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DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

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August 23, 2024

2024/SMA-49(CK)

The Honorable Tommy Waters
Chair and Presiding Officer
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawai'i 96813

Dear Chair Waters and Councilmembers:

SUBJECT: Special Management Area (SMA) Major Permit
New Single-Family Dwelling
57-320 Punaulua Place – Kahuku
Tax Map Key 5-7-003: 049

Enclosed for your consideration are the Department of Planning and Permitting's (DPP) Report and Recommendation, Draft Resolution, and Exhibits for the SMA Major Permit application for a new single-family detached dwelling with an attached garage in Kahuku (Project).

The DPP recommends that the Project be approved, subject to compliance with recommended conditions, which primarily consist of standard conditions relating to archaeological resources, protected and invasive species, coastal hazards, applicable shoreline setbacks, a Minor Shoreline Structure Permit, and the prohibition of short-term rentals.

Pursuant to Revised Ordinances of Honolulu Chapter 25, the City Council must act within 60 calendar days after receipt of our Findings and Recommendation; however, the City Council may extend this period of time upon receipt of a request from the Applicant for an extension.

DEPT. COM. 632

Should you have any questions, please contact me at (808) 768-8000.

Very truly yours,

for Dawn Takeuchi Apuna
Director

Enclosures: DPP Report and Recommendation
Draft Resolution
Exhibits A, B, C-1 through C-5, and D through L

APPROVED BY:

Michael D. Formby
Managing Director

DEPARTMENT OF PLANNING AND PERMITTING
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAI'I

IN THE MATTER OF THE APPLICATION

BY

MODERN DEVELOPMENT, LLC

FOR A

SPECIAL MANAGEMENT AREA
(SMA) MAJOR PERMIT

FILE NO. 2024/SMA-49(CK)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION

I. APPLICATION

A. Basic Information:

PROJECT NAME:	Blum Single-Family Dwelling
LANDOWNER/ APPLICANT:	Modern Development, LLC
AGENT:	G70 (Jeff Overton)
LOCATION:	57-320 Punaulua Place – Kahuku (Exhibit A)
TAX MAP KEY:	5-7-003: 049
ZONING:	R-5 Residential District (Exhibit B)
STATE LAND USE:	Urban District
DEVELOPMENT PLAN:	Ko'olau Loa Sustainable Communities Plan (KLSCP)

B. Proposal: The Applicant requests approval of an SMA Major Permit to allow the construction of a new, two-story, single-family detached dwelling with an attached carport on a 19,340-square (sq.) foot (ft.) shoreline lot located in the R-5 Residential District and SMA in Kahuku (see Exhibits A, B, and C-1 through C-5). According to the application, the total floor area will be 3,900 sq. ft., and the building area will be 1,920 sq. ft., or about ten percent of the lot. Upon

Project completion, the site will have approximately 15 percent impervious surface area. The Project consists of the following components:

- Construction of a new two-story, detached single-family dwelling with a two-car garage, storage area, laundry area, and lanais on the ground level, and a second-floor living area with two bedrooms, 2.5 bathrooms, a kitchen, living room, dining room, and a covered lānai;

- Construction of a new gated driveway consisting of permeable pavement surfaces with grass joints;

- Installation of a new Individual Wastewater System (IWS) subject to the review and approval of the State Department of Health (DOH);

- Installation of landscaping consisting of a lawn and gardens;

- Installation of a 50 percent open-work privacy and security fence along the makai (seaward) perimeter;

- Removal or relocation of an existing utility pole connected to overhead power lines along the Project site frontage; and

- Installation of underground utility service lines along the Project site frontage.

According to the Application, water for the Project will be provided by the West Kawela Bay Community Association (WKBCA), which provides water to each lot in the association with private water mains and individual water meters. The WKBCA water supply system connects to an existing Board of Water Supply water main that runs along Kamehameha Highway. Water for fire protection will be provided via an existing hydrant located approximately 125 ft. from the Project site. Solid waste from the residence will be collected curbside by the City and County of Honolulu Department of Environmental Services Refuse Division.

According to the Application, minimal grading will be required to prepare the Project site for construction. The Project will take advantage of existing topography for drainage, including the retention of an existing depression in the land to provide for stormwater detention and ground percolation. Excavation will be required for the building foundation of the proposed dwelling, the IWS, and the underground utility lines. Excavation activities are anticipated to cover approximately 4,050 sq. ft. within the site, and involve movement of approximately 445 cubic yards of soil material. Excavated soil and coral materials will be backfilled into work areas and/or spread out to balance the site. Imported structural fill is prohibited due to the flood zone designation of the site, and is therefore not proposed. The estimated total volume of imported nonstructural fill is approximately 30 cubic yards for minor grade leveling.

All construction staging activities will occur on-site. Temporary and permanent Best Management Practices (BMPs) will be implemented before, during, and after construction to address fugitive dust, on-site stormwater management, construction noise and vibrations, erosion and sediment control, and other issues in compliance with the Department of Planning and Permitting (DPP) *Rules Relating to Water Quality*, *Rules Relating to Storm Drainage Standards*, and other applicable regulations. Construction-generated solid waste will be disposed of at a City-approved refuse facility.

The Project is anticipated to cost $3.5 to $4.2 million, and take approximately 12 months from receipt of all required permits to complete.

C. Background: The subject property is an undeveloped shoreline lot within the gated WKBCA, located just west of the Turtle Bay Resort off of Kamehameha Highway. A concrete rubble masonry (CRM) wall runs along the southwest side of the property, and hedge with brick header runs along the northern boundary of the property perpendicular to the coastline and separate the subject property from neighboring yards. During the field investigation for the Literature Review and Field Investigation (LRFI; ASM Affiliates 2024), a subsurface irrigation system was also observed on the site, and several fishing pole holders, constructed from metal and polyvinyl chloride pipe, are present along the reef shoreline of the site, indicating that the reef areas are used for fishing.

II. FINDINGS OF FACT

On the basis of the evidence presented, the Director of the DPP has found:

Lot Area	19,340 sq. ft. (after subtracting 4,182 sq. ft. of eroded land from 23,522 sq. ft.; see Exhibit E).
Lot Shape	Irregular
Topography	Relatively flat – The site ranges in elevation from approximately five to eight ft. above mean sea level (MSL).
Current Development	The Project site is currently undeveloped with the exception of a utility pole near the driveway access, and a remnant CRM wall.
Surrounding Uses	To the east – Kawela Bay To the north, south, and west – Low-density residential (see Exhibits A and B).

Flood Zone	*Flood Zone VE* – Flood hazard area subject to high velocity wave action; base flood elevation (BFE) of 17 ft. above MSL (Federal Emergency Management Agency [FEMA] Flood Insurance Rate Map Panel No. 15003C0030G, January 19, 2011; see Exhibit D).
Shoreline Survey	The most recent Certified Shoreline Survey (CSS), dated December 29, 2023, is being utilized for the purpose of this SMA Major Permit. The CSS shows that the shoreline follows along the edge of vegetation as mapped on May 24, 2023, and that a total of 4,182 sq. ft. of land area has been lost to erosion since the previous CSS that was approved in 1998 (see Exhibit E).
Nearest Body of Water	*Kawela Bay/Pacific Ocean* – Estuarine and Marine Wetland and Estuarine and Marine Deepwater; and *Punaulua Pond (Kāpī Pond)* – Freshwater Pond (see Exhibit F).
Soil Classifications	The Project site is mapped as Beaches by the United States Department of Agriculture - Natural Resources Conservation Service and the Hawai'i Sea Level Rise (SLR) Viewer (see Exhibits G and H). However, a geotechnical subsurface investigation was conducted at the Project site (Fewell Geotechnical Engineering, LTD, 2023) indicates that the Project site is underlain by exposed and partially covered coral rock formations. The overlaying material consists primarily of two-to-four ft. of fill consisting of clayey silts with coral sands and gravels to silty coral sands and gravel. The shoreline of the Project site, with the exception of a small sandy area on the southern boundary, is comprised of exposed coral bedrock.
Vegetation	The majority of the site consists of grass with scattered non-native plants, shrubs, and weedy vegetation. Naupaka is present along the shoreline mauka (landward) of the exposed coral bedrock.
SLR – Exposure Area (XA)	Approximately one-quarter of the Project site is projected to be impacted by 3.2 ft. of SLR by 2100; no coastal erosion relating to SLR is projected for the site (see Exhibit I; Hawai'i SLR Viewer).
Shoreline Erosion Rate	No historical erosion rate mapping is available for the Project site on the O'ahu Shoreline Change Viewer.

Hurricane Storm Surge	The Project site is projected to be subject to three ft. of flooding during hurricane events up to Category 4 (see Exhibit J; National Hurricane Center, *Storm Surge Risk Maps*).
Tsunami	The entirety of the subject property and surrounding neighborhood is located within the tsunami evacuation zone (see Exhibit K).
Environmental Compliance	The proposed Project does not meet any of the triggers under Hawai'i Revised Statutes (HRS) Chapter 343. Therefore, no environmental review under HRS Chapter 343 is required.
Other City Permits and Approvals	Minor Shoreline Structure (MSS) Permit; Construction and building permits.
Agency Comments	During the SMA review processes, the DPP routed the proposal to various Federal, State, and City agencies. All letters and comments received have been included in the Project file and incorporated into the Analysis Section, as appropriate.
Neighborhood Board/ Community Association Presentation	The Project was presented to the Ko'olau Loa Neighborhood Board (KLNB) No. 28 on February 8, 2024. There was discussion about the plans for the property. No opposing comments were offered. The WKBCA granted partial approval of the draft Project plans on May 20, 2024 (see Item G, below).
Public Hearing	The DPP conducted a Public Hearing at 1:30 p.m. on July 8, 2024, at the Fasi Municipal Building, 6th Floor Conference Room. Two of the Applicant's Agents and DPP staff members attended the public hearing in person. The Applicant and another Agent of the Applicant attended the hearing online. A few unidentified parties also attended the hearing online or by phone, but none provided comments. The public hearing is discussed in Section G, below.

III. ANALYSIS

The proposed Project was analyzed in accordance with the objectives, policies, and guidelines established in Revised Ordinances of Honolulu (ROH) § 25-3.1, as well as HRS §§ 205A-2 and 205A-26(1).

A. Recreational Resources

Development within the SMA should provide coastal recreational opportunities to the public. Adequate access, by dedication or other means, to beaches, coastal dunes, recreation areas, and natural reserves must be provided to the extent consistent with sound conservation principles. Adequate and properly located public recreation areas and wildlife preserves must be preserved.

The closest recreational areas to the Project site are Kawela Bay, located directly adjacent to the east of the site; Honokawela Beach, located approximately 150 ft. to the south of the site; Pahipahi'ālua Beach, located approximately 300 ft. to the north of the site; and Kawela Bay Beach Park, located approximately one-quarter mile to the east of the site. The James Campbell National Wildlife Preserve is approximately 4.5 miles from the site. Public shoreline access is available through Kawela Beach Park. The closest access to the shoreline fronting the Project site is from Honokawela Beach to the south. Other public access points are available approximately one-half mile west of Kawela Bay at Waiale'e Beach Park along Kamehameha Highway, and approximately two miles east at Turtle Bay via Kuilima Drive. As noted above, the LRFI prepared for the Project indicated the presence of fishing pole holders built into the coral outcrops along the Project shoreline. According to the Agent, the Applicant has no intention of restricting access to these features upon Project implementation. They will continue to be publicly accessible from Kawela Bay and from Honokawela Beach. The proposed open-work privacy fencing will be located well-mauka (landward) of the shoreline, subject to the approval of a MSS Permit from the DPP. Further, under both the current and proposed conditions, there is no direct public access to the beach through the subject property. As such, Project implementation will not result in adverse impacts to coastal recreational opportunities for the public, and no change to existing beach access, open spaces, recreational resources, or opportunities for hiking, fishing, and cultural practices will occur. Therefore, no conditions of approval relating to recreational resources are recommended.

B. Historic and Cultural Resources

Development within the SMA should protect, preserve, and restore natural or human-made historical and cultural resources.

According to the LRFI prepared for the Project, numerous cultural and historic sites have been identified in the general vicinity of the Project site. The closest site, located approximately 33 ft. to the northwest of the Project site across

Punaulua Place, is a freshwater pond called Punaulua Pond or Kāpī Pond. Punaulua Pond is designated as State Inventory of Historic Places Site No. 50-80-01-00258. According to the LRFI, the development is not anticipated to affect Punaulua Pond, and lateral access for fishing, limu collection, or other practices will not be impeded by the Project implementation.

According to the application, there is no evidence of prior development on the Project site from which unknown archaeological or historic resources may remain. Further, as previously discussed, the geotechnical report indicated that the Project site is predominantly comprised of two to four ft. of fill deposits overlaying various coral formations, with exposed coral formations observed on the surface in various areas throughout the site. Therefore, the LRFI determined that due to the shallow soil depth to hard coralline substrate, there is little potential for encountering subsurface cultural resources and that it is unlikely that subsurface archaeological deposits are present at the Project site. As such the recommendation of the LRFI was that no further cultural resource studies need to be conducted within the Project site prior to or during project implementation.

In accordance with HRS § 6E-42 Historic Preservation Review, the Agent uploaded (in June 2024) the Project SMA Permit application and LRFI to the State Historic Preservation Division (SHPD) *Hawai'i Cultural Resource Information System* for review for concurrence on the recommendation. In a letter dated August 2, 2024, SHPD concluded that the information provided in the submittal was insufficient to determine the Project's potential impact to subsurface historic properties and/or human burials. Thus, the SHPD requested an archaeological inventory survey (AIS) with subsurface testing. The SHPD will notify the DPP when the AIS report and any required mitigation plans are accepted, and when construction or building permits may be issued. The Applicant is in discussion with the SHPD to clarify the mitigative measures in light of their previous studies. Therefore, the Applicant should be required to implement all mitigative actions and protocols required by the SHPD based on their continued communications. But, we do not recommend a separate condition requiring an AIS because SHPD may ultimately determine other mitigation is more appropriate. In addition, as with any project where earth-moving activities are required, there is a possibility for subsurface deposits to be discovered during construction. Therefore, the Project should be subject to the standard "stop work" condition of approval. This will ensure that if, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant must stop work and contact the SHPD. These are recommended as conditions of approval. Provided the Applicant complies with the SHPD's requirements regarding on-site resources, no adverse impacts to archaeological, cultural, or historic resources are anticipated.

The DPP assessed the extent to which Native Hawaiian rights are customarily and traditionally exercised within the Project site, and the extent to which these rights may be affected or impaired by Project implementation. Per the request of the Office of Hawaiian Affairs (OHA) during the SMA Permit review process, a Ka Pa'akai Analysis Memo was prepared for the Project by Honua Consulting 2024.

The Ka Pa'akai Analysis considered the historic use of the shoreline for fishing, and the historic use of Punualoa Pond for fishing, healing, and irrigation. Outreach to the Native Hawaiian owners of the pond yielded no objections to the Project. Discussions with area kūpuna confirmed that prior to the development of the surrounding kūpuna residential community, Punualua Pond was known and enjoyed by area residents. The Ka Pa'akai Analysis concurs with the finding of the LRFI that the development is not anticipated to affect Punaulua Pond, and lateral access for fishing, limu collection, or other practices will not be impeded by the Project implementation. It also concurs with the LRFI findings that it is unlikely that subsurface archaeological deposits are present, and that no further cultural resource studies need to be conducted within the Project site prior to or during project implementation. Given all of this, no adverse impacts to Native Hawaiian rights are anticipated, and therefore, no conditions are recommended in regard to preserving access or opportunities for Hawaiian cultural activities.

C. Scenic and Open Space Resources

Development within the SMA should protect, preserve, and whenever desirable, restore or improve the quality of coastal scenic and open space resources. Alterations to existing land forms and vegetation, other than for the cultivation of coastal dependent crops, must be limited so they result in minimum adverse impacts on water resources, beaches, coastal dunes, and scenic or recreational amenities. Development that is not dependent on the coast is encouraged to locate mauka of the SMA.

The Project will not impact scenic and open space resources because the Project proposes the development of a single-family dwelling in a private, gated community that is zoned for residential use. The KLSCP Open Space Map does not identify significant mauka-makai or east-west views in the Project vicinity. The City's 1987 Coastal View Study notes that the Kawela Bay viewshed consists of a relatively small crescent shaped bay, with significant public views from Kamehameha Highway approaching Kawela Bay from the Hale'iwa direction. However, beyond lookout areas, no specific coastal views are present due to the established residential community and the presence of thick roadside vegetation. The Project will be consistent with the ROH Chapter 21 development standards for the R-5 Residential District, which will be confirmed during the building permit review process. The Project will not be of a scale to intrude into stationary lookouts. Therefore, no adverse impacts to scenic and open space resources are anticipated, and no related conditions of approval are recommended.

D. Coastal Ecosystems

Development within the SMA should protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes from disruption, and minimize adverse impacts on all coastal ecosystems. Solid and liquid waste treatment and disposition must be managed to minimize adverse impacts on SMA resources.

The Project proposes residential uses on a residentially zoned lot, and will be designed to avoid impacts to coastal ecosystems. Nonetheless, there is potential for temporary impacts to avian, mammalian, and reptile species during Project construction, as discussed below.

1. Sensitive Coastal Habitats and Species:

   a. Wetlands and Streams: The Project site does not contain any areas designated as wetlands or streams. Kawela Bay, located directly east of the Project site, is identified as Estuarine and Marine Wetland and Estuarine and Marine Deepwater (see Exhibit F). Punaulua Pond, located approximately 33 ft. to the northwest of the Project site, is designated as a Freshwater Pond. The Project is not anticipated to result in adverse impacts to the Pacific Ocean, as the proposed dwelling will be constructed outside of the shoreline setback area, and the Project is required to comply with the City's *Rules Relating to Water Quality, Rules Relating to Storm Drainage Standards*, and other applicable regulations. Compliance with the City's Rules will be confirmed during the building permit review process. In addition, the proposed IWS is subject to review and approval by the State DOH in accordance with their latest public and water safety regulations.

   b. Flora: Existing vegetation at the site consists of light grass with scattered nonnative plants, shrubs, and weedy vegetation. Naupaka is present along the shoreline, mauka of the coral outcrops lining Kawela Bay. As no rare, threatened, or endangered floral species are known to be present on the site, no impacts to these species are anticipated. Therefore, no conditions related to the protection of threatened or endangered flora species are recommended.

   c. Fauna: A review of the U.S. Fish and Wildlife Service *Information for Planning and Consultation* (IPaC) database revealed there are several threatened and endangered fauna species that may visit the site for foraging or breeding purposes. Sensitive terrestrial mammal species which may be present include the Hawaiian Hoary Bat. Hawaiian hoary bats may roost in trees or tall vegetation in the

Project area. Therefore, to avoid impacting this species, woody plants greater than 15 ft. in height should not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15). Further, barbless fencing should be used for all fence construction to avoid entanglement of Hawaiian hoary bats. These standard measures should be conditions of approval.

Sensitive avian species which may be present include Hawaiian seabirds, water birds (Band-rumped Storm-petrel, Hawaiian Common Gallinule, Hawaiian Coot, Hawaiian Duck, Hawaiian Petrel, Hawaiian Stilt, and Newell's Shearwater), and migratory birds. These species may be impacted by Project implementation, particularly during construction activities. Therefore, standard conditions relating to the protection of these avian species are recommended.

The IPaC database also identifies the Green Sea Turtle and the Hawksbill Sea Turtle as protected reptile species that may be present in the Project area. Further, according to National Oceanic and Atmospheric Administration Fisheries, marine and terrestrial critical habitat for Hawaiian monk seals includes the beaches and marine waters near the Project site. The southern area makai of the Project site consists of a sandy beach that could serve as an area for seals to haul out and breed, and for turtles to nest. Therefore, standard conditions relating to the protection of marine fauna species are recommended.

Artificial lighting can be disruptive to avifauna and marine life in their navigation, nesting, and reproductive cycles. Therefore, all outdoor lighting should be fully shielded, and nighttime work (from sunset to sunrise) must be avoided during the seabird fledgling season from September 15 through December 15. To further mitigate potential lighting impacts, the Applicant should use full cutoff light fixtures for exterior lighting. The International Dark Sky Association has established lighting standards to mitigate ecological impacts. Their Fixture Seal of Approval program requires that lighting have a correlated color temperature of 3,000 degrees kelvin or lower. These standard measures should be conditions of approval.

d. Invasive Species: The proposal involves limited introduction of non-structural fill onto the site. According to the O'ahu Invasive Species Committee (OISC) website, there are several invasive flora and fauna species being targeted for eradication on O'ahu. Flora species include cane tibouchina, cape ivy, devil weed, fireweed,

glory bush, himalayan blackberry, miconia, naio thrips, pampas grass, and the fungi that cause rapid 'ōhi'a death. Fauna species include coconut rhinoceros beetles, coquí frogs, and little fire ants. The OISC provides protocols for decontamination in the event these species are encountered, as well as protocols to prevent the spread of these species. Implementation of these measures should be conditions of approval to mitigate impacts related to the introduction of fill materials onto the site.

2. Reefs, Beaches, and Coastal Dunes: The Project's potential impacts to reefs, beaches, and coastal dunes are discussed in Section H, below.

3. Solid and Liquid Waste Treatment and Disposition: The Project will be required to comply with existing regulations and implement BMPs to minimize potential air and water quality impacts associated with soil disturbance and stormwater or irrigation runoff. Water supply and fire suppression water for the Project will come from the existing private water system which already serves the Project site. Wastewater will be treated by a new on-site IWS in the driveway area, which is subject to review and approved by the State DOH. Compliance will be confirmed during the building permit review process. Therefore, no conditions related to solid and liquid waste treatment and disposition are recommended.

Upon implementation of the recommended conditions, along with standard water quality and erosion BMPs, potential impacts to coastal ecosystems will be mitigated.

E. Economic Uses

Development within the SMA should consist of facilities and improvements important to the State's economy, and 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 within the SMA.

Implementation of the Project will result in a temporary increase in jobs and economic activity during construction through the rental and purchase of equipment, materials, and supplies. Otherwise, the proposed new single-family dwelling is anticipated to result in minimal changes to the State's economy.

F. Coastal Hazards

Development within the SMA should reduce impacts of coastal hazards on life and property, and must be designed to minimize impacts from landslides, erosion, sea level rise, siltation, or failure in the event of earthquake.

1. Flooding: The entirety of the subject property is located within Flood Zone VE, which is within the Special Flood Hazard Area and subject to high-velocity wave action, with a BFE of 17 ft. above MSL (see Exhibit D). According to the application, the Project will comply with ROH Chapter 21A, Flood Hazard Area Ordinance, regulations to mitigate the potential hazard risk associated with flooding, landslides, erosion, siltation, or earthquake. According to the application, the site ranges in elevation from approximately five to eight ft. above MSL. In order to comply with the 17-ft. BFE, the ground floor of the structure will not contain habitable living areas, and will incorporate required flood resilience features such as break-away walls. The main floor of the structure will be elevated approximately nine ft. above ground level (18 ft. above MSL) and contain all living areas and habitable spaces. In addition, the Project will incorporate green infrastructure including a retention basin (i.e., lawn basin rain garden) designed to allow stormwater and high tide wave run-off to follow natural flow patterns while directing ponding or localized flooding away from the base of the residential structure. Construction work will be performed in accordance with the State and County-approved design standards and BMPs. Therefore, no conditions related to flooding are recommended.

2. SLR: Based on a review of the University of Hawai'i Pacific Island Ocean Observing System Hawai'i SLR Viewer, approximately one-quarter of the Project site is projected to be impacted by 3.2 ft. of SLR by 2100. Mapping of coastal erosion associated with 3.2 ft. of SLR by 2100 is not available (see Exhibits C-1 and I). The proposed dwelling and IWS will be located entirely outside of the 3.2-ft. SLR-XA and outside of the shoreline setback area. Nonetheless, the fact remains that the Project site is still located in a coastal hazard zone, in an area projected to be impacted by SLR, coastal erosion, flooding, wave action, tsunami, and other potential coastal hazards. Therefore, the Applicant should be required to acknowledge, and successor owners should be notified, of the potential for coastal hazards at the subject property and that as SLR and/or land area is lost to coastal erosion, land makai of the shoreline becomes part of the State's Land Use Conservation District. This is recommended as a condition of approval. Further, SLR and coastal hazard events may result in the loss of all or portions of the proposed structure. These losses will be costly to remove and clean-up. Therefore, because the Applicant is proposing placement of structures in an area known to be susceptible to coastal hazards, the Applicant and successor owners should be required to take responsibility for the clean-up and restoration of the site in the

event of coastal erosion and loss of property. This is recommended as a condition of approval. Implementation of the recommended conditions will mitigate potentially significant impacts regarding SLR.

3. Storm Surge: The National Hurricane Storm Surge Hazard Maps indicate the makai portion of the site may be subject to storm surge flooding inundation of less than three ft. during a Category 1 or 2 hurricane event. In the event of a Category 3 hurricane, the makai area of the property may experience greater than three ft. of flooding from storm surge inundation. In the event of a Category 4 hurricane, makai portions of the property may experience greater than six ft. but less than nine ft. of storm surge flooding (see Exhibit J). As currently proposed, the closest habitable structure will be located 60 ft. mauka of the shoreline, at an elevation of 18 ft. above MSL. Further, construction will conform to relevant building codes to mitigate the risk of flood and wind damage, and comply with local ordinances in conjunction with FEMA guidance. When a hurricane is approaching a coastal location, early evacuation is usually standard mitigation to address the possibility of accompanying storm surge with high winds. Therefore, impacts related to hurricane storm surge inundation are not anticipated. Therefore, no conditions specific to hurricane storm surge inundation are recommended.

4. Tsunami: The entirety of the Project site is located within the tsunami evacuation zone (see Exhibit K). During a tsunami warning, evacuation requirements will be enforced based on guidelines issued by the Department of Emergency Management. As such, no conditions specific to tsunami events are recommended.

G.	**Managed Development and Public Participation**
	The development review process should stimulate public awareness, education, and participation in coastal management.

The public was made aware of the Project and was given the opportunity to review the proposed Project prior to and during processing of the SMA Major Permit application. The application materials were also posted on the DPP website upon acceptance of the application for processing.

