

OFFICE OF THE CITY CLERK

CITY AND COUNTY OF HONOLULU 530 SOUTH KING STREET, ROOM 100 HONOLULU, HAWAII 96813-3077 TELEPHONE:(808)768-3835

January 30, 2019

02-17-19P02:30 RCVD

Limtiaco Consulting Group 1622 Kanakanui Street Honolulu, Hawaii 96817

Dear Sir or Madam:

This is to inform you that the following Resolution 18-288, CD1, granting a Special Management Area Use Permit for the Malaekahana State Recreational Area, Kahuku Section Park Improvements, was adopted by the Council of the City and County of Honolulu at its meeting on Wednesday, January 30, 2019. As directed by the Resolution, a copy is attached for your information.

Sincerely,

GLEN I/TAKAHASHI

City Clerk

11

Attachment



No	18-2	88,	CD1	

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR THE MALAEKAHANA STATE RECREATIONAL AREA, KAHUKU SECTION PARK IMPROVEMENTS.

WHEREAS, on September 12, 2018, the Department of Planning and Permitting ("DPP") accepted the application (File No. 201 8/SMA-49) from the State Department of Land and Natural Resources, Division of State Parks (the "Applicant") for a Special Management Area ("SMA") Use Permit to allow for upgrades and improvements to the Kahuku Section of the Malaekahana State Recreational Area, to include the reconstruction of existing interior roads and a parking lot; and the construction of administrative offices, comfort stations, cabins, an additional parking lot, and other support infrastructure on 36.288 acres of land zoned R-5 Residential District, located in Malaekahana, Koolauloa, and identified as Tax Map Keys 5-6-001: 024, 025, 045 to 047, 049, 051, and 053 to 065 ("Project"); and

WHEREAS, all proposed Project improvements will be located more than 55 feet from the shoreline, outside of the 40-foot shoreline setback area; and

WHEREAS, on October 16, 2018, the DPP held a public hearing, which was attended by five representatives of the Applicant and the Applicant's agent, and three DPP staff members; no members of the public were in attendance, and no written testimony was received; and

WHEREAS, on November 29, 2018, within 30 working days after the close of the public hearing (the Applicant having agreed to an extension of the 20-working-day administrative deadline), the DPP, having duly considered all evidence and the objectives, policies, and guidelines, as established in Sections 25-3.1 and 25-32 of the Revised Ordinances of Honolulu 1990 ("ROH"), and Sections 205A-2, 205A-26, and 205A-46 of the Hawaii Revised Statutes ("HRS"), completed its report and transmitted its findings and recommendation of approval to the City Council; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on December 6, 2018 by Departmental Communication 776 (2018), and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Use Permit with the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that an SMA Use Permit be issued to the Applicant for the Project, subject to the following conditions:

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- A. Development of the Project must be in general conformity with the Project, as recommended by the DPP in the DPP's findings and recommendation referenced above, and as depicted in Exhibits A through U, attached hereto and incorporated herein by this reference. Any change in the size or nature of the Project that has a significant effect on coastal resources addressed in ROH Chapter 25 or HRS Chapter 205A, or both, will require a new application and SMA Use Permit. Any change that does not have a significant effect on coastal resources will be considered a minor modification and therefore permitted under this resolution, upon the review and approval by the Director of the DPP.
- B. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, paving, or walls) are encountered, the Applicant shall stop work and contact the DLNR, State Historic Preservation Division ("SHPD") immediately. Work in the immediate area must be stopped until the SHPD is able to assess the impact and make further recommendations for mitigative activity.
- C. Artificial light from exterior lighting fixtures, including, but not necessarily limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes are prohibited if the light directly illuminates or is directed to project across property boundaries toward the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS Section 205A-71(b). All outdoor light fixtures must be fully shielded with the light directed downward so that the light bulb is only visible from below the fixture.
- D. To minimize adverse impacts to the Hawaiian hoary bat's habitat, the Applicant shall take special care when trimming or clearing woody plants greater than 15 feet in height. Woody plants greater than 15 feet in height cannot be disturbed, removed, or trimmed during the bat birthing and pup rearing season from June 1 through September 15.
- E. Approval of this SMA Use Permit does not constitute compliance with the Land Use Ordinance ("LUO") or other governmental requirements, including but not limited to grading, grubbing and building permit approvals. They are subject to separate review and approval. The Applicant shall be responsible for ensuring that the final plans for the Project approved under this SMA Use Permit comply with all applicable LUO and other governmental provisions and requirements.



