

RESOLUTION NO. 536 16

**RESOLUTION AUTHORIZING THE EXEMPTION OF CERTAIN CODE REQUIREMENTS, PURSUANT TO SECTION 201H-38 OF THE HAWAI‘I REVISED STATUTES FOR PHASE 4 OF THE MOHOULI SENIOR AFFORDABLE HOUSING PROJECT IN SOUTH HILO, HAWAI‘I**

**WHEREAS**, the Hawai‘i Island Community Development Corporation (“HICDC”) is proposing to develop an additional 32 affordable housing units (“Project”) on land dedicated for that purpose and transferred to the County of Hawaii (“County”) 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 low- and moderate-income residents in the County; and

**WHEREAS**, the Hawaii County Council, 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 Hawaii corporation, for development of senior housing supportive services; and

**WHEREAS**, the HICDC is an experienced developer of affordable housing and has successfully developed 248 multi-family residential low-income senior rental units and over 300 single family self-help housing units for low-income residents in the County; 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 wishes to continue development of Phases 2, 3 and 4 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 Project will promote the goals contained in Section 201H-38 of the HRS, and Chapter 2, Article 13, of the Hawai‘i County 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 FINALLY RESOLVED, that a copy of this resolution be transmitted to the Planning Director and Housing Administrator of the County.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Dated at Hilo, Hawai'i, this 3rd day of June, 2016.

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 June 3, 2016.

ATTEST:

  
COUNTY CLERK

  
CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
CHUNG	X			
DAVID	X			
EOFF	X			
ILAGAN	X			
KANUHA			X	
ONISHI	X			
PALEKA	X			
POINDEXTER	X			
WILLE	X			
	8	0	1	0

Reference: C-900/Waived -PC

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**EXHIBIT A**

**PROPOSED SECTION 201H-38, HRS, EXEMPTIONS  
FROM THE HAWAI'I COUNTY CODE ("HCC")**

**A. INCREASE IN TOTAL UNIT COUNT**

- 1. An approval to increase total unit count for the Project to 182 units.**

**B. EXEMPTION FROM CHAPTER 25, HCC, ZONING**

**An exemption to Chapter 25, HCC, Zoning. The zoning classification shall be changed from Agriculture One Acre (A-1a) to Multiple Family Residential Three Thousand (RM-3).**