

COUNTY OF HAWAII PLANNING DEPARTMENT
BACKGROUND REPORT

MARIO ROVIRA
SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION
(PL-SMA-2026-000092)

MARIO ROVIRA has submitted an application for a Special Management Area Use Permit to construct a one (1) story, 1,803 square foot single-family residence and related improvements on a 23,087-square foot shoreline parcel within the Special Management Area. The subject property is located on Paradise Ala Kai Road, approximately 500-feet northeast of the intersection of Paradise Ala Kai Drive and Kilika Street, Hawaiian Paradise Park Subdivision, Puna, Hawai'i, TMK: (3) 1-5-059:052.

PROPOSED DEVELOPMENT

1. **Request:** The Applicant is requesting a SMA Use Permit to construct a new one-story single-family residence with 1,803 square feet of interior space, and 780 square feet of accessory space on a 23,087-square foot parcel of land located on the makai (seaward) side of Paradise Ala Kai Drive within the Special Management Area (SMA) on the Island of Hawai'i. The proposed one-story home would have a total of 2,583 sf of living space, with three (3) bedrooms, two (2) baths, garage, covered entry, and covered rear lanai. The home intends to utilize solar energy mainly for heating water. The home will be powered by the existing electric service, with potable water provided by a proposed rainwater catchment system. The proposed project will require a Department of Health (DOH) approved individual wastewater system to be installed on the mauka side of the subject parcel; this will be sited a considerable distance from the shoreline.
2. **Project Objectives:** The purpose of the project is to construct a single-family residence on the subject parcel for personal use.

3. **Cost/Time of Project:** The current estimated cost of the project is approximately \$500,000. The project would be initiated after SMA approval and the granting of all necessary permits.
4. **Supportive Information:** The applicant has submitted the attached in support of the request: **(Planning Department Exhibit 1 – SMA Use Permit Application dated February 2, 2026)**
5. **Landowner:** 2013 Rovira Family Trust

BACKGROUND INFORMATION

6. **Special Management Area (SMA):** The project parcel is completely unaltered and undeveloped, no previous SMA approvals have been requested.
7. **Chapter 343, HRS:** Pursuant to Hawai'i Revised Statutes (HRS) Ch. 343-5, the proposed activities do not trigger the need for an Environmental Assessment (EA), therefore, no EA is required.

STATE AND COUNTY PLANS

8. **State Land Use Designation:** Agricultural
9. **General Plan LUPAG MAP:** Open (ope)
10. **County Zoning:** Agricultural 1-acre (A-1a)
11. **Puna Community Development Plan (PCDP):** The Puna Community Development Plan was adopted by the Hawai'i County Council by Ordinance No. 08-116 on September 10, 2008, and amended on November 4, 2010, by Ordinance No. 10-104; on June 8, 2011, by Ordinance Nos. 11-51, 11-52, & 11-53; and on December 6, 2011, by Ordinance Nos. 11-117 & 11-118.
12. **Special Management Area (SMA):** The project is located within the Special Management Area and therefore, the proposed development is subject to SMA review.

DESCRIPTION OF PROPERTY AND SURROUNDING AREA

13. **Subject Property:** The property consists of approximately 23,087 sf and is located on the makai side of Paradise Ala Kai Drive. The property is rectangular in shape, was previously cleared, is currently undeveloped and overgrown with vegetation,

and consists primarily of well-drained organic soils over pāhoehoe lava. The property gently slopes toward the shoreline. The property is bounded to the south by a parcel developed with a single-family residence and related improvements, to the north by an undeveloped parcel, to the west is Paradise Ala Kai Drive, and to the east is the ocean.

14. **Surrounding Land Zoning/Uses:** The surrounding area is primarily residential with most of the parcels developed with single family residential structures and related improvements within the A-1a zoning designation. Immediately makai of the subject parcel is the rocky coastline which consists of small volcanic benches and cobble/boulder deposits. The location of the shoreline is the top of the bench.
15. **Land Study Bureau's Detailed Land Classification System:** The project site is listed as "E" (Very Poor).
16. **Agricultural Lands of Importance to the State of Hawai'i (ALISH) System:** The project site is listed as "unclassified" ("0") on the ALISH Map.
17. **Flood Insurance Rate Map (FIRM):** The majority of the subject property is within Flood Zone X which is the area determined to be outside the 500-year flood zone; the coastal area is within Flood Zone VE which is the Special Flood Hazard Area inundated by the 100-year coastal flood, and based flood elevations calculated. Additionally, the property is in the tsunami evacuation area. During evacuation, occupants of the proposed house would use Paradise Ala Kai Dive to evacuate the area.
18. **Flora/Fauna Resources:** No biotic surveys were conducted for the subject parcel; however, the applicant does not believe that the site contains any rare or endangered floral and faunal resources. The parcel has been mostly undeveloped but was cleared several decades ago, and no rare or threatened species have been noted on the subject parcel. Site vegetation consists of common, non-native plants, shrubs, and grasses. The site is not known to be a habitat for any rare or endangered wildlife other than could be found along the shoreline. The residential/developed nature of the surrounding area would make it less likely to

find other protected and endangered species.

19. **Archaeological Resources:** The applicant has stated that due to previous clearing of the property as evidenced by a USGS Aerial Photo dated 1965, the existence of any surface or subsurface archeological remains is extremely unlikely.
20. **Cultural/Historic Resources:** The subject parcel is adjacent to the shoreline which supports activities such as fishing or gathering. While there is no specific shoreline access path or trail through the subject parcel, the proposed project will not alter, or impact access along the shoreline or its use. Given the long history of residential development and the past clearing of the area, it would appear very unlikely that the site would serve the purpose of any traditional or customary practices.
21. **Recreational Resources:** The subject parcel is located adjacent to the shoreline. Recreational activities such as fishing and gathering are conducted in this area. Access to the shoreline is provided via the County owned parcel located approximately 300-feet south of the subject parcel where there is a shoreline access trail from Paradise Ala Kai Drive to the shoreline. The proposed project will not alter or impact this existing access.
22. **Scenic and Open Space Resources:** On the roadway (Paradise Ala Kai Drive) fronting the subject parcel there are no ocean views on the approaches from the south or north due to vegetation and existing development. Open space resources include access to the shoreline which is accommodated by the existing County shoreline access trail located approximately 300-feet south of the subject parcel. Impacts to scenic resources are not anticipated since the proposed home would be in-line with the residential development in this area.
23. **Public Access:** There is existing pedestrian shoreline public access located less than a mile to the south of the subject parcel. This access will remain unaffected by the project both during construction and after completion of the project.

PUBLIC UTILITIES AND SERVICES

- 24. **Access:** The property is accessed via Paradise Ala Kai Drive, which is a privately owned and maintained roadway.
- 25. **Water:** According to the Applicant, County water is not available to the site. The applicant plans to utilize a domestic catchment system for potable water use.
- 26. **Wastewater:** The single-family dwelling will utilize a Department of Health approved Individual Wastewater System (IWS) to be constructed on the mauka side of the subject parcel.
- 27. **Other Essential Utilities and Services:** All other utilities, including electrical, telephone, and internet services are available to the site. The Applicant is responsible for hauling all domestically generated trash to any available County Transfer Station.

AGENCIES' COMMENTS

- 28. **Department of Public Works (DPW) – Building Division: (Planning Department Exhibit 2 – May 6, 2026, Memo).**
- 29. **Hawai'i Department of Health (DOH): (Planning Department Exhibit 3 – May 8, 2026, Memo).**
- 30. **Police Department: (Planning Department Exhibit 4 – May 15, 2026, Memo).**
- 31. **State Office of Planning and Sustainable Development: (Planning Department Exhibit 5 – June 1, 2026, Letter).**

AGENCIES - NO COMMENT

- 32. **Department of Land and Natural Resources (DLNR) Land Division.**

AGENCIES - NO RESPONSE

- 33. **Department of Land and Natural Resources (DLNR) State Historic Preservation Division; Fire Department; Department of Land and Natural Resources (DLNR) – Division of Forestry and Wildlife; Department of Public Works (DPW) – Engineering Division.**

PUBLIC COMMENTS

34. The Department has not received any comments or objections from the general public or adjacent landowners on the subject application.

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION**COUNTY OF HAWAII
PLANNING COMMISSION**

(Type or legibly print the requested information)

APPLICANT(S): Mario RoviraAPPLICANT'S SIGNATURE: Maria Rovira DATE: Feb 02 2026ADDRESS: 2700 Via Montezuma, San Clemente, CA 92672 3629LIST APPLICANT'S INTEREST (if not owner): Trustee of landowning trustPHONE: (Bus.) 949-603-9706

(Res.) _____

(Email) _____

REQUEST: Special Management Area Use Permit to construct a single-family dwelling
and related improvements.TAX MAP KEY: 1-5-059: 052ZONING: A-1aSIZE OF PROPERTY / AREA OF REQUESTED USE: 0.53 acres/ 0.53 acresLANDOWNER(S): 2013 Rovira Family Trust**FEE SIMPLE LANDOWNER(S) WRITTEN AUTHORIZATION**

(may be provided by letter with the below statement included):

Maria Rovira

DATE: _____

DATE: _____

AGENT: Pipan Consulting LLC - John PipanAGENT ADDRESS: PO Box 421 Honokaa, HI 96727PHONE: (Bus.) 808-333-3391

(Res.) _____

(Email) _____

Please indicate to whom original correspondence and copies should be sent.

ORIGINAL: AgentCOPIES: Applicant

TO WHOM IT MAY CONCERN:

As landowner of parcel identified by TMK: (3) 1-5-059:052, I hereby consent and authorize Pipan Consulting LLC to file and process a Special Management Area Use Permit Application on my behalf.

Mario A. Rovira

Mario Rovira Feb 02 2026

Sign (Date)

Mario Rovira

Print Name

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION
MARIO A ROVIRA
HAWAIIAN PARADISE PARK, KEAAU, PUNA, HAWAI'I
TMK: (3) 1-5-059:052

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I. BACKGROUND INFORMATION

A. EIS

The proposed project was evaluated with respect to Hawai‘i Revised Statutes Chapter 343-5 and no triggers were identified. Therefore, further environmental review should not be required beyond what is detailed in this report.

B. Project Description, Objectives and Reasons

Mario Rovira (“**applicant**”), is seeking a Special Management Area (SMA) Use Permit to build a single-family residence and related improvements on his property located at 15-825 Paradise Ala Kai Drive, Hawaiian Paradise Park in Keaau, Puna, Hawai‘i. The subject parcel, identified as TMK (3) 1-5-059:052, is located approximately 500 feet northeast of the Paradise Ala Kai Drive and Kilika Road intersection (**Figure 1**).

The applicant wishes to develop a single story, 1,512 square-foot single-family residence containing three (3) bedrooms and two (2) bathrooms on the subject property.

The parcel consists of 23,087 square feet (0.53-acres) of land zoned Agricultural 1-acre (*A-1a*). All proposed improvements will be located outside of the 40-foot shoreline setback. A certified shoreline survey for the property was completed in November 2025 and certified in March 2026 (**Figure 2**).

Project Objective

The project objective is to obtain an SMA Use Permit to build a single-family dwelling and associated improvements on the parcel subject to Special Management Area regulations outlined in the Planning Department’s Rules of Practice and Procedure (Rule 9).

Project Components

The applicants propose the construction of an approximately 1,803 square-foot single-family residence containing three (3) bedrooms, two (2) bathrooms, and an attached garage. The total living area of the proposed residence is approximately 1,803 square feet, the proposed garage is 440 square feet, and the covered entry and lanai combined are 340 square feet, for a total of approximately 2,583 square-feet. The proposed residence complies with all required minimum setbacks.

The dwelling will utilize a Department of Health approved individual wastewater system. County water is not available to the site. Water will be sourced via a new domestic catchment tank. **Figures 3-5** display the site plan, floor plans, and elevations.