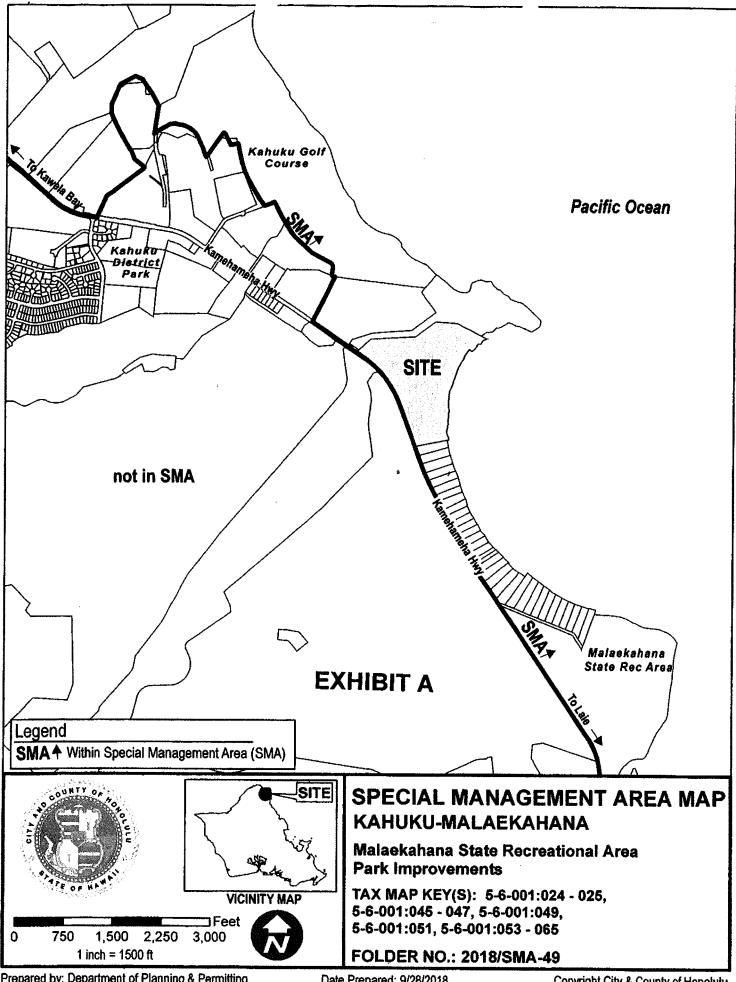
No.	18-288,	CD1	

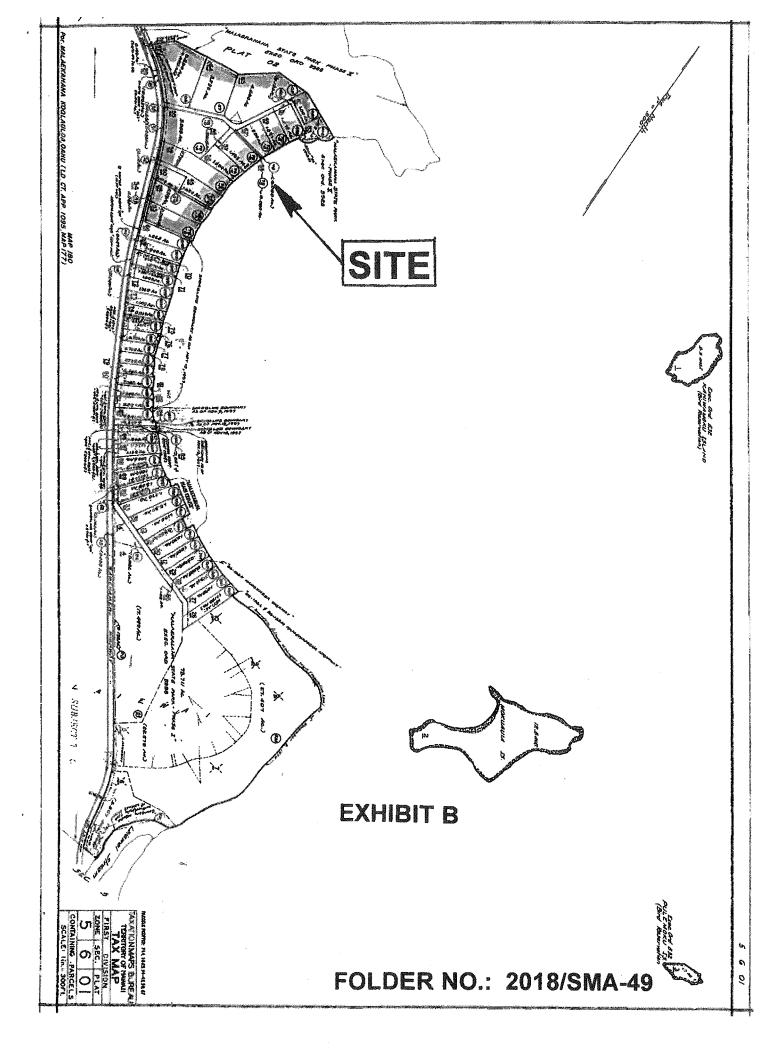
RESOLUTION

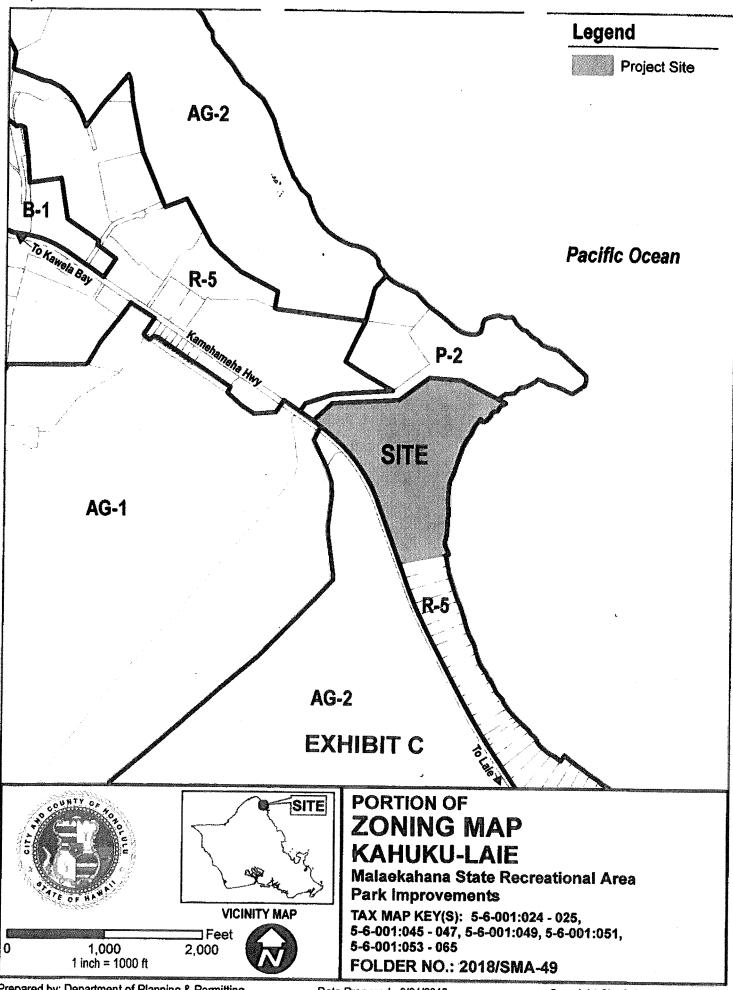
BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Limtiaco Consulting Group, 1622 Kanakanui Street, Honolulu, Hawaii 96817; Suzanne D. Case, Chairperson, Department of Land and Natural Resources, State of Hawaii, P.O. Box 621, Honolulu, Hawaii 96809; Curt Cottrell, Administrator, Division of State Parks, Department of Land and Natural Resources, State of Hawaii, Kalanimoku Building, Honolulu, Hawaii 96813; Kathy K. Sokugawa, Acting Director, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawaii 96813; Alan Downer, Administrator, State Historic Preservation Division, Department of Land and Natural Resources, 601 Kamokila Boulevard, Room 555, Kapolei, Hawaii 96707; and Leo R. Asuncion, Jr., Director, Office of Planning, State of Hawaii, 235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813.

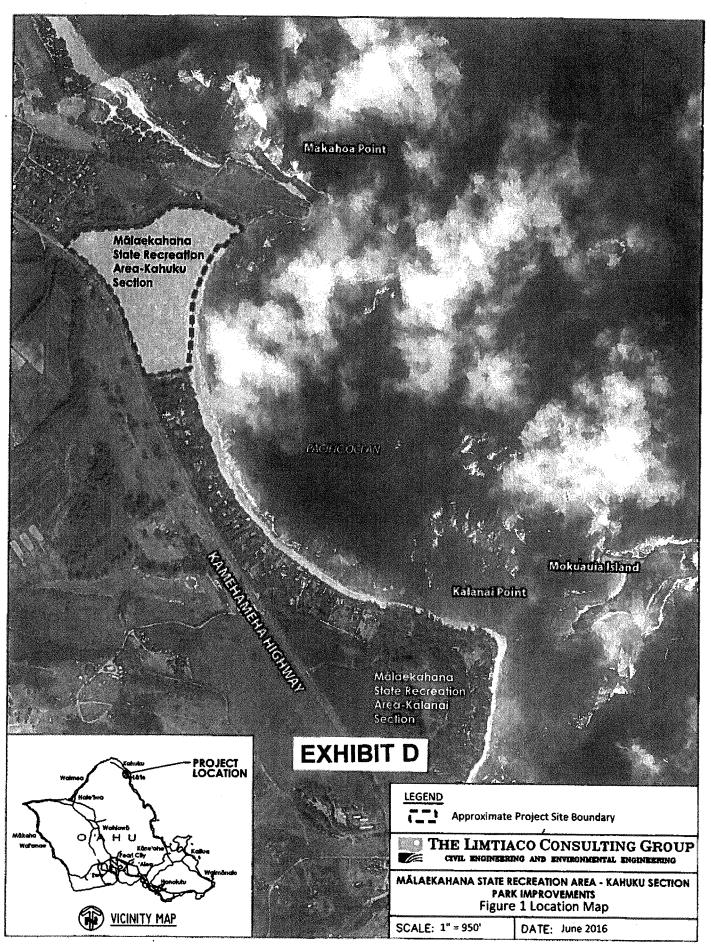
INTEROPLIATE DV

	INTRODUCED BT.
	Ernest Martin (br)
	*
DATE OF INTRODUCTION:	
December 10, 2018	
Honolulu, Hawaii	Councilmembers