During the SMA review processes, the DPP routed the proposal to various Federal, State, and City agencies. All letters and comments received have been included in the Project File and incorporated into the Analysis Section, as appropriate. Prior to submittal of the SMA application to the DPP, the Agent presented the Project to the KLNB on February 8, 2024. Questions regarding the proposed IWS (subject to approval by the State DOH) and retention of public access along the shoreline (no change in access) were asked and answered. No objections to the Project were registered.

The architect submitted the Draft Project plans to the WKBCA for initial review in early 2024. According to the Agent, on May 20, 2024, the President of the WKBCA notified the Architect that "partial approval" status was granted for the draft plans received by the WKBCA Design Committee, thereby allowing for submission of the plans to the DPP for permitting. Final approval by the WKBCA will occur upon receipt of approved building permit plans.

The DPP conducted a Public Hearing on the SMA Major Permit application at 1:30 p.m. on Monday, July 8, 2024, at the Fasi Municipal Building, 6th Floor Conference Room. Notices of the application and public hearing were published in the June 17, 2024, Honolulu Star Advertiser and sent to neighbors within 300 ft. of the subject property, various public agencies, elected officials for the area, and other interested parties. There were two items on the hearing agenda, including the Project. A few members of the public, the Applicant, and an Agent of the Applicant attended the public hearing online or by phone, none of which provided comments on the proposed Project. Two of the Applicant's Agents and DPP staff members attended the public hearing in person. No members of the public provided comments. The Agents presented the Project, and described the proposed Project versus the existing on-site development. DPP staff inquired about the status of further outreach regarding the potential for Native Hawaiian cultural practices given the fishpond and fishing pole holders near the Project site, as requested in a letter from the OHA. The Agent indicated a cultural specialist has been hired to conduct additional outreach and documentation, and that access along the shoreline would remain open to the public. A recording of the public hearing is available upon request. Additional opportunities for public input will be available during the City Council meetings. No related conditions of approval are recommended.

H. Beach and Coastal Dune Protection

Development within the SMA should facilitate beach management and protection by safeguarding beaches and coastal dunes for public use and recreation, the benefit of ecosystems, and use as natural buffers against coastal hazards. New structures should be located mauka of the shoreline setback line to conserve open space, minimize interference with natural shoreline processes, and minimize the loss of improvements due to erosion.

According to mapping by the United States Department of Agriculture - Natural Resources Conservation Service, the Project site is underlain by soils identified as Beach sands. The site is also mapped as Beaches on the Hawai'i SLR Viewer (see Exhibits G and H). However, as described above, a Geotechnical Preliminary Subsurface Investigation Report, prepared for the Project by Fewell Geotechnical Engineering, LLC (2023), indicated that the geology of the Project site primarily consists of corals that are overlain by various depths of fill material. Further, the shoreline along the majority of the Project site consists of exposed coral outcrops. Only a small area on the southwest property line consists of a

sandy beach leading to Kawela Bay. Nonetheless, for compliance with ROH § 25-6.1(b), landscaping should not be used to artificially fix the shoreline or be maintained in such a way that it effectively hardens the shoreline. This will protect any underlying beach sands and minimize the disruption of future shoreline processes. This is recommended as a condition of approval.

Further, the Applicant and successor owners should be aware that pursuant to ROH § 26-1.8(b)(3)(E), a determination of hardship as a result of any discretionary land use permit granted after June 16, 1989, is not a basis for requesting a Shoreline Setback Variance (SSV). This means that where a discretionary land use permit is used to authorize development, the Applicant cannot later claim hardship as the basis for an SSV in order to protect that development. This SMA Major Permit is a discretionary land use permit. Therefore, upon approval of this SMA Major Permit, the Applicant is precluded from obtaining a SSV to protect the subject property from erosion or other coastal hazards with new shoreline hardening structures. This is recommended as a condition of approval to ensure that the Applicant and successor owners or interests are fully aware of this regulatory standard.

I. Marine and Coastal Resources

Development within the SMA should promote the protection, use, and development of marine and coastal resources to ensure that these resources are ecologically and environmentally sound and economically beneficial. Impacts on water resources, beaches, coastal dunes, and scenic or recreational amenities resulting from the construction of structures must be minimized. Development within wetland areas should be limited to activities that are dependent on or enhance wetlands, or are otherwise approved by appropriate State and federal agencies.

The Project is located on a shoreline lot, but does not involve the use or management of marine resources. The closest surface and marine waters to the subject property consist of the Kawela Bay, located directly east of the site, and Punaulua Pond, located approximately 33 ft. to the northwest of the Project site. In the short term, the Project is not anticipated to result in adverse impacts to these surface and marine waters, as the closest development activities will occur on the opposite side of the WKBCA-maintained Punaulua Road from Punaulua Pond to the northwest, and outside of the 60-ft. shoreline setback area to the east and southeast. The Project is subject the City's *Rules Relating to Water Quality, Rules Relating to Storm Drainage Standards*, and other applicable regulations, compliance with which will be confirmed during the building permit review process. The proposed IWS is subject to review and approval by the State DOH to ensure untreated waste is not released into the surrounding coastal environment. Finally, according to the application, the Project will result in an increase in impervious surface area coverage on the site from zero percent under the existing condition, to 15 percent under the proposed condition.

However, the Project is designed to incorporate natural drainage patterns and stormwater retention, and proposes to incorporate grass joints into the concrete driveway to allow for storm water percolation. Fifteen percent is well below the maximum allowable impervious surface coverage of 75 percent, pursuant to ROH Chapter 21. Given all of the above, Project implementation is not anticipated to result in adverse impacts to marine and coastal resources. Therefore, no special conditions of approval are recommended.

J. Cumulative Impact or Significant Effect and Compelling Public Interest

Development within the SMA should not have any cumulative impact or significant effect, unless minimized to the extent practicable and clearly outweighed by public health, safety, or other compelling public interest.

Substantial or cumulative negative environmental impacts associated with the implementation of the Project along with other past, present, and reasonably foreseeable projects in the Project vicinity are not anticipated, so long as the recommended conditions of approval are implemented. The Project site and other lots within 500 ft. of the Project site perimeter are zoned for residential use and are limited based on the residential development standards of ROH Chapter 21. The subject property along with those to the north, west, and south are also located within the SMA, which requires any activity meeting the definition of development to undergo review for impacts to the sensitive coastal resources previously described in this report. The Project site is within a previously-established subdivision area to which existing access, electricity, water, and private fire suppression water are already available, and in which each property is required to provide its own wastewater treatment system.

One past development project was identified over a five-year span and within a 500-ft. radius of the Project site (see Exhibit L). SMA Major Permit No. 2022/SMA-63 authorized the construction of a new single-family dwelling at 57-321 Pahipahialua Street on the northern side of Punaulua Pond. The potential for impacts to SMA resources associated with this project was evaluated during review of its application for an SMA Major Permit, and where necessary, conditions of approval were incorporated. The potential for site-specific or cumulatively considerable impacts associated with the Project have been evaluated herein, and where necessary, conditions of approval are recommended. Therefore, upon implementation of the recommended conditions of approval and compliance with applicable regulatory requirements, it is not anticipated that the Project will contribute to a significant cumulative impact to SMA resources.

In regard to the Project combined with other reasonably foreseeable projects in the vicinity, potential cumulative impacts to SMA resources could occur if the projects collectively resulted in damage to the quality of water in the nearby

Kawela Bay or Punaulua Pond, or the loss of public access along the Kawela Bay shoreline. However, because these projects are required to undergo individual SMA review addressing these issues, and because they must also comply with regulatory requirements and site-specific conditions of approval, their potential contribution to cumulatively significant impacts is considered low. Given this, no conditions of approval specific to cumulative impacts are recommended.

K. Consistency with Plans and Regulations

Development within the SMA must be consistent with the general plan, development plans, sustainable communities plans, and zoning ordinances; provided that a finding of inconsistency does not preclude concurrent processing of amendments to applicable plans or a zone change.

The proposal is generally consistent with the applicable plans and regulations, as detailed below.

1. O'ahu General Plan (GP): The Project is generally consistent with the O'ahu GP. The O'ahu GP identifies the Project area as a rural area. The most applicable O'ahu GP policies for Natural Environment and Resource Stewardship (i.e. SMA resources) are as follows:

   - Objective A, Policy 1 requires the protection of O'ahu's natural environment, especially the shoreline, valleys, ridges, watershed areas, and wetlands from incompatible development;

   - Objective A, Policy 4 requires development projects to give due consideration to natural features and hazards such as slope, inland and coastal erosion, flood hazards, water-recharge areas, and existing vegetation, as well as to plan for coastal hazards that threaten life and property; and

   - Objective A, Policy 5 requires sufficient setbacks from O'ahu's shorelines to protect life and property, preserve natural shoreline areas and sandy beaches, and minimize the future need for protective structures or relocation of structures.

   Each of these resource areas is discussed above, and where necessary, conditions of approval are recommended. Given this, the proposed construction of a new two-story single-family dwelling to replace an existing one-story single-family dwelling is generally consistent with the O'ahu GP. Therefore, no conditions of approval related to O'ahu GP compliance are recommended.

2. KLSCP: The KLSCP Land Use Map identifies the Project area as "rural residential" within the Community Growth Boundary. The most applicable KLSCP policies for the preservation of open space and the natural environment (i.e. SMA resources) are as follows:

   - Maintain the region's rural character, protect and preserve scenic views and natural resources, provide recreational resources, and promote accessibility to shoreline and mauka areas;

   - Provide adequate shoreline setbacks that consider shoreline changes resulting from erosion hazards and rising sea levels, based on adopted projections of shoreline erosion rates and SLR;

   - Encourage all activities within the Ko'olau Loa area to respect traditional and customary rights of Native Hawaiian practitioners in respective ahupua'a;

   - Apply appropriate management policies and practices in the treatment of historic and cultural resources. Such practices may range from total preservation to integration with contemporary uses; and

   - Respect and help to preserve the natural setting of the Ko'olau Loa region by requiring development in residential areas to be sensitive to physical constraints and have minimal impact on the area's rural character.

   The Project site is not within any identified open-space, recreational area, wetland, or historic site on KLSCP resource maps. The site is located near intermittent views along Kamehameha Highway, but the Project will not interfere with these viewsheds. The KLSCP Natural, Recreational, and Cultural Resources Map identifies coral reefs and off-shore recreation in Kawela Bay as protected resources in the Project vicinity. Each of these resource areas is discussed above, and where necessary, conditions of approval are recommended. Given this, the proposed construction of a new two-story single-family dwelling on a residentially-zoned lot is generally consistent with the KLSCP. Therefore, no conditions of approval related to KLSCP compliance are recommended.

3. ROH Chapter 21, Land Use Ordinance: According to the application, the Project has been designed to comply with the development standards of the ROH Chapter 21. The 19,340-sq. ft. site is located within the R-5 Residential District, which allows up to three single-family dwellings based on the site acreage, and the Project proposes only one dwelling unit. The Project plans show that the structures comply with all required yard and height setbacks, as well as height, density, and lot coverage

standards for the R-5 Residential District (see Exhibits C-1 through C-5). Plans submitted for land use permits, such as an SMA permit, are generally conceptual in nature. Slight design changes to site plans, interior floor plans, or parking plans are not uncommon prior to the submittal of final building permit plans. A thorough review of the plans for compliance with the Residential District development standards and other ROH Chapter 21 regulations will be conducted during the building permit review process.

Pursuant to ROH Chapter 21, Table 21-3, short-term rentals, including both bed and breakfast establishments and transient vacation units, are not allowed in the R-5 Residential District. In order to ensure the Applicant and successor owners are aware of this limitation, a statement to this effect is recommended as a condition of approval. Based on a review of the plans, the Project will be consistent with the ROH Chapter 21, and no additional conditions of approval will be required.

4. ROH Chapter 26, Shoreline Setback Ordinance: The Applicant submitted an application for a building permit on June 12, 2024, and Building Permit Application No. A2024-06-0662 was assigned on June 18, 2024. Pursuant to ROH Chapter 26, because the application was submitted prior to July 1, 2024, a minimum 40-ft. shoreline setback applies, provided the building permit is issued no later than June 30, 2025. If the building permit is not issued by June 30, 2025, all development must comply with the minimum 60-ft. shoreline setback required under ROH Chapter 26 effective as of July 1, 2024, and the new shoreline setback must be shown on the building permit plans.

   According to the application, the Applicant proposes to construct the majority of the proposed dwelling outside of the 60-ft. setback that goes into effect on July 1, 2024. A 50 percent open-work privacy fence is proposed within the shoreline setback area, for which the Applicant intends to apply for a MSS Permit (see Exhibits C-1 and E). Further, if the building permit(s) for the Project is not issued by June 30, 2025, the 60-ft. setback goes into effect and certain roof overhangs would encroach into shoreline setback. Eaves may encroach a maximum of 30 inches into the shoreline setback, and must be included in the MSS Permit application. Upon approval of an MSS Permit, the Project will be in compliance with ROH Chapter 26. The MSS Permit must be obtained prior to issuance of construction of building permits for the Project. The requirement to obtain an MSS Permit, as well as the requirements relating to the shoreline setbacks, are recommended as conditions of approval.

IV. CONCLUSIONS OF LAW

The proposed development was reviewed under the provisions of ROH §§ 25-3.1 and 25-4.1, and HRS §§ 205A-2 and 205A-26(1), and was found to be consistent with established SMA objectives, policies, and guidelines, provided the appropriate conditions of approval are imposed. Based on the analysis, the proposed Project will not adversely impact SMA resources, provided that appropriate mitigative conditions are implemented as recommended.

V. RECOMMENDATION

Based on the preceding Analysis and Conclusions of Law, it is recommended that this application for a SMA Major Permit be **APPROVED**, subject to the following conditions:

A. Development must be in general conformity with the Project as described in the DPP's findings and recommendation, referenced above, and as depicted in Exhibits A, B, C-1 through C-5, and D through L, attached hereto and incorporated by reference herein. Any change in the size or nature of the Project that may have a significant effect on coastal resources addressed in ROH Chapter 25, HRS Chapter 205A, or both, will require a new application and SMA Major Permit. Any change that does not have a significant effect on coastal resources will be considered a minor modification and may be permitted under the adopted resolution, upon review and approval by the Director of the DPP.

B. To account for the potential future shift of land from the State Land Use Urban District to the State Land Use Conservation District in response to coastal erosion, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> *"In choosing to implement construction activities at Tax Map Key 5-7-003: 049, the Landowner hereby acknowledges that land makai of the regulatory shoreline is State public land, falls within the State Land Use Conservation District, and must remain available for public use and recreational activities. The landowner further acknowledges that should any portion of a structure encroach into State public land, the State Board of Land and Natural Resources may require the removal of the structure or a lease for encroachments extending into the State public land. As a result of this acknowledgement, successor owners and interested parties are hereby notified of this same information and the land owner shall hold harmless and indemnify the City of any responsibility that may result from adverse impacts associated with sea level rise and coastal erosion."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

C. Following approval of this SMA Major Permit, neither the current landowner, nor any successor owner or interested party may claim hardship due to erosion, SLR, or any other coastal hazard, in order to obtain approval for a SSV for a new shoreline protection structure. The landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> *"In choosing to undertake the development at Tax Map Key 5-7-003: 049, the landowner hereby acknowledges that no claim of hardship due to erosion, sea level rise, or any other coastal hazard may be asserted in order to obtain approval for a Shoreline Setback Variance for a new shoreline protection structure."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

D. To minimize the potential for adverse impacts related to coastal hazards, including but not limited to sea level rise, coastal erosion, flooding, wave action, and storm surge, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> "*The landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:*
>
> 1. *The landowner hereby acknowledges that Tax Map Key 5-7-003: 049 is susceptible to coastal hazards, which may result in harm to or loss of life and property.*
>
> 2. *The landowner hereby acknowledges that Tax Map Key 5-7-003: 049 is a shoreline zoning lot and may be adversely impacted by coastal hazards. The landowner agrees to assume all risk and liability for any harm to or loss of life and property due to development on a shoreline zoning lot. The landowner further agrees to accept all responsibility for the cost and physical removal of materials and structures lost or damaged as a result of coastal hazards, including the cleanup and restoration of the Project site."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

E. To ensure the Applicant is aware that bed and breakfast homes and transient vacation units are not allowed on the Project site, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> *"The landowner hereby acknowledges that bed and breakfast homes and transient vacation units, as those terms are defined in ROH Chapter 21, the Land Use Ordinance, are not allowed on Tax Map Key 5-7-003: 049."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

F. To preserve underlying beach sands and coastal dunes, all landscaped areas, landscaping, and irrigation must be contained and maintained within the property boundaries of the shoreline lot of origin.

1. Landscaping may not be planted, watered, or maintained so that it acts as a shoreline barrier, such as by planting naupaka, particularly if the landscaping alters or interferes with the natural beach processes;

2. Landscaping may not extend seaward of the shoreline as depicted in the current certified shoreline survey for the shoreline lot, or in the event there is no current certified shoreline survey for the lot, seaward of the shoreline as defined in HRS Chapter 205A;

3. Landscaping may not extend into any adjoining beach access right-of-way, public or private;

4. Landscaping between the dwelling and the shoreline must be limited to vegetation that is naturally hardy or endemic in the dune or shoreline area; and

5. The Project's irrigation system must be designed so that water does not traverse seaward of the shoreline as depicted in the current certified shoreline survey for the shoreline lot, or in the event there is no current certified shoreline survey for the lot, seaward of the shoreline as defined in HRS Chapter 205A.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

G. To minimize impacts to known and unknown archaeological, historic, and cultural resources that may be present at the Project site, the Applicant shall comply with the following measures:

1. Prior to the issuance of any construction permit or building permit for the Project, the Applicant shall submit to the DPP a copy of the written determination from the SHPD stating that SHPD has completed its review of the impact of the Project on historic properties pursuant to HRS § 6E-42, and has determined whether any mitigative actions and protocols are required.

2. If applicable, the Applicant shall implement all mitigative actions and protocols required or recommended by SHPD in its written determination; and

3. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant shall stop work, protect the find from further disturbance, and contact the SHPD immediately. Work in the immediate area must be stopped until SHPD is able to assess the impact and make further recommendations for mitigative activity.

The requirements enumerated in this condition, and all mitigation protocols approved or otherwise required by SHPD, must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

H. To minimize impacts to endangered, protected, or threatened avian, marine, and terrestrial fauna that may frequent or traverse the vicinity of the Project site, the Applicant is responsible for the following:

1. All new and replacement outdoor light fixtures and/or lamps must not exceed a color temperature of 3,000 degrees kelvin;

2. Artificial light from exterior lighting fixtures on the zoning lot, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is prohibited if the light directly illuminates, or is directed across property boundaries toward, the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS § 205A-71(b);

3. Exterior lighting fixtures on the Project site must be fully shielded using full cutoff fixtures with the light directed downward so that the light bulb is only visible from below the light fixture;

4. All Project site work and construction activities are limited to daylight hours (sunrise to sunset);

5. Barbless fencing must be used for all fence construction to avoid the entanglement of Hawaiian hoary bats;

6. Woody plants greater than 15 ft. in height may not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season (June 1 through September 15); and

7. All Project-related activities must cease if a Hawaiian monk seal, Green Sea Turtle, or Hawksbill Turtle is on land within 150 ft. of the work area, or as recommended by State or Federal regulations. Project activities may only recommence after the animal voluntarily leaves the area. If a monk seal pup is present on land, a 300-ft. buffer must be observed. Any Project-related debris that may pose an entanglement threat to monk seals or turtles must be removed from the work area at the end of each day and at the conclusion of Project-related activities.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

I. To minimize the spread of invasive pathogens, pests, or plants that may harm native species and ecosystems, the Applicant is responsible for the following:

1. The Applicant shall minimize the importation of fill material to the extent possible. The Applicant proposes to import approximately 30 cubic yards of nonstructural fill material. The Applicant also proposes on-site disturbance of approximately 445 cubic yards of existing coral outcrop and soil that will be redistributed on-site as backfill;

2. The Applicant shall minimize the movement of plant or soil material on the Project site, and all Project construction equipment, materials, and personnel must be cleaned of excess soil and debris prior to entering and leaving a Project worksite, in accordance with the current recommendations from the O'ahu Invasive Species Committee (OISC).

3. Prior to the commencement of any ground-disturbing or construction activities, and upon the arrival of any new workers to the Project site, a copy of the most recently updated OISC "Decontamination Protocols for Prevention of Invasive Species" (Protocols) must be distributed to all workers who will be present at the site, or the Protocols must be posted at the Project site in a visible location accessible to all Project workers, including delivery and haul-out contractors, or both the distribution and posting of the Protocols is required. All on-site Project workers must be

instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities; and

4. If, at any time, species on the OISC invasive species target list website at https://www.oahuisc.org/current-targets/, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant shall immediately contact the OISC to report the discovery. The current email address and phone number for the OISC must be visibly posted at the Project site during pre-construction and construction activities. The Applicant shall implement any measures recommended by the OISC and any responsible federal or State of Hawai'i agency charged with the eradication and management of invasive species.

The requirements enumerated in this condition must be clearly stated under 'Environmental Notes' on all Project construction permit plans and building permit plans."

J. The shoreline setback for the Project shall be 40 ft. provided the building permit for Building Permit Application No. A2024-06-0662 is issued no later than June 30, 2025. If the building permit is not issued by June 30, 2025, all development must comply with the minimum 60-ft. shoreline setback required under ROH Chapter 26 effective as of July 1, 2024. The new shoreline setback must be shown on the building permit plans.

K. Prior to the issuance of construction or building permits, the Applicant must obtain approval of a MSS Permit for fencing, eaves, and other development activities proposed to occur within the shoreline setback area.

L. The Applicant must obtain a construction permit or building permit for the Project within 36 months after the effective date of this SMA Major Permit. Failure to obtain a construction permit or building permit within this period will render this SMA Major Permit null and void, provided that this period may be extended as follows:

1. The DPP Director may extend this period if the Applicant demonstrates good cause, but the period cannot be extended by the DPP Director beyond one year from the initial deadline set by the Council.

2. If the Applicant demonstrates good cause for an extension exceeding one year, the DPP Director shall prepare and submit to the Council a report on the proposed extension, which must include the DPP Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution.

3. If the Council fails to take final action on the proposed extension within the first to occur of:

   a. 60 days after receipt of the DPP Director's report; or

   b. The Applicant's then-existing deadline for obtaining a development permit,

   the extension will be deemed to be denied.

M. Approval of this SMA Major Permit does not constitute compliance with other City ordinances, including but not limited to the Land Use Ordinance (LUO) and building and construction codes, or other governmental requirements, including but not limited to LUO-related approvals, and building, grading, and grubbing permit approvals, which are subject to separate review and approval. The Applicant is responsible for ensuring that the final plans for the Project approved under this SMA Major Permit comply with all applicable City ordinances and other governmental provisions and requirements.

Dated at Honolulu, Hawai'i, this 23rd day of August, 2024.

