RESOLUTION NO. 475 22**A RESOLUTION AUTHORIZING THE EXEMPTION OF CERTAIN CODE REQUIREMENTS, PURSUANT TO SECTION 201H-38 OF THE HAWAI‘I REVISED STATUTES, FOR THE HALE OLA O MOHOULI AFFORDABLE HOUSING PROJECT IN HILO, HAWAI‘I, COVERED BY TAX MAP KEY (3) 2-4-001:168**

**WHEREAS**, the Hawai‘i Island Community Development Corporation (“DEVELOPER”) is proposing to build an affordable housing project called Hale Ola O Mohouli (hereinafter “PROJECT”) on land dedicated for that purpose and transferred to the County of Hawai‘i (“COUNTY”) by Gubernatorial Executive Order 4531, identified as Tax Map Key (3) 2-4-001:168, to provide for elderly and/or affordable rental housing and related public purposes; and

**WHEREAS**, the Hawai‘i County Council, by way of Resolution No. 476-18 authorized the Director of Finance to negotiate a seventy-five year lease with the DEVELOPER, a non-profit Hawai‘i corporation, for the development of senior and family affordable rental units; and

**WHEREAS**, the DEVELOPER, has extensive experience developing affordable housing for low and moderate income households and has successfully developed 278 low-income rental units, 174 subdivision lots, and 331 mutual self-help housing units on Hawai‘i island; and

**WHEREAS**, the DEVELOPER now proposes to build the PROJECT utilizing a Pocket Neighborhood concept where low rise structures, often single-family dwellings, are clustered around common green areas to promote frequent interactions among the residents to create a sense of community; and

**WHEREAS**, the PROJECT will build 90 rental units serving households earning 60% of the adjusted medium incomes and below, a community center, play space, storage lockers, parking, and gardening areas on 9.09 acres of land; and

**WHEREAS**, the Ordinance 22-20 changed the state land use boundary maps by changing the district classification from agriculture to urban; and

**WHEREAS**, the PROJECT in February 2022 has been awarded eighteen Project Based Vouchers for households earning at or below 60% of the adjusted median income; and

**WHEREAS**, the DEVELOPER, through good-faith efforts has deposited \$500,000 in funds with the County to support the installation of a future traffic signal and other road mitigation efforts for their development; and

**WHEREAS**, the DEVELOPER now wishes to continue development of the PROJECT, and is requesting certain exemptions provided in Exhibit “1” attached hereto; and

**WHEREAS**, Hawaii Revised Statutes (HRS), Section 201H-38 allows the County to exempt the project from “all statutes, ordinances, charter provision and rules of any government agency relating to planning, zoning, construction standards for subdivision, development and improvement of land, and the construction of units thereon...” contingent on County Council approval; and

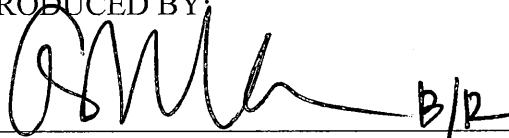
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI‘I** that the exemptions requested for the Project listed in Exhibit “1”, attached hereto, are hereby approved and shall supersede all previously approved resolutions of the Property.

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

**BE IT FINALLY RESOLVED** that the County Clerk shall transmit a copy of this resolution to the Planning Director and Housing Administrator of the County of Hawai‘i.

Dated at Kona, Hawai‘i, this 17th day of August, 20 22.

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 August 17, 2022.

ATTEST:



COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
CHUNG	X			
DAVID	X			
INABA	X			
KANEALI‘I-KLEINFELDER	X			
KIERKIEWICZ	X			
KIMBALL	X			
LEE LOY	X			
RICHARDS	X			
VILLEGAS	X			
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Reference: C-894/PC-72

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## **Exhibit 1**

### **List of Variances/Exemptions Requested:**

- 1) Section 25-2-41: Change the zone district from Agriculture – 1 acre (A-1a) to Multifamily Residential – 4,000 square feet per unit (RM-4).
  
- 2) Section 25-4-47: Change to allow a 10 foot separation between main buildings on building site instead of the required 15 foot separation.