

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 555

AN ORDINANCE AMENDING SECTION 7.26, THE NAALEHU ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) AND AGRICULTURAL (A-20a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KAHILIPALI NUI, KA'U, HAWAII, COVERED BY TAX MAP KEY 9-5-22:1.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAII:

SECTION 1. Section 7.26 of Ordinance No. 63 (Zoning Ordinance), Revised Ordinances of the County of Hawaii 1967, as amended, is hereby further amended by adding thereto the following subsections:

"7.26 (a-1). The district classification of the following area situated at Kahilipali Nui, Ka'u, Hawaii, shall be Single Family Residential (RS-7.5):

Beginning at the northeast corner of this parcel of land and on the south side of Mamalahoa Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "STEIN 2" being 214.38 feet South and 4444.68 feet West, and running by azimuths measured clockwise from true South:

1. 358^o 11' 58" 199.73 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku;
2. 90^o 23' 33" 1326.15 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku;
3. 171^o 42' 201.90 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku to a point on the south side of Mamalahoa Highway;
4. 270^o 23' 33" 1349.02 feet along the south side of Mamalahoa Highway to the point of beginning and containing an area of 6.129 acres.

"7.26 (a-2). The district classification of the following area situated at Kahilipali Nui, Ka'u, Hawaii, shall be Single Family Residential (RS-7.5):

Beginning at the southeast corner of this parcel of land and on the north side of proposed Hawaii Belt Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "STEIN 2" being 1063.31 feet South and 4417.99 feet West, and running by azimuths measured clockwise from true South:

1. 86° 23' 40" 1232.44 feet along the north side of proposed Hawaii Belt Road; thence following along the north side of proposed Hawaii Belt Road on a curve to the right having a radius of 7960.00 feet, the chord azimuth and distance being:
2. 88° 51' 20" 683.63 feet;
3. 171° 42' 87.94 feet along Grant 996 to S. Laanui;
4. 269° 34' 40" 595.60 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku;
5. 171° 42' 664.50 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku;
6. 269° 34' 40" 80.00 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku;
7. 270° 23' 33" 1326.15 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku;
8. 358° 11' 58" 649.62 feet along the remainder of R. P. 6882, L. C. Aw. 9971, Apana 10 to W. P. Leleiohoku to the point of beginning and containing an area of 23.022 acres.

"All as outlined in red on the map attached hereto, marked Exhibit "A" and by reference made a part hereof."

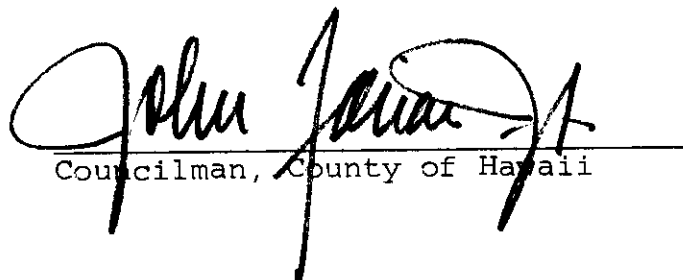
SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) approximately 1.5± acres be set aside and improved for active recreational use primarily for occupants of the development. The location of the site shall be determined at the time of subdivision approval of the first increment; (B) the area be zoned in three (3) increments. The first increment shall consist of forty (40) lots; the second thirty (30); and the third, the remaining lots. The zoning for the second and third increments shall not become effective until substantial development has occurred on the first and/or previous increment(s). Substantial development is defined as building permits issued and construction partially completed--partially completed in the

sense of having at least roofs on fifteen (15) houses or 37 per cent of the first increment and ten (10) houses or 33 per cent of the second increment or a combined total of twenty-five (25) houses or 35 per cent on the entire first and second increments; (C) the owner or lessee of the subject property submit a subdivision plan for preliminary approval of the first increment within one year from the official date of approval of the rezoning. Should this condition not be met, action may be taken to rezone the subject area to a more appropriate zoning classification; and (D) sufficient area be set aside for a buffer strip between the proposed development and the proposed Hawaii Belt Road.

SECTION 3. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

SECTION 4. This ordinance shall take effect upon its approval.