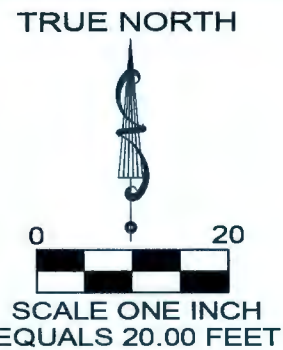
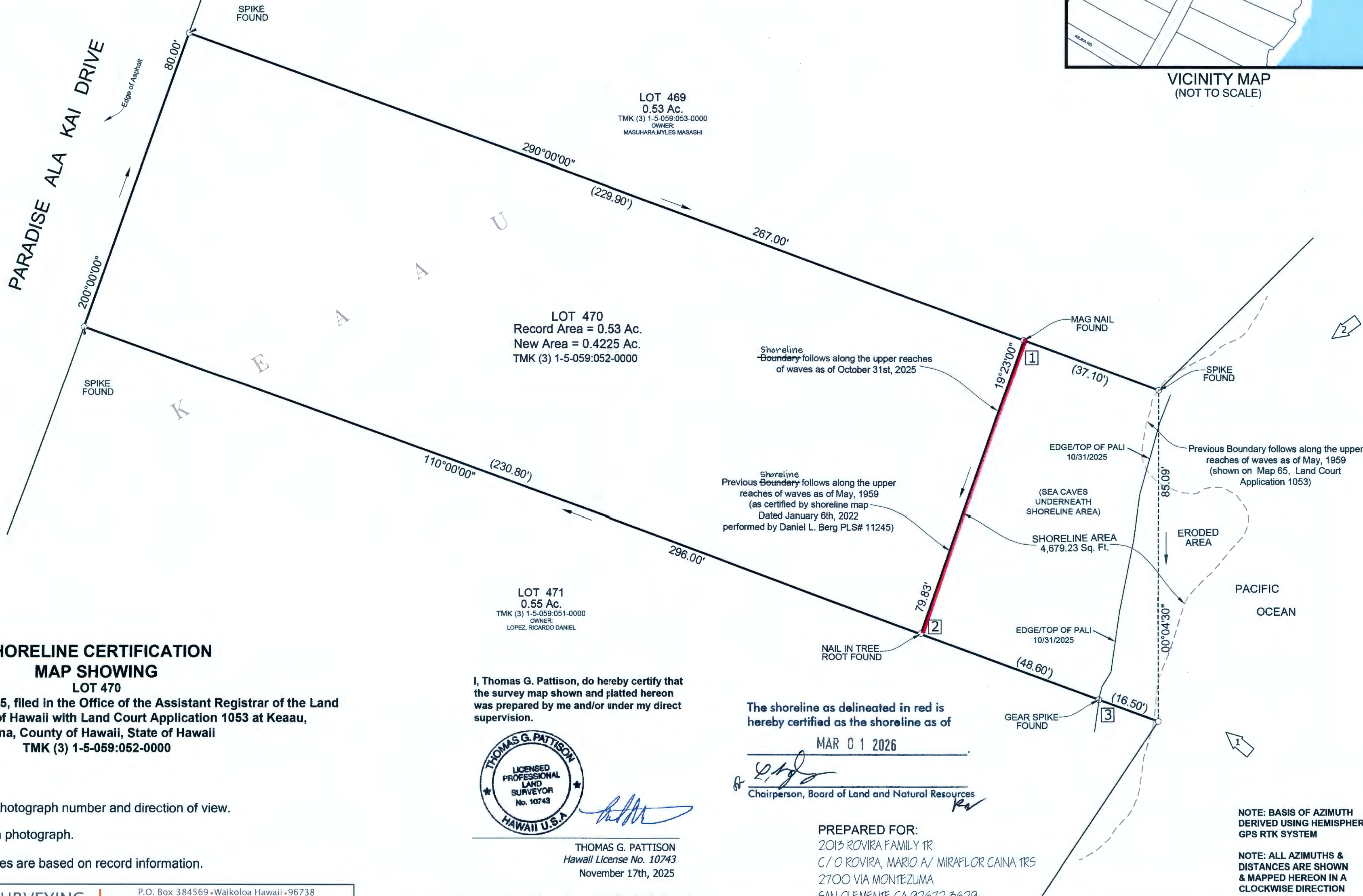


Figure 2: Shoreline Survey
TMK (3) 1-5-059:052

SURVEY OFFICE COPY



SHORELINE CERTIFICATION
MAP SHOWING
LOT 470

Being a Portion of Map 65, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application 1053 at Keaau, Puna, County of Hawaii, State of Hawaii
TMK (3) 1-5-059:052-0000

NOTES:

- 1. Denotes photograph number and direction of view.
- 2. Denotes number in photograph.
- 3. Azimuths and distances are based on record information.

I, Thomas G. Pattison, do hereby certify that the survey map shown and platted hereon was prepared by me and/or under my direct supervision.



THOMAS G. PATTISON
Hawaii License No. 10743
November 17th, 2025

The shoreline as delineated in red is hereby certified as the shoreline as of

MAR 01 2026

Chairperson, Board of Land and Natural Resources

PREPARED FOR:
2013 ROVIRA FAMILY TR
C/O ROVIRA, MARIO A/ MIRAFLORE CAINA TRS
2700 VIA MONTEZUMA
SAN CLEMENTE CA 92672 3629

NOTE: BASIS OF AZIMUTH DERIVED USING HEMISPHERE GPS RTK SYSTEM

NOTE: ALL AZIMUTHS & DISTANCES ARE SHOWN & MAPPED HEREON IN A CLOCKWISE DIRECTION

HAWAII COUNTY BUILDING CODES:

- 2018 IRC - INTERNATIONAL RESIDENTIAL CODE
- 2018 IBC - INTERNATIONAL BUILDING CODE
- 2020 NEC - NATIONAL ELECTRICAL CODE
- 2021 UPC - UNIFORM PLUMBING CODE
- 2018 IECC - INTERNATIONAL ENERGY CONSERVATION CODE

SITE DRAINAGE:

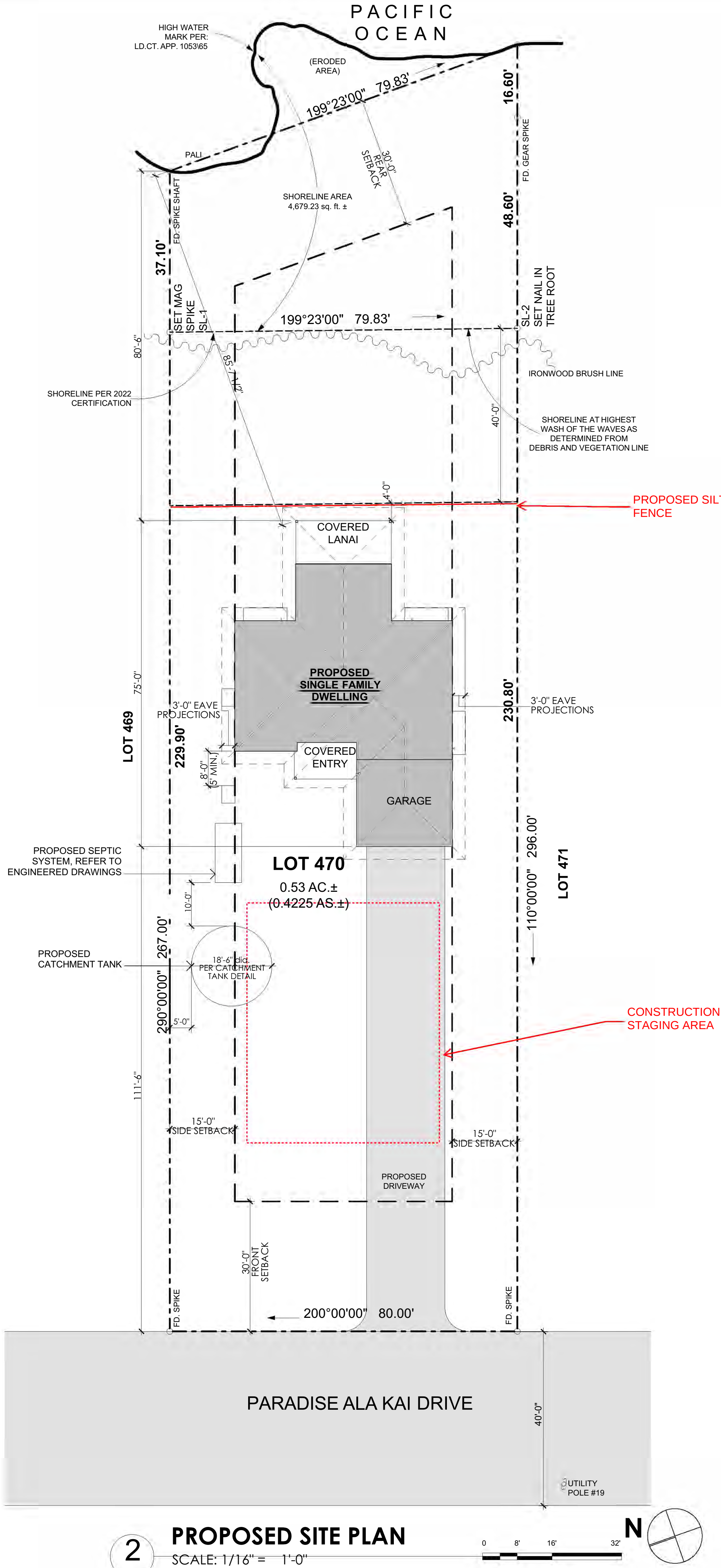
PROVIDE POSITIVE DRAINAGE AWAY FROM THE BUILDING(S) AS FOLLOWS:

- SLOPE THE GROUND A MIN. 6" OVER THE FIRST 10' AWAY FROM THE BUILDING (EQUIVALENT TO A 5% SLOPE,) OR IF SPACE IS NOT AVAILABLE THEN SWALE ALL SURFACE FLOW AWAY FROM AND AROUND ALL BUILDINGS.
- HARDSCAPES, INCLUDING ANY WALKS, DRIVES, OR LANAIS, SHOULD SLOPE A MINIMUM OF 2% AWAY FROM THE BUILDING.
- AVOID OTHER SITE ELEMENTS SUCH AS INDIVIDUAL WASTEWATER SYSTEMS, CESSPOOLS, LEACH FIELDS, DRIVEWAYS, WATER CATCHMENT TANKS, ETC.



VICINITY MAP

N.T.S.



PROPERTY INFORMATION

TMK (3) 1-5-059:052
OWNER 2013 ROVIRA FAMILY TR
ADDRESS 15-825 Paradise Ala Kai, Keaau, HI, 96749
SUBDIVISION HAWAIIAN PARADISE PARK

PROJECT DESCRIPTION

- PROPOSED SINGLE FAMILY DWELLING
- ONE-STORY
- CONCRETE SLAB FOUNDATION
- MANUFACTURED ROOF TRUSSES
- THREE BEDROOM
- TWO BATHROOM
- ATTACHED GARAGE

AREA TABULATION

LIVING AREA	1,803 SQ FT
GARAGE	440 SQ FT
COVERED ENTRY	120 SQ FT
REAR LANAI	220 SQ FT
TOTAL AREA	2,583 SQ FT

BUILDING DATA

CONSTRUCTION TYPE	V-B	SEISMIC DESIGN CATEGORY	D ₂
OCCUPANCY	R3 & U		
DESIGN CRITERIA		WIND SPEED V _{ULT}	120 MPH
FLOOR LIVE LOAD	40 PSF	WIND EXPOSURE CATEGORY	D
ROOF LIVE LOAD	20 PSF		

FIRE SPRINKLERS

NOT REQUIRED

SHEET INDEX

- | | |
|-----|--|
| T01 | PROJECT INFO, PLOT PLAN, VICINITY MAP |
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| A02 | EXTERIOR ELEVATIONS |
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| A04 | ROOF AND TRUSS LAYOUT PLAN |
| A05 | DETAILS |
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| S05 | STRUCTURAL DETAILS |
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APPROVALS

REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
PLANNING	PLUMBING
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
ENGINEERING	MECHANICAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
DEM WASTEWATER	FIRE
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
DOH WASTEWATER	STRUCTURAL
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
DOH FOOD SAFETY	BUILDING
REVIEWER NAME:	REVIEWER NAME:
DATE:	DATE:
ELECTRICAL	



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2013 ROVIRA FAMILY TR
(3) 1-5-059:052

BY	AB								
DESCRIPTION	PRELIMINARY PLANS								
ISSUED	1/14/2026								
DELTA									

PROJECT INFO, PLOT PLAN, VICINITY MAP

T01
PLOT SCALE 1:1 AT 24x36 "D" SIZE

PLUMBING FIXTURE FLOW RATES	
TABLE 604.4 - MAXIMUM FLOW RATES AND CONSUMPTION FOR PLUMBING FIXTURES AND FIXTURE FITTINGS	
PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY
LAVATORY, PRIVATE	2.2 GPM @ 60 PSI
LAVATORY, PUBLIC (METERING)	0.25 GALLON PER METERING CYCLE
LAVATORY, PUBLIC (OTHER THAN METERING)	0.5 GPM @ 60 PSI
SHOWER HEAD	2.5 GPM @ 80 PSI
SINK FAUCET	2.2 GPM @ 60 PSI
URINAL	1.0 GALLON PER FLUSHING CYCLE
WATER CLOSET	1.6 GALLONS PER FLUSHING CYCLE

DOOR & WINDOW NOTES

- ALL EXTERIOR GLAZING FOR BOTH WINDOWS AND DOORS SHALL HAVE A MAXIMUM SHGC OF 0.25.
- TEMPERED GLAZING SHALL BE PROVIDED AT ALL HAZARDOUS LOCATIONS PER IRC SECTION R308.4.
- EGRESS WINDOWS SHALL MEET ALL OF THE FOLLOWING:
 - CLEAR OPENING WIDTH OF 20" MIN.
 - CLEAR OPENING HEIGHT OF 24" MIN.
 - CLEAR OPENING AREA OF 5.7 SF MIN.
 - BOTTOM OF CLEAR OPENING 44" MAX. FROM FINISHED FLOOR
- SEE ELEVATIONS FOR DOOR AND WINDOW OPERATION