Department of Planning and Permitting
City and County of Honolulu
State of Hawai'i

By _____
for Dawn Takeuchi Apuna
Director

Enclosures: Exhibits A, B, C-1 through C-5, and D through L

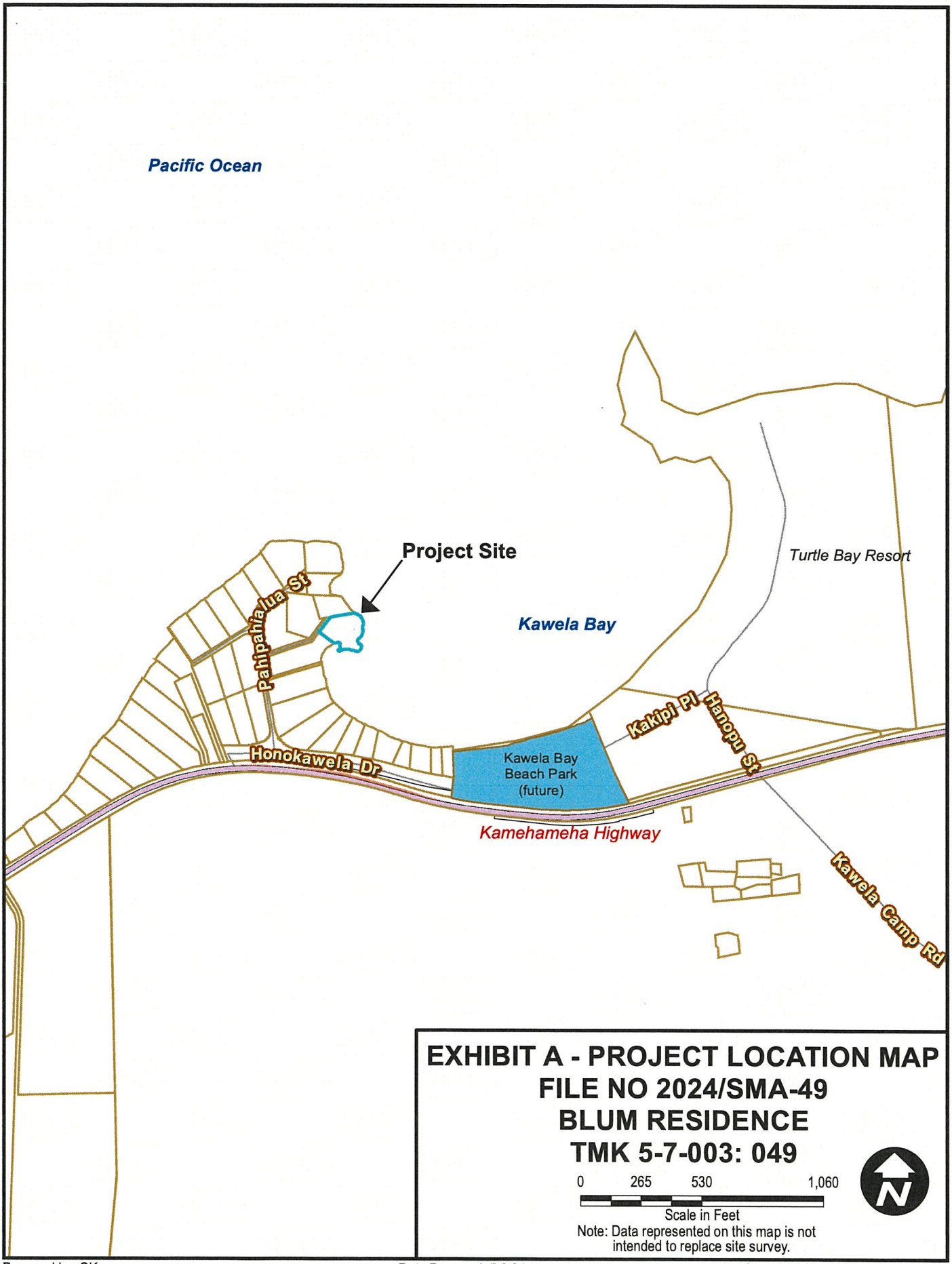


EXHIBIT A - PROJECT LOCATION MAP
FILE NO 2024/SMA-49
BLUM RESIDENCE
TMK 5-7-003: 049

0 265 530 1,060

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Prepared by: CK

Date Prepared: 5.8.24

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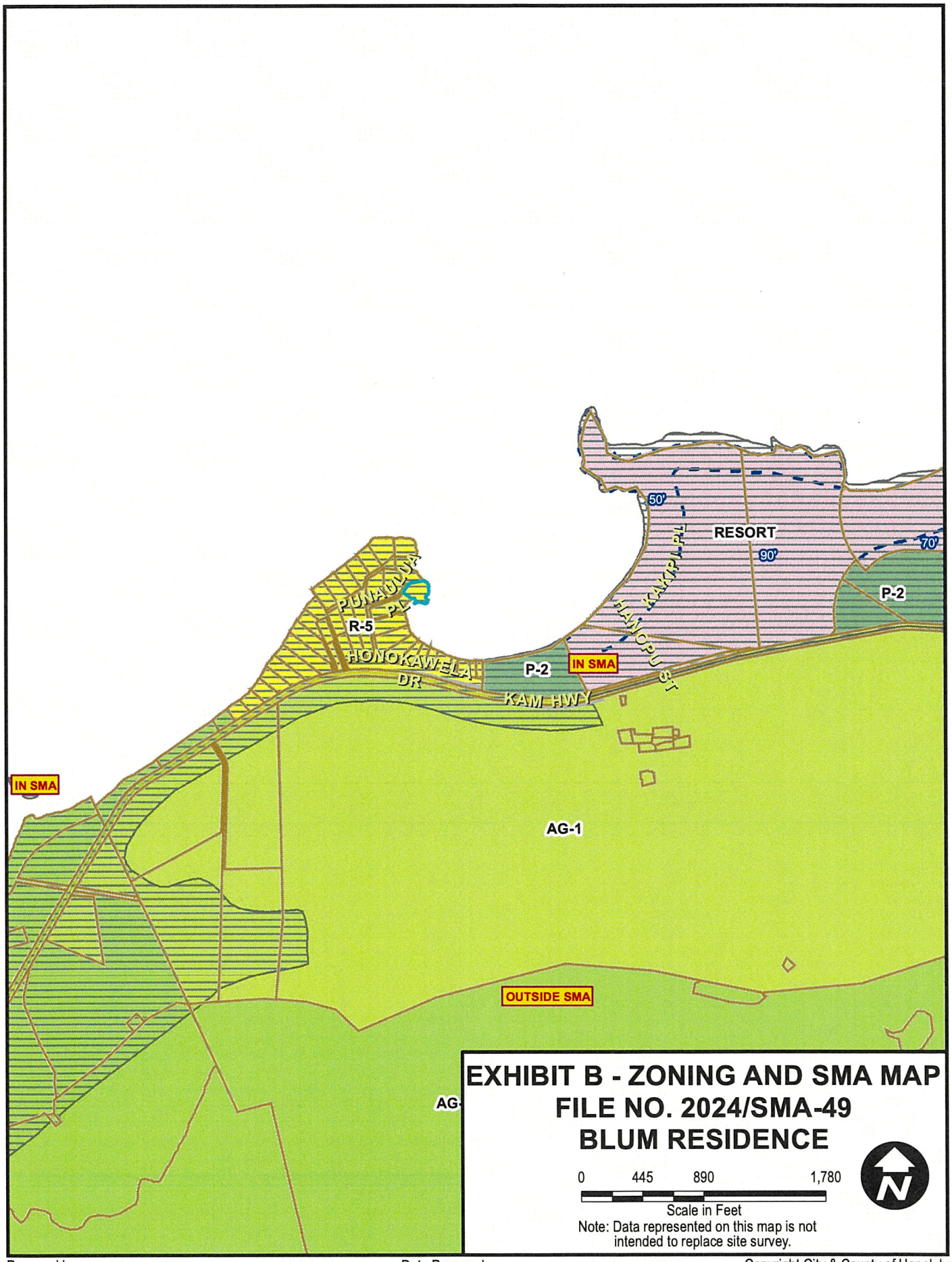


EXHIBIT B - ZONING AND SMA MAP
FILE NO. 2024/SMA-49
BLUM RESIDENCE

0 445 890 1,780

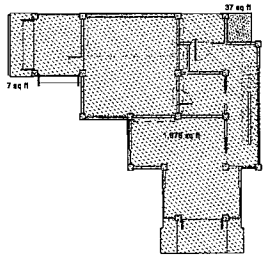
Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Prepared by:

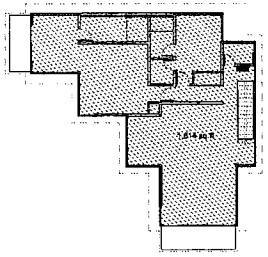
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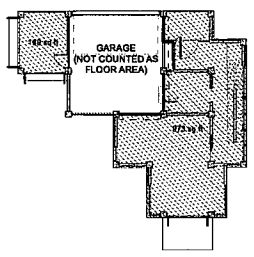
AREA COVERED BY STRUCTURES & COVERED OPEN AREAS =	1,876 sq ft	
AREA W/ ROOF OVERHANGS >36"	44 sq ft	
BUILDING AREA TOTAL =	1,920 sq ft	
LOT AREA =	19,340 sq ft	
LOT COVERAGE (1,920 / 19,340) =	0.099 (10%) (50% Max)	

7 Building Area Diagram
SCALE: 1/16" = 1'-0"



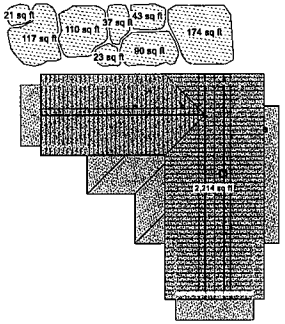
AREA OF STRUCTURE EXCLUDING UNROOFED AREAS MEASURED FROM THE EXTERIOR FACE OF EXTERIOR WALLS	1,614sf
AREA NOT ENCLOSED BY EXTERIOR WALLS UNDER THE COVERING, ROOF, OR FLOOR ABOVE SUPPORTED BY POSTS COLUMNS, PARTIAL WALLS OR SIMILAR STRUCTURAL MEMBERS	0sf
LUO FIRST FLOOR AREA	1,614sf
LUO GROUND FLOOR AREA	1,142sf
LUO FIRST FLOOR AREA	1,614sf
LUO FLOOR AREA TOTAL	2,756sf

6 First Floor LUO Floor Area Diagram
SCALE: 1/16" = 1'-0"



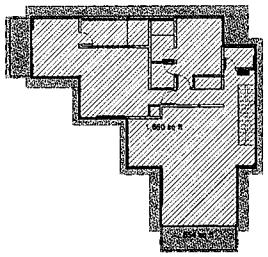
AREA OF STRUCTURE EXCLUDING UNROOFED AREAS MEASURED FROM THE EXTERIOR FACE OF EXTERIOR WALLS	1,142sf
AREA NOT ENCLOSED BY EXTERIOR WALLS UNDER THE COVERING, ROOF, OR FLOOR ABOVE SUPPORTED BY POSTS COLUMNS, PARTIAL WALLS OR SIMILAR STRUCTURAL MEMBERS	0sf
LUO GROUND FLOOR AREA	1,142sf

5 Ground Floor LUO Floor Area Diagram
SCALE: 1/16" = 1'-0"



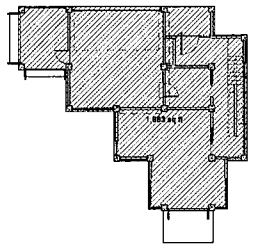
IMPERVIOUS CONCRETE DRIVEWAY PADS	615sf
AREA UNDER THE ROOF OVERHANGS OR EAVES, AND UNCOVERED BUILDING PAVING	2,214sf
TOTAL IMPERVIOUS AREA	2,829sf
LOT AREA =	19,340 sq ft
IMPERVIOUS % OF SITE (2,829 / 19,340) =	0.146 (15%)

4 Pervious Area Diagram
SCALE: 1/16" = 1'-0"



AREA OF STRUCTURE EXCLUDING UNROOFED OPEN AREAS	1,660sf
AREA UNDER THE ROOF OVERHANGS OR EAVES	554sf
ROH CHAPTER 25-1.3 FIRST FLOOR AREA	2,214sf
ROH CHAPTER 25-1.3 GROUND FLOOR AREA	1,683sf
ROH CHAPTER 25-1.3 FIRST FLOOR AREA	2,214sf
ROH CHAPTER 25-1.3 FLOOR AREA TOTAL	3,897sf

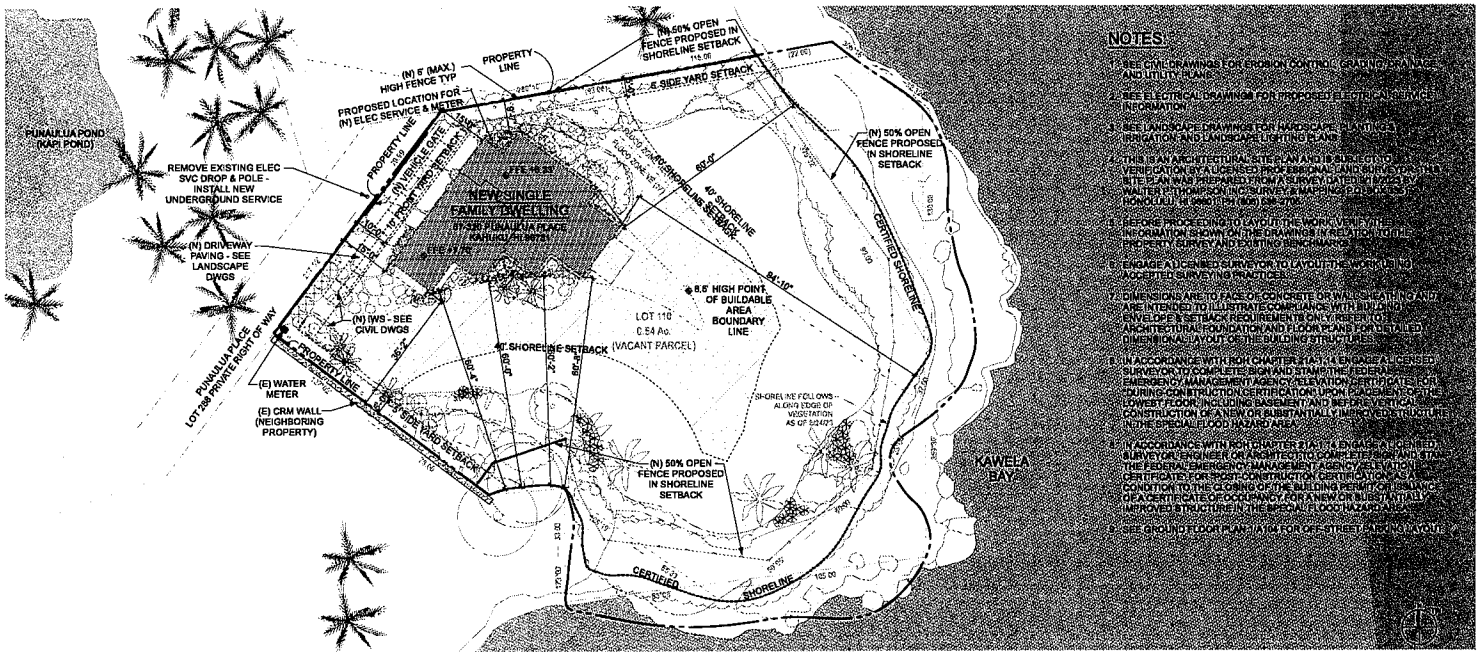
3 ROH Chap. 25-1.3 First Floor Area Diagram & Totals
SCALE: 1/16" = 1'-0"



AREA OF STRUCTURE EXCLUDING UNROOFED OPEN AREAS	1,683sf
AREA UNDER THE ROOF OR FLOOR ABOVE SUPPORTED BY POSTS COLUMNS, PARTIAL WALLS OR SIMILAR STRUCTURAL MEMBERS	0sf
ROH CHAPTER 25-1.3 GROUND FLOOR AREA	1,683sf

2 ROH Chap. 25-1.3 Ground Floor Area Diagram
SCALE: 1/16" = 1'-0"

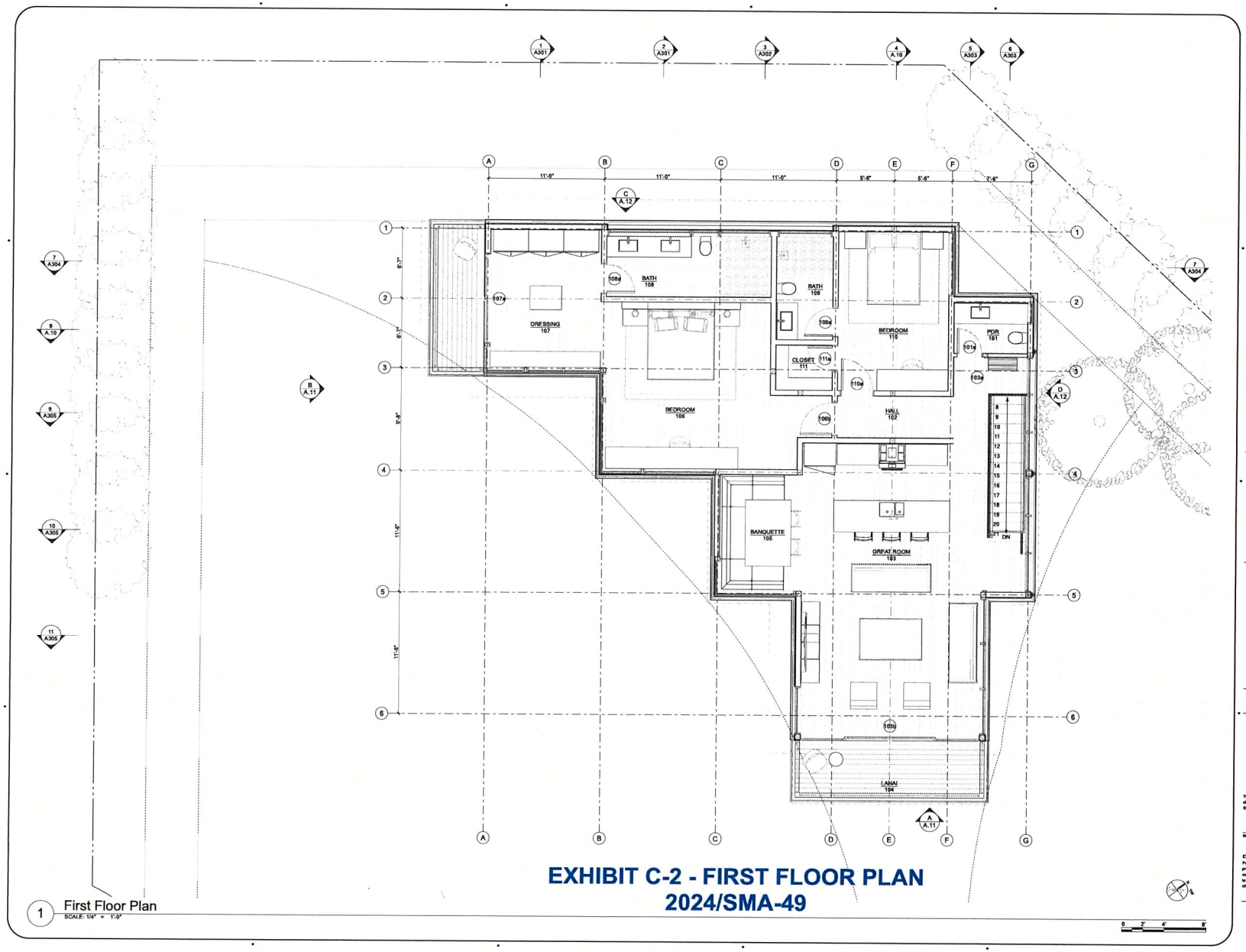
0 8' 16' 32'



1 Site Plan
SCALE: 1" = 20'

0 10' 20' 40'

EXHIBIT C-1 - SITE PLAN WITH SHORELINE AND LAND USE SETBACKS
2024/SMA-49



1 First Floor Plan
SCALE: 1/4" = 1'-0"

EXHIBIT C-2 - FIRST FLOOR PLAN
2024/SMA-49

petervincentarchitects
Harbor Court
55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | Info@pva.com

57-320 Punaulua
New Single-Family Dwelling

TMK: 5-7-003:049
57-320 Punaulua Place, Kahuku, Hawaii 96731

Project	23-023.02
Date	April 30, 2024
Drawing	First Floor Plan
Scale	As Noted
Drawn By	BL

Revisions:

SMA Permit Drawings

PETER H. VINCENT, JR. LICENSED PROFESSIONAL ARCHITECT No. 7468 HAWAII, U.S.A.

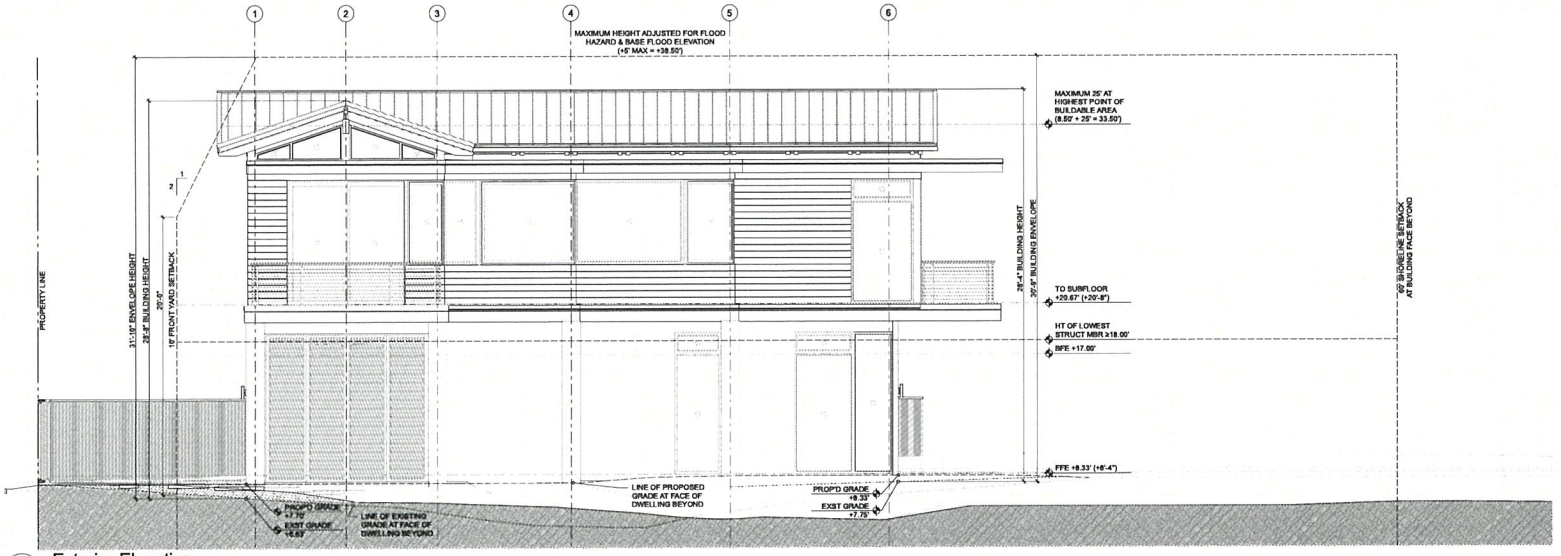
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Signature 4/30/2026 Expiration Date of License

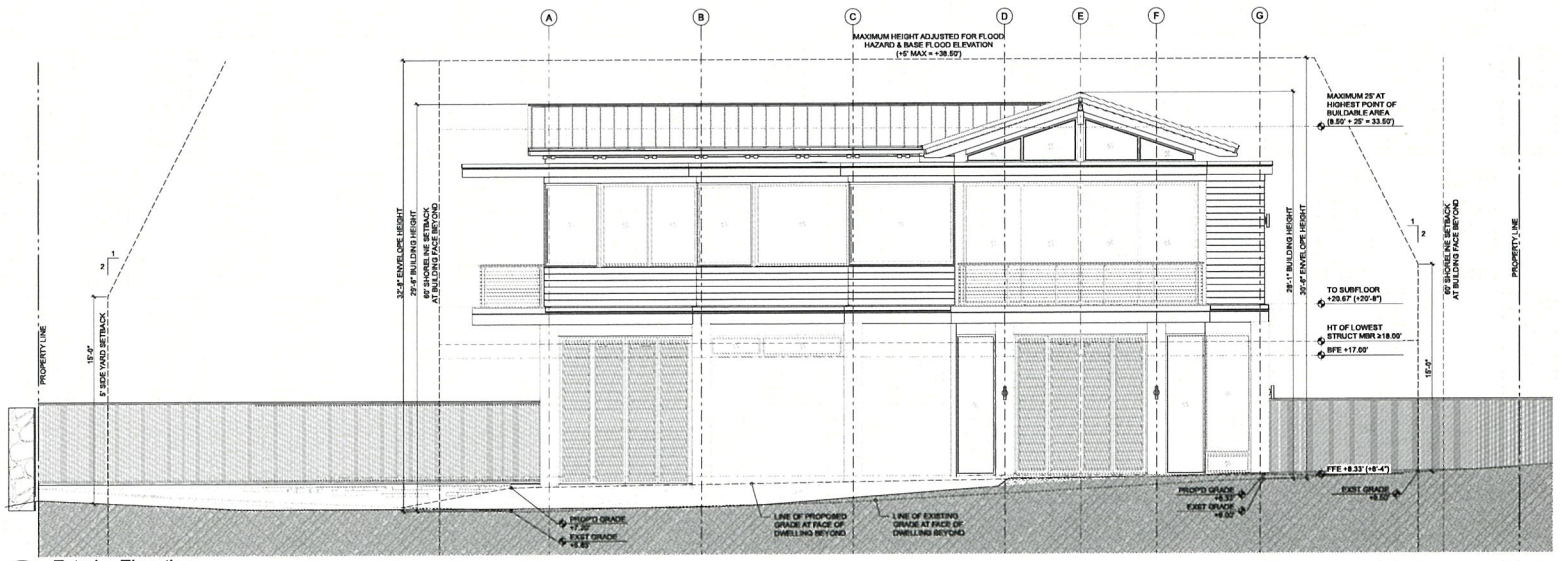
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A105

Plotted on 4/24/24 at 11:39 AM



B Exterior Elevation
SCALE: 1/4" = 1'-0"



A Exterior Elevation
SCALE: 1/4" = 1'-0"

Plotted on: 4/30/24 at 7:43 PM

EXHIBIT C-3 - EXTERIOR ELEVATIONS
2024/SMA-49

PVA
petervincentarchitects
Harbor Court
55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | info@pva.com

57-320 Punaulua
New Single-Family Dwelling

TMK: 5-7-003:049
57-320 Punaulua Place, Kahuku, Hawaii 96731

Project	23-023.02
Date	April 30, 2024
Drawing	Exterior Elevations
Scale	As Noted
Drawn By	BL

Revisions:

SMA Permit Drawings

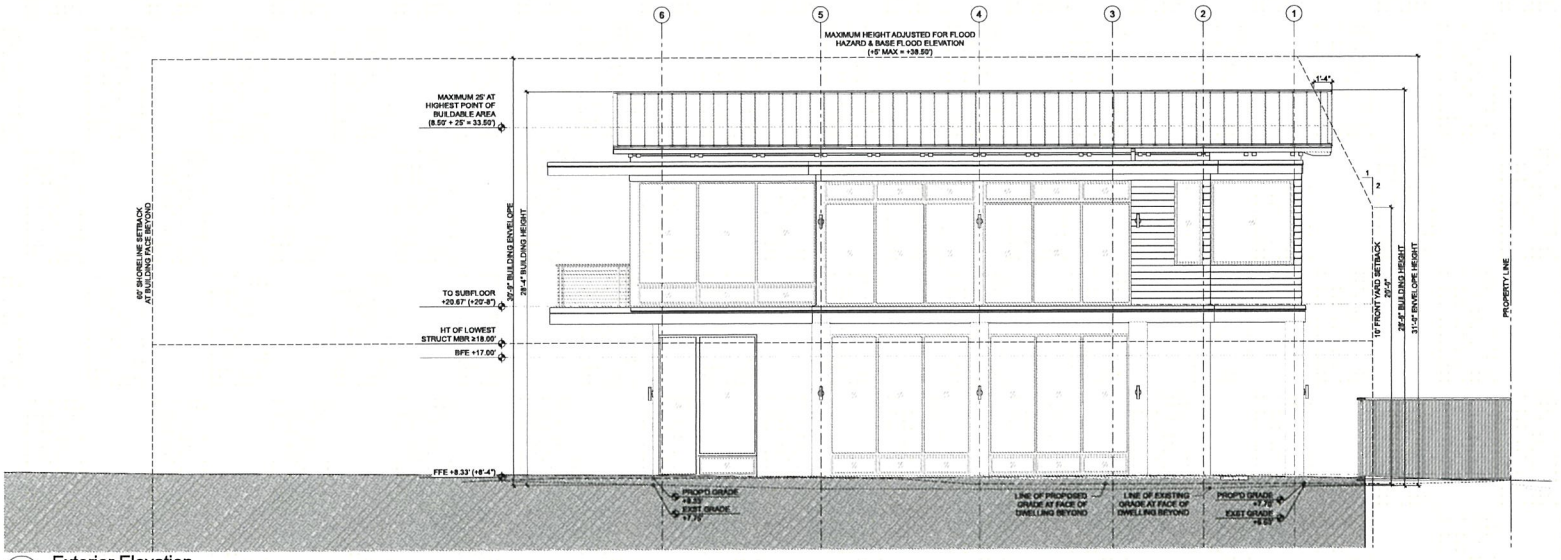
PETER N. VINCENT
LICENSED PROFESSIONAL ARCHITECT
No.7468
HAWAII, U.S.A.