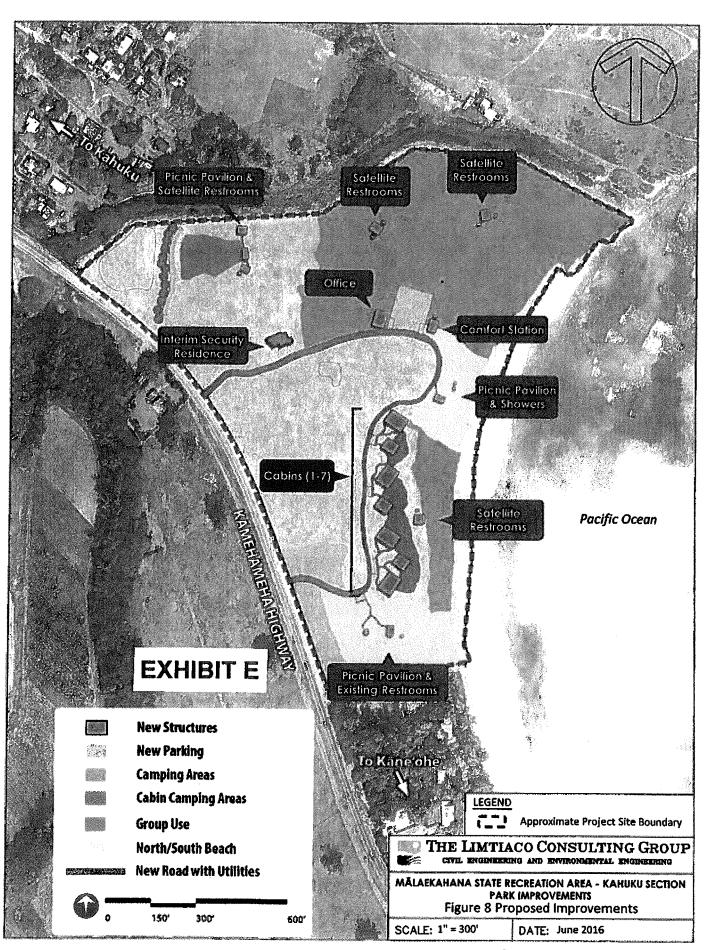




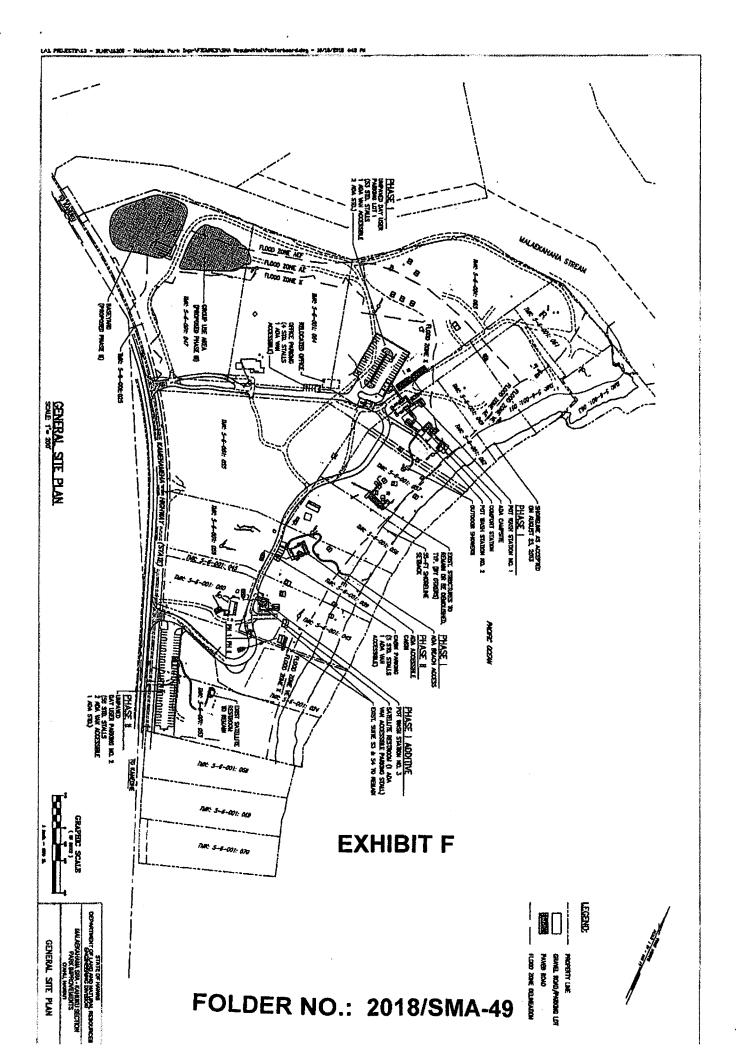


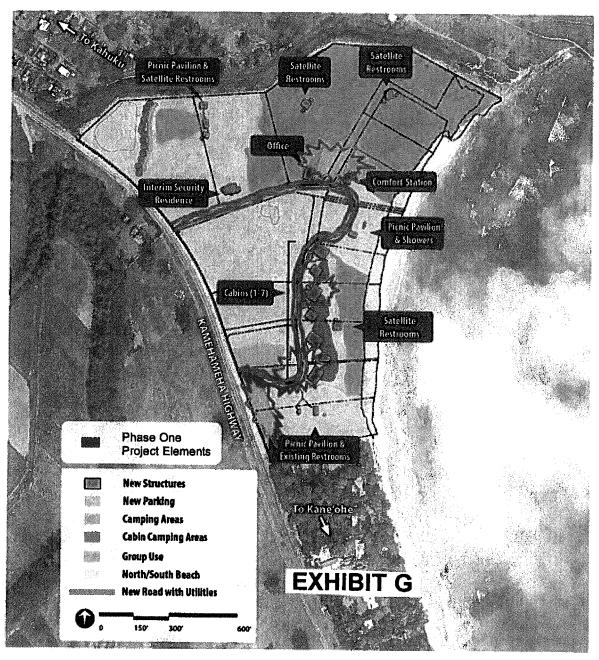


FOLDER NO.: 2018/SMA-49



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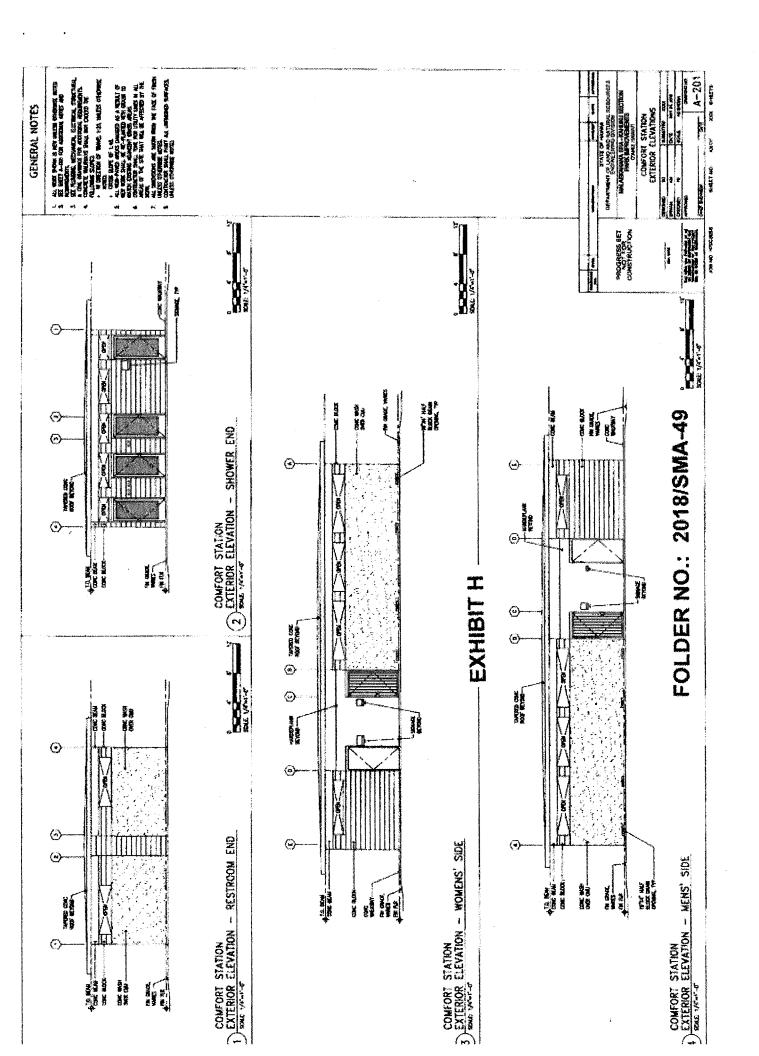


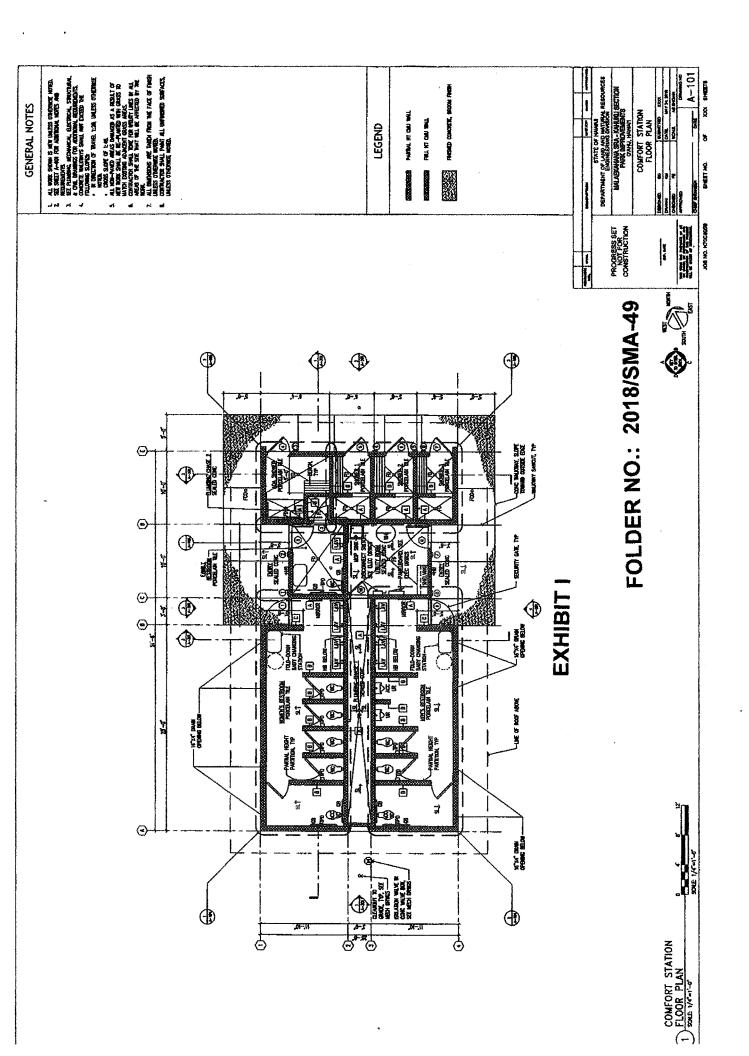