FLOOR PLAN LEGEND

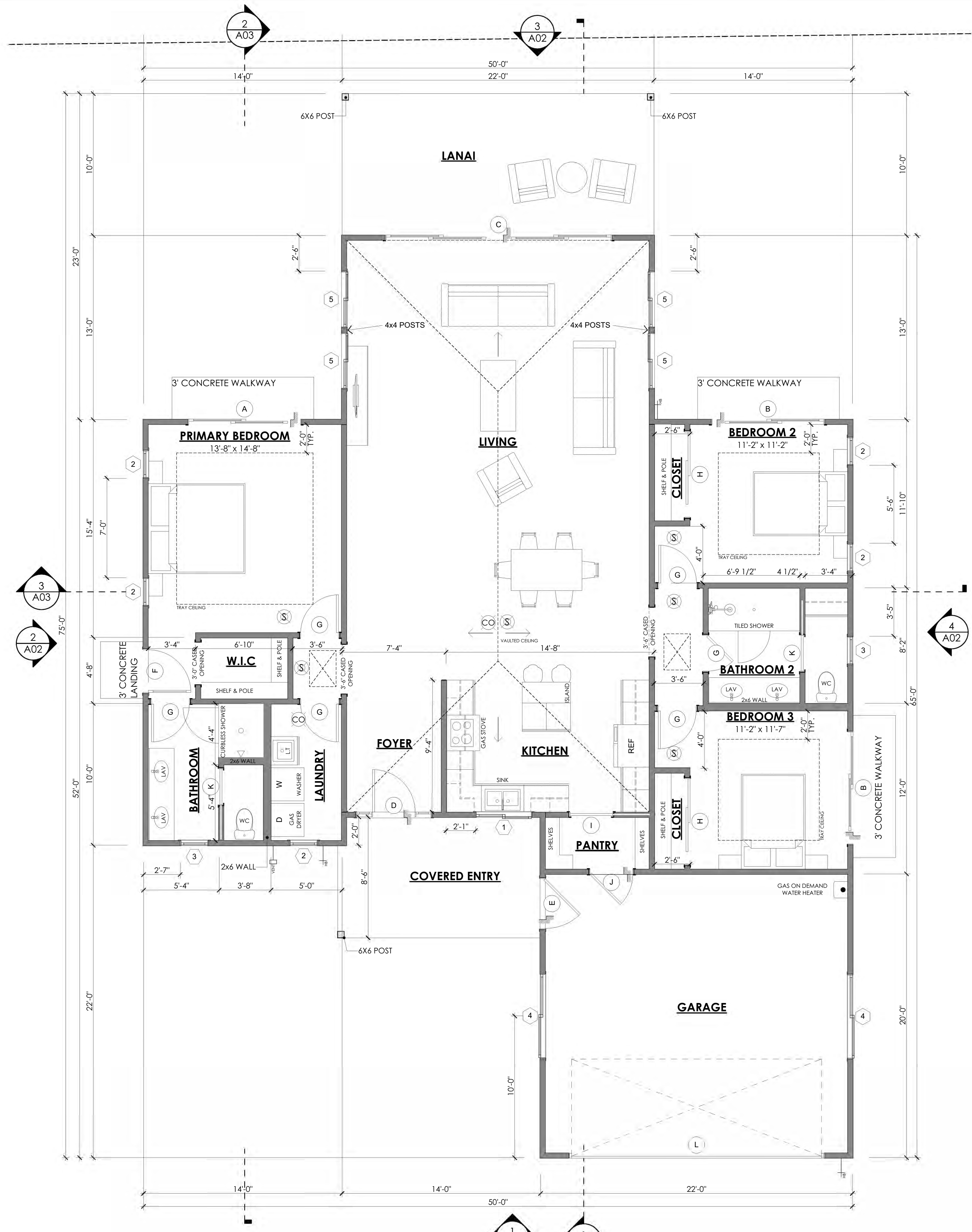
- STUD WALL @ 16" OC, 2x4 U.N.O.
- DOOR SYMBOL
- WINDOW SYMBOL
- STEP DOWN; SEE FOUNDATION PLAN
- DRYER EXHAUST VENT; MIN. 36" FROM AN OPENING IN ANY DIRECTION
- HOSE BIBB. VERIFY LOCATION WITH OWNER
- DOWNSPOUT; VERIFY QUANTITY w/ MANUFACTURER AND LOCATIONS w/ OWNER
- WATER HEATER. SEE WATER HEATER AND APPLIANCES NOTE ON TITLE SHEET
- 22" x 30" ATTIC ACCESS
- PERMANENTLY-WIRED CEILING-MOUNTED SMOKE ALARM WITH BATTERY BACKUP
- PERMANENTLY-WIRED CEILING-MOUNTED CARBON MONOXIDE ALARM WITH BATTERY BACKUP
- VAULTED CEILING
- TRAY CEILING

DUAL GLAZED WHITE NAIL-ON VINYL WINDOWS WITH REMOVABLE SCREENS



DOOR AND WINDOW SCHEDULES

SCALE: 1" = 1'-0"



HPM
HOMES

HOME PLANNING & DESIGN SERVICES
BY HPM BUILDING SUPPLY

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Robert Latenser

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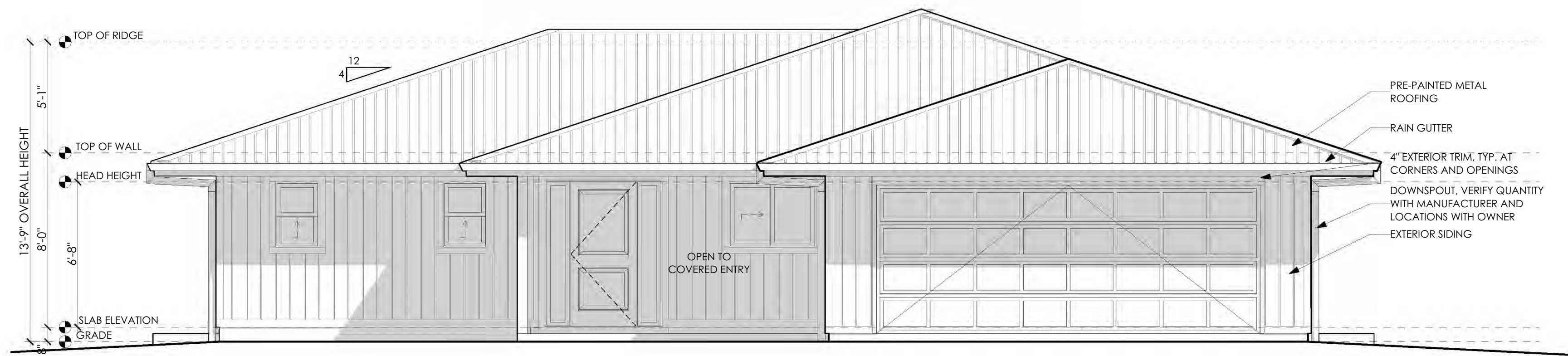
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BY	DESCRIPTION	ISSUED	DELTA
AB	PRELIMINARY PLANS	1/14/2026	

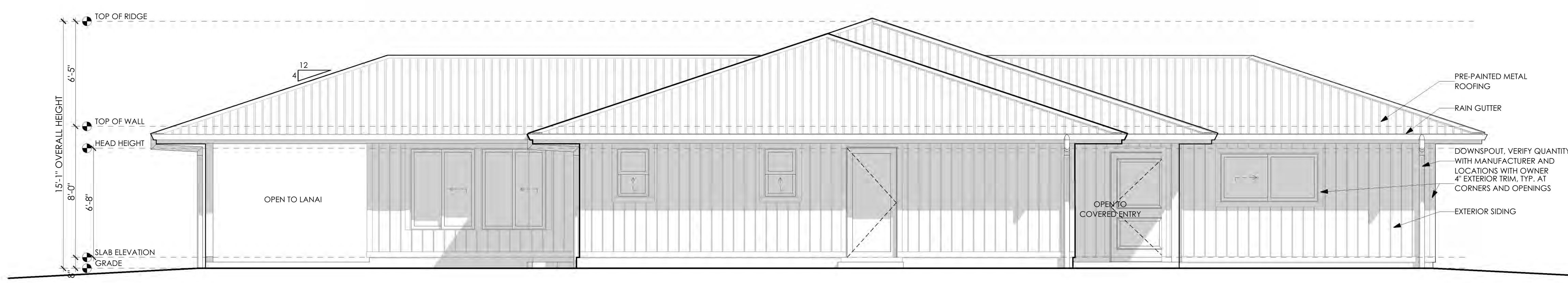
FLOOR PLAN, DOOR/
WINDOW SCHEDULES,
LIGHTING & POWER
PLAN

A01

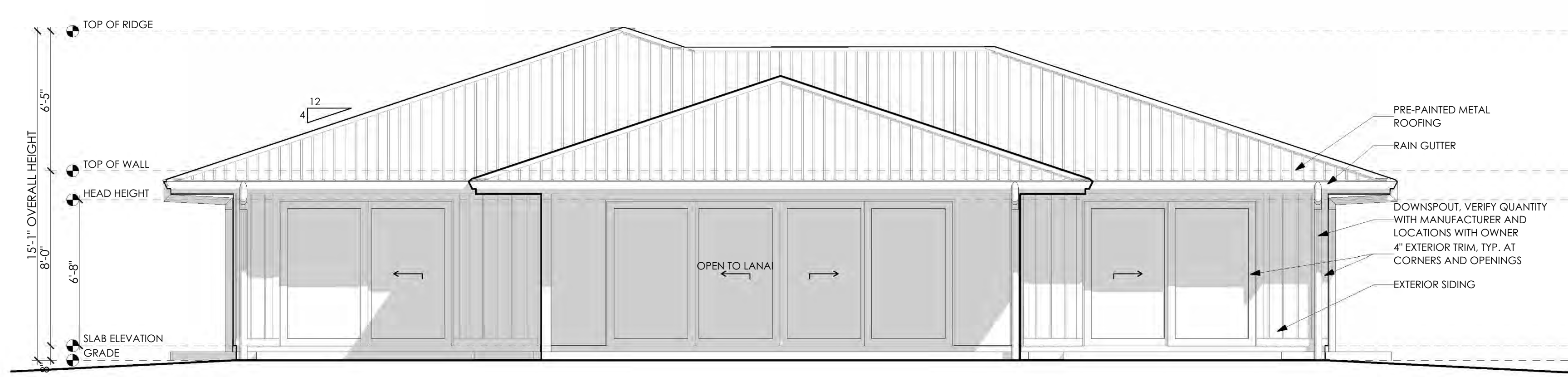
PLOT SCALE 1:1 AT 24x36" D" SIZE



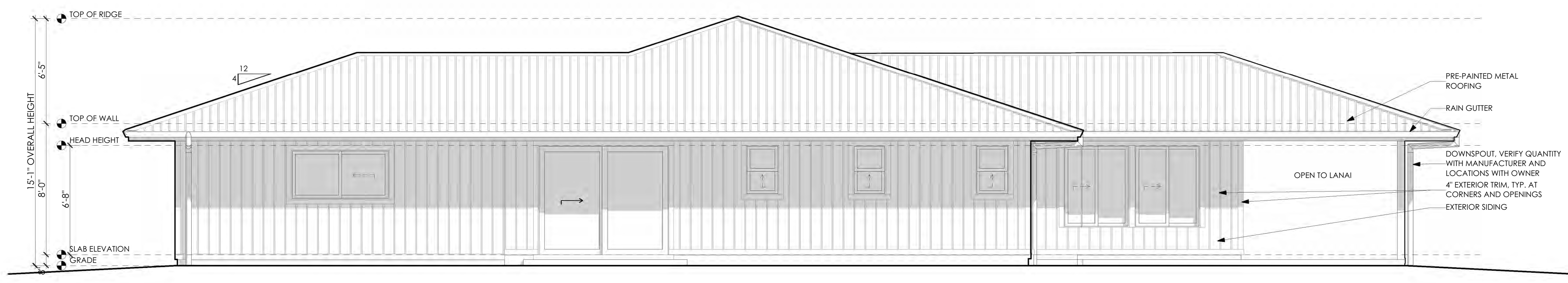
1 BUILDING FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2 BUILDING LEFT ELEVATION
SCALE: 1/4" = 1'-0"



3 BUILDING REAR ELEVATION
SCALE: 1/4" = 1'-0"



4 BUILDING RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

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BY HPM BUILDING SUPPLY

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ARCHITECT
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HAWAII, U.S.A.
Robert Latimer

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2013 ROVIRA FAMILY TR
(3) 1-5-059:052

BY	DESCRIPTION	ISSUED	DELTA
AB	PRELIMINARY PLANS	1/14/2026	

EXTERIOR ELEVATIONS

A02
PLOT SCALE 1:1 AT 24x36" D" SIZE

C. Property Description

According to Real Property Tax records, the subject property contains 0.53-acres of land zoned Agricultural 1-acre (A-1a) (**Figure 6**). It is rectangular in shape with its eastern boundary abutting the coastline. The parcel is located in the Hawaiian Paradise Park subdivision in Puna. The parcel is not cleared and is currently undeveloped and overgrown with non-native plant species. The western perimeter of the property is at an elevation of approximately 30 feet, and the remainder of the property gently slopes downward toward the ocean, with an elevation of approximately 10 feet at the eastern property edge at the top of the sea cliff.

D. Project Valuation

The applicants hope to secure County SMA Permit approval as soon as possible and begin the Building Permit process immediately thereafter. Construction is anticipated to begin mid-2026 and complete mid-2027. The estimated value of this project will be roughly \$500,000.

E. State/County Plans Affecting Request

State Land Use

The State Land Use designation of the subject property is Agricultural (**Figure 7**). The proposed construction of a single-family residence and associated improvements is consistent with this designation and will not be contrary to the objectives sought to be accomplished by the State Land Use Laws and Regulations. As such, the County can process this application.

DLNR Conservation District

The property is located outside of the Department of Land and Natural Resources Conservation District.