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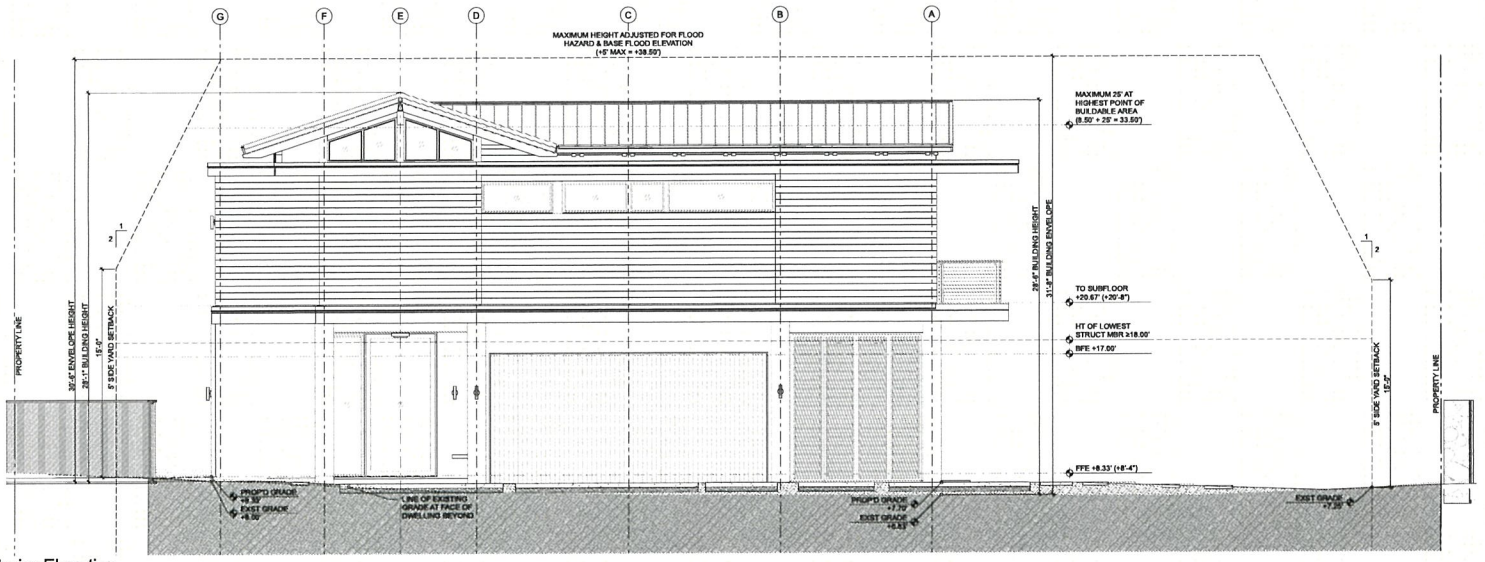
4/30/2024
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A201



D Exterior Elevation
SCALE: 1/4" = 1'-0"



C Exterior Elevation
SCALE: 1/4" = 1'-0"

Plotted on 4/30/24 at 7:44 PM

EXHIBIT C-4 - EXTERIOR ELEVATIONS
2024/SMA-49

PVA
petervincentarchitects
Harbor Court
55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | info@pva.com

57-320 Punaulua
New Single-Family Dwelling

TMK: 5-7-003:049
57-320 Punaulua Place, Kahuku, Hawaii 96731

Project	23-023.02
Date	April 30, 2024
Drawing	Exterior Elevations
Scale	As Noted
Drawn By	BL

Revisions:

SMA Permit Drawings

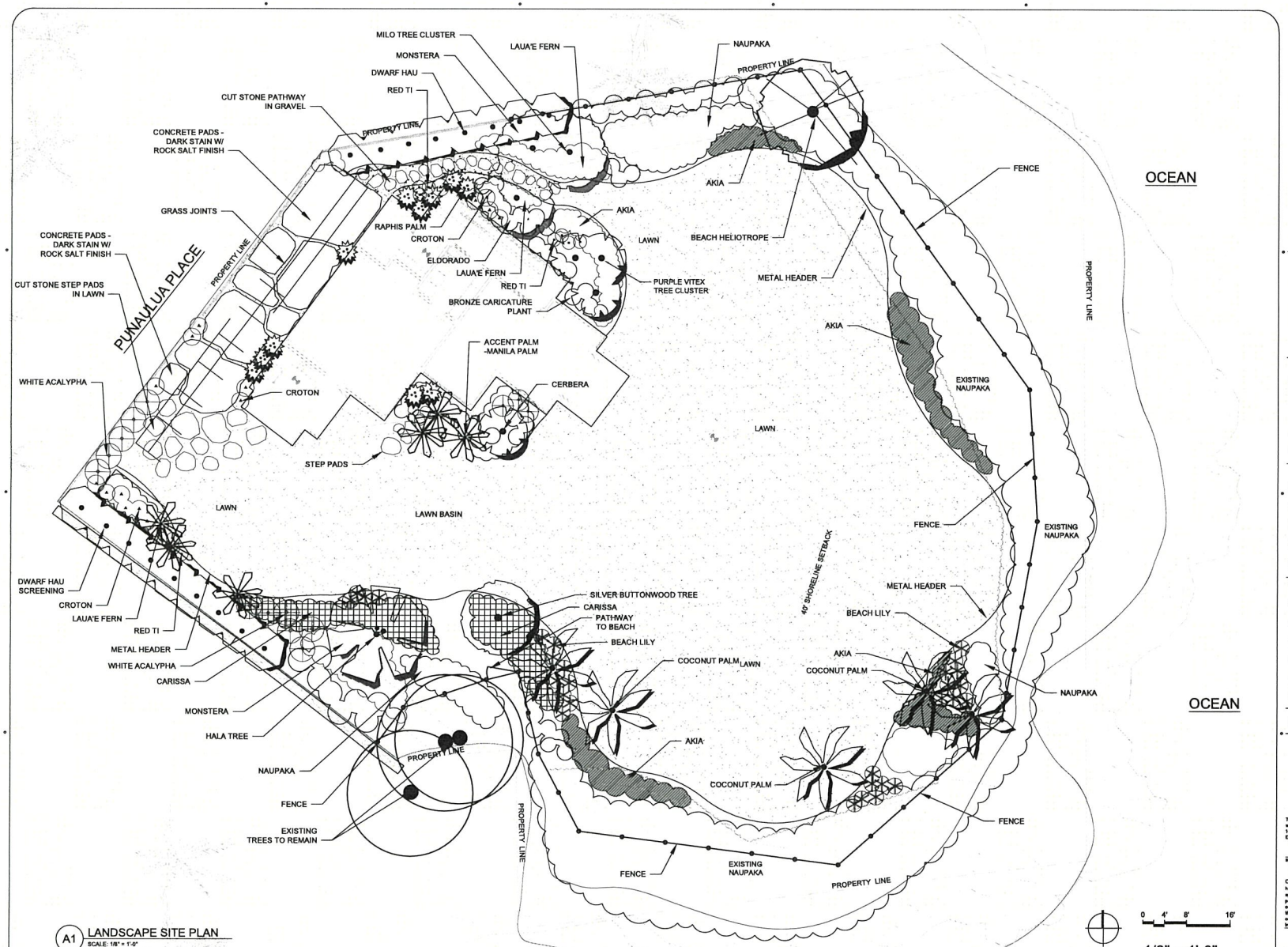
PETER N. VINCENT
LICENSED PROFESSIONAL ARCHITECT
No.7458
HAWAII, U.S.A.

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A202



A1 LANDSCAPE SITE PLAN
SCALE: 1/8" = 1'-0"

EXHIBIT C-5 - LANDSCAPE SITE PLAN
2024/SMA-49

Plotted on 2/22/24 at 11:49 AM

petervincentarchitects
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55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | info@pva.com

HHF PLANNERS
733 BISHOP STREET; SUITE 2590
HONOLULU, HAWAII 96813
PHONE:(808) 545-2055
LANDSCAPE ARCHITECTS

57–320 Punaulua
New Single–Family Dwelling

TMK: 5–7–003:049
57–320 Punaulua Place, Kahuku, Hawaii 96731

Project 23–023.02
Date APRIL 30, 2024
Drawing #Layout Name
Scale As Noted
Drawn By BL

Revisions:

Design Development Progress Drawings

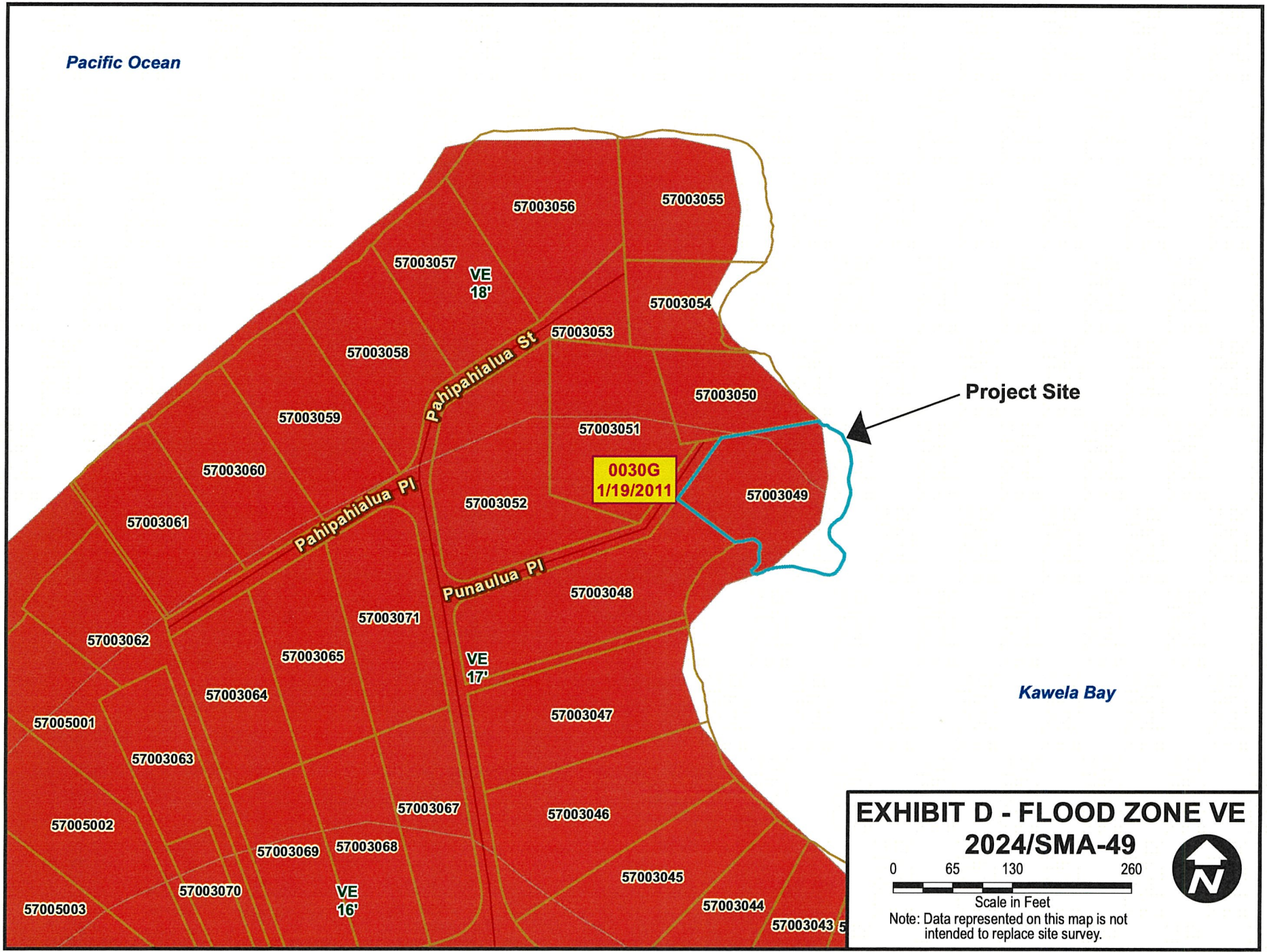
RICHARD L. SUAN LICENSED PROFESSIONAL LANDSCAPE ARCHITECT No. 6028 HAWAII U.S.A.

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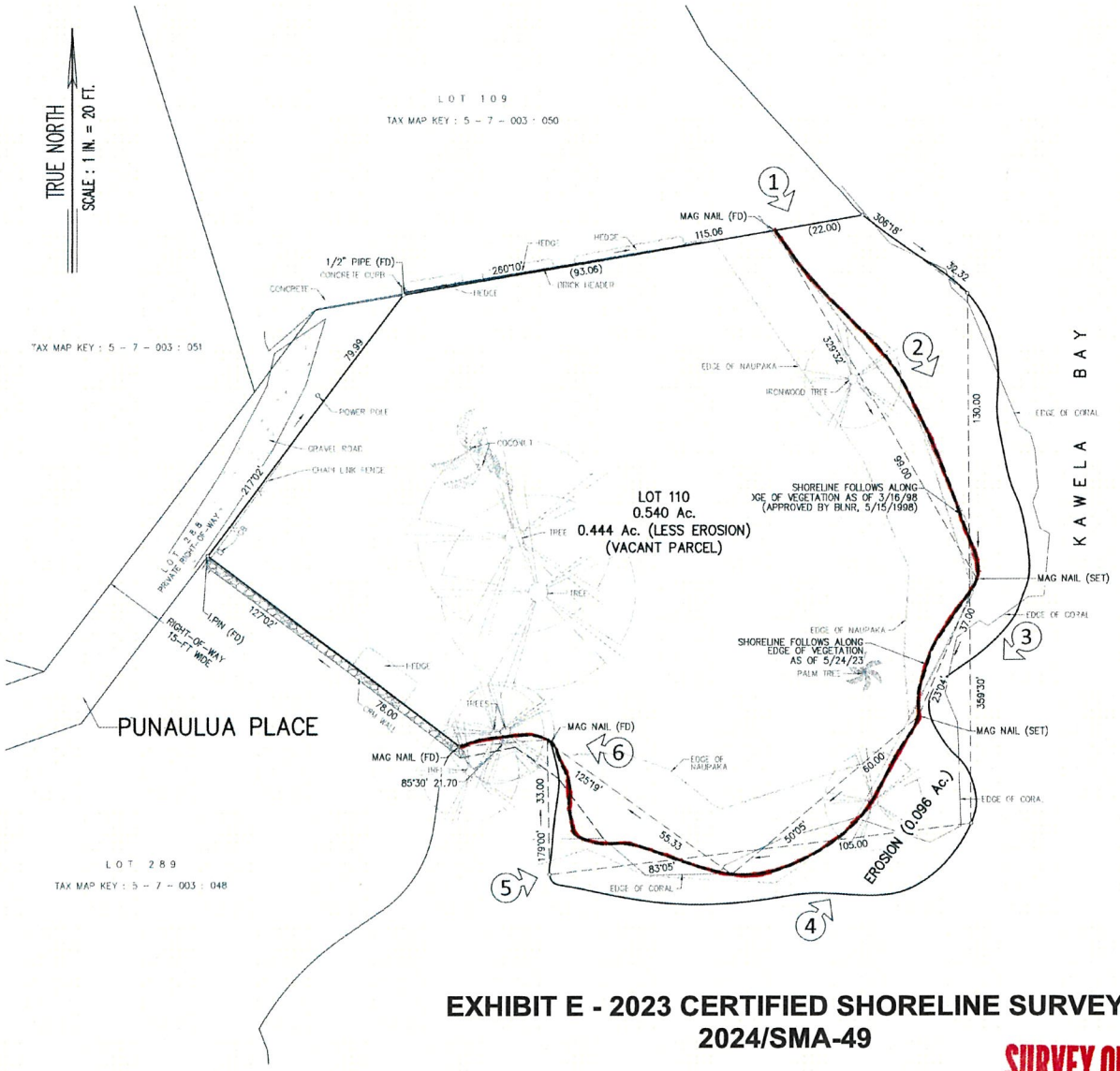
L101



Prepared by: CK

Date Prepared: 5.8.24

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

DEC 29 2023

Chairperson, Board of Land and Natural Resources

OWNER : MODERN DEVELOPMENT LLC

PROPERTY ADDRESS: 57-320 PUNAULUA PL.
KAHUKU, HI 96731

MAP SHOWING SHORELINE AFFECTING LOT 110 LAND COURT APPLICATION 1095 MAP 10

AT KAWELA, KOOLAULOA, OAHU, HAWAII

SCALE: 1 IN. = 20 FT.

SEPTEMBER 18, 2023 WALTER P. THOMPSON, INC.

JOHN R. K. AKINA
LICENSED PROFESSIONAL LAND SURVEYOR
No. 16252
HAWAII, U.S.A.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

John R.K. Akina

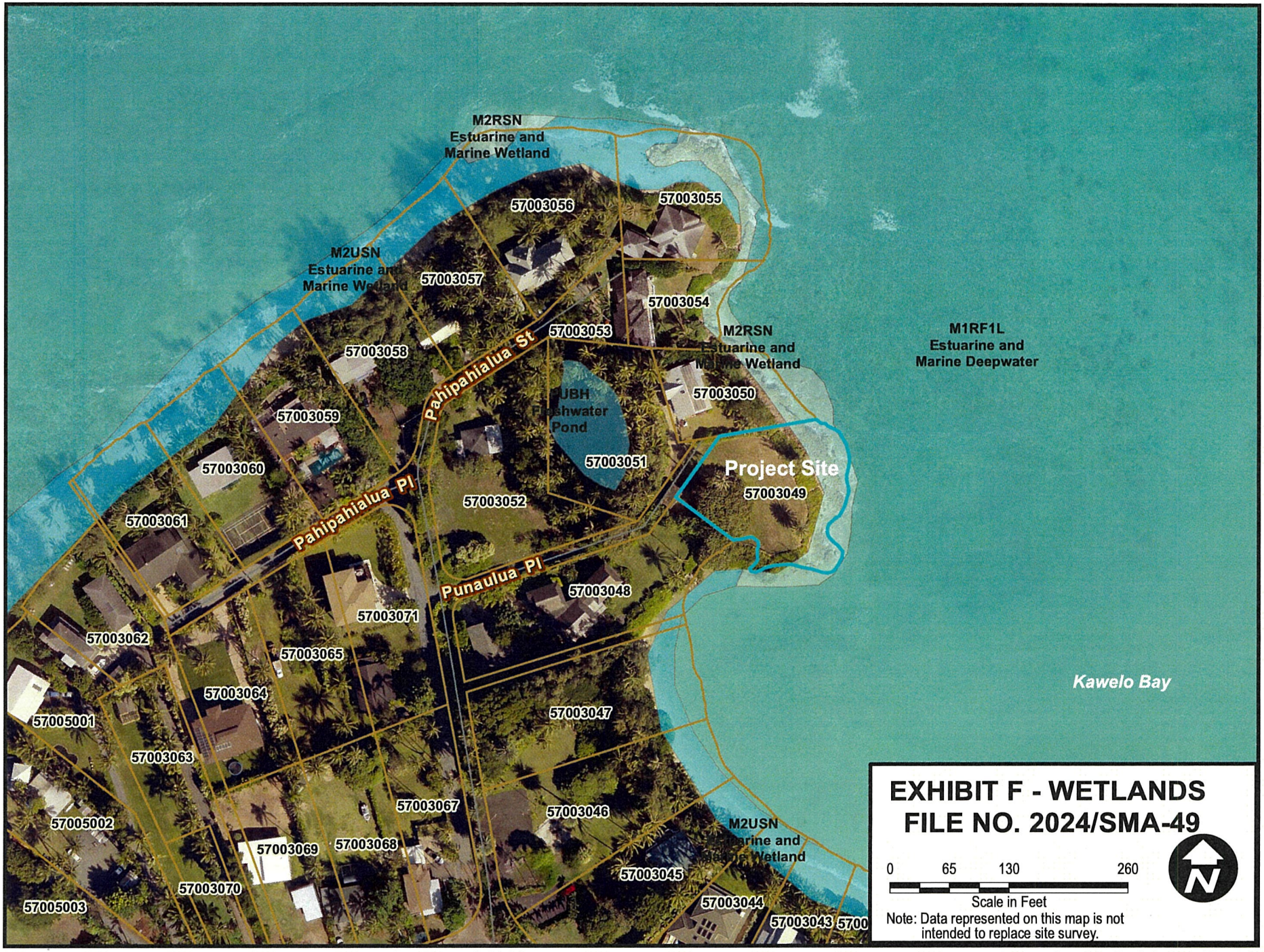
Exp. 04/30/24

EXHIBIT E - 2023 CERTIFIED SHORELINE SURVEY
2024/SMA-49

SURVEY OFFICE COPY

2.3128c01-SHORELINE.dwg/1727.57/cpj/20230523

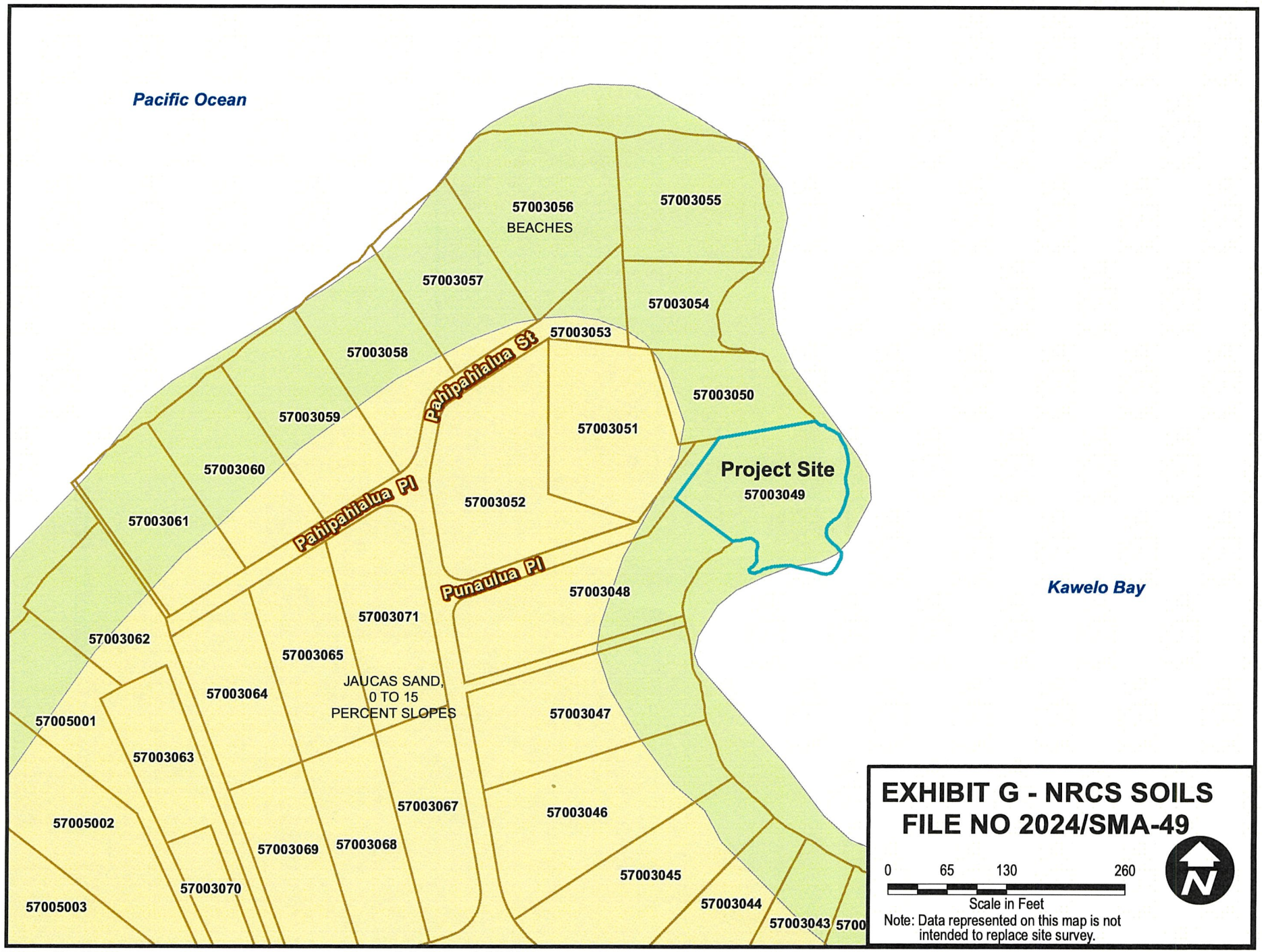
15"x 21" = 2.19 Sq.Ft.