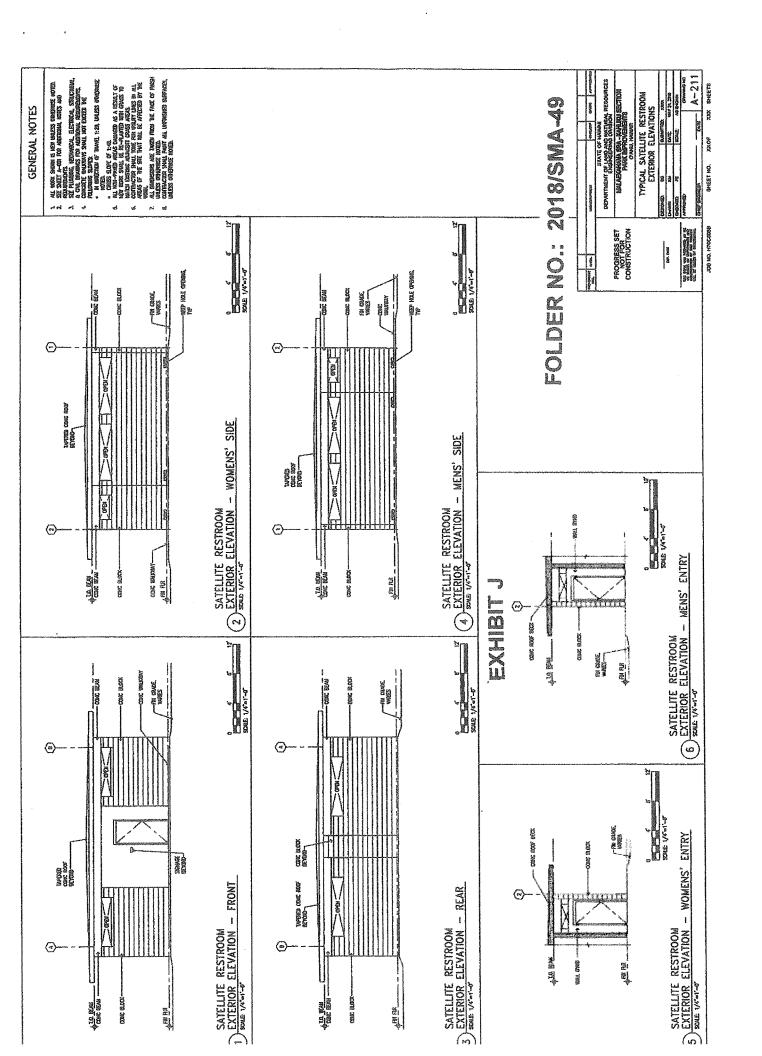
Notes: DLNR and its lessee do not allow camping along Mālaekahana Stream or the shoreline setback area. No improvements or camping may occur near the reinterment site, the protected zone or where the potential for subsurface artifacts remains high.