County General Plan

The General Plan provides for the long-range comprehensive development of the island of Hawai‘i. It provides direction for balanced growth in the County. The County General Plan Land Use Pattern Allocation Guide (“LUPAG”) map designates the site as *Open* (**Figure 8**). This designation is generally intended for parks and other recreational areas, along with open shoreline areas. However, the LUPAG map is a guide and not “set in stone”. Many nearby properties along the coastline in the Open area also have developed single-family residences. The proposed development respects shoreline setback requirements, supporting the LUPAG Open space designation, is in line with the goals, policies, and standards outlined in the county General Plan Land Use element guidelines and is



FIGURE 6: Hawaii County Zoning

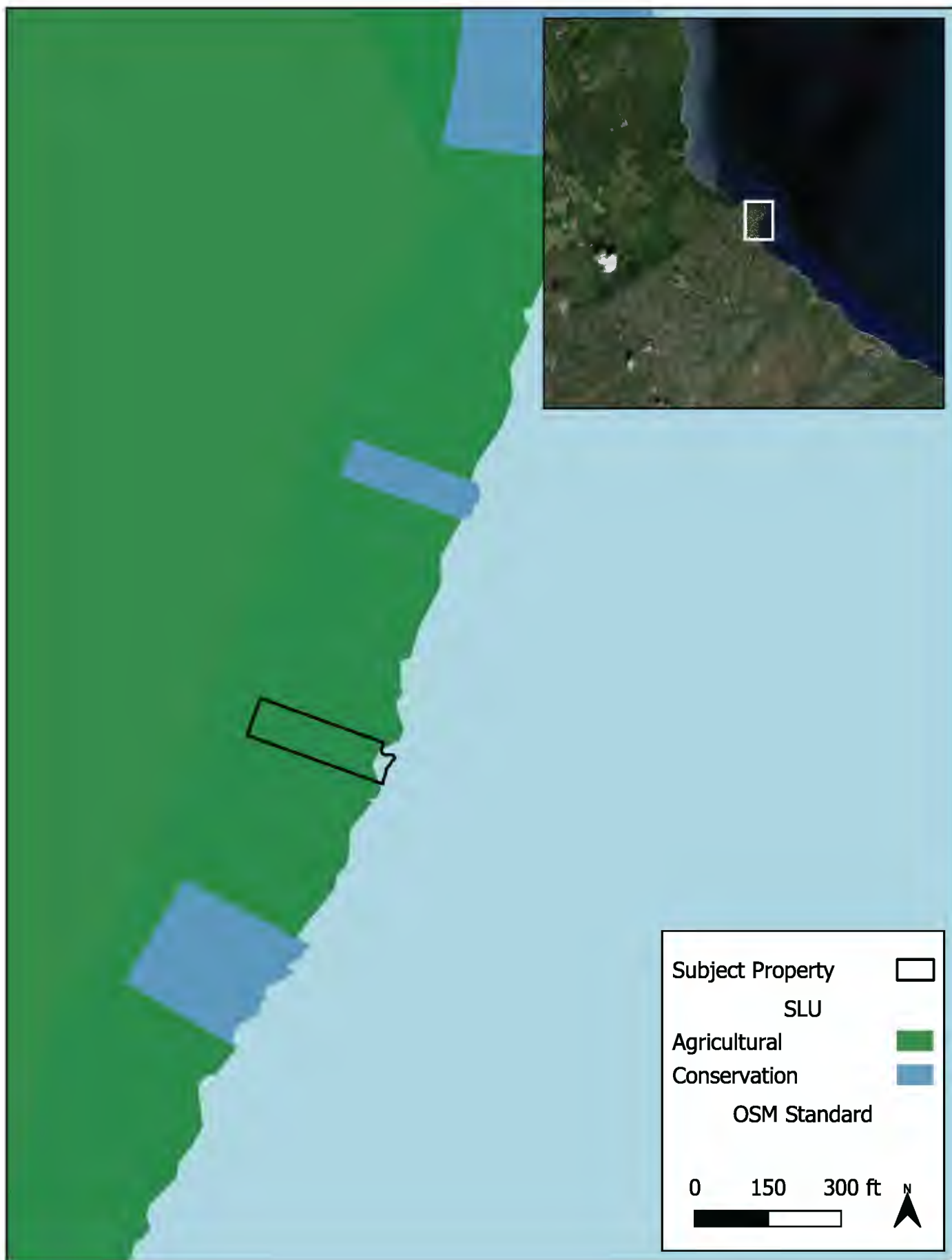


FIGURE 7: State Land Use Designation

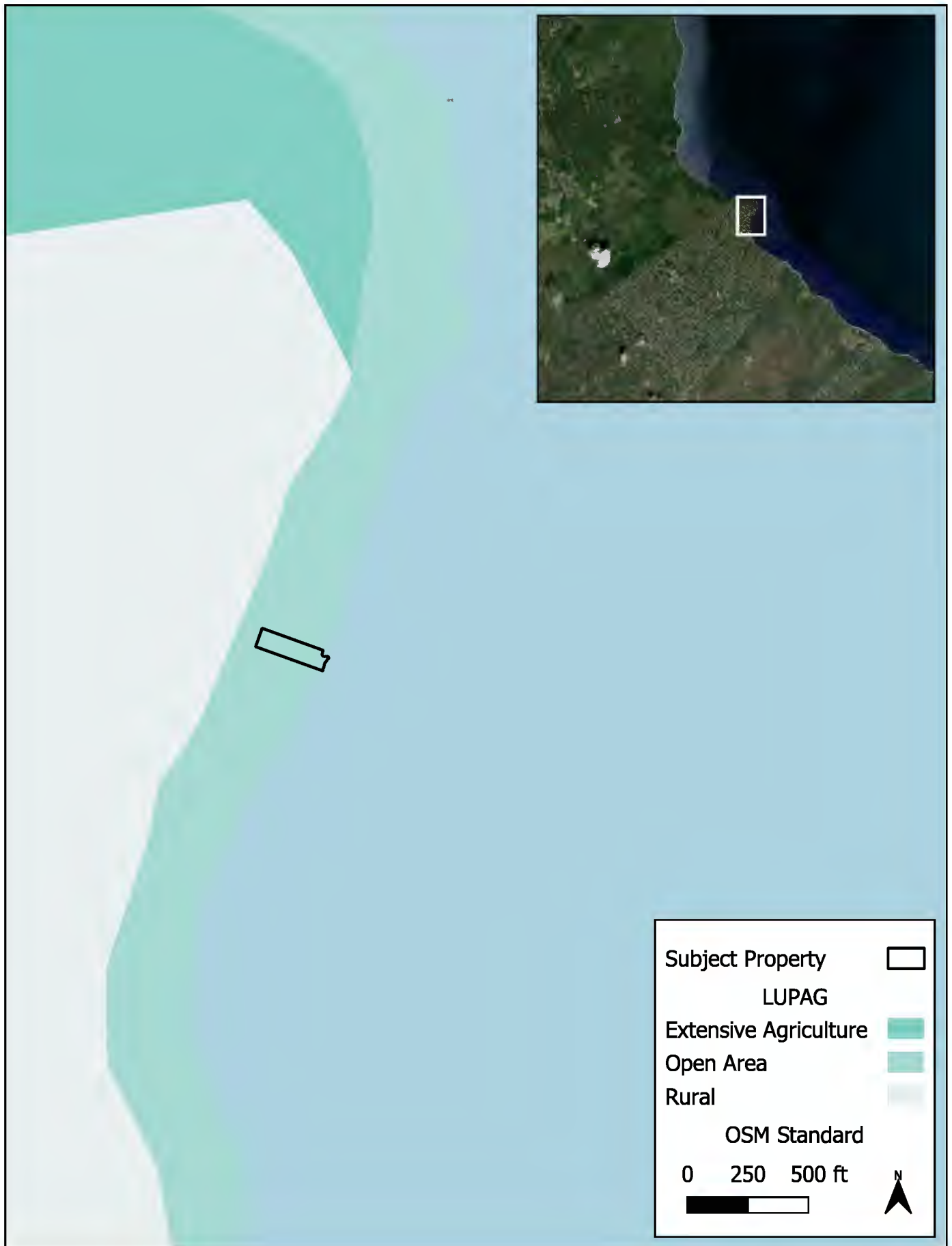


FIGURE 8: General Plan Land Use Pattern Allocation Guide

consistent with the character of the surrounding subdivision. The proposed dwelling will be placed outside of the shoreline setback area. Further, the proposed action will retain the essential character of the land and will be consistent with the surrounding area and with the goals, policies, and standards of the General Plan document.

The proposed construction of one (1) single-family residence and associated improvements would provide temporary employment for local construction workers and would support the **economy** through the purchase of construction materials from on-island suppliers. This will stimulate and support the general economic stability and development of Hawai'i Island by allowing for local businesses to thrive and gain income from the proposed project. In the long term, the newly constructed single-family residence will bring in additional property taxes, adding revenues to the County coffers.

The proposed development would not have adverse effects on the **environment** or the natural resources of the region. The General Plan identifies five (5) areas of environmental concern - air pollution, water quality, soil pollution, solid waste disposal, and noise pollution. As proposed, the project would not be contrary to any of those objectives.

The project will be **energy** conscious through its use of solar energy and design features that take advantage of the sun and wind patterns. A solar water heater will provide domestic hot water.

There may be a modest increase in vehicular emissions during construction, but otherwise all other **air pollution** associated with the project should be negligible. Additionally, the long-term traffic generation, and thus vehicular emission, will be limited to typical residential use. Air pollutants during construction will be limited and temporary. The main sources of short-term air pollutants are construction equipment exhaust and dust. Rules and regulations outlined in Hawai'i Administrative Rules Chapter 59 "Ambient Air Quality," and Chapter 60.1 "Air Pollution," will be followed during all construction and operation activities. HAR §11-60 on Fugitive Dust prohibits visible emissions of dust from construction activities.

These regulations will be strictly followed to prevent possible negative impacts from dust. In addition, reasonable measures to control airborne and visible fugitive dust from road areas are outlined by the Department of Health's Clean Air Branch. These measures include, but are not limited to:

- Planning the different phases of construction, focusing on minimizing the amount of airborne, visible fugitive dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact.

- Providing adequate water sources at the site prior to start-up of construction activities; Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase.
- Minimizing airborne, visible fugitive dust from shoulders, and access roads.
- Providing reasonable dust control measures during weekends, after hours, and prior to daily start-up of construction activities.
- Controlling airborne, visible fugitive dust from debris being hauled away from the project site.

Any grading work will be done in accordance with Chapter 10 of the Hawai‘i County Code and the appropriate permit will be acquired prior to commencement of said work. Construction Best Management Practices (BMPs) will prevent impacts from stormwater runoff. These are discussed in Section I, subsection P of this report. Pursuant to County drainage requirements, appropriate drywell and/or similar means to capture runoff from any improvements will be built, if necessary, in conjunction with the appropriate permitting process. The project will utilize an individual wastewater system approved by the Department of Health, which will mitigate potential water quality, coastal ecosystems, and soil impacts due to wastewater.

Construction BMPs and mitigating measures will prevent impacts to **soil**. The subject site is zoned Agricultural but has a Land Study Bureau Overall Productivity Rating of “E” or very poor.

The long-term **solid waste** impact will be consistent with residential use with little potential for waste management issues or noxious wastes.

Temporary **noise** will occur during the construction of the dwelling, however, there should be little, if any, long-term impacts. The request is consistent with residential use in the surrounding area. Rules and regulations outlined in Hawai‘i Administrative Rules Title 11, Chapter 46 “Community Noise Control” will be strictly followed.

No significant **visual impacts** are expected to occur. Visual impacts are negligible based on the location of the proposed improvements and gentle downward sloping topography of the area in a *mauka* to *makai* direction. The ocean is obscured from view from Paradise Ala Kai Drive due to existing vegetation. The residence is proposed to be 15-feet in height, which is below the 35-foot maximum allowed within the existing zoning.

All State and County requirements to minimize the possibility for spills and **hazardous materials** will be followed during construction phases. Following the guidelines of State and County requirements to minimize the possibility for spills and hazardous materials during construction, the applicants propose the following:

- Construction activities with the potential to produce polluted runoff will be limited to periods of low rainfall;
- During construction, emergency spill treatment, storage, and disposal of all hazardous materials, will be explicitly required to meet all State and County requirements, and the contractor will adhere to “Good Housekeeping” for all appropriate substances, with the following instructions:
 - Onsite storage to minimum practical quantity of hazardous materials necessary to complete the job;
 - Fuel storage and use will be conducted to prevent leaks, spills or fires;
 - Products will be kept in their original containers unless un-resealable, and original labels and safety data will be retained;
 - Disposal of surplus will follow manufacturer’s recommendation and all regulations;
 - Manufacturers’ instructions for proper use and disposal will be strictly followed;
 - Regular inspection by contractor to ensure proper use and disposal;
 - Onsite vehicles and machinery will be monitored for leaks and receive regular maintenance;
 - Construction materials, petroleum products, wastes, debris, and landscaping substances (herbicides, pesticides and fertilizers) will be prevented from blowing, falling, flowing, washing or leaching into the ocean; and
 - All spills will be cleaned up and properly disposed of immediately after discovery.
- Unused materials and excess fill (if any) will be properly disposed of at an authorized waste disposal site.