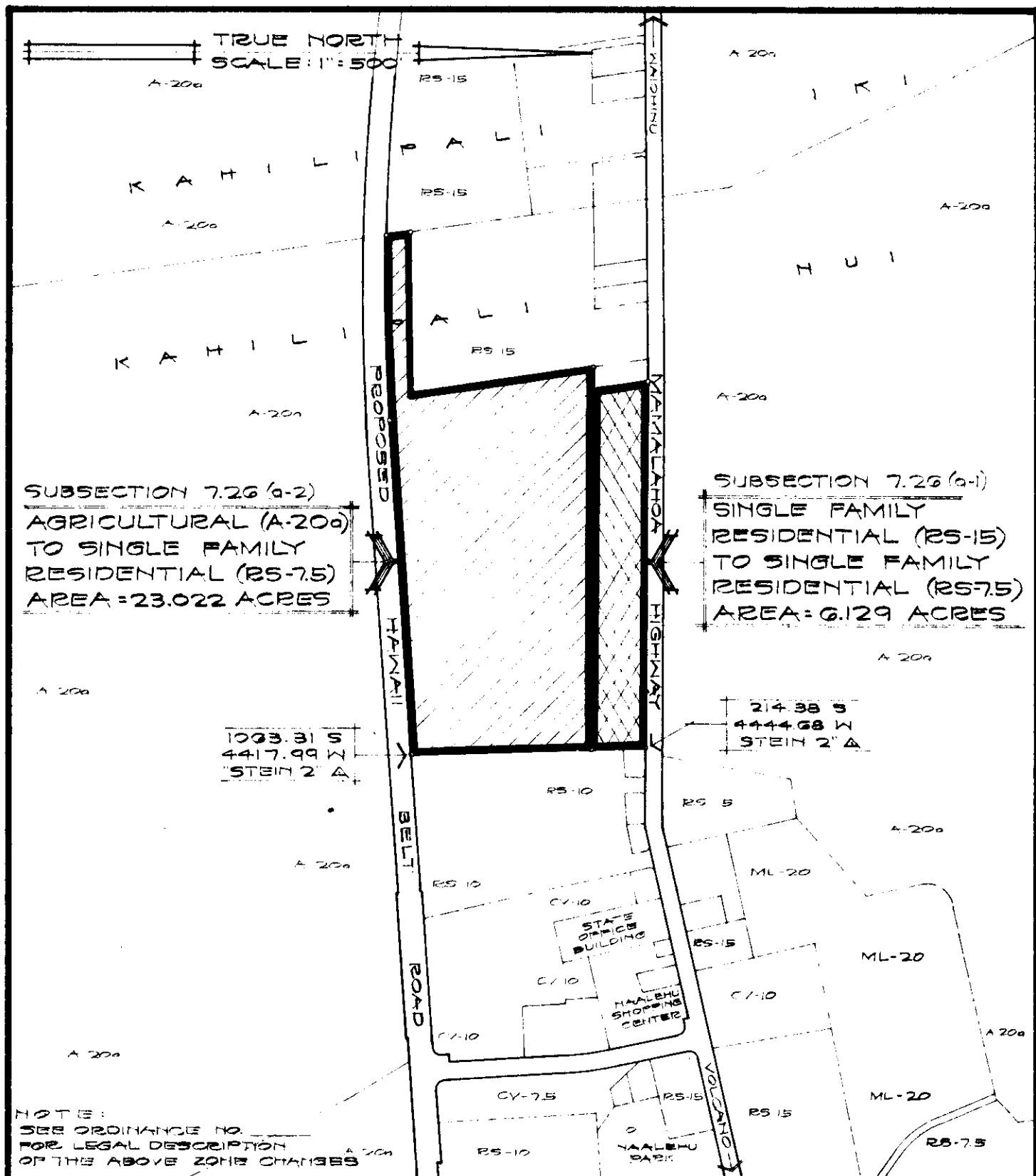
INTRODUCED BY:


Councilman, County of Hawaii

Hilo, Hawaii

Date of Introduction: January 16, 1973

Date of Adoption: February 7, 1973



SUBSECTION 7.26 (a-2)
 AGRICULTURAL (A-20a)
 TO SINGLE FAMILY
 RESIDENTIAL (RS-7.5)
 AREA = 23.022 ACRES

SUBSECTION 7.26 (a-1)
 SINGLE FAMILY
 RESIDENTIAL (RS-15)
 TO SINGLE FAMILY
 RESIDENTIAL (RS-7.5)
 AREA = 6.129 ACRES

1093.31 S
 4417.99 W
 STEIN 2" A

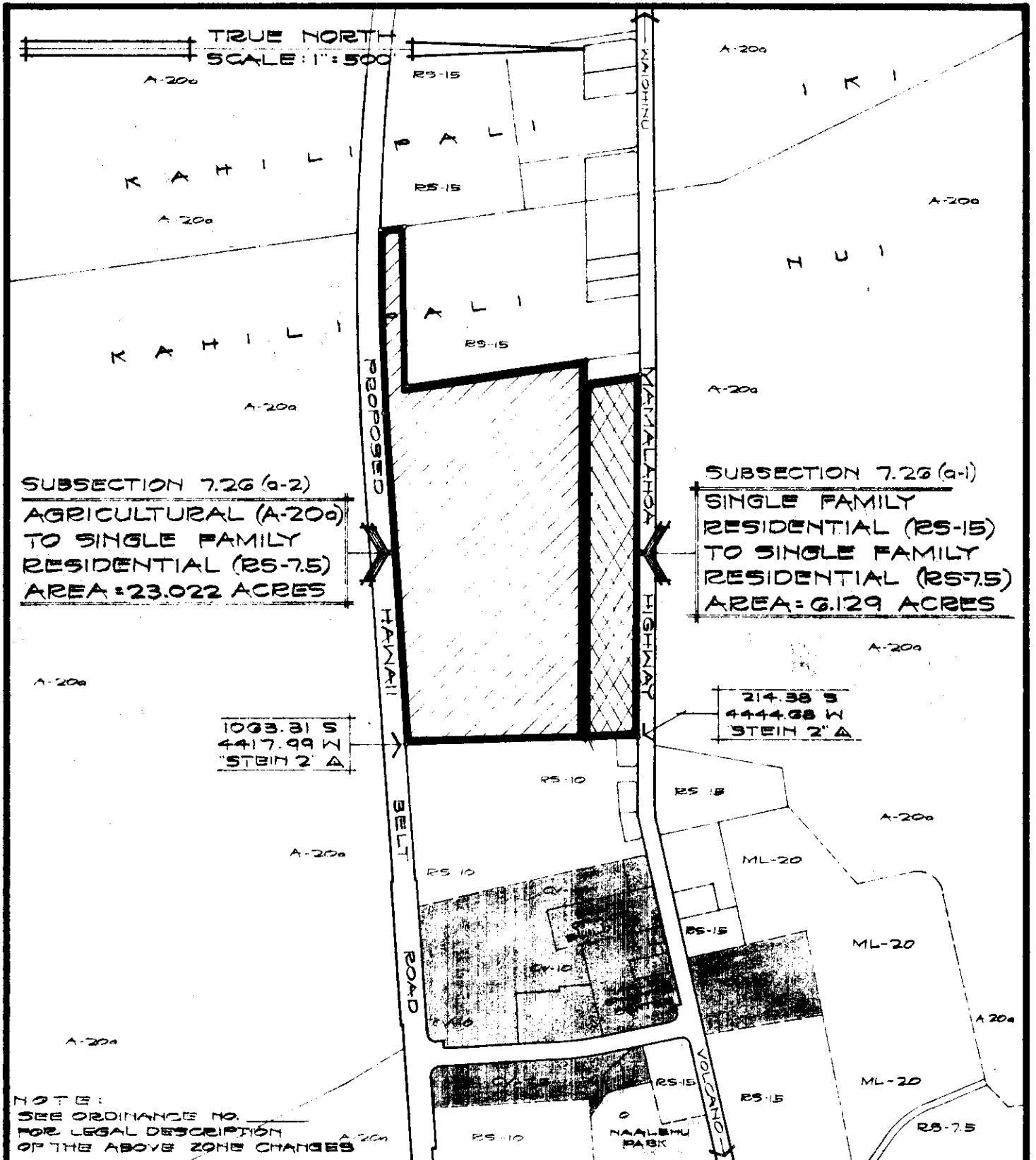
214.38 S
 4444.68 W
 STEIN 2" A

NOTE:
 SEE ORDINANCE NO. _____
 FOR LEGAL DESCRIPTION
 OF THE ABOVE ZONE CHANGES

AMENDMENT TO THE COUNTY ZONING ORDINANCE

AMENDMENT NO. 1 OF SECTION 7.26, THE NAALEHU ZONE MAP, PORTION OF ORD. NO. III, CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) & AGRICULTURAL (A-20a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KAHILIPALI NUI, KA'U, HAWAII.