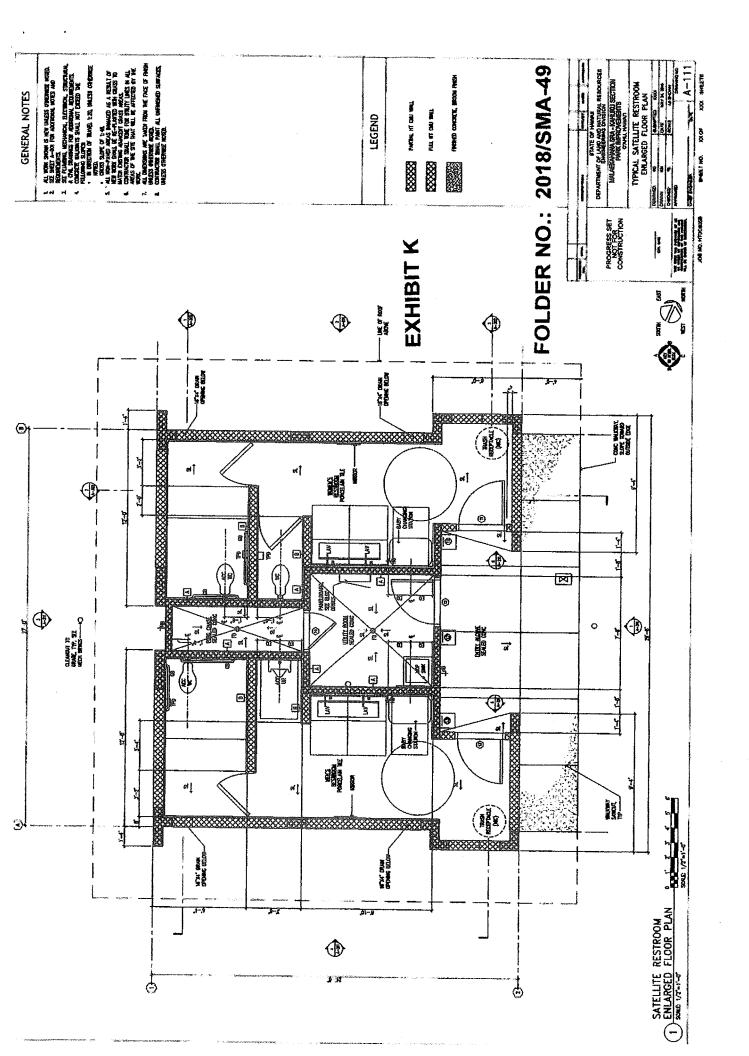
Figure 3 Phase One Project Elements

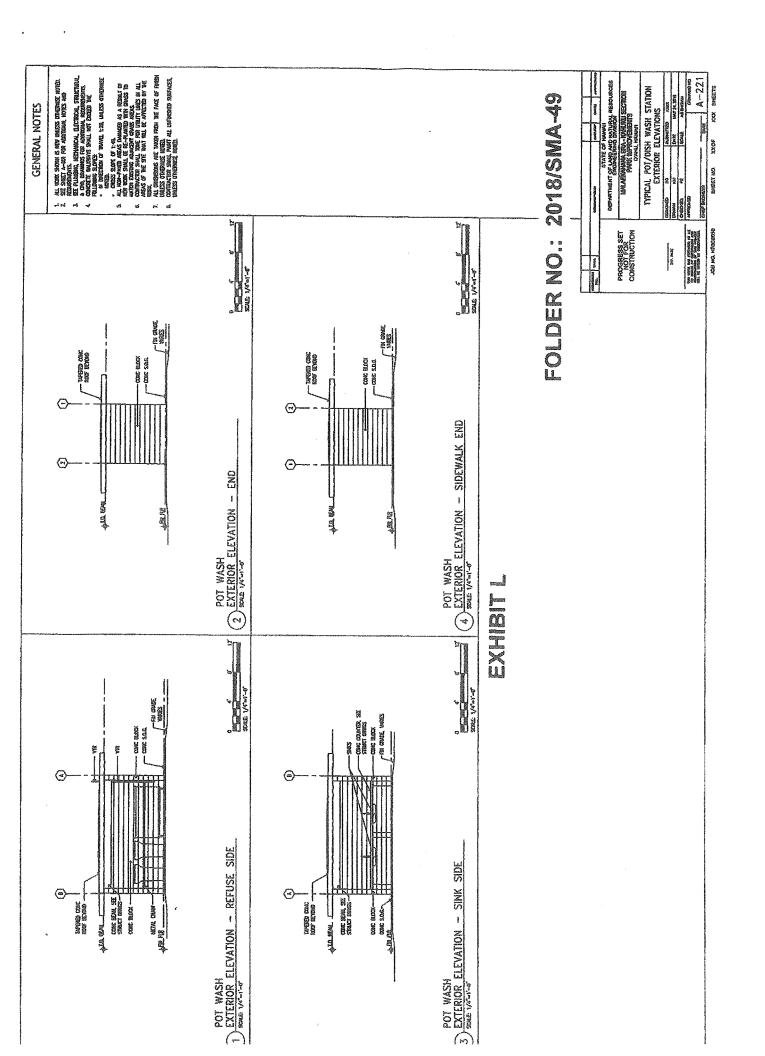
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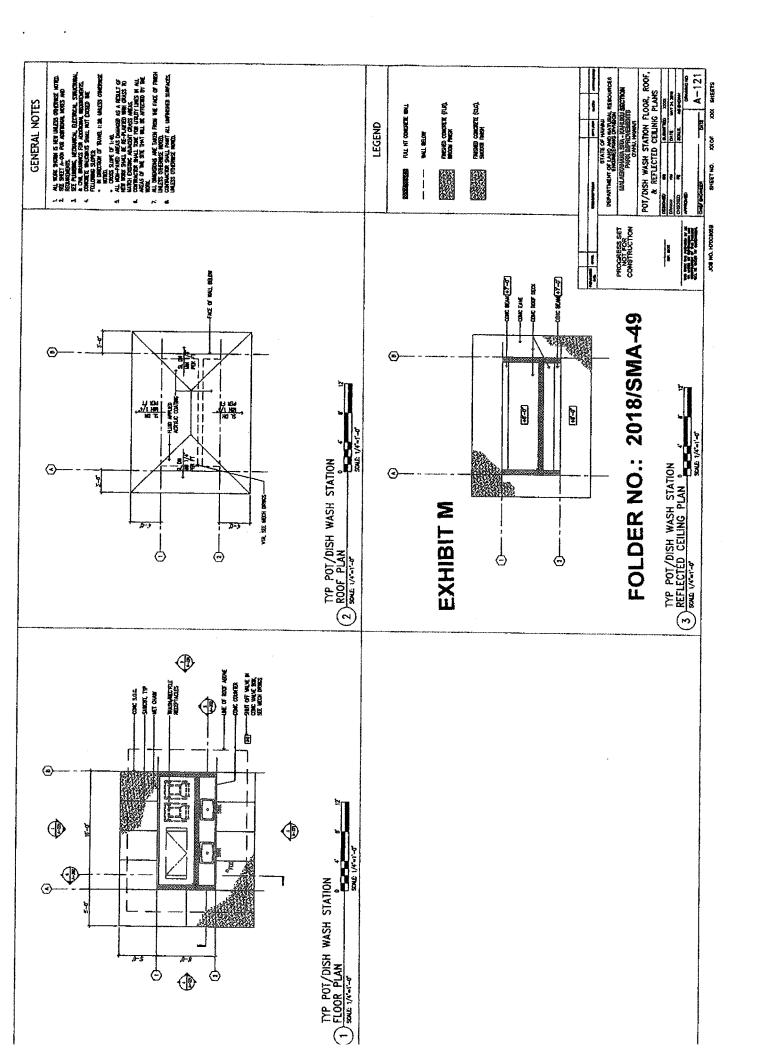


