PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR USE PERMIT by SHIELD PACIFIC, LTD. for TEMPORARY QUARRY AND COMMERCIAL EXCAVATION in Waiakea, South Hilo, Hawaii	USE PERMIT NO. 16

USE PERMIT

The County of Hawaii Planning Commission at a duly held public hearing on July 21, 1977, considered the application of SHIELD PACIFIC, LTD. for a Use Permit to allow the establishment of two (2) temporary quarry and commercial excavation operation at Waiakea, South Hilo, Hawaii, Tax Map Key 2-1-25:86.

The Commission has found:

1. That the proposed use is not in conflict with the County of Hawaii land use policies, as expressed through the Zoning Code and the General Plan. Under provisions of the Zoning Code, quarries and/or commercial excavations are permitted uses within a General Industrial zoned district. The "Use Permit" procedure allows for the prescription of conditions to reduce any possible nuisance and to specify the manner in which the site shall be left upon termination of that use. As the proposed temporary quarry is located within a General Industrial zoned district, the use is clearly permissible. However, what is under consideration is whether there are any possible nuisance and whether conditions of use are to be attached to ameliorate those possible nuisance.

   Further, the General Plan states as a course of action for Hilo that "through its zoning powers, the County shall encourage the centralization of industrial activities in the Kanoelehua Industrial area. Noxious industries shall be located away from residential and related areas." The purpose of the temporary quarrying operations is to ultimately grade the parcel to suitable building sites for further industrial development. The location of the parcel in the vicinity of the Kanoelehua Industrial area thus seems to implement the General Plan Course of action.

2. The temporary quarry operations will not be detrimental to adjacent properties or the character of the area. An existing quarry operation is a neighboring use. The petitioner Shield Pacific already operates a concrete

batching plant at the site. Other uses in the surrounding area are warehousing, construction office and yard and a generating plant site. There are no single-family dwellings in the vicinity.

Further in reviewing the subject application no major concerns or objections were received from agencies or individuals.

Based on the above considerations, it is determined that the granting of a Use Permit is reasonable and will not be contrary to the adopted land use policies of the County of Hawaii and will not be detrimental to the health, safety, and general welfare of the public.

Therefore, the Commission hereby grants to the applicant a Use Permit to allow the establishment of two (2) temporary quarry and commercial excavation operation at Waiakea, South Hilo, Hawaii pursuant to the authority vested in it by Section 8 of Chapter 8 (Zoning Code), subject to the following consitions:

1. That the proposed temporary quarrying activities conform substantially to the representations made by the applicant including those relating to hours of operation and type of equipment to be used. These shall be limited to:

   Monday through Saturday - 7:00 a.m. to 5:00 p.m.

   Equipment to be used shall be

   CAT 950 loader
   18 x 36 jaw crusher or equivalent
   Stacking conveyor
   Trucks
   3 foot cone crusher
   Double deck scree.

2. That the temporary quarry operations shall be terminated within a five (5) year period commencing with the effective date of the Use Permit, provided however that the applicant obtains an extension from the present two year quarry permit issued by the Department of Hawaiian Homes Land. Should the lease be extended by the Department of Hawaiian Homes Land, a copy of the extension shall be submitted to the Planning Department at that time.

3. That a grading plan shall be submitted for the review and approval of the Department of Public Works and the Planning Director.

4. That should the two year quarry permit from the Department of Hawaiian Homes Land not be extended, the petitioner shall submit a revised grading plan showing dressing and land restoration measures for the review and approval of the Department of Public Works and the Planning Department.

5. That adequate measures shall be taken to effectively reduce dust problems and which shall meet the requirements of the Department of Health.

6. That all other rules and regulations, ordinances and statutes, including plan approval shall be complied with.

Should any of the foregoing conditions not be met, the Use Permit may be deemed null and void by the Planning Commission.

The effective date of this permit shall be from July 21, 1977.

Dated at Hilo, Hawaii, this 11th day of August, 1977.

(Mrs.) Lorraine R. Jitchaku, Chairman

APPROVED as to FORM and LEGALITY

CORPORATION COUNSEL
COUNTY OF HAWAII

Date AUG 5 1977