Prepared by: CK

Date Prepared: 5.8.24

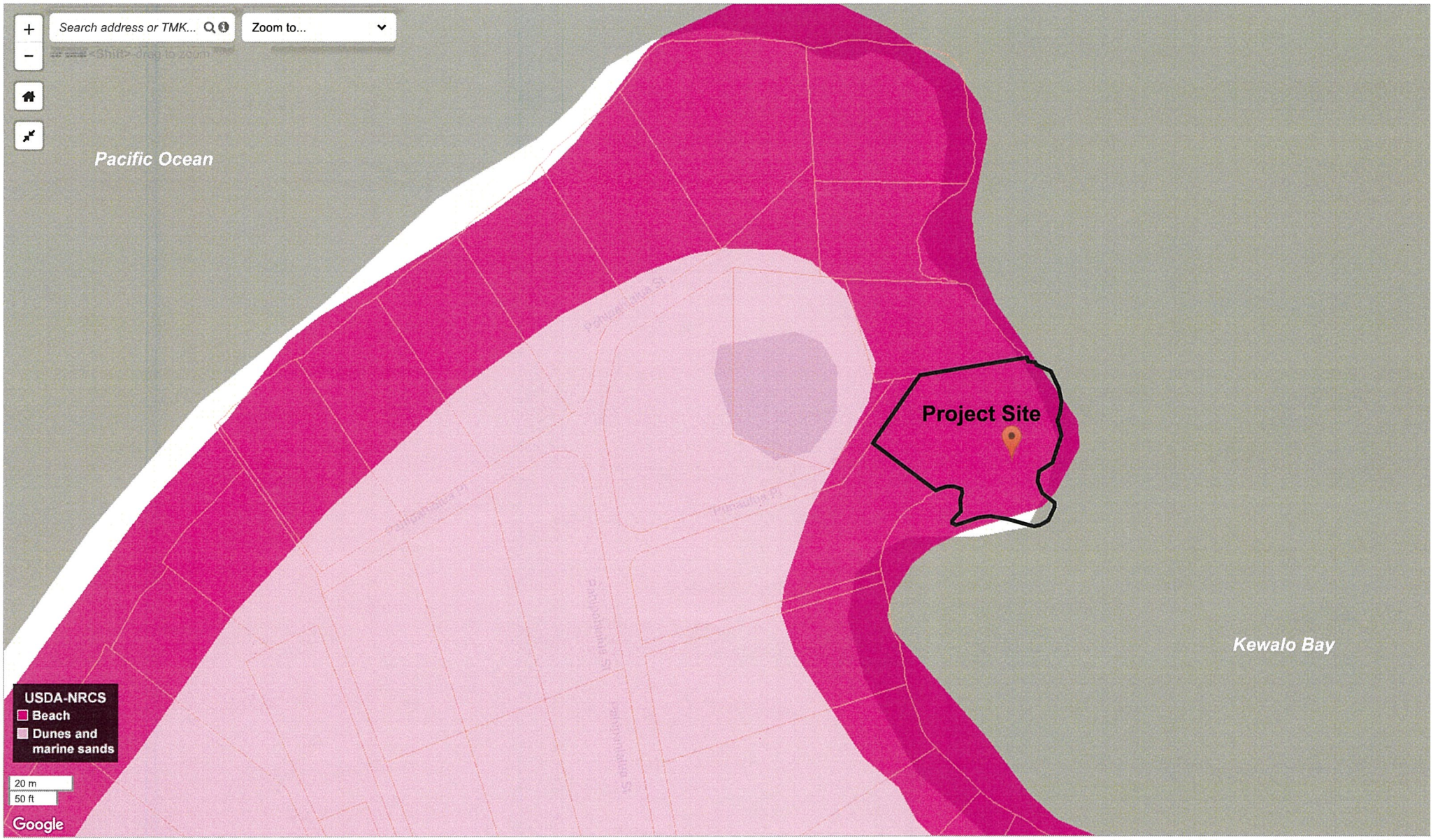
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Date Prepared: 5.8.24

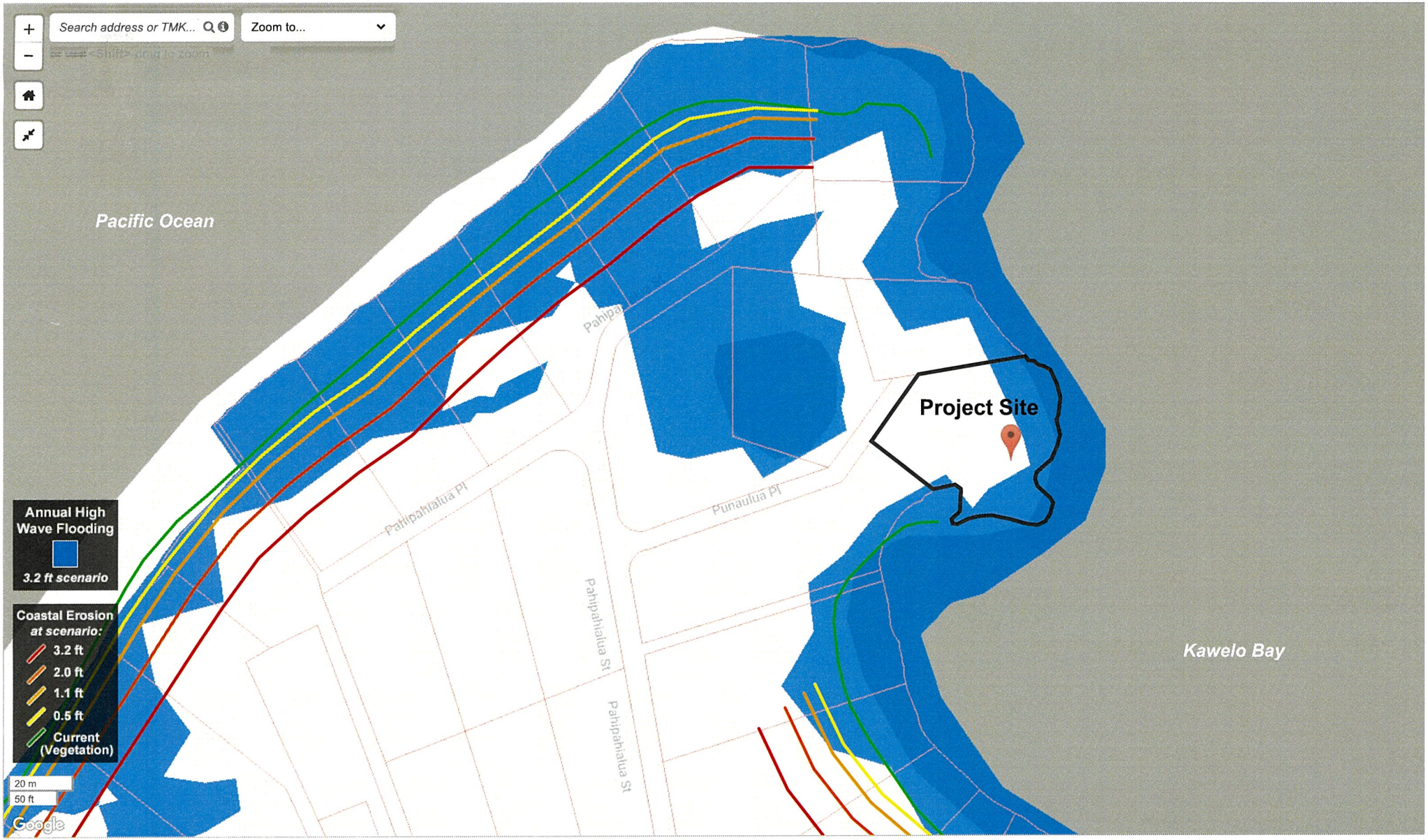
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PacIOOS
PACIFIC ISLANDS OCEAN OBSERVING SYSTEM

Hawai'i SLR Viewer, Accessed 5.8.24

EXHIBIT H - BEACH SANDS AND DUNES AND MARINE SANDS
2024/SMA-49



Hawai'i SLR Viewer, Accessed 5.8.24

PacIOOS
PACIFIC ISLANDS OCEAN OBSERVING SYSTEM

EXHIBIT I - 3.2-FOOT SEA LEVEL RISE ANNUAL HIGH WAVE PROJECTIONS BY 2100
2024/SMA-49

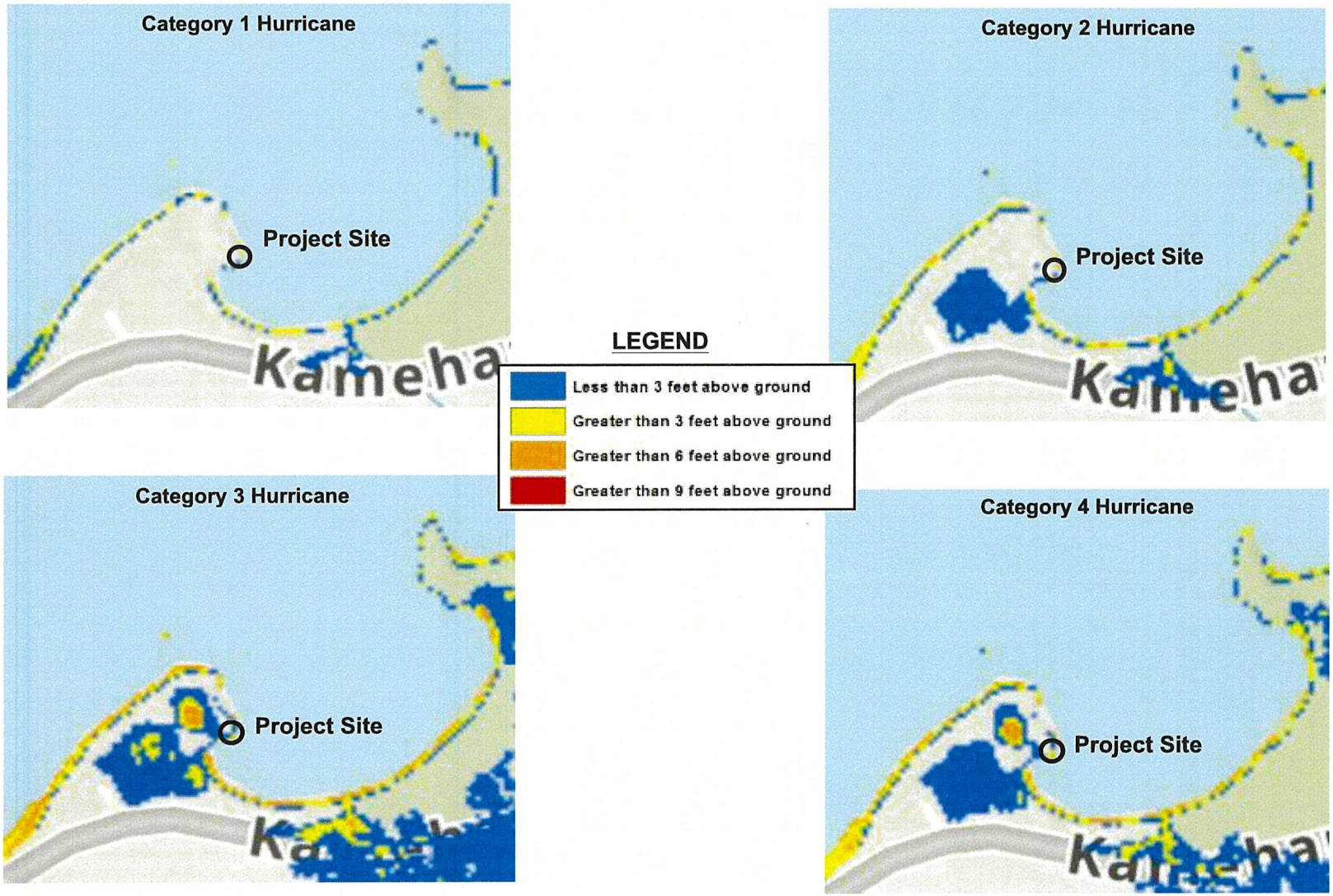
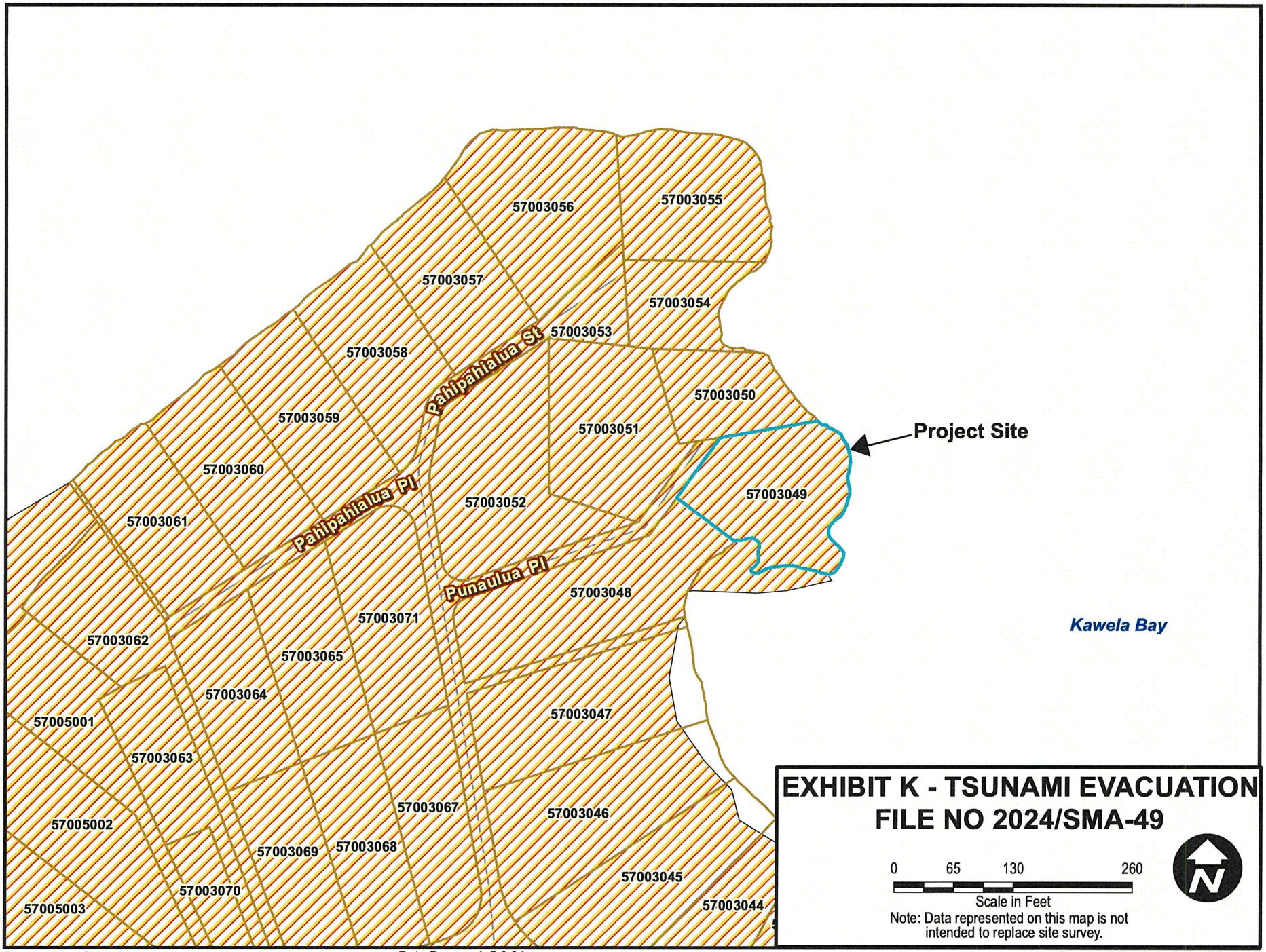


EXHIBIT J - HURRICANE STORM SURGE MAP
2024/SMA-49



Prepared by: CK

Date Prepared: 5.8.24

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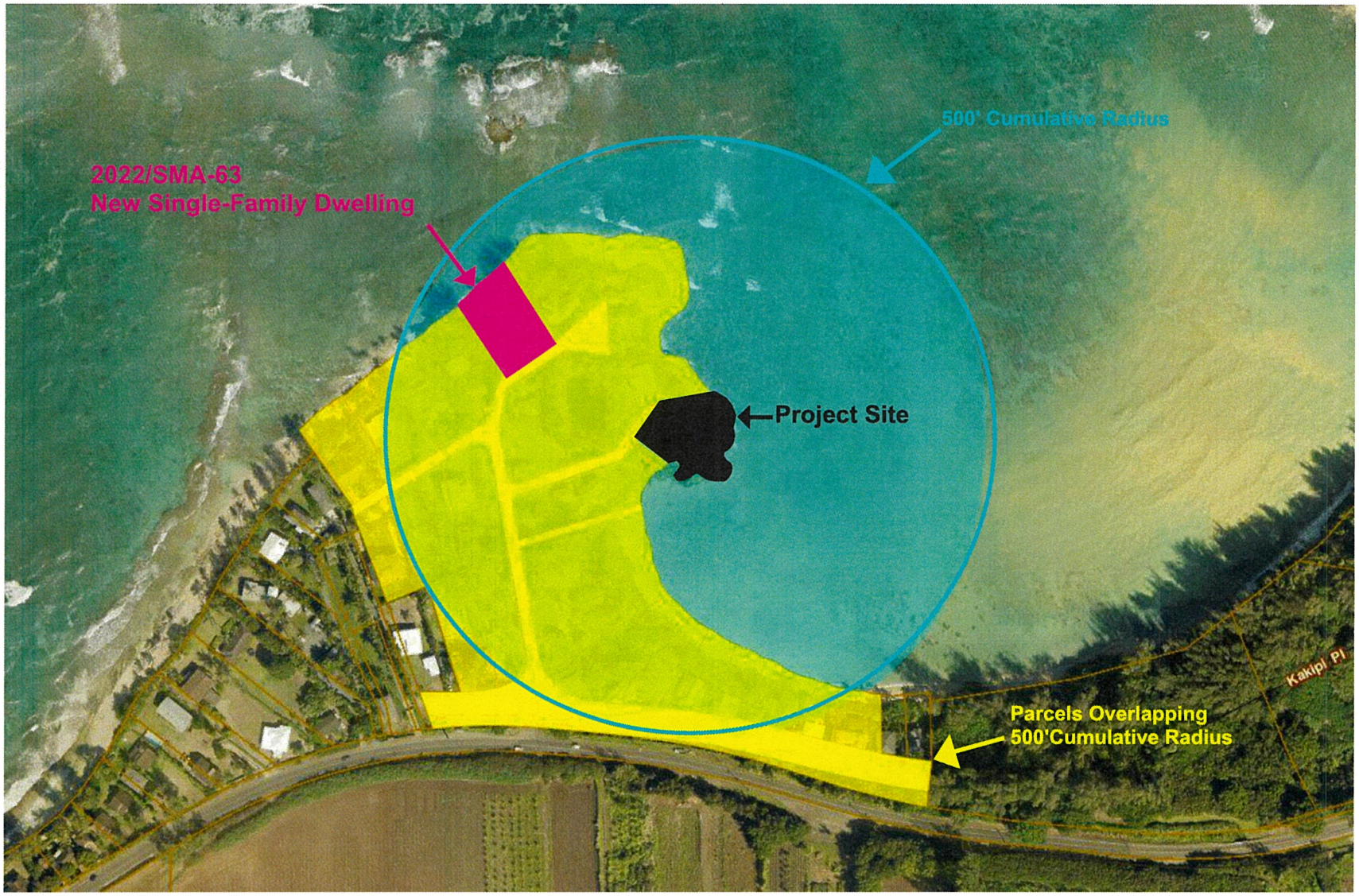


EXHIBIT L - 500-FOOT CUMULATIVE PROJECTS RADIUS MAP
2024/SMA-49

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No._____

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-FAMILY DWELLING WITH AN ATTACHED CARPORT IN KAHUKU, O'AHU.

WHEREAS, on May 9, 2024, the Department of Planning and Permitting ("DPP") accepted the application (File No. 2024/SMA-49) of Modern Development, LLC (the "Applicant") for a Special Management Area ("SMA") Major Permit to allow for the construction of a new single-family detached dwelling with an attached garage on approximately 19,340 square feet (ft.) of land zoned R-5 Residential District, located at 57-320 Punaulua Place in Kahuku, and identified as Tax Map Key 5-7-003: 049 (the "Project"); and

WHEREAS, on July 8, 2024, the DPP held a public hearing at the Fasi Municipal Building 6th Floor Conference Room, which was attended by the Applicant, the Applicant's Agents, DPP staff, and a few members of the public, and at which no one testified with concerns; and

WHEREAS, on August 23, 2024, within 45 calendar days after the close of the public hearing, the DPP, having duly considered all evidence and the objectives, policies, and guidelines, as established in the Revised Ordinances of Honolulu 2021 ("ROH") §§ 25-3.1 and 25-4.1 and the Hawai'i Revised Statutes ("HRS") §§ 205A-2 and 205A-26, completed its report and transmitted its findings and recommendation of approval to the City Council ("Council"); and

WHEREAS, the Council, having received the findings and recommendation of the DPP on _____, by Departmental Communication _____ (2024), and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Major Permit, subject to the conditions enumerated below; now, therefore,

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

A. Development must be in general conformity with the Project as described in the DPP's findings and recommendation, referenced above, and as depicted in Exhibits A, B, C-1 through C-5, and D through L, attached hereto and incorporated by reference herein. Any change in the size or nature of the Project that may have a significant effect on coastal resources addressed in ROH Chapter 25, HRS Chapter 205A, or both, will require a new application and

SMA Major Permit. Any change that does not have a significant effect on coastal resources will be considered a minor modification and may be permitted under the adopted resolution, upon review and approval by the Director of the DPP.

B. To account for the potential future shift of land from the State Land Use Urban District to the State Land Use Conservation District in response to coastal erosion, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> "*In choosing to implement construction activities at Tax Map Key 5-7-003: 049, the Landowner hereby acknowledges that land makai of the regulatory shoreline is State public land, falls within the State Land Use Conservation District, and must remain available for public use and recreational activities. The landowner further acknowledges that should any portion of a structure encroach into State public land, the State Board of Land and Natural Resources may require the removal of the structure or a lease for encroachments extending into the State public land. As a result of this acknowledgement, successor owners and interested parties are hereby notified of this same information and the land owner shall hold harmless and indemnify the City of any responsibility that may result from adverse impacts associated with sea level rise and coastal erosion.*"

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

C. Following approval of this SMA Major Permit, neither the current landowner, nor any successor owner or interested party may claim hardship due to erosion, sea level rise, or any other coastal hazard, in order to obtain approval for a Shoreline Setback Variance for a new shoreline protection structure. The landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> *"In choosing to undertake the development at Tax Map Key 5-7-003: 049, the landowner hereby acknowledges that no claim of hardship due to erosion, sea level rise, or any other coastal hazard may be asserted in order to obtain approval for a Shoreline Setback Variance for a new shoreline protection structure."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

D. To minimize the potential for adverse impacts related to coastal hazards, including but not limited to sea level rise, coastal erosion, flooding, wave action, and storm surge, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> "*The landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:*
>
> a. *The landowner hereby acknowledges that Tax Map Key 5-7-003: 049 is susceptible to coastal hazards, which may result in harm to or loss of life and property.*
>
> b. *The landowner hereby acknowledges that Tax Map Key 5-7-003: 049 is a shoreline zoning lot and may be adversely impacted by coastal hazards. The landowner agrees to assume all risk and liability for any harm to or loss of life and property due to development on a shoreline zoning lot. The landowner further agrees to accept all responsibility for the cost and physical removal of materials and structures lost or damaged as a result of coastal hazards, including the cleanup and restoration of the Project site."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

E. To ensure the Applicant is aware that bed and breakfast homes and transient vacation units are not allowed on the Project site, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> *"The landowner hereby acknowledges that bed and breakfast homes and transient vacation units, as those terms are defined in ROH Chapter 21, the Land Use Ordinance, are not allowed on Tax Map Key 5-7-003: 049."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

F. To preserve underlying beach sands and coastal dunes, all landscaped areas, landscaping, and irrigation must be contained and maintained within the property boundaries of the shoreline lot of origin.

1. Landscaping may not be planted, watered, or maintained so that it acts as a shoreline barrier, such as by planting naupaka, particularly if the landscaping alters or interferes with the natural beach processes;

2. Landscaping may not extend seaward of the shoreline as depicted in the current certified shoreline survey for the shoreline lot, or in the event there is no current certified shoreline survey for the lot, seaward of the shoreline as defined in HRS Chapter 205A;

3. Landscaping may not extend into any adjoining beach access right-of-way, public or private;

4. Landscaping between the dwelling and the shoreline must be limited to vegetation that is naturally hardy or endemic in the dune or shoreline area; and

5. The Project's irrigation system must be designed so that water does not traverse seaward of the shoreline as depicted in the current certified shoreline survey for the shoreline lot, or in the event there is no current certified shoreline survey for the lot, seaward of the shoreline as defined in HRS Chapter 205A.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

G. To minimize impacts to known and unknown archaeological, historic, and cultural resources that may be present at the Project site, the Applicant shall comply with the following measures:

1. Prior to the issuance of any construction permit or building permit for the Project, the Applicant shall submit to the DPP a copy of the written determination from the State Historic Preservation Division ("SHPD")

stating that SHPD has completed its review of the impact of the Project on historic properties pursuant to HRS § 6E-42, and has determined whether any mitigative actions and protocols are required.

2. If applicable, the Applicant shall implement all mitigative actions and protocols required or recommended by SHPD in its written determination; and

3. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant shall stop work, protect the find from further disturbance, and contact the SHPD immediately. Work in the immediate area must be stopped until SHPD is able to assess the impact and make further recommendations for mitigative activity.

The requirements enumerated in this condition, and all mitigation protocols approved or otherwise required by SHPD, must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

H. To minimize impacts to endangered, protected, or threatened avian, marine, and terrestrial fauna that may frequent or traverse the vicinity of the Project site, the Applicant is responsible for the following:

1. All new and replacement outdoor light fixtures and/or lamps must not exceed a color temperature of 3,000 degrees kelvin;

2. Artificial light from exterior lighting fixtures on the zoning lot, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is prohibited if the light directly illuminates, or is directed across property boundaries toward, the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS § 205A-71(b);

3. Exterior lighting fixtures on the Project site must be fully shielded using full cutoff fixtures with the light directed downward so that the light bulb is only visible from below the light fixture;

4. All Project site work and construction activities are limited to daylight hours (sunrise to sunset);

5. Barbless fencing must be used for all fence construction to avoid the entanglement of Hawaiian hoary bats;

6. Woody plants greater than 15 ft. in height may not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season (June 1 through September 15); and

7. All Project-related activities must cease if a Hawaiian monk seal, Green Sea Turtle, or Hawksbill Turtle is on land within 150 ft. of the work area, or as recommended by State or Federal regulations. Project activities may only recommence after the animal voluntarily leaves the area. If a monk seal pup is present on land, a 300-ft. buffer must be observed. Any Project-related debris that may pose an entanglement threat to monk seals or turtles must be removed from the work area at the end of each day and at the conclusion of Project-related activities.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

I. In order to minimize the spread of invasive pathogens, pests, or plants that may harm native species and ecosystems, the Applicant is responsible for the following:

1. The Applicant shall minimize the importation of fill material to the extent possible. The Applicant proposes to import approximately 30 cubic yards of nonstructural fill material. The Applicant also proposes on-site disturbance of approximately 445 cubic yards of existing coral outcrop and soil that will be redistributed onsite as backfill;

2. The Applicant shall minimize the movement of plant or soil material on the Project site, and all Project construction equipment, materials, and personnel must be cleaned of excess soil and debris prior to entering and leaving a Project worksite, in accordance with the current recommendations from the O'ahu Invasive Species Committee ("OISC").