With regard to **flooding**, The Federal Emergency Management Agency (FEMA) Flood Insurance Rate map (FIRM) identifies the parcel as Zone X (areas outside of the 500-year flood). The applicant has not observed any significant runoff or erosion in the recent past.

With regard to **historic sites**, although no commissioned archaeological survey of the site was conducted, it is highly unlikely that any historic sites would be found on the property as the parcel has been previously cleared during the subdivision development, as shown in the historic aerial photos. However, in the event any archaeological or historical features are found during any earth disturbance activity, work will stop within the affected area and appropriate clearances from the State DLNR-SHPD and County Planning Department will be secured before work resumes. If needed, an archaeological monitoring program can be instituted during any land clearing activity.

The General Plan also emphasizes that developments be mindful of an area's **natural beauty**. There are no expected significant impacts on scenic resources by the proposed project. The proposed construction will not impose on views to or from any listed resource in the General Plan.

Coastal resources and access will be preserved. The proposed development will be located an allowable distance from the shoreline, as supported by the certified shoreline survey, and will not impact the coastline in any way.

In addition, since the construction of a single-family dwelling is consistent with the surrounding area, there will be no significant impact to **public utilities** or government services and infrastructure.

Given the above, the project specifically fulfills the following pertinent **land use** goals, policies, and standards of the General Plan:

14.1.2 Goals

- *Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.*
- *Protect and preserve forest, water, natural and scientific reserves and open areas.*

14.1.3 Policies

- *Promote and encourage the rehabilitation and use of urban areas that are serviced by basic community facilities and utilities.*
- *Encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.*
- *Encourage urban development within existing zoned areas already served by basic infrastructure, or close to such areas, instead of scattered development.*

In view of the foregoing goals and policies, it is noted that the requested Special Management Area Use Permit would not be contrary to the County General Plan. The proposed development will complement the goals, policies, and standards of the Land Use Elements of the General Plan. The project will be designed and constructed in conformance with the character of the surrounding neighborhood and will result in an intensity of land use that is no higher than what is permitted by the existing zoning.

Puna Community Development Plan

The Puna Community Development Plan (PCDP) was developed through the implementation of the 2005 County of Hawai‘i General Plan. CDP’s are designed to translate and implement the goals, policies, and standards of the General Plan as they apply to specific communities and districts. Additionally, they serve as important framework for a community’s intended outcome and vision and are often used as forum for community input in terms of land-use, availability of public resources, and overall development. The following goals apply to the project area and proposed development:

2.4.1 Goals

- a. Exposure of development to the risks of shoreline subsidence and coastal flooding is reduced.
- b. Shoreline biological, historical, and cultural resources are adequately protected.

3.1.1 Goals

- a. Puna retains a rural character while it protects its native natural and cultural resources.
- b. The quality of life improves, and economic opportunity expands for Puna's residents.

3.1.2 Objectives

- f. Limit the size of dwellings and accessory uses that are allowed in non-conforming agriculturally zoned subdivisions to discourage excessive lot clearance and speculative building practices.

Discussion: The construction of a single-family residence and related improvements are in line with the goals of the Puna Community Development Plan. The proposed project will not alter the existing character of the surrounding area and will remain consistent with neighboring single-family residences. No scenic, historic, or cultural resources will be affected by the project and the building site is an adequate distance from the shoreline to prevent damage from coastal hazards. The proposed single-family residence will be located within Flood Zone X. The property is located within the tsunami evacuation zone. A Civil Defense siren (Hawaiian Paradise Beach) is located within 0.1 mile of the subject property in case of an emergency. There are no anticipated impacts from erosion or subsidence. The proposed residence will be consistent with the residential nature of the surrounding area.

F. Special Management Area & HRS 205A Guidelines Discussion

HRS 205A-2 Objectives

(1)(A) Provide coastal recreational opportunities accessible to the public.

The proposed project will support public coastal recreational opportunities by not interfering with or impeding on the public shoreline access. All development will occur at least 40 feet from the shoreline on the subject property.

(2)(A) Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Although no commissioned archaeological survey of the site was conducted it is highly unlikely that any historic sites would be found on the property as the parcel has been previously disturbed upon the establishment of the Hawaiian Paradise Park subdivision. This land clearing can be observed through historical USGS aerial imagery from 1965 (**Figure 9**). However, in the event any archaeological or historical features are found during any earth disturbance activity, work will stop within the affected area and appropriate clearances from the State Historic Preservation Division (SHPD) and County Planning Department will be secured before work resumes.

(3)(A) Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.

The proposed project will not have a significant impact on the area's scenic and open space resources. The dwelling is proposed to be approximately 15-feet in height. Visual impacts are negligible based on the location of the proposed developments and their consistency with the surrounding land uses. The ocean is not currently visible from Paradise Ala Kai Drive due to existing vegetation. Visual impacts regarding the coastline will not significantly change from the current state and lot configuration.

(4)(A) Protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.

The proposed project will be developed in accordance with construction Best Management Practices to minimize adverse impacts to air pollution, sedimentation, and erosion, control stormwater runoff, and wastewater management. An individual wastewater system approved by the Department of Health will be installed. Relative to coastal ecosystems, there should be little, if any, adverse impacts. A silt fence will be installed at the shoreline setback line prior to construction and will remain until construction is completed.

(5)(A) Provide public or private facilities and improvements important to the State's economy in suitable locations.

The proposed construction of one (1) single-family residence and associated improvements would provide temporary employment for local construction workers and would support the economy through the purchase of construction materials from on-island suppliers. This will stimulate and support the general economic stability and development of Hawai'i island by allowing for local businesses to thrive and gain income from the proposed project. In the long term, the newly constructed single-family residence will bring in additional property taxes, adding revenues to the County coffers.

(6)(A) Reduce hazard to life and property from coastal hazards.

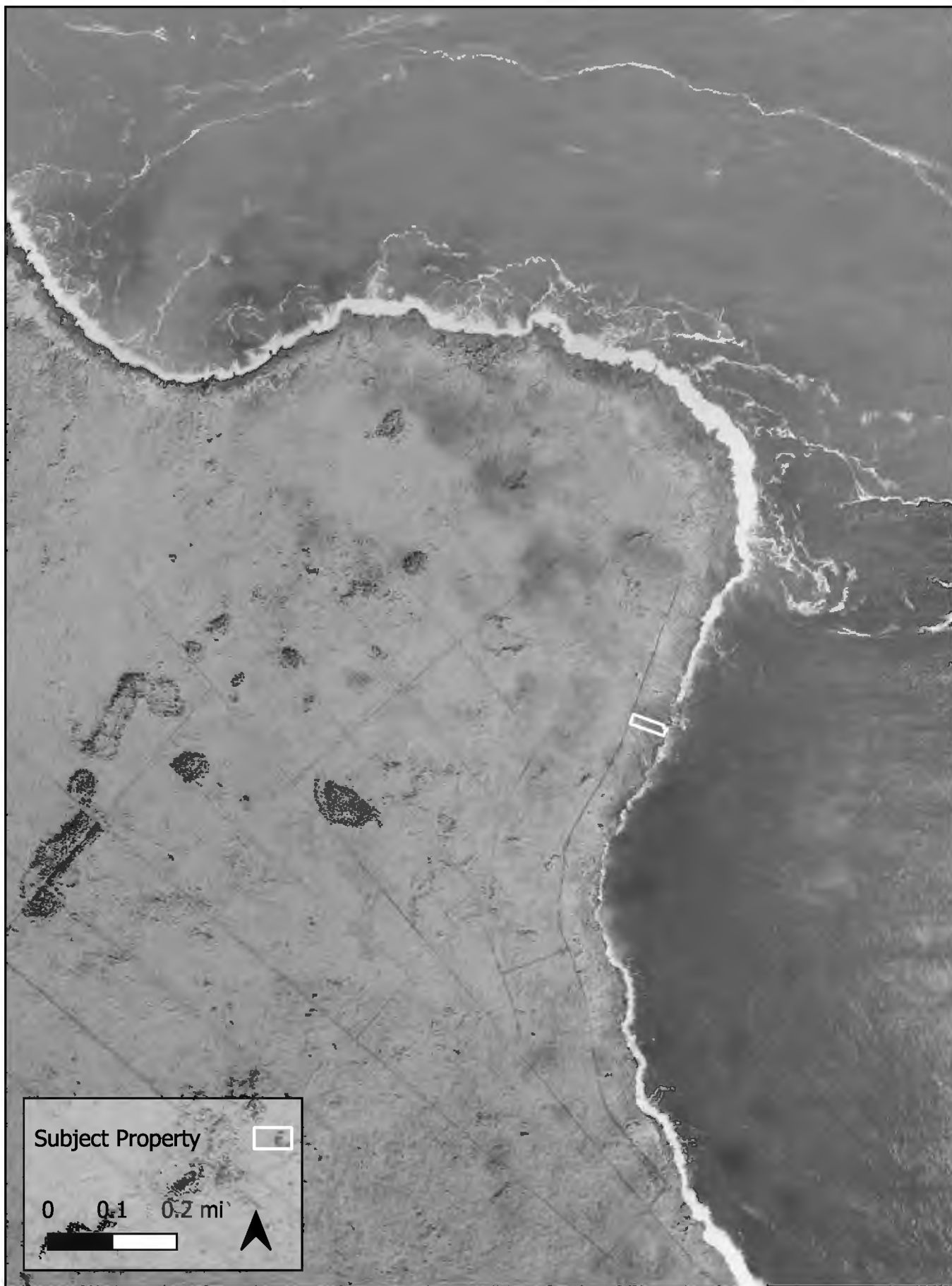


FIGURE 9: USGS Aerial Photo 1965

Due to its elevation and proximity to the coastline, the property is within the Civil Defense tsunami evacuation zone and a small portion at the makai edge of the property is within flood zone VE. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate map (FIRM) identifies the parcel as Zone X (areas outside of the 500-year flood). All improvements will be sited outside of the defined shoreline setback, completely within an allowable distance from the shoreline. Further, a Civil Defense tsunami warning siren is located within 0.1 mile of the property to notify the public in case of a tsunami warning. The applicant has not observed any significant runoff or erosion in the recent past.

(7)(A) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

The proposed project will be consistent with preserving, protecting, and participating in the public review process. The public will be able to participate in the proposed project during the Planning Commission public meetings and testimony process to voice support and/or concerns.

(8)(A) Stimulate public awareness, education, and participation in coastal management.

As this is a managing authority related policy, it is not applicable.

(9)(A) Protect beaches and coastal dunes for:

- (i) Public use and recreation;*
- (ii) The benefit of coastal ecosystems; and*
- (iii) Use as natural buffers against coastal hazards; and*

The proposed project will not impact coastal dunes, public use, or recreation. Proposed mitigating measures for storm water and wastewater concerns will prevent impacts to public use and recreation and coastal ecosystems.

(9)(B) Coordinate and fund beach management and protection.

As this is a managing authority related policy, it is not applicable.

(10)(A) Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Any grading work will be done in accordance with Chapter 10 of the Hawai'i County Code and the proper permit will be acquired prior to commencement of any work. Wastewater will be handled through an individual wastewater system approved by the Department of Health. This system will be a considerable distance from the shoreline. No long-term impacts are expected with the implementation of these BMPs and mitigating measures. By utilizing a previously

disturbed site, potential adverse impacts to natural landscapes and ecosystems on alternative locations are avoided.

HRS 205A-2 Policies

(1)(A) Improve coordination and funding of coastal recreational planning and management.

As this is a managing authority related policy, it is not applicable.

(1)(B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:

- (i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
- (ii) Requiring restoration of coastal resources that have significant recreational and ecosystem value, including but not limited to coral reefs, surfing sites, fishponds, sand beaches, and coastal dunes, when these resources will be unavoidably damaged by development; or requiring monetary compensation to the State for recreation when restoration is not feasible or desirable;*
- (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;*
- (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;*
- (v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;*
- (vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;*
- (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and*
- (viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting that dedication against the requirements of section 46-6;*

The recreational resources policies pertain to improving coordination and funding of coastal recreational planning and management and providing adequate, accessible, and diverse recreational opportunities in the coastal zone management area. As these are managing authority related policies, they are not applicable to this application. However, the proposed project will not impede public access or recreational resources.

(2)(A) Identify and analyze significant archaeological resources;

(2)(B) Maximize information retention through preservation of remains and artifacts or salvage operations; and

(2)(C) Support state goals for protection, restoration, interpretation, and display of historic resources;

The historic resource policies pertain to identifying, analyzing, preserving, and protecting historic resources. As there are no known historic sites on the property, this policy does not apply. However, in the event any undiscovered historical, archaeological, or cultural resources are identified on the property, work will cease in the immediate area and the Department of Land and Natural Resources, State Historic Preservation Division will be contacted for appropriate action.

(3)(A) Identify valued scenic resources in the coastal zone management area;

(3)(B) Ensure that new developments are compatible with their visual environment by designing and locating those developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;

(3)(C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and

(3)(D) Encourage those developments that are not coastal dependent to locate in inland areas;

There are no expected significant impacts on scenic resources by the proposed project. The proposed construction will not impose on views to or from any listed resource in the General Plan. The single-family residence will conform to the character of other developments in the area. Views from nearby properties and roads will not change significantly. Visual impacts are negligible based on the location of the proposed improvements and gentle downward sloping topography of the area in a *mauka* to *makai* direction.

