DATE: April 3, 2019

TITLE OF ACTION: Rezone State Conservation District zoned land to State Agricultural District

TYPE OF DOCUMENT: DEA with AFONSI

NOTICE OF APPROVING AGENCY DETERMINATION ATTACHED: AFONSI

APPLICANT(s): Kenneth Stanley Church and Joan Evelyn Hildal (husband and wife, joint property owners)
P.O. Box 100014
Hakalau, Hawaii 96710
email: dockline3@yahoo.ca

CONTACT FOR APPLICANT: Kenneth Church

CONSULTANT FOR APPLICANT: none

APPROVING AGENCY: State Land Use Commission

CONTACT FOR APPROVING AGENCY: Scott A.K. Derrickson, AICP, Staff Planner, State of Hawai`i, Land Use Commission, 235 S Beretania St # 406, Honolulu, HI 96813
ph: (808) 587-3921
email: scott.a.derrickson@hawaii.gov

ISLANDS AFFECTED BY THE ACTION: Hawai`i

TAX MAP KEY NUMBERS: two lots .......... (3) 2-9-003: 029, 060

STREET ADDRESS: 29-3792 Hawaii Belt Road, Hiwai`i

NEAREST GEOGRAPHICAL LANDMARKS: the two TMK lots are located approximately 14.5 miles north of Hilo, on the makai side of the Coastal Highway, a short distance north of the Kolekole gulch and bridge and lie along the coastal pali which pali is owned by the State of Hawai`i. The lots are located in a privately owned seven lot, security gated subdivision.

STATUTORY/ADMINISTRATIVE AUTHORITIES: Reclassification of conservation district lands - Section 343-5(a)(7), HRS

BRIEF NARRATIVE SUMMARY OF PROPOSED ACTION:
**No new use is proposed.** The Property has been in agricultural use beginning around 1850. The Property is zoned agricultural (A 20a) by the County. Agricultural use of the Property is allowed according to HAR 13-5-7. The current allowed use of the Property includes the cultivation of its soils. The owners have offered to provide a buffer zone to be maintained in grasses and woody plants along the Property's makai side if the Petition is allowed.

The Property is near coastal, there exists a State owned property which separates the Property from the ocean. The Property is currently in agricultural use including accessory uses such as a residence (which is under construction and an agricultural use storage and processing structure which exists).

The rezoning will harmonize the Property’s use and zoning. The rezoning will eliminate confusion at State and County administrative levels, the general public etc. Current agricultural uses include woody orchard species, field crops, a potted plant nursery, in ground plant nursery plants, plant propogation plants and misc. other plant species of agricultural character and use.

The above identified current land uses are fully permitted and/or allowed by the Department of Land and Natural Resources and the County. There exists a 2005 FONSI issued by the LUC which described an intended residence and ag. use of the Property. The residence which is under construction was also issued a FONSI by the DLNR. That EA and FONSI described in some 40 places the existing agricultural uses of the Property.

FORM PREPARER: Kenneth Church

CONTACT INFORMATION: same as above