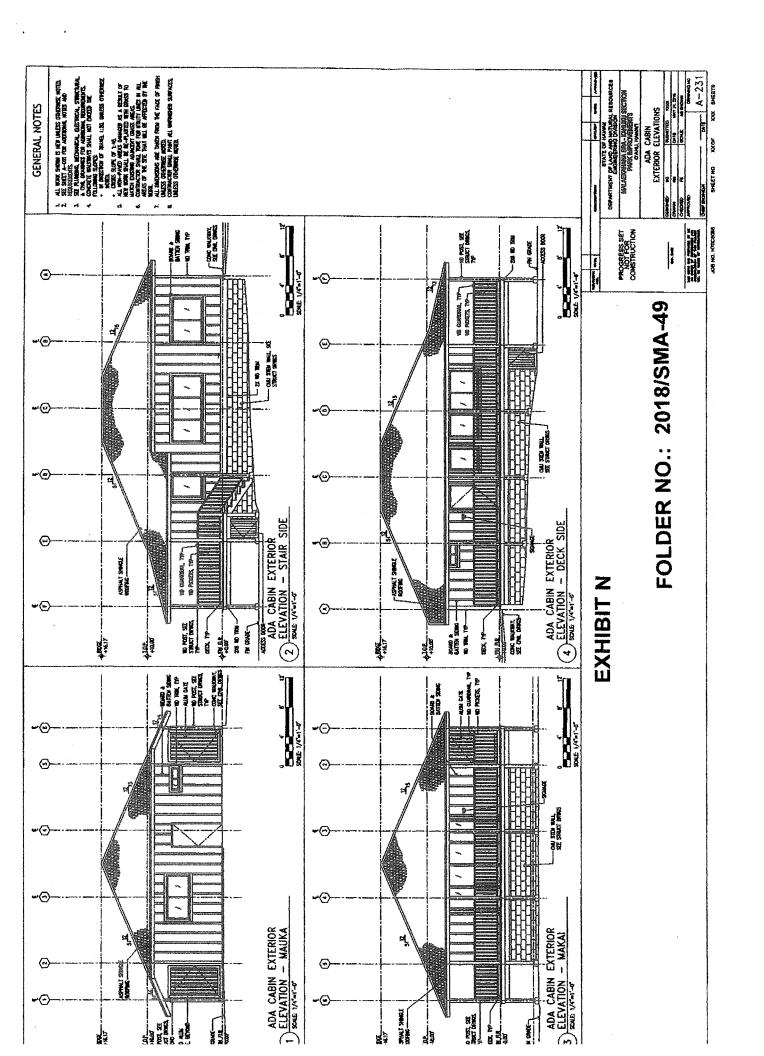


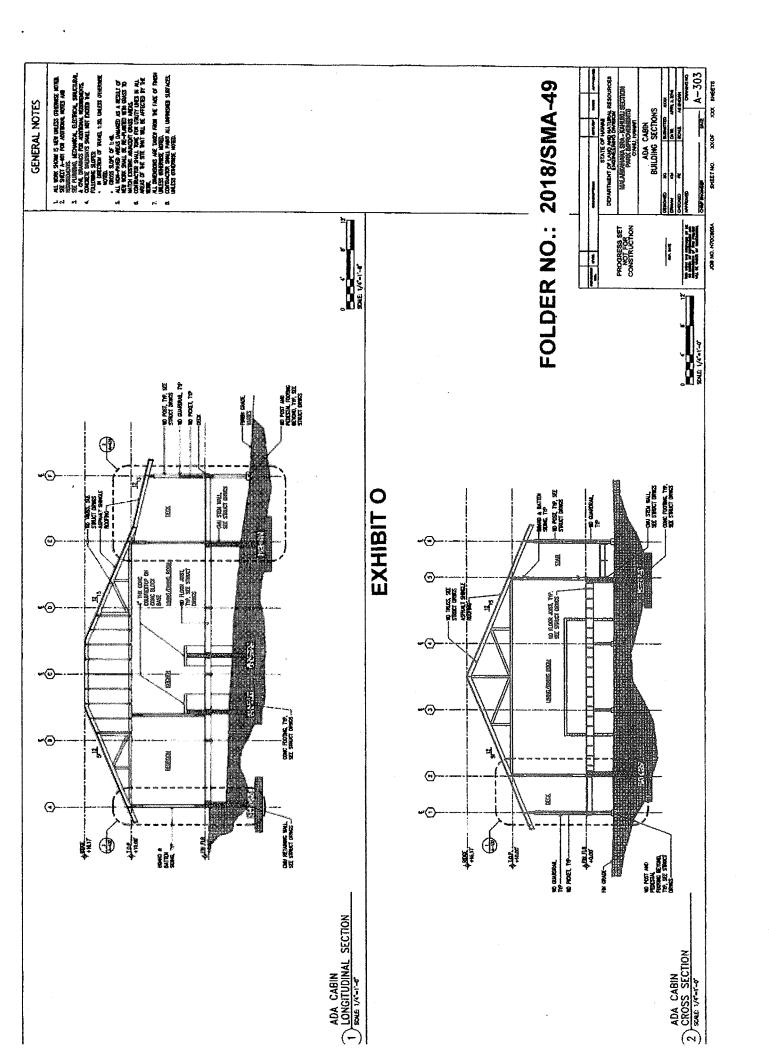


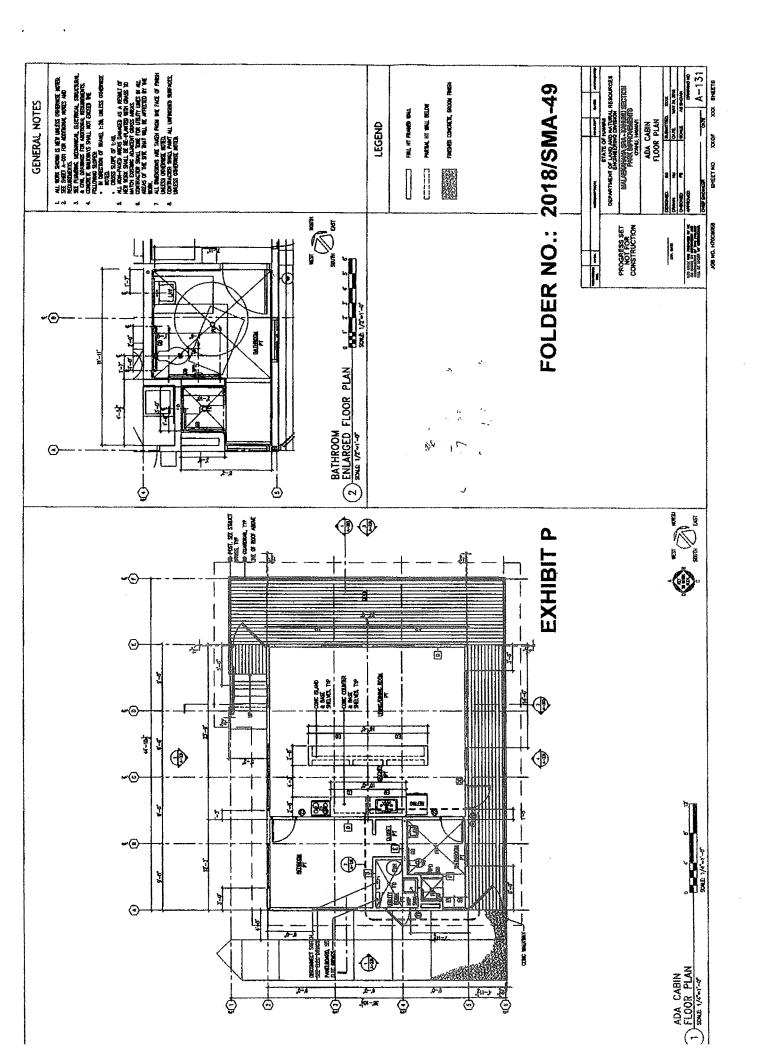


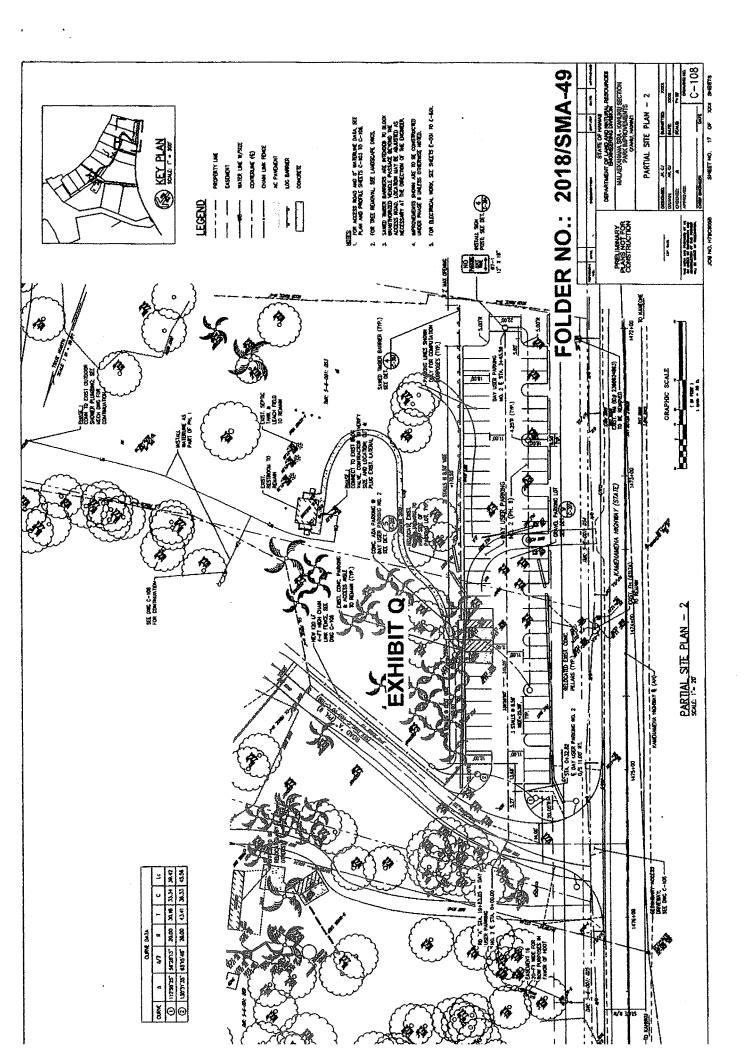


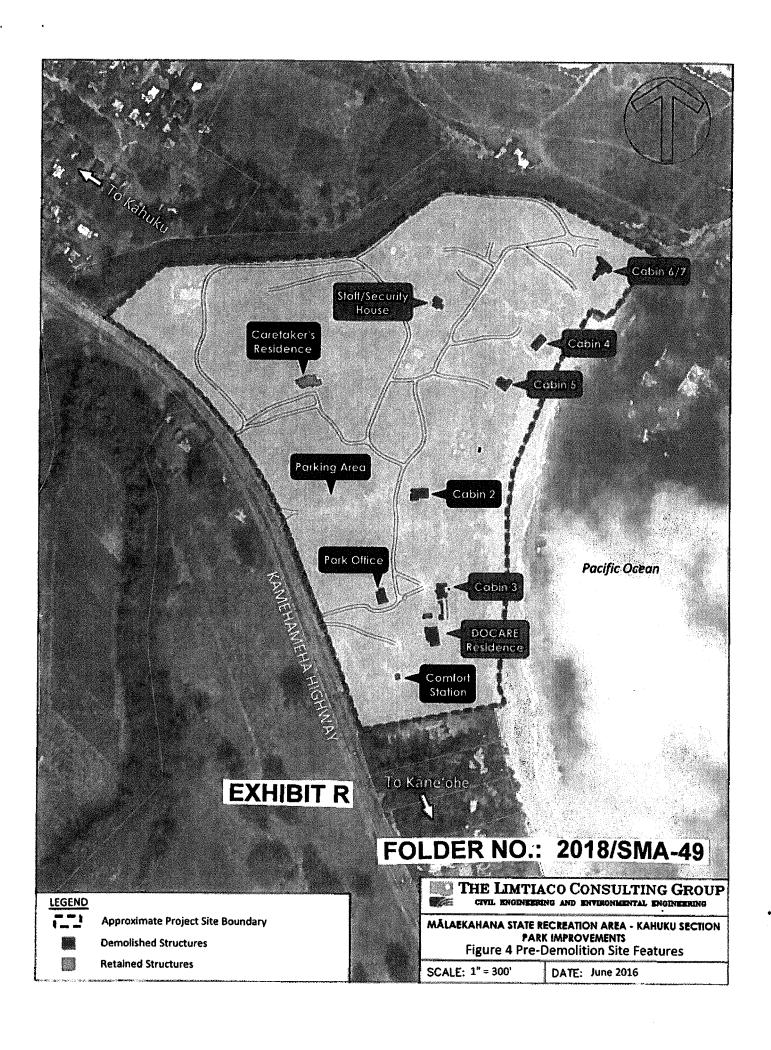


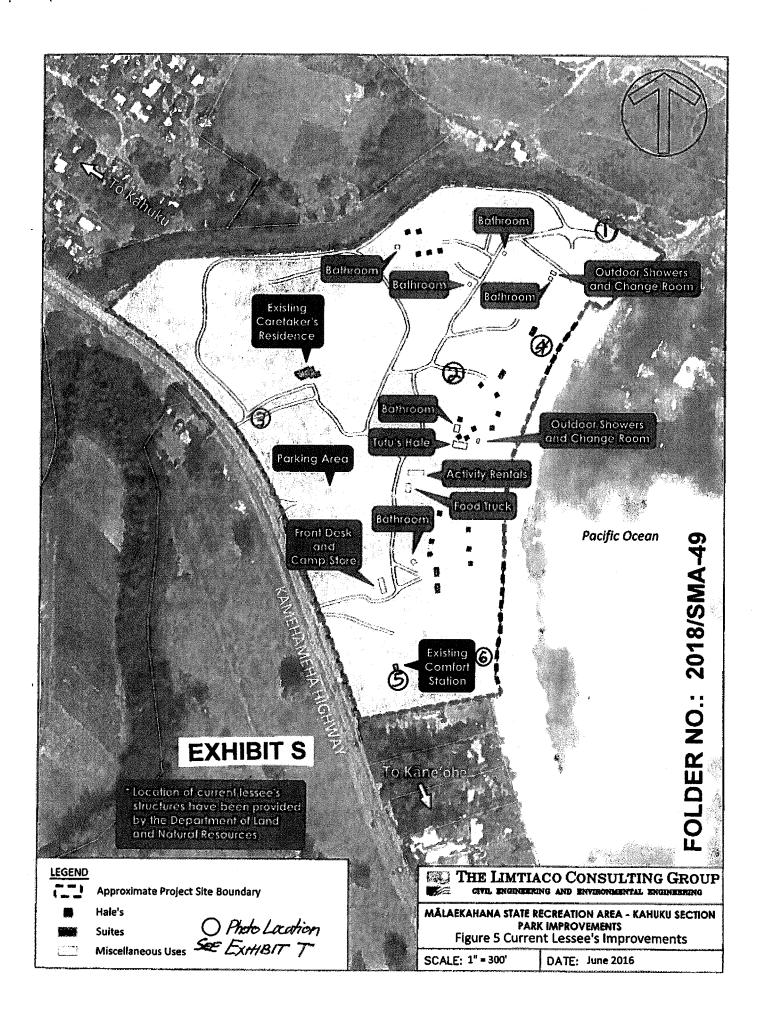






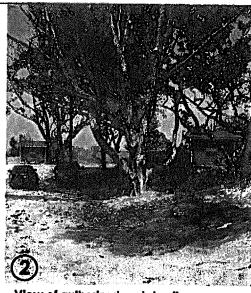




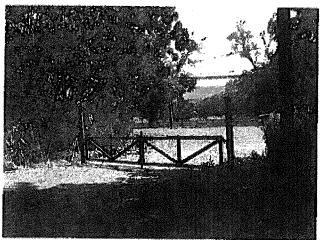




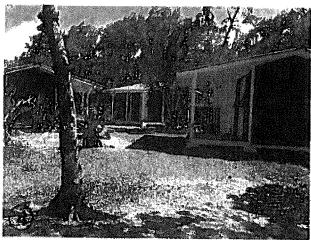
Målaekahana Stream delineates the northern site boundary.



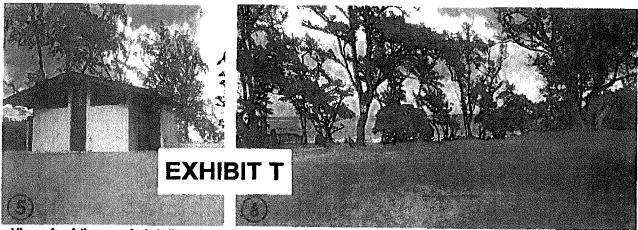
View of authorized rental units.



A locked gate deters unauthorized entry.



Rental units are temporary, portable structures.



View of existing comfort station.