(4)(A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;

The proposed project will practice an overall conservation ethic towards natural resource management and will not have any significant long-term impacts to water quality, coastal resources, flora or fauna, air quality, noise pollution, or scenic resources. Relative to coastal ecosystems, there should be little, if any, adverse impacts. The single-family residence will develop an individual wastewater system approved by the Department of Health. By utilizing a previously disturbed site, potential adverse impacts to natural landscapes and ecosystems on alternative locations are avoided.

(4)(B) Improve the technical basis for natural resource management;

As this is a managing authority related policy, it is not applicable. However, as discussed above, the project will practice stewardship in the protection of all natural resources.

(4)(C) Preserve valuable coastal ecosystems of significant biological or economic importance, including reefs, beaches, and dunes;

All grading will be done with the appropriate permit. Wastewater will be handled through an individual wastewater system approved by the Department of Health and located a considerable distance from the shoreline. Construction BMPs will manage stormwater runoff. No long-term impacts are expected with the implementation of these BMPs and mitigating measures.

(4)(D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and

The planned development proposes no stream diversions, channelization or similar drainage or water use components.

(4)(E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures;

Construction Best Management Practices will prevent impacts to water quality from stormwater runoff. An individual wastewater system approved by the Department of Health will manage wastewater. Pursuant to County drainage requirements, appropriate drywell and/or similar means to capture runoff from any improvements will be built, if necessary, in conjunction with the appropriate permitting process.

(5)(A) Concentrate coastal dependent development in appropriate areas;

As this is a managing authority related policy, it is not applicable.

(5)(B) Ensure that coastal dependent development and coastal related development are located, designed, and constructed to minimize exposure to coastal hazards and adverse social, visual, and environmental impacts in the coastal zone management area; and

The proposed project is planned, with appropriate mitigating measures, to minimize potential adverse social, visual, and environmental impacts. Any effect that may result will be minimized to the extent practicable and is clearly outweighed by public health, safety, and welfare, and other compelling public interest.

(5)(C) Direct the location and expansion of coastal development to areas designated and used for that development and permit reasonable long-term growth at those

areas, and permit coastal development outside of designated areas when:

- (i) Use of designated locations is not feasible;*
- (ii) Adverse environmental effects and risks from coastal hazards are minimized;*
- and*
- (iii) The development is important to the State's economy;*

Many shoreline properties in the immediate area contain single-family residences. The request is consistent with surrounding uses and will not be any different from existing developments in the area.

(6)(A) Develop and communicate adequate information about the risks of coastal hazards;

As this is a managing authority related policy, it is not applicable.

(6)(B) Control development, including planning and zoning control, in areas subject to coastal hazards;

(6)(C) Ensure that developments comply with requirements of the National Flood Insurance Program; and

(6)(D) Prevent coastal flooding from inland projects;

(7)(A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;

(7)(B) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and

(7)(C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process;

The managing development policies relate to use, implementation and enforcement of laws, processing of applications for development permits and communication of coastal development impacts to the public. This report details how the proposed use complies with existing laws and requirements.

(8)(A) Promote public involvement in coastal zone management processes;

(8)(B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and

(8)(C) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts;

The public participation policies relate to promoting public involvement and dissemination of information with respect to coastal zone management. These are managing authority-related policies and are not applicable to this application. The public will be able to participate in the proposed project during the Planning Commission public meetings and testimony process to voice support and/or

concerns.

(9)(A) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;

(9)(B) Prohibit construction of private shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;

(9)(C) Minimize the construction of public shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;

The proposed dwelling would be located a considerable distance from the shoreline and outside of the shoreline setback. The project seeks to conserve as much open space as possible. While the shoreline may be subject to periodic erosion, adherence to the shoreline setback regulations will prevent losses and no shoreline hardening structures are proposed.

(9)(D) Minimize grading of and damage to coastal dunes;

The proposed development will not impact coastal dunes as none exist in the area. The proposed residence will be located at least 40 feet from the shoreline. All BMPs and mitigating measures discussed throughout the report will prevent all impacts to coastal resources.

(9)(E) Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and

(9)(F) Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor.

Due to the rocks and cliffs at the eastern edge of the property, shoreline access would be extremely hazardous. Nevertheless, the applicant will maintain vegetation on the property such that it does not encroach on the shoreline area.

(10)(A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;

(10)(B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;

(10)(C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

(10)(D) Promote research, study, and understanding of ocean and coastal processes, impacts of climate change and sea level rise, marine life, and other ocean resources to acquire and inventory information necessary to understand how coastal development activities relate to and impact ocean and coastal resources; and

(10)(E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

The marine resources policies relate to the development of marine and coastal resources, coordination of marine and coastal activities, forging State partnerships, promoting research of ocean and coastal processes, and encouraging new technologies for exploring, using, and protecting marine and coastal resources. These are managing authority related policies and are not applicable to this application.

Based on the foregoing, it is concluded that the proposed improvements are consistent with the objectives, policies, and guidelines of the Special Management Area Rules and Regulations. Specifically:

A. The proposed project will not have any substantial, adverse environmental or ecological effect.

No adverse long-term impacts are expected to air or water quality, scenic views, soil, coastal resources or flora and fauna. Mitigating measures and best management practices will protect all natural resources.

Further, the proposed improvements will not generate any adverse effects by themselves or in conjunction with other individual developments, nor will the proposed improvements pose a potential cumulative impact which would result in a substantial adverse environmental or ecological effect or the elimination of planning options. Appropriate mitigative measures will be taken to address any potential adverse impacts of this project.

B. The proposed activities are consistent with the County General Plan and County Zoning Code.

The proposed project is consistent with the County General Plan and existing zoning of A-1a.

G. Surrounding Zoning and Land Uses

The subject parcel is part of the Hawaiian Paradise Park subdivision. It is bordered on the west by Paradise Ala Kai Drive and on the north and south by similar shape/size parcels. The general area consists primarily of parcels containing single-family dwellings. All the surrounding properties are also zoned A-1a. Although the property is bordered on the east by the Pacific Ocean, no impacts are anticipated to the shoreline area as the proposed improvements will be sited a significant distance from the shoreline.

H. Flood Insurance Rate Map

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate map (FIRM) identifies the parcel as Zone X (areas outside of the 500-year flood) (**Figure 10**). All improvements will be sited outside of the 3.2-foot sea level rise exposure area (**Figure 11**).

Due to its elevation and proximity to the coastline, the property is within the Civil Defense tsunami evacuation zone. A Civil Defense tsunami warning siren is located nearby to notify the public in case of a tsunami warning.

I. Archaeological Resources

A formal archeological study of the site has not been conducted in conjunction with the proposed development. However, as depicted in the aerial photo, the site was previously cleared upon the establishment of the subdivision and thus the applicants do not believe any archaeological resources are present. If necessary, an archaeological monitoring plan can be prepared and implemented in conjunction with further land clearing activity.

In the event any inadvertent discoveries are made during any land disturbance activity relating to this project, work will cease, and the applicants will immediately notify the Planning Department and the State DLNR and secure their clearances before proceeding further.

J. Floral and Faunal Resources

The parcel was previously cleared prior to 1965, as demonstrated by historic aerial photos, as subdivision development began in 1959. It is currently undeveloped and is primarily vegetated with non-native plants.

Several common birds frequent the area, including Common Myna (*Acridotheres tristis*), Spotted Dove (*Streptopelia chinensis*), House Finch (*Carpodacus mexicanus*), Saffron Finch (*Sicalis flaveola*), and Japanese White-Eye (*Zosterops japonicus*). It is also possible for feral cats (*Felis catus*), chickens (*Gallus gallus domesticus*), Indian mongoose (*Herpestes a. auropunctatus*), and pigs to be present at times.

The site is not known to be a habitat for any rare or endangered animal life. However, it would be possible to find the Hawaiian Hawk (Iʻo) (*Buteo solitarius*), the Hawaiian Owl (Pueo) (*Asio flammeus sandwichensis*), and the Hawaiian Hoary Bat or ʻOpeʻapeʻa (*Lasiurus cinereus semotus*) flying over, roosting, or utilizing resources near the property.

The State listed Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) has the potential to occur in the vicinity of the project area and may roost in nearby trees. Hoary Bats may be sensitive to disturbance between June 1st and September 15th, throughout which no shrubs or trees taller than 15 feet may be disturbed, removed, or trimmed without consulting the DLNR Division of Forestry and Wildlife (DOFAW). The State listed Hawaiian Hawk, or ʻIo (*Buteo solitarius*) is also known to occur in the project

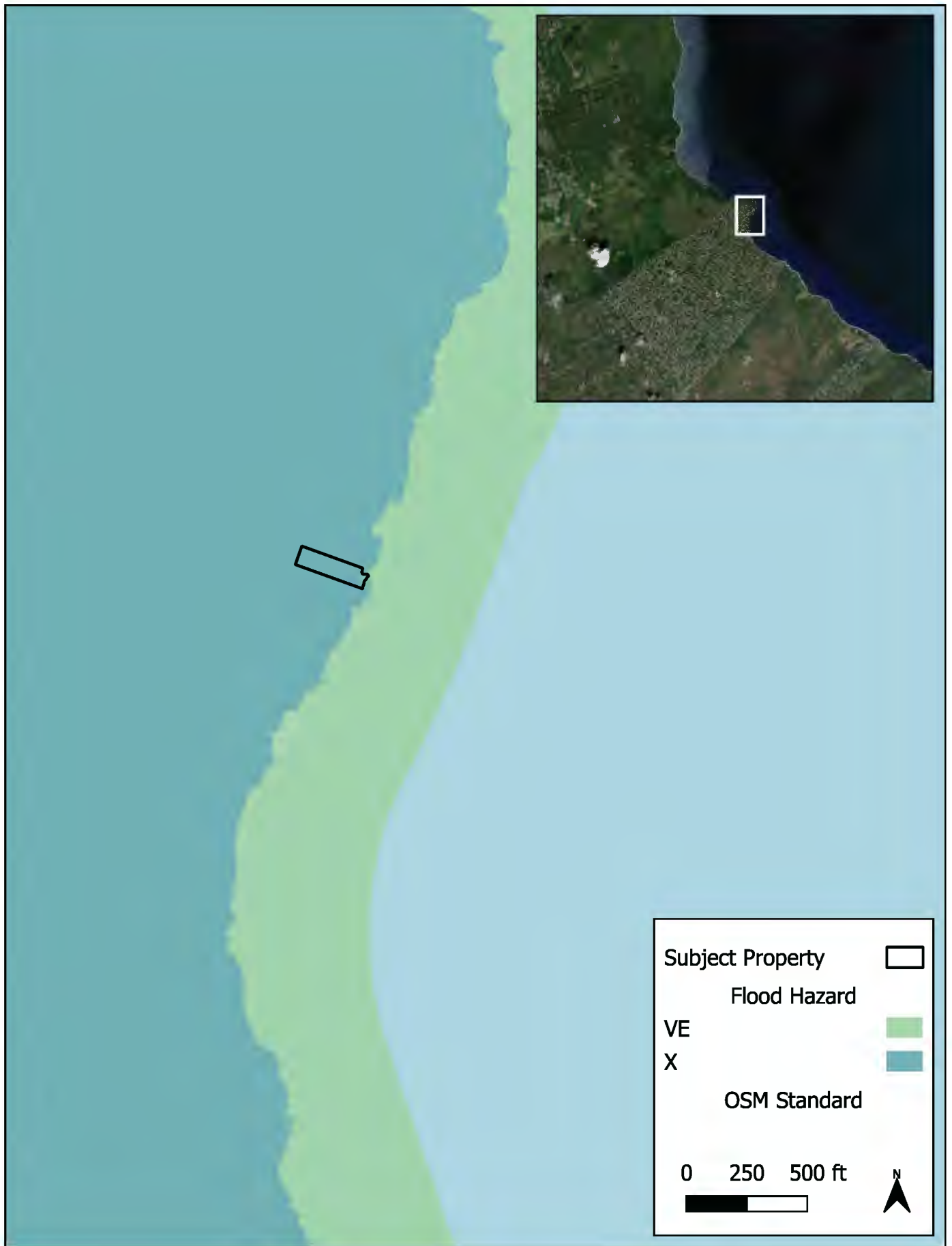


FIGURE 10: Flood Hazard Zone

vicinity. If any tree cutting occurs between March and September, DOFAW must be consulted first. A pre-construction hawk nest search by a qualified ornithologist using standard methods must be conducted. If nests are found, no land clearing is permissible until October.

According to DOFAW, artificial lighting can adversely impact seabirds that may pass through the area at night by causing disorientation. The disorientation can result in collision with manmade artifacts or grounding of birds. For nighttime lighting that might be required, DOFAW recommends that all lights be fully shielded to minimize impacts. Nighttime work that requires outdoor lighting should be avoided during the seabird fledging season from September 15th through December 15th. This is the period when young seabirds take their maiden voyage to the open ocean.

The movement of plant or soil material between worksites, such as fill, must be minimized. Soil and plant material may contain invasive fungal pathogens such as Rapid 'Ōhi'a Death (ROD), vertebrate and invertebrate pests such as Little Fire Ants (*Wasmannia auropunctata*), or invasive plant parts that could harm native species and ecosystems. All equipment, materials, and personnel should be cleaned of excess soil before leaving the site. Gear that may contain soil, such as work boots and vehicles, should be thoroughly cleaned, and sprayed with 70% alcohol solution to prevent the spread of ROD and other harmful fungal pathogens. If any material removed from the site is moved to areas without fire ants or ROD, the material will be inspected and treated. No 'Ōhi'a trees are present on the Property; therefore, none will be cut down during construction.

