

CONDITIONAL USE PERMIT

KAL 21-004

I. REQUEST

Kalaeloa Home Land Solar, LLC, (Applicant), is requesting a Conditional Use Permit to develop a photovoltaic generation installation called the Kalaeloa Home Land Solar Project (Project). Pursuant to Hawaii Administrative Rules (HAR), § 15-215-79, *Conditional Use Permit* and Figure 1.7, *Land Use*, ‘Solar Farm’ is permitted as a Conditional Use and requires a Conditional Use Permit (CUP). Approval of the CUP to allow the proposed Solar Farm use is required prior to approval of a Development Permit application.

II. BACKGROUND

The Project site is located in the Kalaeloa Community Development District (KCDD) Transect 3 (T3), General Urban zone and is identified as Tax Map Key No. (1) 9-1-013:029. The Project site is bounded by West Perimeter Road, the Kalaeloa Airport to the east, and two DHHL parcels to the north and south. See Figure 1, Exhibit A. The Project site is 29.8 acre in size is owned by the Department of Hawaiian Home Lands (DHHL). The DHHL has provided landowner authorization for the Project.

In 2018, the DHHL granted the applicant the rights to lease the property for the development and operation of the Project. The Project will contribute to Oahu’s electrical renewable portfolio through Hawaiian Electric’s Community-Based Renewable Energy Program (CBRE), as approved by the Public Utilities Commission in 2018.

On April 7, 2021, a presentation on the Project was made to the Authority as an information item.

II. ANALYSIS

Pursuant to §15-215-79, *Conditional use permit, Findings*, HAR, the following findings of fact have been submitted by the Applicant:

- (1) *The use is allowed within the applicable zone and complies with all other applicable provisions of the rules.*

Solar Farm use is allowed within the T3 zone; however, ‘Solar Farm’ use requires a CUP, pursuant to §15-215-79, *Conditional use permit, Applicability*.

- (2) *The use will conform to the Kalaeloa Master Plan (KMP).*

Section 3.2.2 of the KMP states that due to the “continued escalation in fossil fuel energy prices, interest in renewable energy resources is increasing” and industries such as solar energy generation “may have development potential in Kalaeloa.”

Section 4.1.4 of the KMP also states that “Potential industries such as solar or hybrid energy generation, bio-filtration, or other such technologies are compatible in these parcels. The identified Eco-industrial lands at Kalaeloa present a unique opportunity to foster research and the hands-on application of alternative or hybrid energy production. Advantages include close proximity to existing power plants at Campbell Industrial Park and to electrical transmission lines serving the region, as well as a large number of sunny days each year and relatively stable diurnal range.”

The KMP designates the Project site as an eco-industrial lot appropriate for alternative energy use. The project, consisting of up to 8.8 MWdc of solar energy generation supports the State’s renewable energy goals. The Project also provides plan-compatible uses which are severely limited due to the proximity of the airport restricted airspace and land-use requirements. Accordingly, Project is in conformance with, and promotes the goals of the KMP in an area that would otherwise be underutilized.

- (3) *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future uses of parcels surrounding area.*

Parcel 9-1-013:029 lies at the western edge of Kalaeloa and at the end of the crosswind runway, which is designated Runway 11-29. The Kalaeloa Airport western perimeter fence is 8 feet tall, roughly corresponding with the maximum height of the photovoltaic panels to be installed behind the perimeter fence. Properties to the north of the subject property have been developed for PV use. State-retained lands associated with the airport are on the east boundary. Vacant land used by the Navy as an equipment base yard and composting site are to the south, and the industrial properties of Campbell Industrial Park are to the west, immediately beyond the Western Perimeter Road.

At full development, the Project will consist of 29 acres of PV panels. The proposed action does not increase population or traffic. During operation, the Project will not contribute hazardous waste, air emission, or surface water contamination associated with its operation. The Project does not utilize any potable water or sewer. The Project site is surrounded by industrial or “eco-industrial uses on all 4 sides. Land use restrictions imposed by its proximity to the Kalaeloa Airport prevent any use that involves buildings, or frequent personnel presence. Photovoltaic panels have a low profile, little maintenance and no hardened structures or hazardous materials. The design, location, size, and operating characteristics of the proposed use are compatible with the existing use in

the vicinity, and airport operations will prevent significant changes in the future.

- (4) *The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.*

The Project site is in close proximity to the Airport runway, therefore limiting allowable uses. The limited airport related land use makes the site ideal for Solar Farm use.

- (5) *Granting the permit would not be detrimental to the public health, safety, or welfare or be materially injurious to persons, lots or improvements in the vicinity and zone in which the lot is located.*

Operation of a PV facility on the subject property would not be detrimental to the public health, safety, or welfare, or be materially injurious to persons, or airport operations. Construction of the proposed PV facility will be suspended during periods when the crosswind runway is in use in order to mitigate potential conflicts or distractions.


III. CONCLUSION AND ACTION

The proposed Project has met all required findings of fact pursuant to §15-215-79, *Conditional use permit, Findings*, HAR. As such, the request for a Conditional Use Permit is approved.

The Conditional Use approval shall be in strict application to the above listed Project and Parcel.

Dated at Honolulu, Hawaii, this 7th day of July 2021.

HAWAII COMMUNITY DEVELOPMENT
AUTHORITY, State of Hawaii

By 

Deepak Neupane, P.E., AIA
Executive Director