3. Prior to the commencement of any ground-disturbing or construction activities, and upon the arrival of any new workers to the Project site, a copy of the most recently updated OISC "Decontamination Protocols for Prevention of Invasive Species" ("Protocols") must be distributed to all

workers who will be present at the site, or the Protocols must be posted at the Project site in a visible location accessible to all Project workers, including delivery and haul-out contractors, or both the distribution and posting of the Protocols is required. All on-site Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities; and

4. If, at any time, species on the OISC invasive species target list website at https://www.oahuisc.org/current-targets/, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant shall immediately contact the OISC to report the discovery. The current email address and phone number for the OISC must be visibly posted at the Project site during pre-construction and construction activities. The Applicant shall implement any measures recommended by the OISC and any responsible federal or State of Hawai'i agency charged with the eradication and management of invasive species.

The requirements enumerated in this condition must be clearly stated under 'Environmental Notes' on all Project construction permit plans and building permit plans."

J. The shoreline setback for the Project shall be 40 ft. provided the building permit for Building Permit Application No. A2024-06-0662 is issued no later than June 30, 2025. If the building permit is not issued by June 30, 2025, all development must comply with the minimum 60-ft. shoreline setback required under ROH Chapter 26 effective as of July 1, 2024. The new shoreline setback must be shown on the building permit plans.

K. Prior to the issuance of construction or building permits, the Applicant must obtain approval of a Minor Shoreline Structure Permit for fencing, eaves, and other development activities proposed to occur within the shoreline setback area.

RESOLUTION

L. The Applicant must obtain a construction permit or building permit for the Project within 36 months after the effective date of this SMA Major Permit. Failure to obtain a construction permit or building permit within this period will render this SMA Major Permit null and void, provided that this period may be extended as follows:

1. The DPP Director may extend this period if the Applicant demonstrates good cause, but the period cannot be extended by the DPP Director beyond one year from the initial deadline set by the Council.

2. If the Applicant demonstrates good cause for an extension exceeding one year, the DPP Director shall prepare and submit to the Council a report on the proposed extension, which must include the DPP Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution.

3. If the Council fails to take final action on the proposed extension within the first to occur of:

    a. 60 days after receipt of the DPP Director's report; or

    b. The Applicant's then-existing deadline for obtaining a development permit,

    the extension will be deemed to be denied.

M. Approval of this SMA Major Permit does not constitute compliance with other City ordinances, including but not limited to the Land Use Ordinance ("LUO") and building and construction codes, or other governmental requirements, including but not limited to LUO-related approvals, and building, grading, and grubbing permit approvals, which are subject to separate review and approval. The Applicant is responsible for ensuring that the final plans for the Project approved under this SMA Major Permit comply with all applicable City ordinances and other governmental provisions and requirements; and

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No._____

RESOLUTION

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this Resolution be transmitted to Scott Blum, c/o Case Lombardi – A Law Corporation, 737 Bishop Street, Suite 2600, Mauka Tower, Pacific Guardian Center, Honolulu, Hawai'i 96813; Jeffrey Overton, G70, 111 South King Street, Suite 170, Honolulu, Hawai'i 96813; Dawn Takeuchi Apuna, Director of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; and Mary Alice Evans, Director of the Office of Planning and Sustainable Development, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawai'i 96804-2359.

INTRODUCED BY:

_____

_____

_____

_____

_____

_____

DATE OF INTRODUCTION: _____

_____

_____ _____

Honolulu, Hawai'i Councilmembers

DPP24SMA49

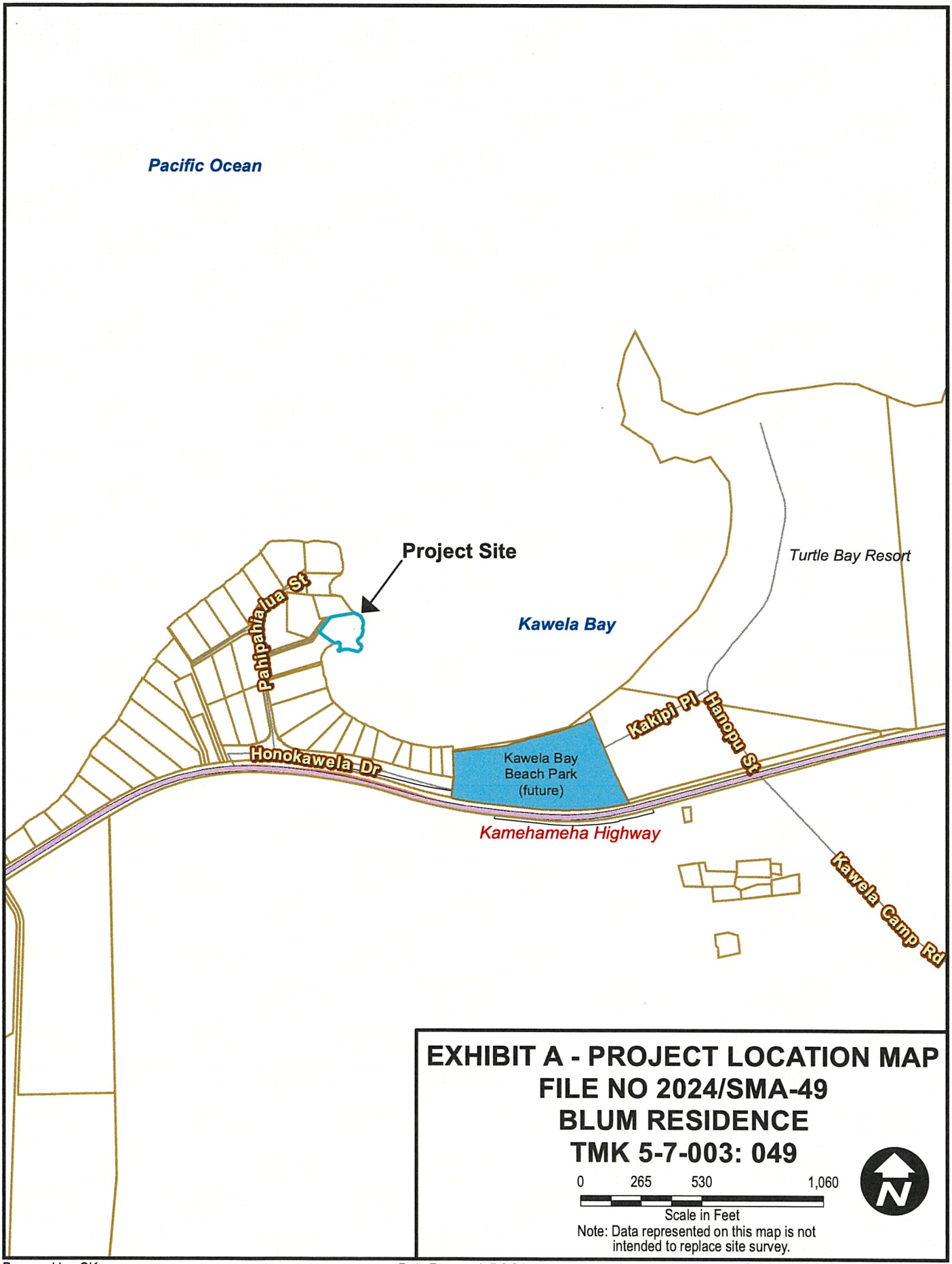


EXHIBIT A - PROJECT LOCATION MAP
FILE NO 2024/SMA-49
BLUM RESIDENCE
TMK 5-7-003: 049

0 265 530 1,060

Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Prepared by: CK

Date Prepared: 5.8.24

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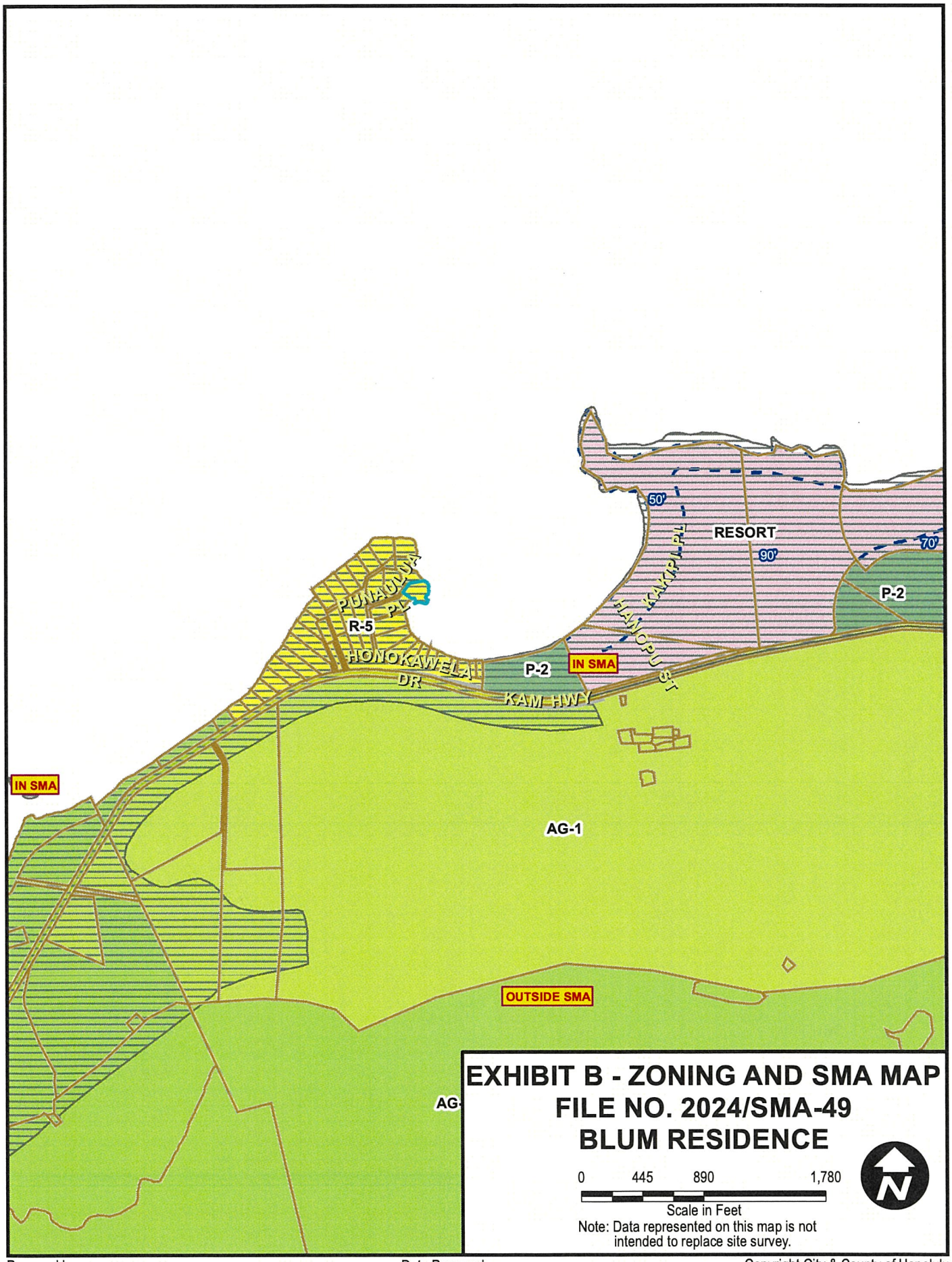


EXHIBIT B - ZONING AND SMA MAP
FILE NO. 2024/SMA-49
BLUM RESIDENCE

0 445 890 1,780

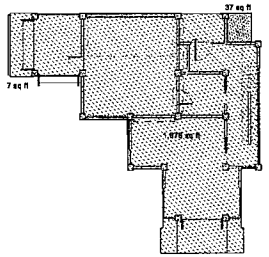
Scale in Feet

Note: Data represented on this map is not intended to replace site survey.

Prepared by:

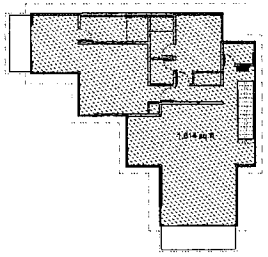
Date Prepared:

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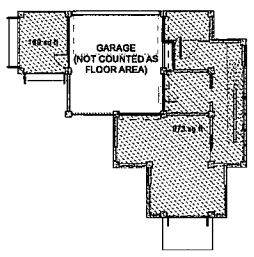
AREA COVERED BY STRUCTURES & COVERED OPEN AREAS =	1,876 sq ft	
AREA W/ ROOF OVERHANGS >36"	44 sq ft	
BUILDING AREA TOTAL =	1,920 sq ft	
LOT AREA =	19,340 sq ft	
LOT COVERAGE (1,920 / 19,340) =	0.099 (10%) (50% Max)	

7 Building Area Diagram
SCALE: 1/16" = 1'-0"



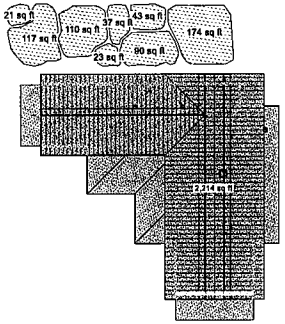
AREA OF STRUCTURE EXCLUDING UNROOFED AREAS MEASURED FROM THE EXTERIOR FACE OF EXTERIOR WALLS	1,614sf
AREA NOT ENCLOSED BY EXTERIOR WALLS UNDER THE COVERING, ROOF, OR FLOOR ABOVE SUPPORTED BY POSTS COLUMNS, PARTIAL WALLS OR SIMILAR STRUCTURAL MEMBERS	0sf
LUO FIRST FLOOR AREA	1,614sf
LUO GROUND FLOOR AREA	1,142sf
LUO FIRST FLOOR AREA	1,614sf
LUO FLOOR AREA TOTAL	2,756sf

6 First Floor LUO Floor Area Diagram
SCALE: 1/16" = 1'-0"



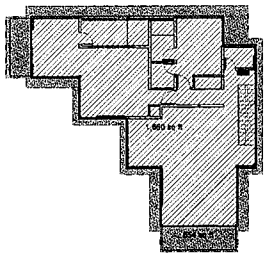
AREA OF STRUCTURE EXCLUDING UNROOFED AREAS MEASURED FROM THE EXTERIOR FACE OF EXTERIOR WALLS	1,142sf
AREA NOT ENCLOSED BY EXTERIOR WALLS UNDER THE COVERING, ROOF, OR FLOOR ABOVE SUPPORTED BY POSTS COLUMNS, PARTIAL WALLS OR SIMILAR STRUCTURAL MEMBERS	0sf
LUO GROUND FLOOR AREA	1,142sf

5 Ground Floor LUO Floor Area Diagram
SCALE: 1/16" = 1'-0"



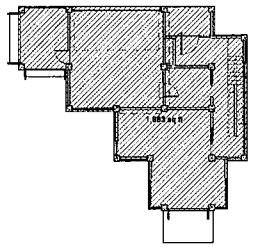
IMPERVIOUS CONCRETE DRIVEWAY PADS	615sf
AREA UNDER THE ROOF OVERHANGS OR EAVES, AND UNCOVERED BUILDING PAVING	2,214sf
TOTAL IMPERVIOUS AREA	2,829sf
LOT AREA =	19,340 sq ft
IMPERVIOUS % OF SITE (2,829 / 19,340) =	0.146 (15%)

4 Pervious Area Diagram
SCALE: 1/16" = 1'-0"



AREA OF STRUCTURE EXCLUDING UNROOFED OPEN AREAS	1,660sf
AREA UNDER THE ROOF OVERHANGS OR EAVES	554sf
ROH CHAPTER 25-1.3 FIRST FLOOR AREA	2,214sf
ROH CHAPTER 25-1.3 GROUND FLOOR AREA	1,683sf
ROH CHAPTER 25-1.3 FIRST FLOOR AREA	2,214sf
ROH CHAPTER 25-1.3 FLOOR AREA TOTAL	3,897sf

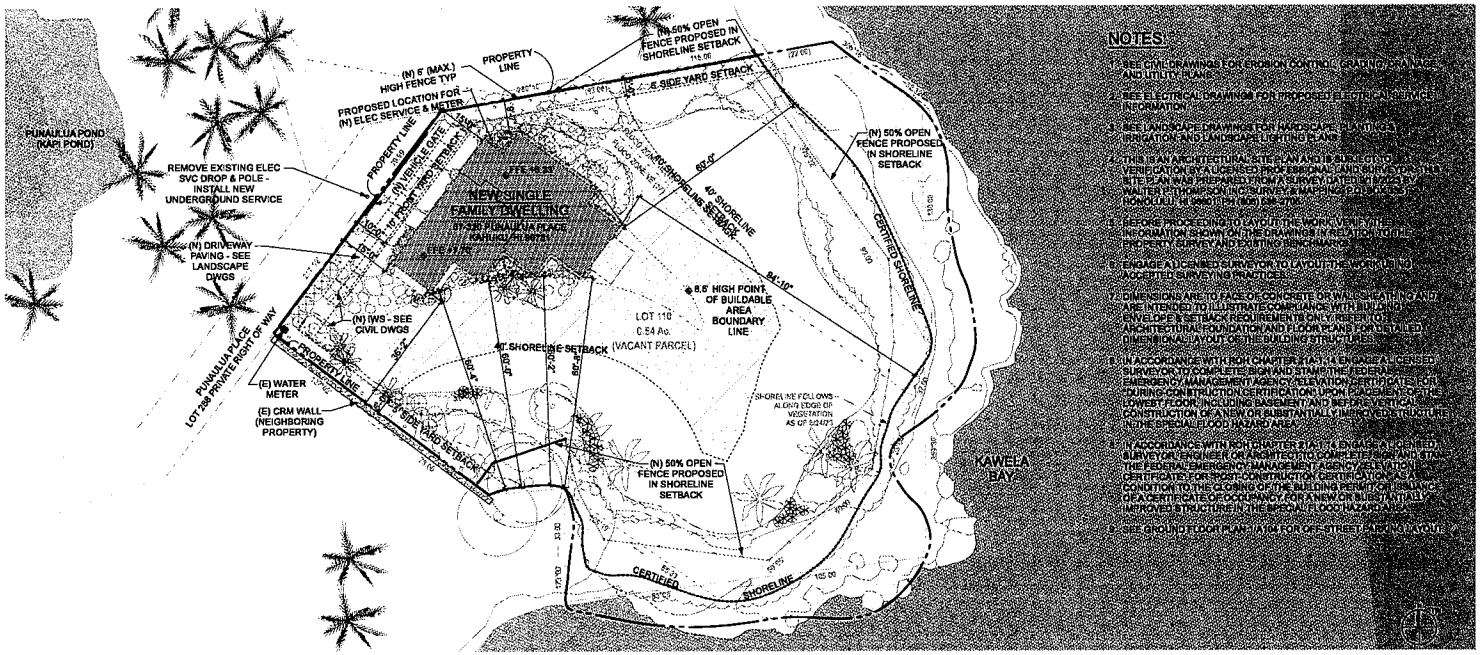
3 ROH Chap. 25-1.3 First Floor Area Diagram & Totals
SCALE: 1/16" = 1'-0"



AREA OF STRUCTURE EXCLUDING UNROOFED OPEN AREAS	1,683sf
AREA UNDER THE ROOF OR FLOOR ABOVE SUPPORTED BY POSTS COLUMNS, PARTIAL WALLS OR SIMILAR STRUCTURAL MEMBERS	0sf
ROH CHAPTER 25-1.3 GROUND FLOOR AREA	1,683sf

2 ROH Chap. 25-1.3 Ground Floor Area Diagram
SCALE: 1/16" = 1'-0"

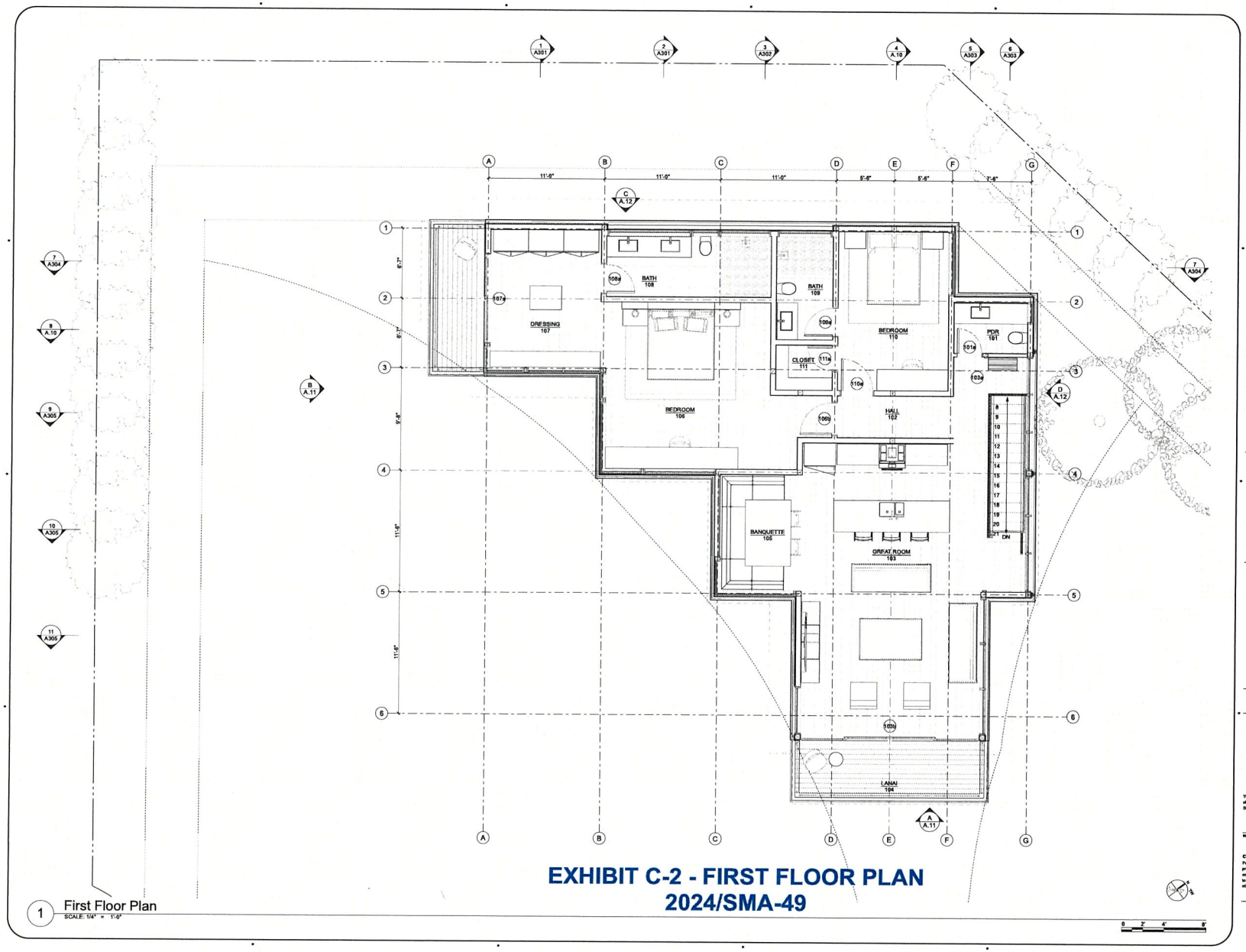
0 8' 16' 32'



1 Site Plan
SCALE: 1" = 20'

0 10' 20' 40'

EXHIBIT C-1 - SITE PLAN WITH SHORELINE AND LAND USE SETBACKS
2024/SMA-49



1 First Floor Plan
SCALE: 1/4" = 1'-0"

EXHIBIT C-2 - FIRST FLOOR PLAN
2024/SMA-49

petervincentarchitects
Harbor Court
55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | Info@pva.com

57-320 Punaulua
New Single-Family Dwelling

TMK: 5-7-003:049
57-320 Punaulua Place, Kahuku, Hawaii 96731

Project	23-023.02
Date	April 30, 2024
Drawing	First Floor Plan
Scale	As Noted
Drawn By	BL

Revisions:

SMA Permit Drawings

PETER H. VINCENT, JR. LICENSED PROFESSIONAL ARCHITECT No. 7468 HAWAII, U.S.A.

