carried with five ayes. Commissioner Sakamoto said he voted aye because there are non-conforming lots in the Ahualoa area.

RECESS: The Chair called a recess at 2:04 p.m. until the next scheduled item at 3:00 p.m.

RECONVENED: The meeting reconvened at 3:06 p.m. in the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii.

SPECIAL PERMIT
CHARLES T. ONAKA
HONAUNAU MAUKA,
SOUTH KONA Application of Charles T. Onaka for a Special Permit to allow the establishment of a smoked beef business on approximately 0.76 acre of land situated within the State Land Use Agricultural District. The area under consideration is located along the mauka side of the Mamalahoa Highway, approximately one (1) mile south of the Honaunau Post Office, Honaunau Mauka, South Kona, TMK: 8-4-05:61.

Staff presented recommendation for approval with conditions on file.

The petitioner, Charles T. Onaka, was in attendance.

It was moved by Commissioner Paris and seconded by Commissioner Nakano to send a favorable recommendation to the State Land Use Commission with the conditions outlined by the staff. A roll call vote was taken and motion carried with six ayes.

CHANGE OF ZONE
FRANK KU, JR.
KAWANUI 1ST,
HONALO, NORTH
KONA Preliminary hearing on the application of Frank Ku, Jr. for a change of zone for 19,379 square feet of land from a Single Family Residential - 15,000 square foot (RS-15) to a Single Family Residential - 7,500 square foot (RS-7.5) zoned district. The area involved is located at the southwest corner of the Saint Paul Road-Mamalahoa Highway intersection, Kawanui 1st, Honalo, North Kona, TMK: 7-9-14:42.

October 2, 1978

October 2, 1978

Mr. Charles T. Onaka
P. O. Box 208
Honaunau, Kona, Hawaii 96726

Dear Mr. Onaka:

The original of the attached letter is on file in the office of the Hawaii County Planning Department, 25 Aupuni Street, Hilo, Hawaii.

Please be advised that failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP78-318 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on September 27, 1978, the Land Use Commission voted to approve a request by Charles T. Onaka (SP78-313) to allow the establishment of a smoked beef business on approximately .76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii, Tax Map Key 8-4-05: 61.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission. Please be advised that the petitioner's failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP78-313 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

cc: Charles T. Onaka

October 2, 1978

Department of Planning and
Economic Development
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

Attention: Mr. Hideto Kono, Director

Gentlemen:

At its meeting on September 27, 1978, the Land Use Commission voted to approve a Special Permit request by Charles T. Onaka (SP78-313) to allow the establishment of a smoked beef business on approximately .76 acre of land situated within the State Land Use Agricultural District at Honaunau Mauka, South Kona, Hawaii, Tax Map Key 8-4-05: 61. Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission.

Please note that a copy of the Land Use Commission's Decision and Order on this matter is on file at the Commission's office.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

cc: Department of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Office of Environmental Quality Control
Division of Land Management, DLNR
Property Technical Office, Dept. of Taxation