K. Valued Cultural Resources

In view of the Hawai'i State Supreme Court's "PASH" and "*Ka Pa`akai O Ka`Aina*" decisions, the issue relative to native Hawaiian gathering and fishing rights must be addressed. Specifically, there must be a discussion on the cultural, historical, and natural resources, as well as the associated traditional and customary practices of this site.

All proposed improvements will be located outside of the established shoreline setback area. Therefore, no impacts to traditional shoreline uses are anticipated by this action. It is not known whether the subject site or immediately surrounding area was ever used for traditional and customary rights by native Hawaiians. As the site has been cleared and the surrounding area has been used extensively for residential use for many years, it would appear very unlikely that the site would serve such a purpose today and/or in the recent past. Thus, no impacts are anticipated to cultural, historical, or natural resources.

In the event that legitimate gathering claims are made by Native Hawaiians, the applicants intend to respect and honor such claims and provide the legal and needed access within the site.

Based on the above, it does not appear that the project would have any potential adverse impact relative to the cultural and historical resources of the area.

L. Public Access

The requested action will not impact public access to the ocean or recreational resources. The subject improvements will be located a considerable distance from the shoreline, which is not a publicly accessible area due to the sea cliffs. Public shoreline access is available less than 1 mile to the south at Beach Road. Access to this area will not be impacted.

M. Description of Access

Access to the property is from Paradise Ala Kai Drive, a private road with various owners, approximately 500 feet northeast of its intersection with Kilika Road. The road is adequate to support the proposed use. The development proposes a driveway from the road.

N. Traffic Impacts

The proposed project seeks to build one (1) single-family residence within an existing subdivision. Traffic will therefore not increase substantially and will remain at the level that exists today.

O. Availability of Utilities

Water

County water is not available to the site. The applicants intend to utilize a new domestic catchment system.

Wastewater

The dwelling will utilize a Department of Health approved individual wastewater system, which will mitigate potential impacts to water quality, coastal ecosystems, and soil due to wastewater.

Other Utilities

All other utilities such as telephone, internet and electrical services are available to the site.

P. Potential Areas of Concern

Coastal Hazards

Apart from very rare events, the proposed activity will not be directly affected by any coastal hazards. The proposed single-family residence will be located within Flood Zone X and outside the 3.2-foot sea level rise exposure area. The dwelling is proposed to be located approximately 40 feet from the shoreline and will therefore not likely be subject to impacts from high waves, erosion, or subsidence. The property is located within the Civil Defense tsunami evacuation zone. A Civil Defense siren is located nearby.

Coastal Resources

All construction activities will follow Best Management Practices to minimize adverse point and non-point pollution to coastal resources and surrounding areas. The following BMPs will be followed. This is not a comprehensive list; any other mitigating measures identified during the permitting process that are required to prevent significant impacts will be adhered to.

1. Soil loss and erosion will be minimized by stabilizing slopes and disturbed areas of soil. All exposed areas will be stabilized within seven (7) days of soil disturbance. Initiation of stabilization will commence within one (1) calendar day of soil-disturbing activities.
2. Sediment loss will be minimized by placing structural controls including silt fences, gravel bags, sediment ponds, check dams, and other barriers.
3. Sediment wattles and protective covers will be applied to soil and material stockpiles.
4. Dust impacts will be minimized by erecting a screen or fence.
5. Routine inspection and maintenance of structural BMPs will be performed by trained personnel.
6. Significant leaks or spills will be properly cleaned and disposed of at an approved site.

The applicants have not observed any significant runoff or erosion on the subject property. Pursuant to County drainage requirements, appropriate drywell and/or similar means to capture runoff from any improvements will be built, if necessary, in conjunction with the appropriate permitting process.

II. ANTICIPATED IMPACTS

A. Environmental Setting

General Description

The subject property contains 0.53-acres of land. It is rectangular in shape with its eastern boundary abutting the coastline. The western perimeter of the property is at an elevation of approximately 30 feet, and the remainder of the property gently

slopes downward toward the ocean, with an elevation of approximately 10 feet at the cliffs edge.

The mean average temperature in this general area is approximately 70-77 degrees Fahrenheit. Annual rainfall in the vicinity is approximately 130 inches.

Soils

The soil is primarily comprised of Opihikao highly decomposed plant material, with 2 to 10 percent slopes (*2kllp*). This soil type consists of organic material over pahoe-hoe lava and is well drained with a high runoff class. It is not considered prime farmland. Although the property is designated within the State Land Use Agricultural District, the poor soil quality renders it ill-suited for agricultural uses.

Best Management Practices for construction activities will be strictly followed to prevent adverse impacts to soil. Hawai'i Administrative Rules Chapter 11-55, Appendix C, under Special Conditions for Land Disturbances, describes the following construction management techniques to protect soil:

- a. Clearing and grubbing shall be held to the minimum necessary for grading and equipment operation.
- b. Construction shall be sequenced to minimize the exposure time of the cleared surface area.
- c. Construction shall be staged or phased for large projects. Areas of one phase shall be stabilized before another phase is initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.
- d. Erosion and sediment control measures shall be in place and functional before earth moving operations begin. These measures shall be properly constructed and maintained throughout the construction period.
- e. All control measures shall be checked and repaired as necessary, for example, weekly in dry periods and within twenty-four hours after any rainfall of 0.5 inches or greater within a 24-hour period. During prolonged rainfall, daily checking is necessary. Record of checks and repairs must be maintained.
- f. Records of the duration and estimated volume of storm water discharge must be maintained.
- g. A specific individual shall be designated to be responsible for erosion and sediment controls on the project site.

Flora and Fauna

Although there were no professional surveys conducted of the floral or faunal resources of the site, the applicant does not believe that rare or endangered floral or faunal resources are likely to be found within the subject site.

The parcel was previously cleared in 1959 upon the creation of the Hawaiian Paradise Park subdivision. It is currently undeveloped and overgrown.

The site is not known to be a habitat for any rare or endangered animal life. However, it would be possible to find the Hawaii Hawk (I‘o) (*Buteo solitarius*), the Hawaiian Owl (Pueo) (*Asio flammeus sandwichensis*), and the Hawaiian Hoary Bat or ‘Ope‘ape‘a (*Lasiurus cinereus semotus*) flying over, roosting, or utilizing resources near the property. Best Management Practices to protect these species and seabirds in the area are discussed in Section I, subsection J of this report.

Volcanic and Earthquake Hazards

According to the United States Geological Survey maps, the project site is located within Lava Flow Hazard Zone 3, on a scale of ascending risks 9 to 1 (**Figure 12**). There is little that can be done to mitigate the volcanic risk.

The Building Code designates the entire island of Hawai‘i Earthquake Zone “D” and contains certain structural requirements to address the relative seismic hazard. The proposed single-family residence will be designed and engineered to withstand seismic hazards according to the Hawai‘i County Code, Chapter 5A.

Flood/Drainage

The western perimeter of the property is at an elevation of approximately 30 feet, and the remainder of the property gently slopes downward to 10 feet at the cliff edge. The applicants have not observed any significant runoff or erosion in the recent past.

Pursuant to County drainage requirements, appropriate drywell and/or similar means to capture runoff from any improvements will be built, if necessary, in conjunction with the appropriate permitting process.

Water quality can be impacted by both point and non-point source pollution such as construction and stormwater runoff. The primary activities with the potential to affect stormwater are grading and grubbing. All grading will be done pursuant to an approved grading permit. Grading plans will be developed with the following mitigating measures and BMPs:

- (a) “Storm Drainage Standards,” County of Hawai‘i, 1970 and as revised
- (b) “Flood Control”, Chapter 27 of the Hawai‘i County Code
- (c) Standards and regulations of the Federal Emergency Agency (FEMA)
- (d) “Erosion and Sedimentation Control”, Chapter 10 of the Hawai‘i County Code

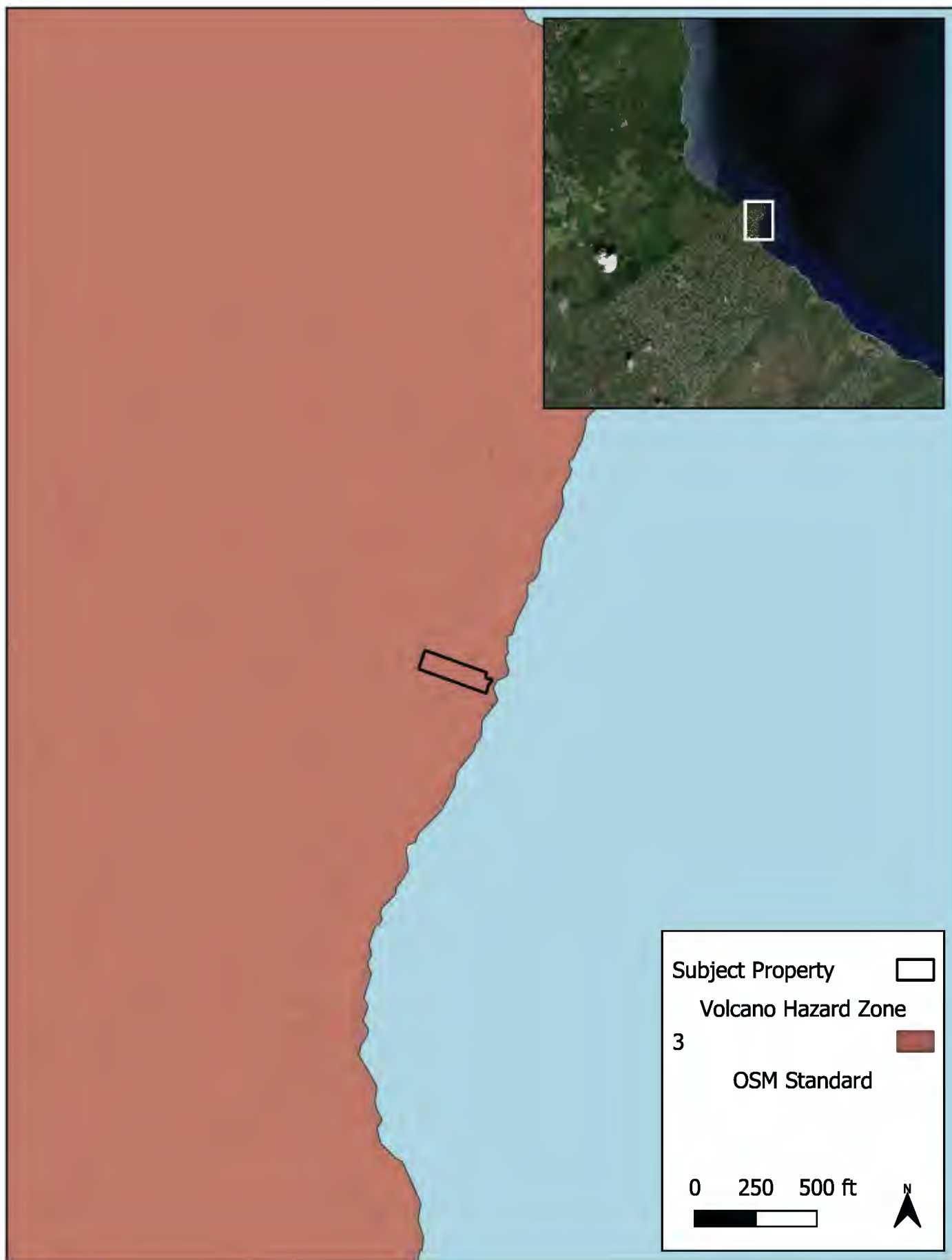


FIGURE 12: Volcano Hazard Zone

Best Management Practices for stormwater management will be used to minimize the impact of the project to the existing area's hydrology and maintain on-site infiltration and prevent polluted runoff from storm events. These BMPs may include, but are not limited to:

- Minimizing soil loss and erosion by revegetating and stabilizing slopes and disturbed areas of soil.
- Minimizing sediment loss by placing structural controls including silt fences, gravel bags, sediment ponds, check dams, and other barriers.
- Applying sediment wattles and protective covers to soil and material stockpiles.
- Gravel check dams in gutters.
- Constructing and use of stabilized construction vehicle entrance, with designated vehicle wash area that discharges to a sediment pond.
- Washing of all vehicles in the designated wash area before leaving the project site.
- Use of drip pans beneath vehicles to trap vehicle fluid.
- Performing routine inspection and maintenance of structural BMPs by trained personnel.
- Properly cleaning significant leaks or spills and disposing at an approved site.

B. Relationship to Land Use Plans and Policies

Special Management Area

The subject site is situated within the County Special Management Area (SMA). As such, a Special Management Area Use Permit is being requested. A discussion of this project's relationship to HRS Chapter 205A is found in Section I, subsection F of this report.

C. Probable Environmental Impact

There are no probable environmental impacts associated with the proposed action. The project will be energy conscious through its use of solar energy and design features that take advantage of the sun and wind patterns. The proposed development would not have adverse effects on the environment or the natural resources of the region. There will be no long-term impacts to air pollution, water quality, soil pollution, solid waste disposal, or noise pollution as discussed at length in Section I, subsection E. Wastewater will be handled by an individual wastewater system approved by the Department of Health. Pursuant to County drainage requirements, appropriate drywell and/or similar means to capture runoff from any improvements will be built, if necessary, in conjunction with the appropriate permitting process. Stormwater runoff will be managed during construction phases by utilizing Best Management Practices and mitigating measures discussed in Section I, subsection P.