Single-family residential uses are south of the day use area.

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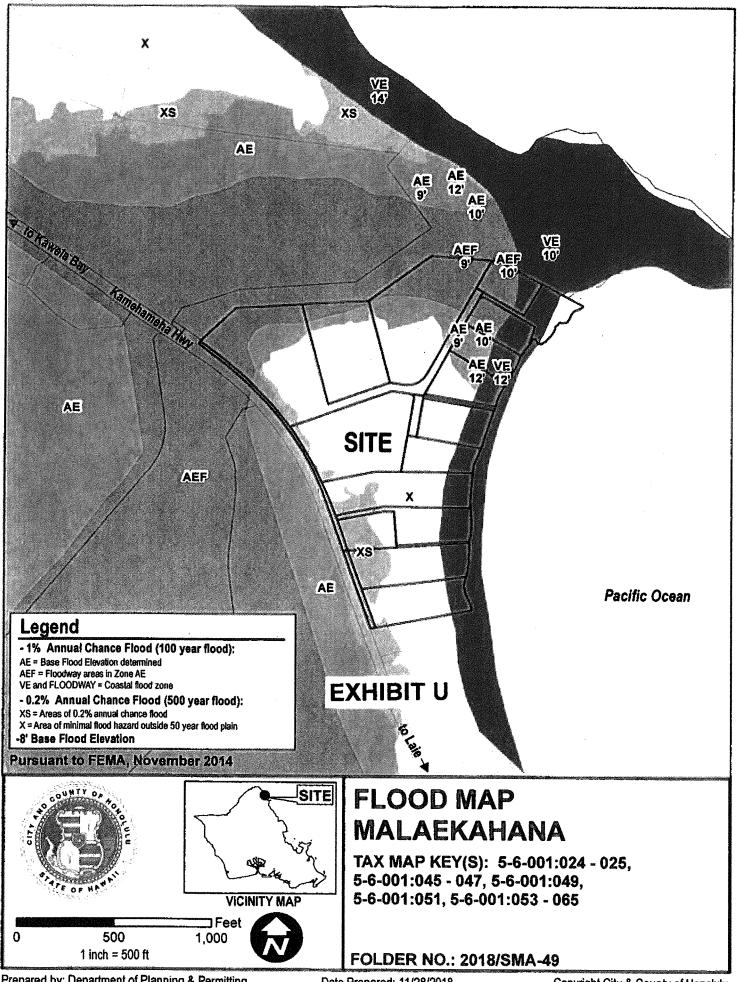


THE LIMITACO CONSULTING GROUP
CIVIL ENGINEERING AND ENVIRONMENTAL ENGINEERING

MÅLAEKAHANA STATE RECREATION AREA - KAHUKU SECTION PARK IMPROVEMENTS
Figure 2 Parcel Map and Site Photographs

SCALE: 1" = 300'

DATE: June 2016



CITY COUNCIL CITY AND COUNTY OF HONOLULU HONOLULU, HAWAII CERTIFICATE

RESOLUTION 18-288, CD1

Introduced:

12/10/18

By:

ERNEST MARTIN - BY REQUEST

Committee:

ZONING AND HOUSING

Title:

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR THE MALAEKAHANA STATE RECREATIONAL AREA, KAHUKU SECTION PARK IMPROVEMENTS.

Voting Legend: * = Aye w/Reservations

01/14/18	COUNCIL	M-3(19) ADDED TO THE AGENDA.
		8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE TSUNEYOSHI.
		M-3(19) WAS ADOPTED.
		8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE TSUNEYOSHI.
01/24/19	ZONING AND HOUSING	CR-17(19) – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION AS AMENDED IN CD1 FORM
01/30/19	COUNCIL	CR-17(19) AND RESOLUTION 18-288, CD1 AS AMENDED WERE ADOPTED. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

GLEN I TAKAHASHI, CITY CLERK

ANN H. KOBAYASHI, INTERIM CHAIR AND PRESIDING OFFICER