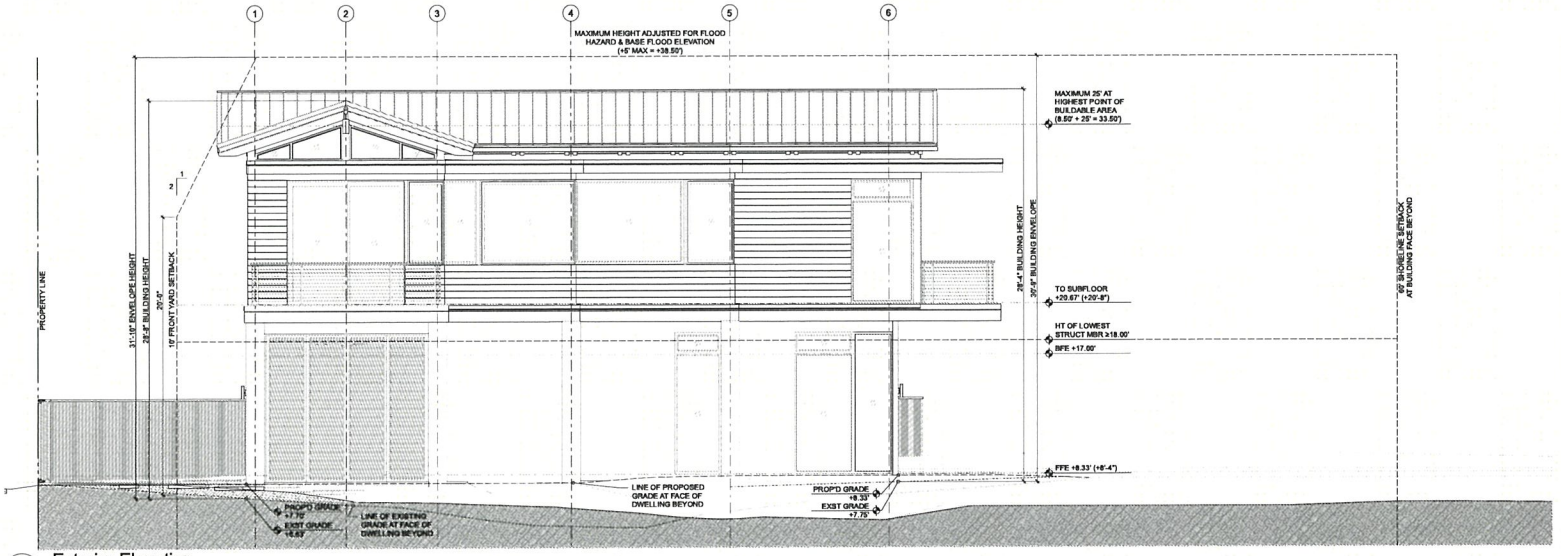
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Signature 4/30/2026 Expiration Date of License

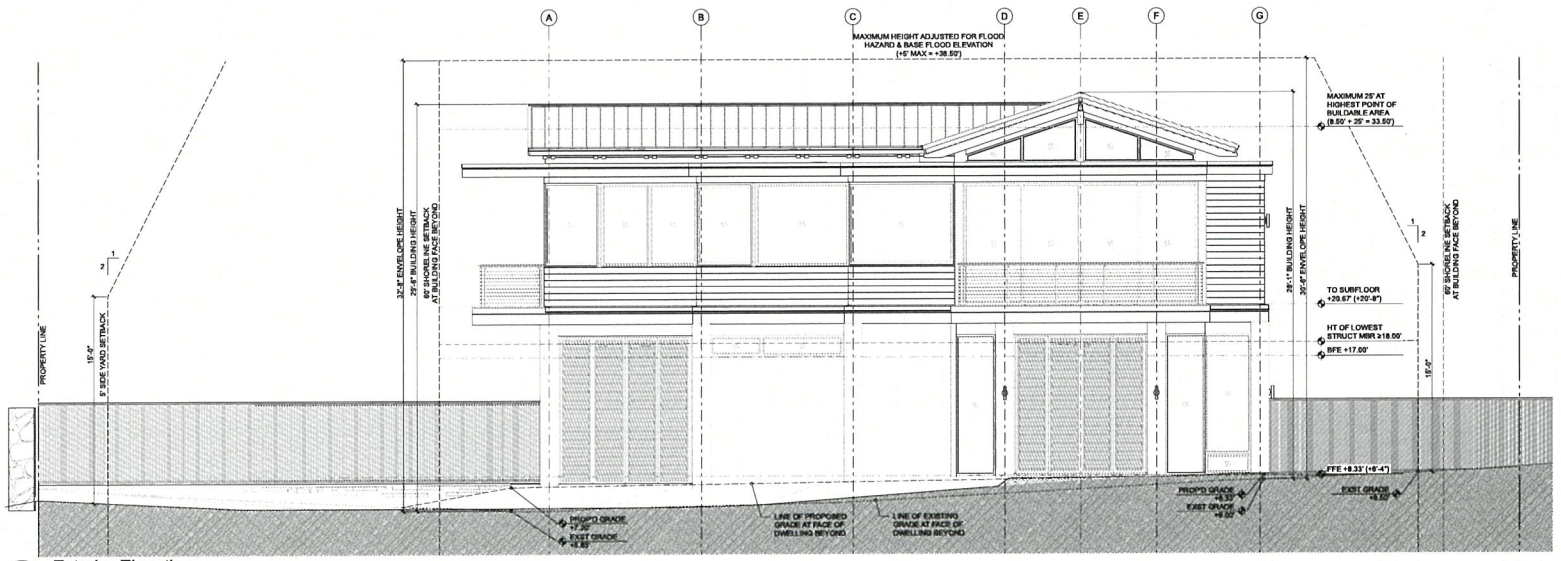
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A105

Plotted on 4/24/24 at 11:39 AM



B Exterior Elevation
SCALE: 1/4" = 1'-0"



A Exterior Elevation
SCALE: 1/4" = 1'-0"

Plotted on: 4/30/24 at 7:43 PM

EXHIBIT C-3 - EXTERIOR ELEVATIONS
2024/SMA-49

PVA
petervincentarchitects
Harbor Court
55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | info@pva.com

57-320 Punaulua
New Single-Family Dwelling

TMK: 5-7-003:049
57-320 Punaulua Place, Kahuku, Hawaii 96731

Project	23-023.02
Date	April 30, 2024
Drawing	Exterior Elevations
Scale	As Noted
Drawn By	BL

Revisions:

SMA Permit Drawings

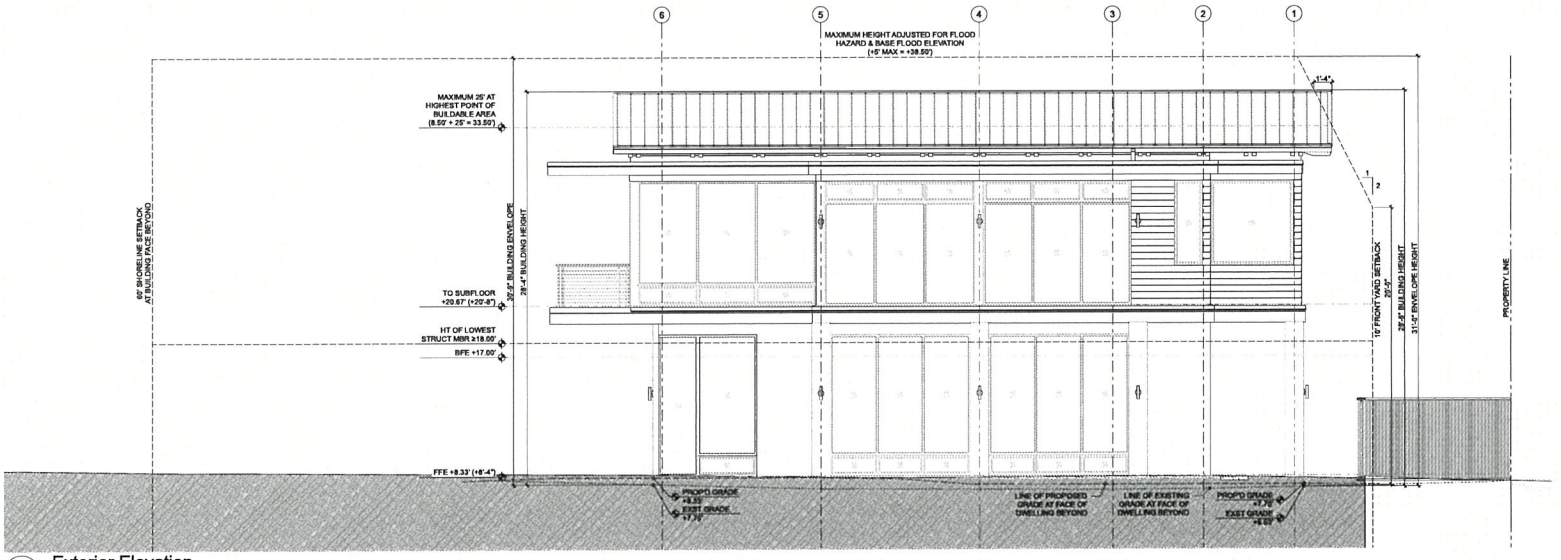
PETER N. VINCENT
LICENSED PROFESSIONAL ARCHITECT
No.7468
HAWAII, U.S.A.

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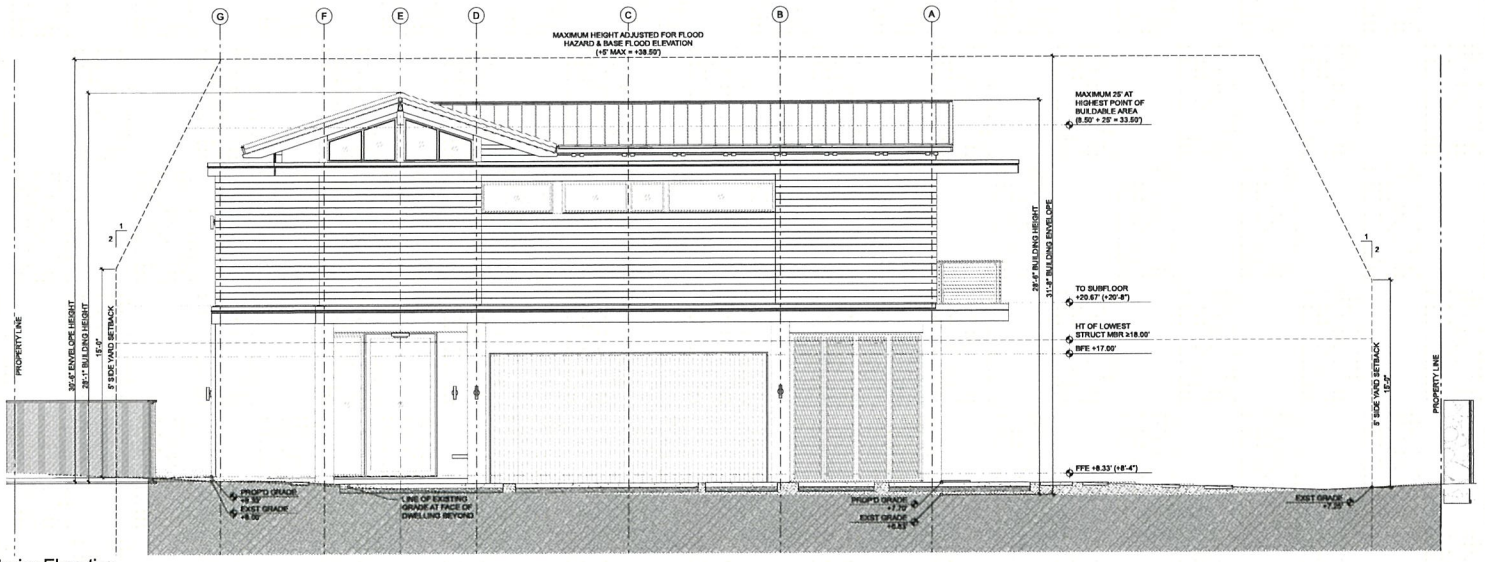
4/30/2024
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A201



D Exterior Elevation
SCALE: 1/4" = 1'-0"



C Exterior Elevation
SCALE: 1/4" = 1'-0"

Plotted on 4/30/24 at 7:44 PM

EXHIBIT C-4 - EXTERIOR ELEVATIONS
2024/SMA-49

PVA
petervincentarchitects
Harbor Court
55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | info@pva.com

57-320 Punaulua
New Single-Family Dwelling

TMK: 5-7-003:049
57-320 Punaulua Place, Kahuku, Hawaii 96731

Project	23-023.02
Date	April 30, 2024
Drawing	Exterior Elevations
Scale	As Noted
Drawn By	BL

Revisions:

SMA Permit Drawings

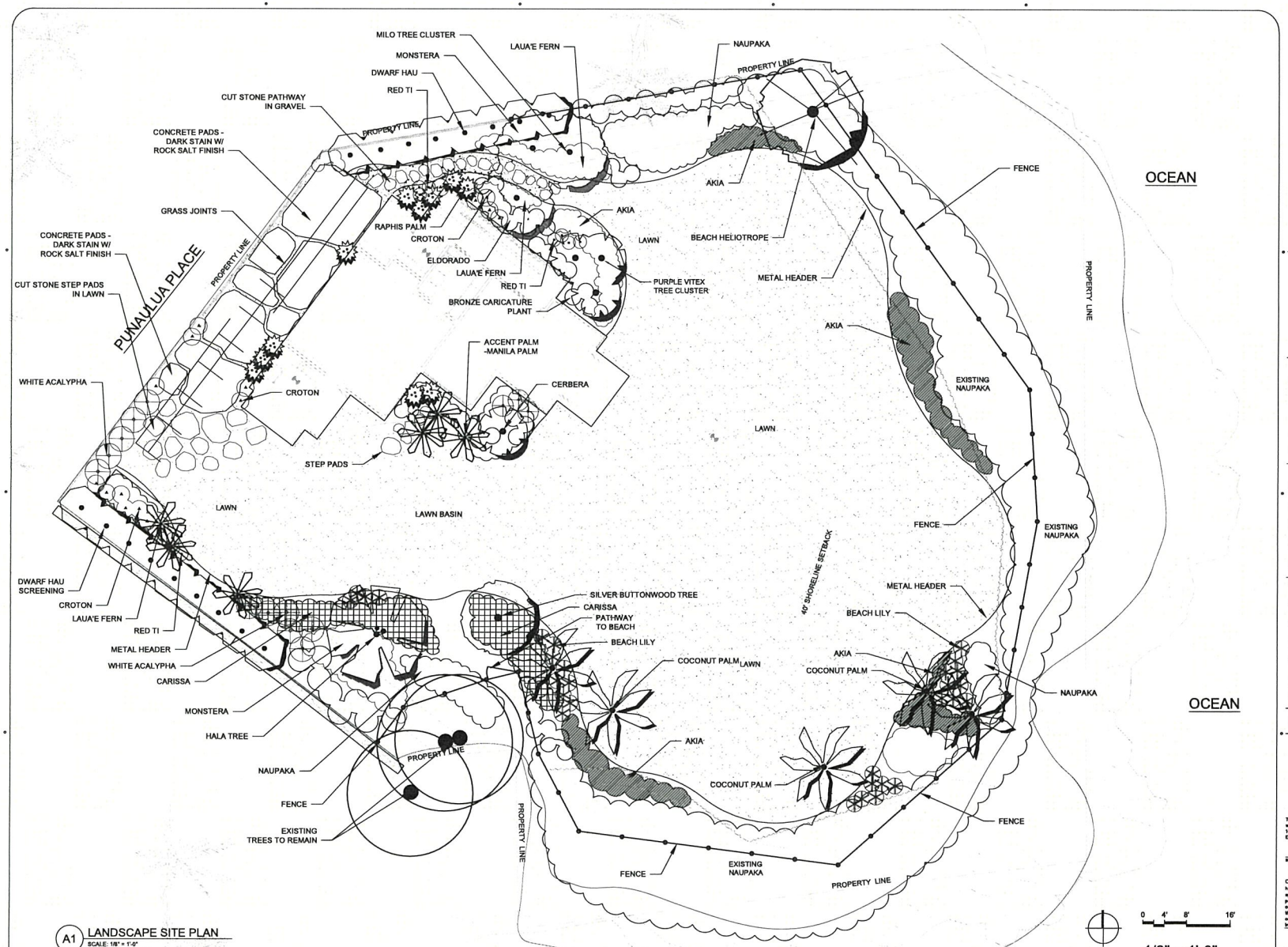
PETER N. VINCENT
LICENSED PROFESSIONAL ARCHITECT
No.7458
HAWAII, U.S.A.

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A202



A1 LANDSCAPE SITE PLAN
SCALE: 1/8" = 1'-0"

EXHIBIT C-5 - LANDSCAPE SITE PLAN
2024/SMA-49

Plotted on 2/22/24 at 11:49 AM

petervincentarchitects
Harbor Court
55 Merchant Street, Suite 1430
Honolulu Hawai'i 96813
808.524.8255 | info@pva.com

HHF PLANNERS
733 BISHOP STREET; SUITE 2590
HONOLULU, HAWAII 96813
PHONE:(808) 545-2055
LANDSCAPE ARCHITECTS

57–320 Punaulua
New Single–Family Dwelling

TMK: 5–7–003:049
57–320 Punaulua Place, Kahuku, Hawaii 96731

Project 23–023.02
Date APRIL 30, 2024
Drawing #Layout Name
Scale As Noted
Drawn By BL

Revisions:

Design Development Progress Drawings

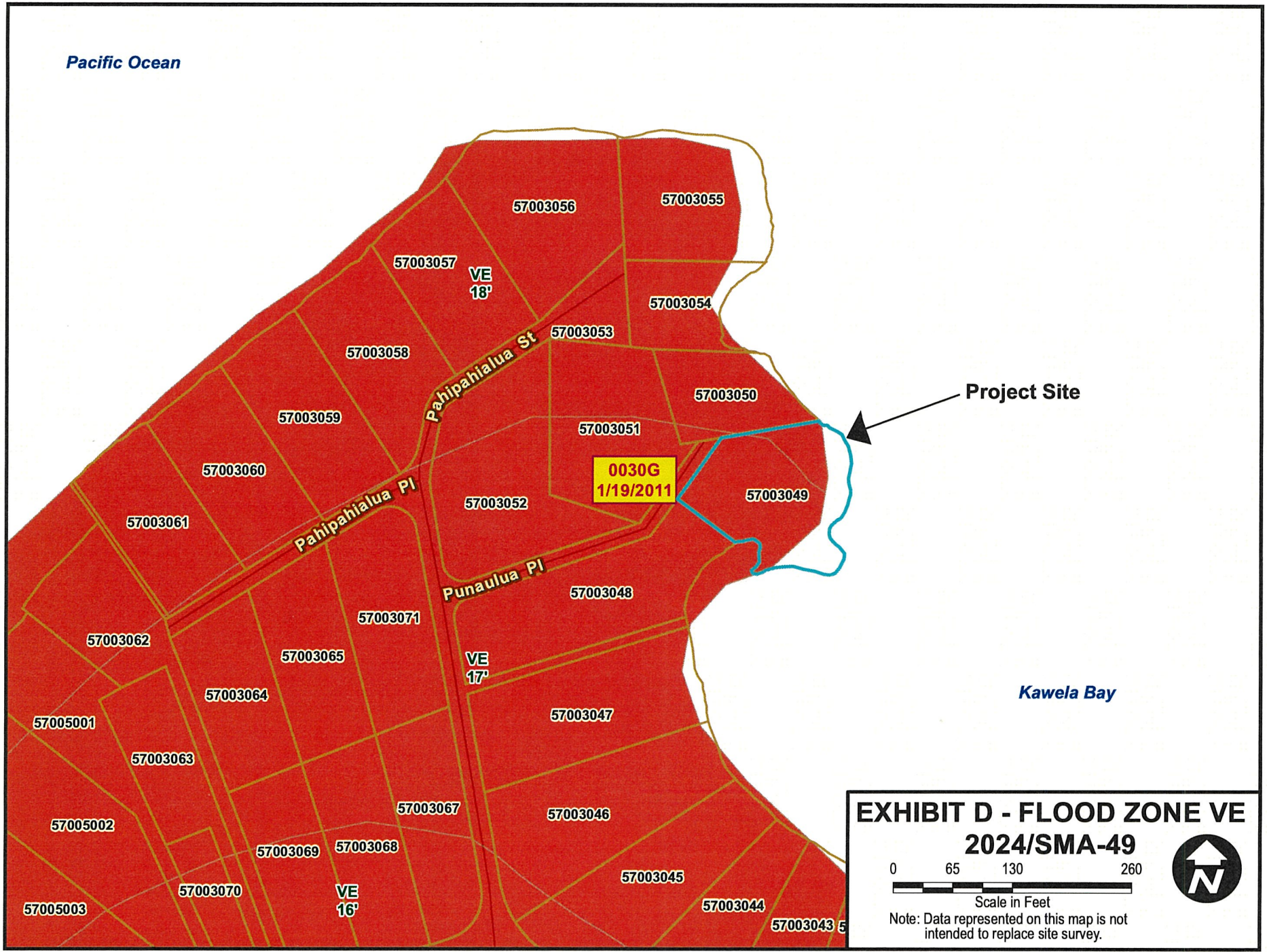
RICHARD L. SUAN LICENSED PROFESSIONAL LANDSCAPE ARCHITECT No. 6028 HAWAII U.S.A.

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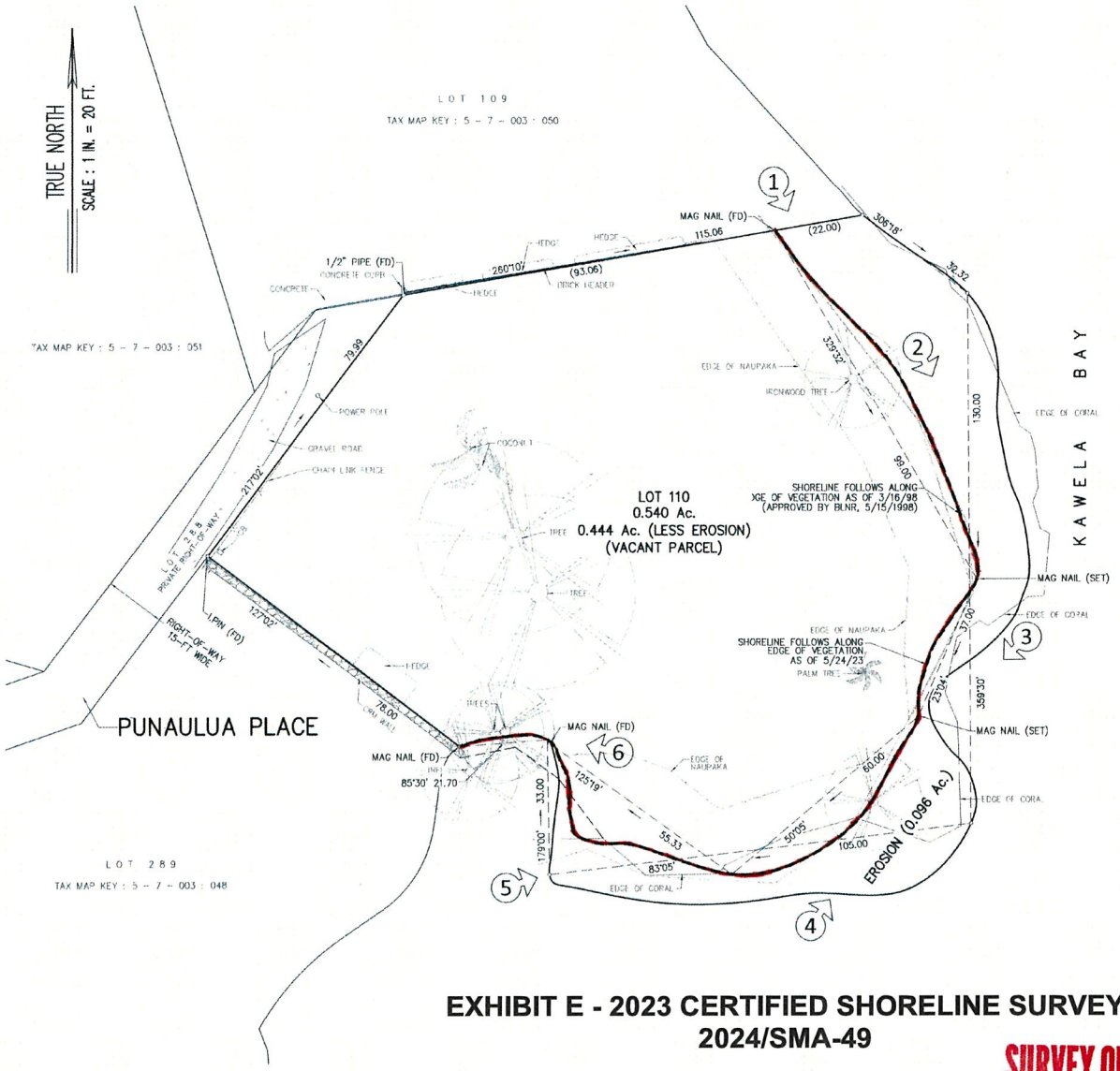
L101



Prepared by: CK

Date Prepared: 5.8.24

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

DEC 29 2023

Chairperson, Board of Land and Natural Resources

OWNER : MODERN DEVELOPMENT LLC

PROPERTY ADDRESS: 57-320 PUNAULUA PL.
KAHUKU, HI 96731

MAP SHOWING SHORELINE AFFECTING LOT 110 LAND COURT APPLICATION 1095 MAP 10

AT KAWELA, KOOLAULOA, OAHU, HAWAII

SCALE: 1 IN. = 20 FT.

SEPTEMBER 18, 2023 WALTER P. THOMPSON, INC.