D. Unavoidable Adverse Environmental Effects

The proposed action and land use will not have any significant adverse effects to natural resources. The applicant intends to utilize the land for a single-family residence, which is consistent with the residential use of the surrounding area.

No adverse long-term impacts are expected to air or water quality, scenic or other natural resources outside of temporary and minor impacts during construction. Mitigating measures and best management practices will protect soil and coastal resources. No impacts are anticipated to flora and fauna. No significant secondary or cumulative impacts are expected with the request.

E. Alternatives to Proposed Action

No Project

An alternative to the proposed project would be to not build the single-family dwelling and leave the parcel undeveloped. There is no significant justification for this alternative as the proposed dwelling would be consistent with surrounding land uses, is a permissible use in the Agricultural district, the site has been previously cleared and there are no anticipated impacts to native flora, fauna, or cultural and historic resources.

Alternate Location

Although it could be possible to site the proposed improvements elsewhere on the property, the proposed layout is most optimal as it is within an acceptable distance from the shoreline. Thus, no alternative layout would be more reasonable than the one proposed.

F. Irreversible and Irretrievable Commitment of Resources

The proposed action will not involve an irrevocable commitment, loss, or destruction of any natural, cultural, or historic resources. Earthwork will closely follow all mitigating measures and Best Management Practices to minimize impacts to natural resources.

It is highly unlikely that any historic, archaeological, or cultural resources are present on the property as the parcel was previously cleared. However, in the event any historic, archaeological, or cultural features are discovered during construction, work will stop within the affected area and appropriate clearances from the State DLNR-SHPD, and County Planning Department will be secured before work resumes.

The requested action will not impact public access, and the dwelling is proposed to be approximately 40 feet from the shoreline.

The proposed action should not result in the irreversible or irretrievable commitment of any environmental resources. As such the proposed action is the most logical and reasonable and is wholly consistent with established Special Management Area objectives and regulations.

From: [Fitzgerald, Joel](#)
To: [Planning Internet Mail](#); [Kala, Alukahe](#)
Cc: [Spielman, Aaron](#)
Subject: Request for Comments on Special Management Area Use Permit Application No. PL-SMA-2026-000092 | Mario Rovira on TMK: (3) 1-5-059:052
Date: Wednesday, May 6, 2026 2:39:11 PM
Attachments: [PL-USE-2026-000092 DPW-BLD COMMENTS.pdf](#)

Aloha Alukahe:

Please see attached for DPW-Building comments regarding PL-SMA-2026-000092. Feel free to reach out if there are any questions.

Mahalo!

Joel Fitzgerald

Building Plans Examiner

County of Hawaii

Department of Public Works – Building

Ph: (808) 961-8488

ATTN APPLICANTS AND DESIGN PROFESSIONALS: WHILE EXCHANGING EMAIL COMMUNICATIONS WITH REVIEWERS, PLEASE DO NOT ATTACH PLAN SHEETS OR SETS TO EMAILS; ALL REVIEWS ARE TO BE PERFORMED EXCLUSIVELY THROUGH THE ONLINE EPIC APPLICATION/PERMITTING SYSTEM.



COUNTY OF HAWAII

**Electronic Processing and
Information Center (EPIC)**



BUILDING DIVISION – DPW

COUNTY OF HAWAII – 101 Pauahi Street, Suite 7 – Hilo, Hawai'i 96720

Hilo Office (808) 961-8331 • Fax (808) 961-8410

Kona Office (808) 323-4720 • Fax (808) 327-3509

May 6, 2026

TO:

Alukahe Kalā - County of Hawaii – Planning Dept.

County Of Hawaii Planning Department

101 Pauahi St. Ste. #3

Hilo, HI. 96720

SUBJECT: Special Management Area Use Permit Application (PL-SMA-2026-000092)

Applicant: Mario Rovira

Request: To Construct a Single-Family Dwelling and Related Improvements

Tax Map Key: (3) 1-5-059:052, Hawaiian Paradise Park, Puna, Hawai'i

This is to inform you that our records on file, relative to the status of the subject discloses that:

- ☐ No Building permit was issued for work done on the premises.
- ☐ No building permit was issued for the change of occupancy.
- ☐ At the time of completion, the subject complied with all Building Code regulations that were in effect.
- ☐ Variance from any building regulation (Building, Electrical, Plumbing, or Sign) was/was not granted.
- ☐ The following violations(s) still outstanding:
 - ☐ Building
 - ☐ Electrical
 - ☐ Plumbing
 - ☐ Sign
- ☒ Others:

Owner shall acquire and complete the necessary Building Permit(s) to construct and occupy the proposed dwelling as required per Hawaii County Code – Chapter 5 Construction Administration Code, Section 5-3-1.

- <https://www.hawaiicounty.gov/our-county/legislative/office-of-the-county-clerk/county-code>
- <https://www.hawaiicounty.gov/home/showpublisheddocument/14/638743634861870000>

Should you have any questions regarding matters contained herein, please feel free to contact Joel Fitzgerald at phone no. (808) 961-8488.

From: [Honda, Eric T.](#)
To: [Planning Internet Mail](#)
Subject: PL-SMA-2026-000092
Date: Friday, May 8, 2026 10:44:16 AM
Attachments: [PL-SMA-2026-000092 TMK1-5-059--052.pdf](#)

Eric Honda
District Environmental Health Program Chief
Hawai'i State Department of Health | Ka 'Oihana Olakino
1582 Kamehameha Ave., Hilo HI 96720
Office: (808) 933-0917

CONFIDENTIALITY NOTICE: This mail message (and attachments) is for the sole use of the intended recipient(s). It may contain confidential and/or privileged information. It might also be protected from disclosure under the Hawai'i Uniform Information Practice Act (UIPA) or other laws and regulations. Review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender immediately in a separate e-mail and destroy the original message and any copies.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILO, HAWAII 96721-0916

MEMORANDUM

DATE: May 8, 2026

TO: Mr. Jeffrey W. Darrow
Planning Director, County of Hawaii

FROM: Eric Honda
District Environmental Health Program Chief

SUBJECT: Special Management Area Use Permit Application (PL-SMA-2026-000092)
Applicant: Mario Rovira
Request: To Construct a Single-Family Dwelling and Related Improvements
TMK: 1-5-059:052, Hawaiian Paradise Park, Puna, Hawai'i

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all

airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

3. Standard comments for the Clean Air Branch are at: <https://health.hawaii.gov/epo/landuse/>

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55.
 1. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55: <https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, and 11-504.
2. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
3. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental

compliance for their projects in the areas of 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related to the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.

2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H, and 342I, and HAR Chapters 11-58.1 and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse, and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

1. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure. A demolition permit is required prior to demolition.

Other

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Hawaii District Health Office, at (808) 933-0917.

C. Kimo Alameda, Ph.D.
Mayor



Reed K. Mahuna
Police Chief

William V. Brilhante Jr.
Managing Director

Sherry D. Bird
Deputy Police Chief

County of Hawai`i

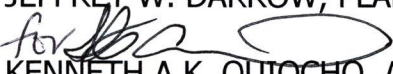
POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

May 15, 2026

COH PLANNING DEPT
MAY 19 2026 AM 10:38

REC'D HAND DELIVERED

TO : JEFFREY W. DARROW, PLANNING DIRECTOR
FROM :  KENNETH A.K. QUITOCHO, ASSISTANT POLICE CHIEF
AREA I OPERATIONS BUREAU
SUBJECT: SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION (PL-SMA-2026-000092)
APPLICANT: MARIO ROVIRA
REQUEST: TO CONSTRUCT A SINGLE-FAMILY DWELLING AND RELATED IMPROVEMENTS
TAX MAP KEY: (3) 1-5-059:052, HAWAIIAN PARADISE PARK, PUNA, HAWAII

Staff, upon reviewing the provided documents, does not anticipate any significant impact to traffic and/or public safety concerns.

Thank you for allowing us the opportunity to comment.

If you have any questions, please contact Captain Todd Pataray, Puna Patrol, at 965-2716 or via email at Todd.Pataray@hawaiiipolice.gov.

26HQ0362

Planning Dept.
Exhibit 4

From: [Gonzalez, Tanner S](#)
To: [Planning Internet Mail](#)
Cc: [Li, Shichao](#)
Subject: OPSD - PL-SMA-2026-000092 - Hawaiian Paradise Park, Puna, Hawai'i - TMK: 3-1-5-059: 052
Date: Tuesday, June 2, 2026 8:23:12 AM
Attachments: [Outlook-koo450iq.png](#)
[Outlook-pjgsdxmo.png](#)
[OPSD_Hawaii_Paradise-Park_Rovira_Puna_SMA.pdf](#)

Good morning Hawai'i County,

Per the above referenced SMA Use Permit Application comment request, please find the attached response letter from the State of Hawai'i Office of Planning & Sustainable Development (OPSD) - Coastal Zone Management (CZM) Program.

Should you have any questions or comments, please see the response instructions contained therein.

Thank you and have a great day.

Tanner Gonzalez

Planner | Coastal Zone Management Program

State of Hawai'i - Office of Planning & Sustainable Development (OPSD)

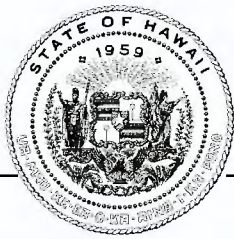
235 S Berentania St, 6th Floor, Honolulu, HI 96813

P.O. Box 2359, Honolulu, HI 96804

Phone: (808) 587-2846

Website: <https://planning.hawaii.gov>





**STATE OF HAWAI'I
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

DTS 202605070908MO

Coastal Zone
Management
Program

June 1, 2026

Environmental Review
Program

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented
Development

Statewide Geographic
Information System

Statewide
Sustainability Branch

Mr. Jeffrey W. Darrow, Director
Planning Department
County of Hawai'i
East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720

Attn: Alukahe Kalā

Dear Mr. Darrow:

Subject: Special Management Area Use Permit Application (PL-SMA-2026-000092) to Construct
New One-Story Single-Family Residence and Related Improvements
Hawaiian Paradise Park, Puna, Hawai'i
Tax Map Key: (3) 1-5-059: 052

The Office of Planning and Sustainable Development (OPSD) is in receipt of your comment request, transmitted via memorandum dated May 6, 2026, on the Special Management Area (SMA) Use Permit Application (PL-SMA-2026-000092), to construct a new one-story single-family residence and related improvements at Hawaiian Paradise Park, Puna, Hawai'i.

According to the subject SMA Use Permit Application, the applicant's proposal on a 0.53-acre vacant, undeveloped shoreline parcel is as follows:

- One-story, 1,803-square-foot single-family residence consisting of three bedrooms, two bathrooms, an attached 440-square-foot garage, a 120-square-foot covered entry and a 220-square-foot rear lanai, with a total of approximately 2,583 square feet
- A new independent septic system, water catchment tank and driveway in the front yard

Construction is anticipated to begin in mid-2026 and be completed by mid-2027, with an estimated cost of \$500,000.

The shoreline in front of the property consists of hardened lava rock and dense vegetation and is an elevated sea cliff with no beach.

Mr. Jeffrey W. Darrow
June 1, 2026
Page 2

The parcel is zoned as Agricultural (A-1a) by the County of Hawai‘i and allows for single-family residential use within the established Hawaiian Paradise Park Subdivision.

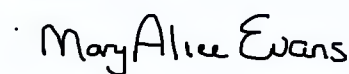
The entire project site is located outside 3.2-foot sea level rise exposure area, and within the Flood Zone “X” under the Federal Emergency Management Flood Insurance Rate Map, areas outside of the 500-year flood plain.

The OPSD has reviewed the subject SMA Use Permit Application, and has the following comments to offer:

1. The application provided the certified shoreline dated March 1, 2026. The applicant shall ensure that no proposed structures and construction activities, including staging areas, will occur within the shoreline area as defined in Hawai‘i Revised Statutes (HRS) § 205A-41. OPSD recommends that the applicant be required to place and maintain stakes and flags at the location of the shoreline setback line as determined by the County Planning Department during the construction, and these stakes and flags shall be clearly visible for the purpose of inspection and monitoring.
2. All exterior lighting and lamp posts associated with the proposed residential development shall be cut-off luminaires to provide the necessary shielding to mitigate potential light pollution in the coastal areas, and lessen possible seabird strikes. No artificial light, except as provided in HRS §§ 205A-30.5(b) and 205A-71(b), shall be directed to travel across the property boundaries toward the shoreline and ocean.
3. Besides stormwater structural control, Low Impact Development (LID), which consists of natural drainage design, including infiltration basins or trenches, rain gardens, green roofs, and vegetated filter strips, to preserve or enhance the natural hydrology of a place that existed prior to development, should be taken into account. OPSD recommends the proposed development refer to the LID Practitioner’s Guide for Hawai‘i when developing mitigation approaches for runoff control at https://files.hawaii.gov/dbedt/op/czm/ormp/ormp_implementation/2023LIDPractitionersGuide.pdf

If you respond to this comment letter, please include DTS 202605070908MO in the subject line. For any questions regarding this letter, please contact Tanner Gonzalez of our office at (808) 587-2830 or by email at Tanner.S.Gonzalez@hawaii.gov

Sincerely,



Mary Alice Evans
Director