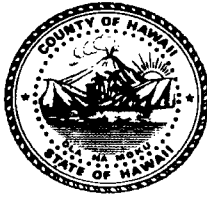


**STEWART MAEDA**  
County Clerk




**JON HENRICKS**  
Deputy County Clerk

**County of Hawai'i**  
**Office of the County Clerk**  
25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720  
(808) 961-8255 • Fax (808) 961-8912

November 12, 2015

Sent via E-Mail

To: Duane Kanuha, Director  
Planning Department

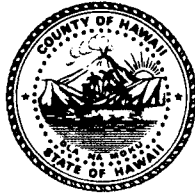
From:  Stewart Maeda, Clerk  
Office of the County Clerk

Subject: Resolution 311-15

As directed in the above resolution, which was adopted by the Council of the County of Hawai'i on November 3, 2015, I am forwarding your copy.

SM/dt

Attachment

RESOLUTION NO. 311 15

**RESOLUTION AUTHORIZING THE EXEMPTION OF CERTAIN CODE REQUIREMENTS, PURSUANT TO SECTION 201H-38 OF THE HAWAI‘I REVISED STATUTES FOR THE PROPOSED MOHOULI HEIGHTS SENIOR NEIGHBORHOOD PROJECT PHASES II AND III IN SOUTH HILO, HAWAI‘I, TAX MAP KEY: (3) 2-4-001:184.**

**WHEREAS**, the Hawai‘i Island Community Development Corporation (HICDC) proposes to continue construction of an affordable housing program for seniors (Project) on land dedicated for that purpose and transferred to the County of Hawai‘i by Gubernatorial Executive Order 4224 (EO) in South Hilo, Hawai‘i, identified as Tax Map Key (3) 2-4-001:177, to provide decent, safe and affordable housing for qualified seniors in the County of Hawai‘i (County); and

**WHEREAS**, The County Council of the County of Hawai‘i, by way of Resolution No. 709-08, authorized the Director of Finance to negotiate a seventy-five year lease with the HICDC, a non-profit Hawai‘i corporation, for development of senior housing and supportive services; and

**WHEREAS**, the HICDC has successfully developed the first 60 affordable senior housing units of the Mohouli Heights Senior Neighborhood Project (Project), referred to as Phase 1; and

**WHEREAS**, the parcel identified as Tax Map Key (3) 2-4-001:184, consisting of 9.572 acres, was subdivided from the parcel identified as (3) 2-4-001:177 to separate the Phase 1 portion of the Project for financing purposes; and

**WHEREAS**, the HICDC now proposes to continue development of Phases 2 and 3 of the Project, situated at tax map key: (3) 2-4-001:184, in accordance with the requirements of the EO; and

**WHEREAS**, Hawai‘i Revised Statutes (HRS), Section 201H-38, in conjunction with HRS 46-15.1, allows the County to exempt the Project from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon ... contingent on County Council approval; and


**WHEREAS**, the Program will promote the goals contained in Section 201H-38 of the HRS, and Chapter 2, Article 13, of the Hawai‘i County Code (Code).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I**, that the exemptions requested for the Project attached hereto as Exhibit A are hereby approved.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be transmitted to the Planning Director, Director of Public Works, Manager of Department of Water Supply, Housing Administrator and HICDC.

Dated at Hilo, Hawai'i, this 3rd day of November, 2015.

INTRODUCED BY:

  
 \_\_\_\_\_  
 COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL  
 County of Hawai'i  
 Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on November 3, 2015.

ATTEST:

  
 COUNTY CLERK

  
 CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
DAVID	X			
CHUNG	X			
EOFF	X			
ILAGAN	X			
KANUHA	X			
ONISHI	X			
PALEKA	X			
POINDEXTER	X			
WILLE	X			
	9	0	0	0

Reference: C-514/HSSSC-1  
 RESOLUTION NO. 311 15

## **Exhibit A: Exemption List**

### **Hawai'i County Code:**

**Zoning Code: Existing Zoning –Agricultural 1-acre (A-1a)  
Section 25-5-70 through 77**

**Exemption to allow the standards and requirements of the Multiple Family Residential One Thousand Five Hundred (RM-1.5) zoning for tax map key (3) 2-4-001:184  
Section 25-5-30 through 38**

*Not to exceed a total of 160 units between all phases of the Project.*

### **Additional Exemption:**

**State Land Use: Existing designation - Agriculture  
Hawai'i Revised Statutes, Chapter 205**

**Exemption to allow for the standards and requirements of the Multiple Family Residential One Thousand Five Hundred (RM-1.5) zoning for tax map key (3) 2-4-001:184 to be a consistent use of the State Land Use Urban designation  
Section 25-5-30 through 38**