JOHN R. K. AKINA
LICENSED PROFESSIONAL LAND SURVEYOR
No. 16252
HAWAII, U.S.A.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

John R.K. Akina

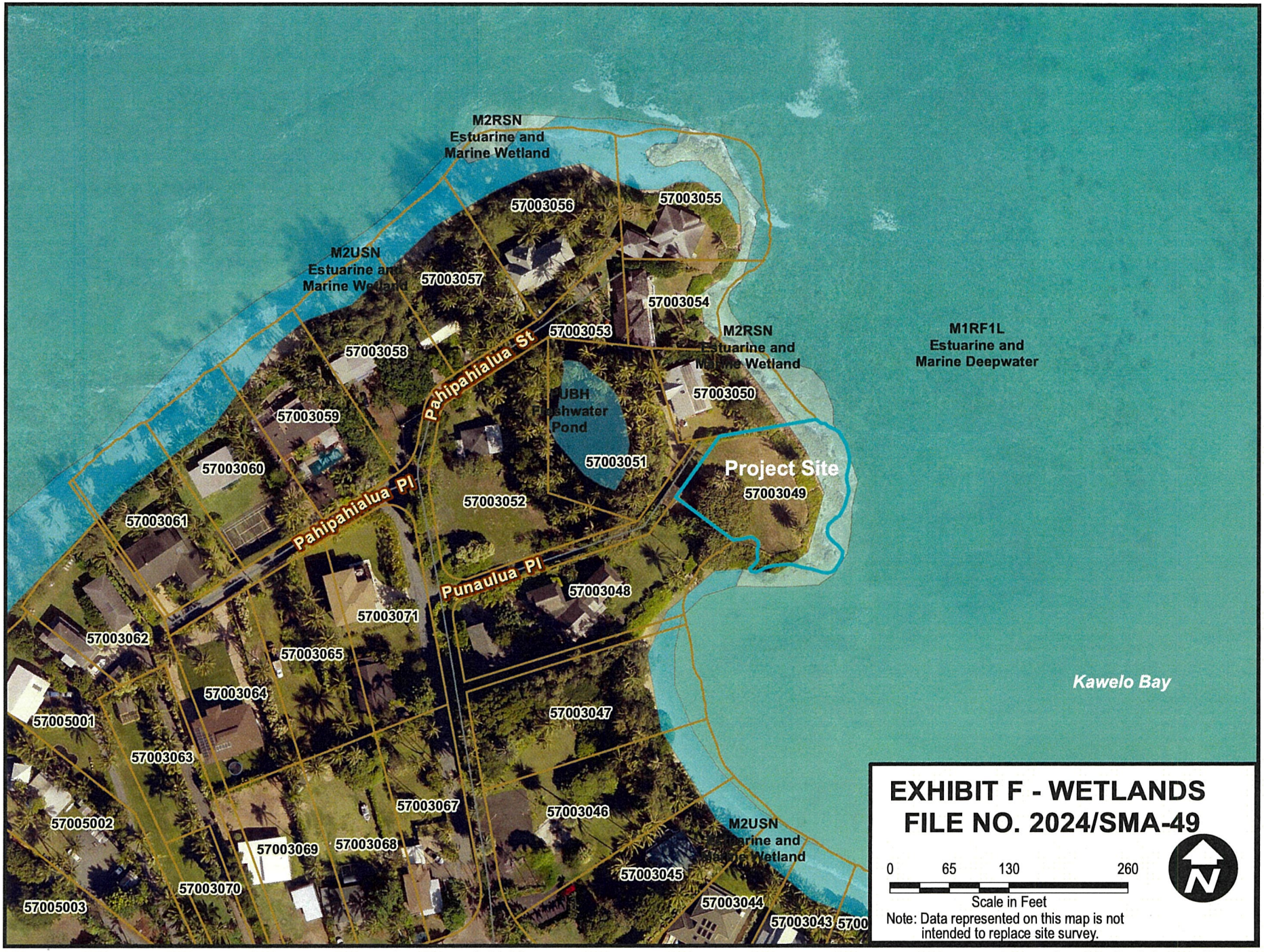
Exp. 04/30/24

EXHIBIT E - 2023 CERTIFIED SHORELINE SURVEY
2024/SMA-49

SURVEY OFFICE COPY

2.3128c01-SHORELINE.dwg/1727.57/cpj/20230523

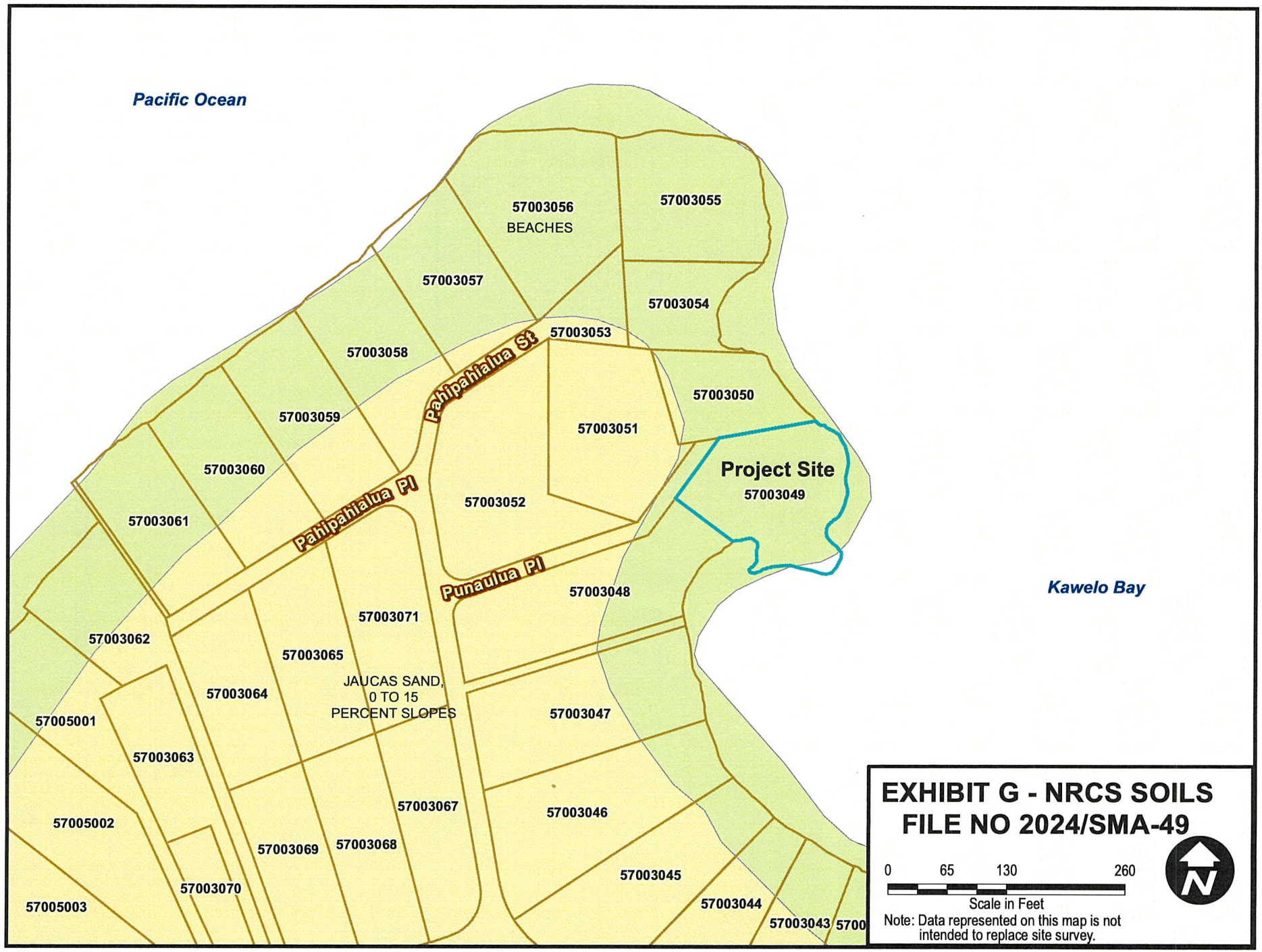
15"x 21" = 2.19 Sq.Ft.



Prepared by: CK

Date Prepared: 5.8.24

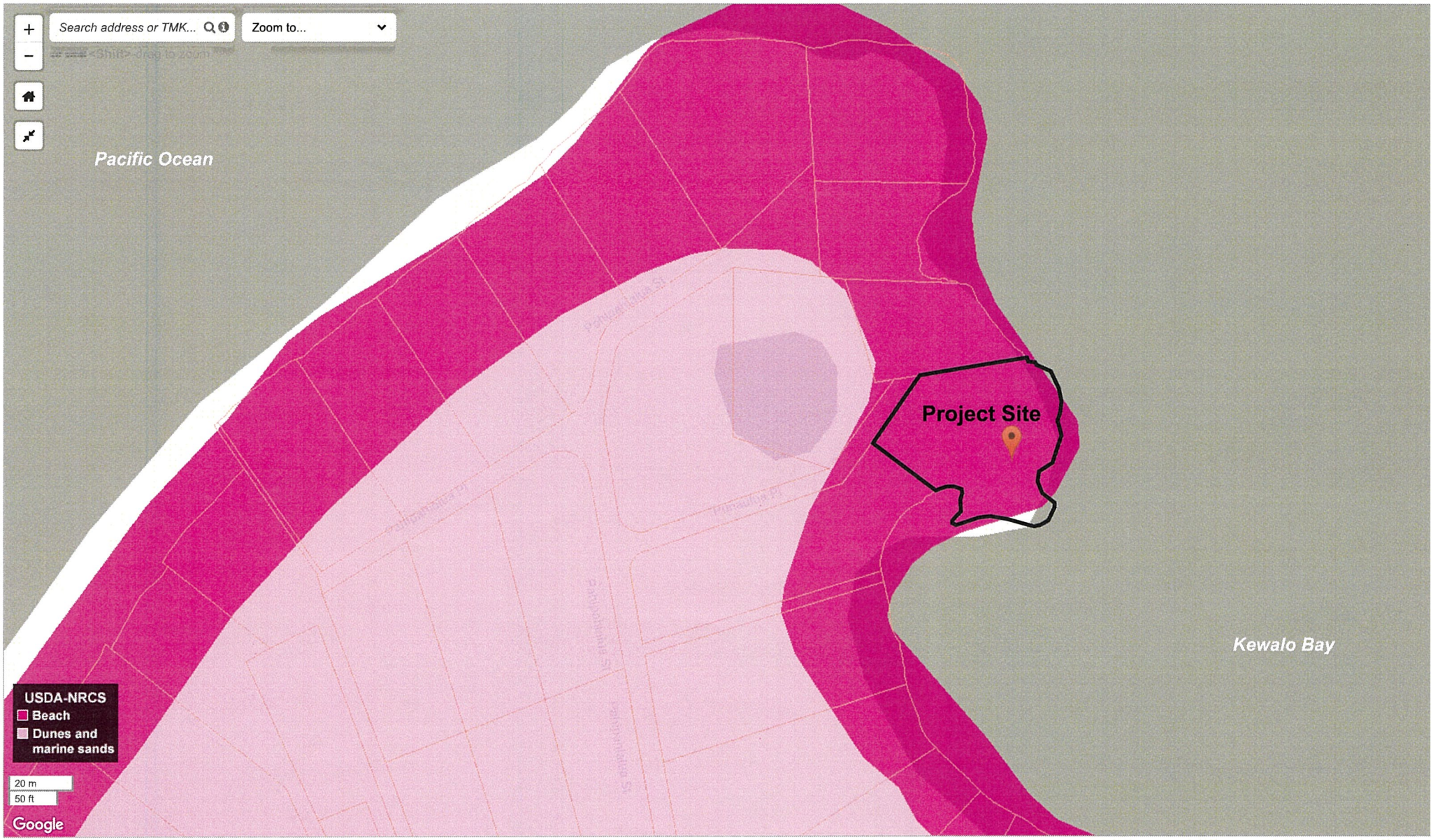
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Date Prepared: 5.8.24

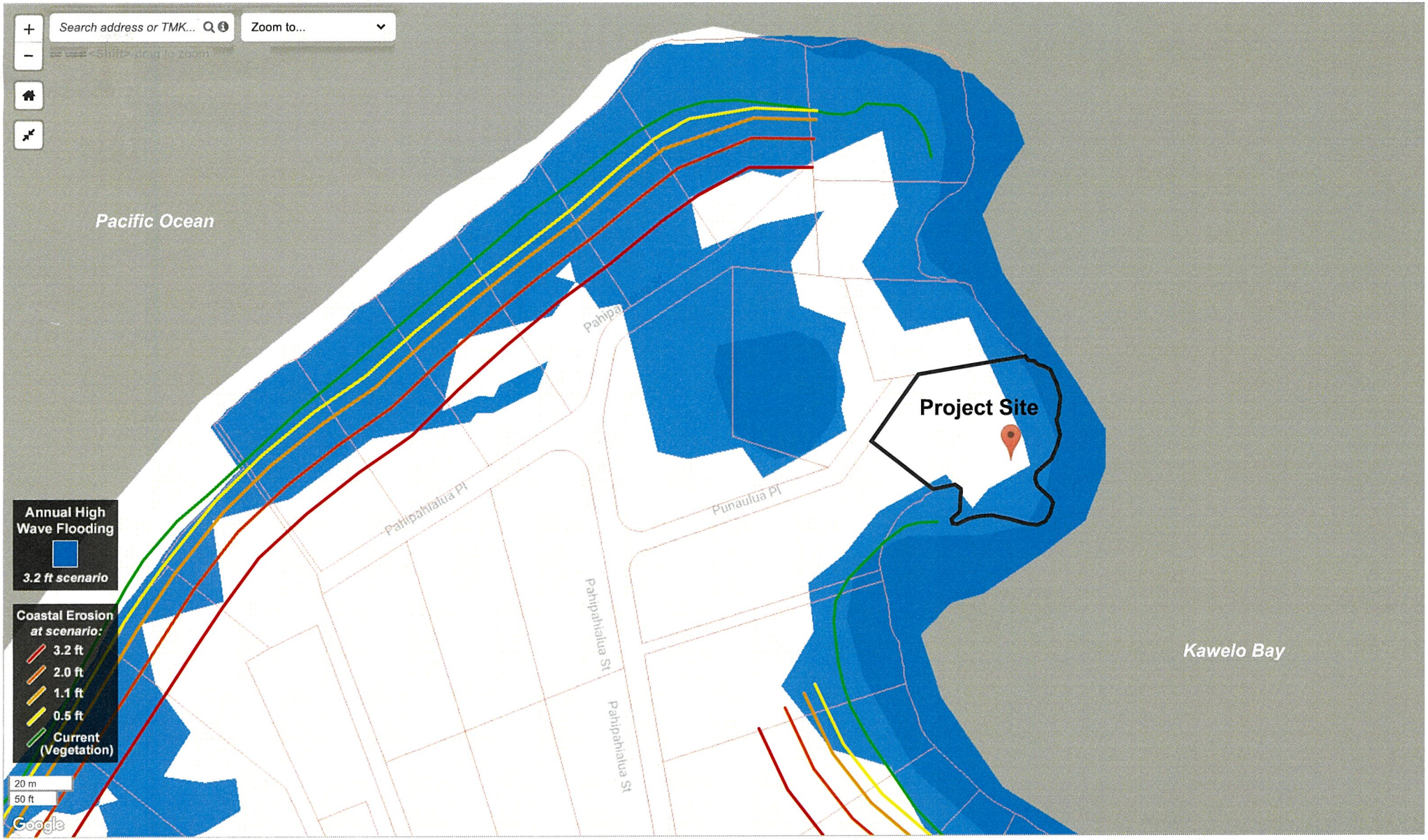
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PacIOOS
PACIFIC ISLANDS OCEAN OBSERVING SYSTEM

Hawai'i SLR Viewer, Accessed 5.8.24

EXHIBIT H - BEACH SANDS AND DUNES AND MARINE SANDS
2024/SMA-49



Hawai'i SLR Viewer, Accessed 5.8.24

PacIOOS
PACIFIC ISLANDS OCEAN OBSERVING SYSTEM

EXHIBIT I - 3.2-FOOT SEA LEVEL RISE ANNUAL HIGH WAVE PROJECTIONS BY 2100
2024/SMA-49

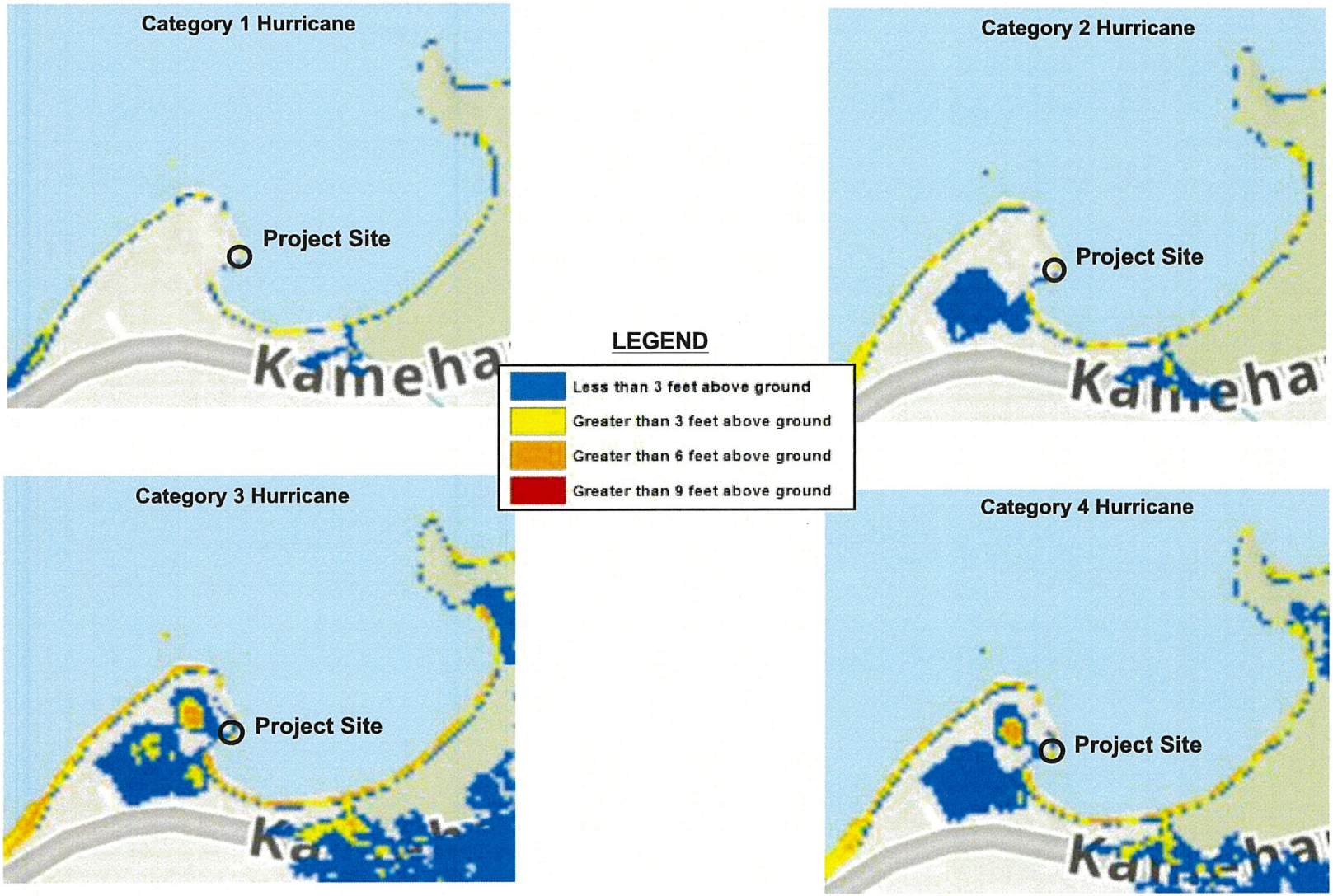
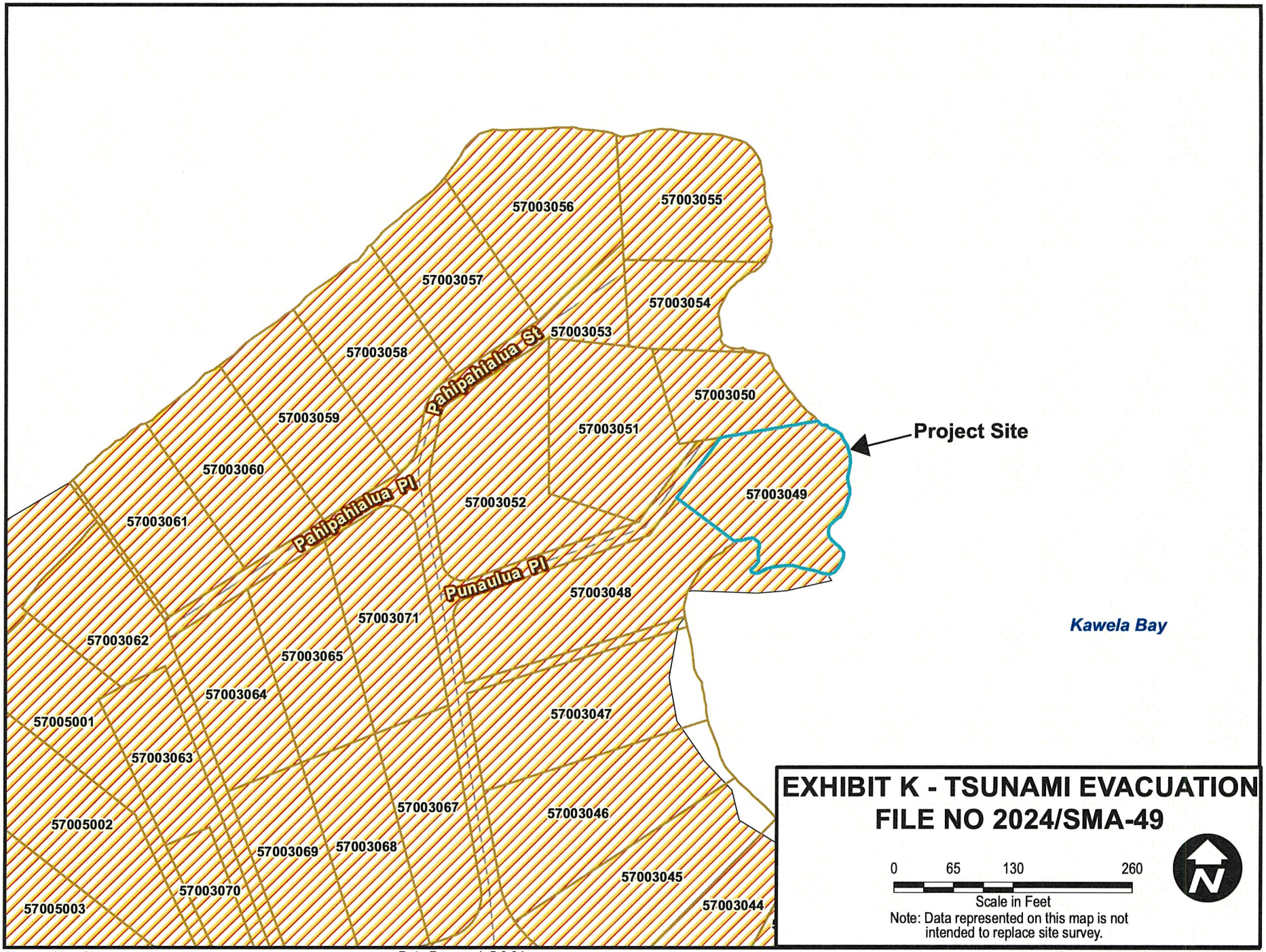


EXHIBIT J - HURRICANE STORM SURGE MAP
2024/SMA-49



Prepared by: CK

Date Prepared: 5.8.24

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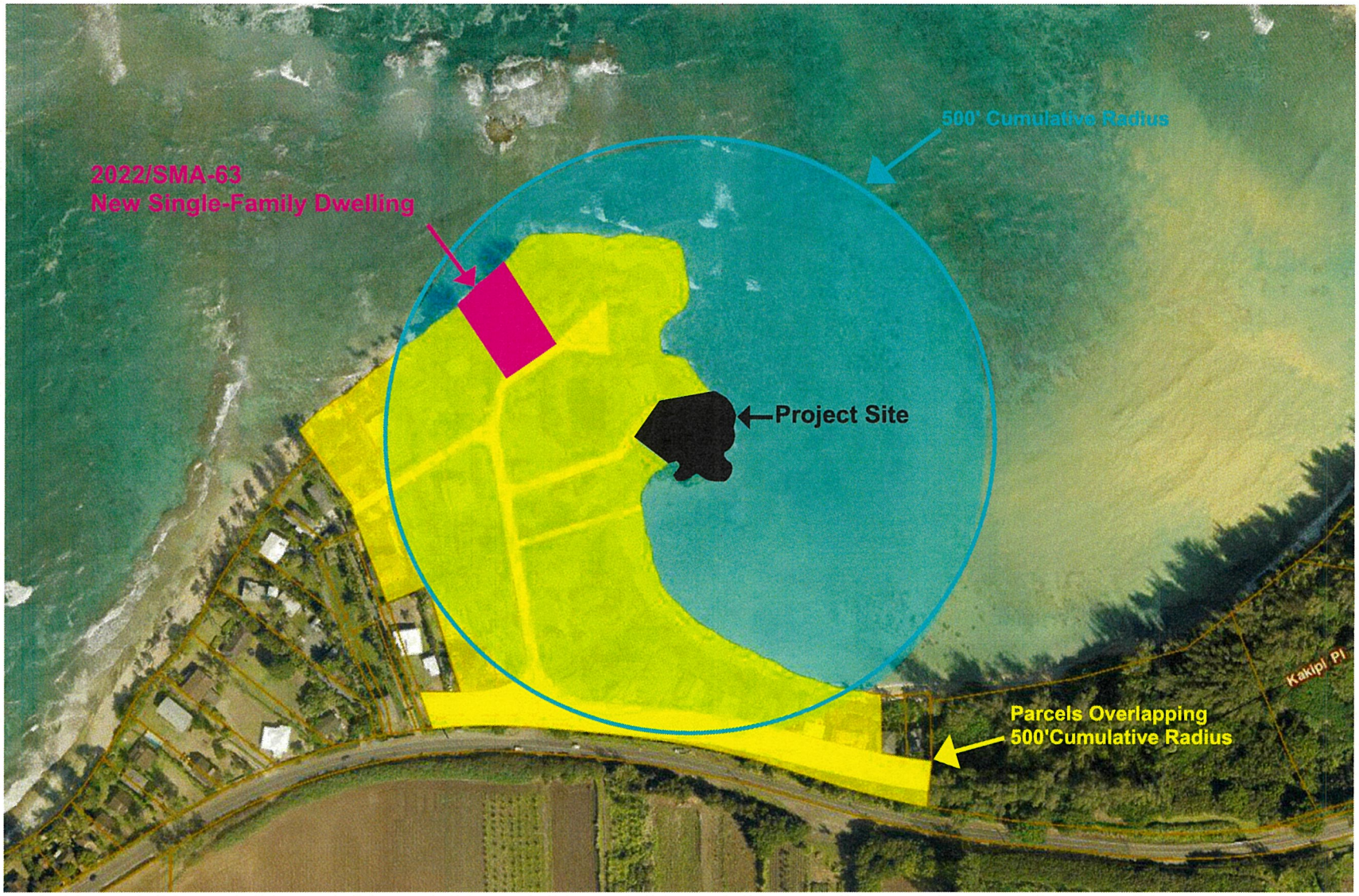


EXHIBIT L - 500-FOOT CUMULATIVE PROJECTS RADIUS MAP
2024/SMA-49