DATE OF PUBLIC HEARING: DEC. 14, 1972
 DATE OF APPROVAL:
 ORDINANCE NO:
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII



SUBSECTION 7.26 (a-2)
 AGRICULTURAL (A-200)
 TO SINGLE FAMILY
 RESIDENTIAL (RS-7.5)
 AREA: 23.022 ACRES

SUBSECTION 7.26 (a-1)
 SINGLE FAMILY
 RESIDENTIAL (RS-15)
 TO SINGLE FAMILY
 RESIDENTIAL (RS-7.5)
 AREA: 6.129 ACRES

1063.31 S
 4417.99 W
 STEIN 2' Δ

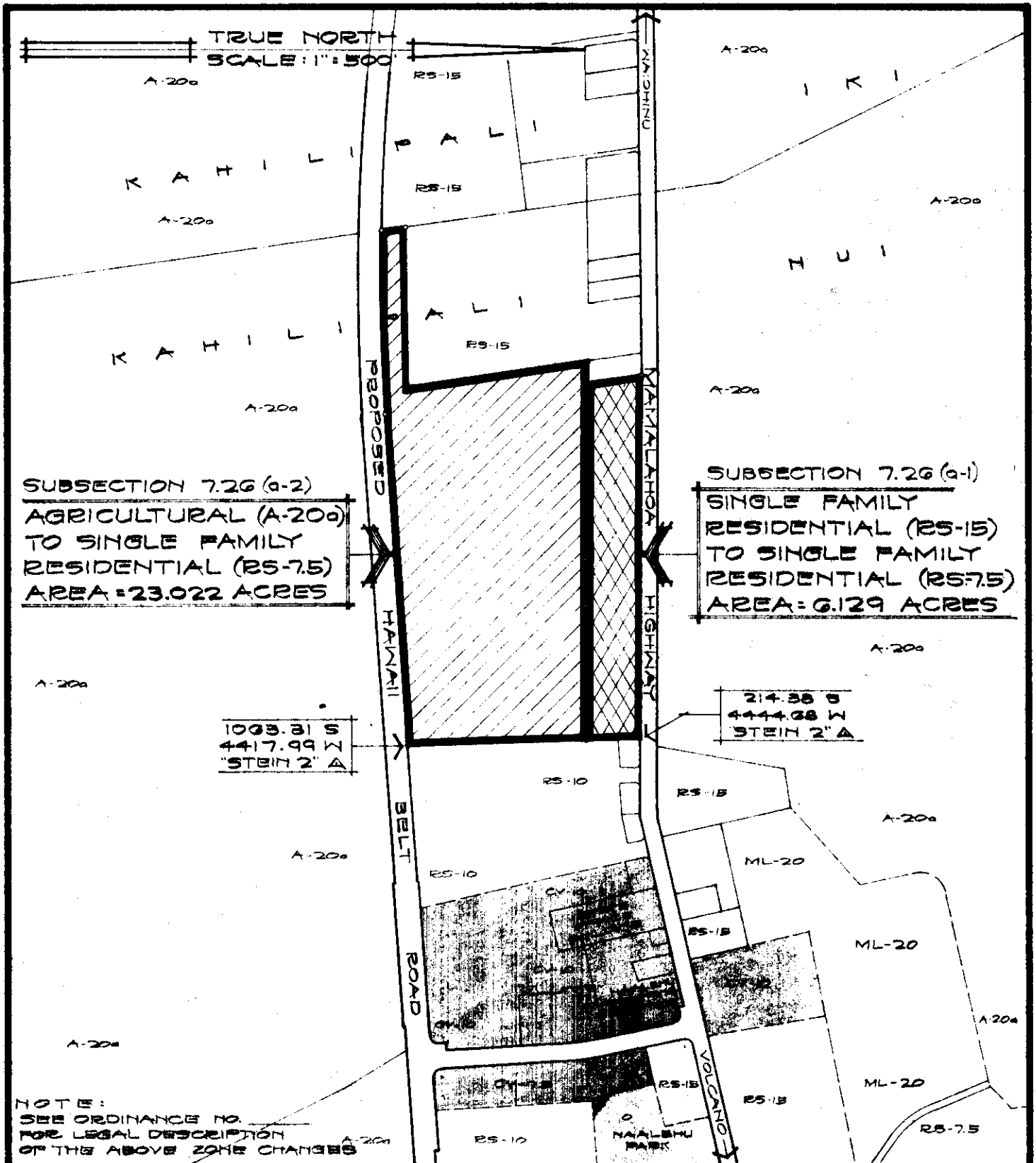
214.38 S
 4444.08 W
 STEIN 2' Δ

NOTE:
 SEE ORDINANCE NO. _____
 FOR LEGAL DESCRIPTION
 OF THE ABOVE ZONE CHANGES

AMENDMENT TO THE COUNTY ZONING ORDINANCE

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DATE OF PUBLIC HEARING: DEC. 14, 1972
 DATE OF APPROVAL:
 ORDINANCE NO:
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII



AMENDMENT TO THE COUNTY ZONING ORDINANCE

AMENDMENT NO. 1 OF SECTION 7.26, THE NAALEHU ZONE MAP, PORTION OF ORD. NO. III, CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) & AGRICULTURAL (A-200) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KAHILIPALI NUI, KA'U, HAWAII.

DATE OF PUBLIC HEARING: DEC. 14, 1972

DATE OF APPROVAL:

ORDINANCE NO:

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 9-5-22:1

DEC. 15, 1972

EXHIBIT "A"

Hilo, Hawaii

Date: January 13, 1973

FIRST READING			
	AYES	NOES	A/E
Carpenter			EX
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
Matayoshi	X		
Yadao	X		
Chr. Yamada	X		
	8	0	1

Publication Date: July 21, 1973


Hilo, Hawaii

Date: February 7, 1973

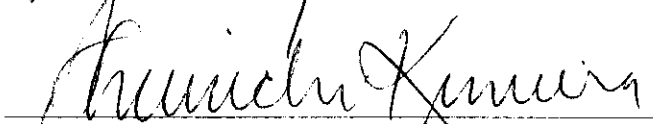
SECOND & FINAL READING			
	AYES	NOES	A/E
Carpenter			EX
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
Matayoshi	X		
Yadao	X		
Chr. Yamada	X		
	8	0	1

Publication Date: February 20, 1973

We do hereby certify that the foregoing BILL was adopted by the County Council and published as indicated above.


 Council Chairman


 County Clerk

Approved/Disapproved this 14 day of February, 1973

 Mayor, County of Hawaii

Bill No. 954
 Reference: C-51/PRDC-2
 M.B. No. 60
 Ord. No. 555

Bill No. 954 - 1973

AN ORDINANCE AMENDING SECTION 7.26, THE NAALEHU ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) AND AGRICULTURAL (A-20a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KAHILIPALI NUI, KA'U, HAWAII, COVERED BY TAX MAP KEY 9-5-22:1.

This Bill proposes to amend the Naalehu Zone Map by changing the district classification of land from single family residential (RS-15) and agricultural (A-20a) to single family residential (RS-7.5) zoned district in Kahilipali Nui, Ka'u, Hawaii.

Date Introduced: January 16, 1973

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk for use and examination by the public.

I hereby certify that the foregoing Bill passed first reading at the meeting of the County Council on January 16, 1973, by the following aye and no vote:

AYES: Councilmen De Luz, Farias, Fujii, Hisaoka, Kawahara, Matayoshi, Yadao and Chairman Yamada - 8.

NOES: None.

EXCUSED FROM VOTING: Councilmen Carpenter - 1.

AN ORDINANCE AMENDING SECTION 7.26, THE NAALEHU ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) AND AGRICULTURAL (A-20a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KAHILIPALI NUI, KA'U, HAWAII, COVERED BY TAX MAP KEY 9-5-22:1.

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Date Introduced: January 16, 1973

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk for use and examination by the public.

I hereby certify that the foregoing Bill passed first reading at the meeting of the County Council on January 16, 1973, by the following aye and no vote:

AYES: Councilmen De Luz, Farias, Fujii, Hisaoka, Kawahara, Matayoshi, Yadao and Chairman Yamada - 8.

NOES: None.



COUNTY CLERK
COUNTY OF HAWAII

ORDINANCE NO. 555
(Bill No. 954-1973)

AN ORDINANCE AMENDING SECTION 7.26, THE NAALEHU ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) AND AGRICULTURAL (A-20a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KAHILIPALI NUI, KA'U, HAWAII, COVERED BY TAX MAP KEY 9-5-22:1.

Date Approved: February 7, 1973
Date Effective: February 14, 1973

Copies of the foregoing Ordinance, in full, are on file in the Office of the County Clerk for use and examination by the public.

I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on February 7, 1973, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Farias, Fujii, Hisaoka, Kawahara, Matayoshi, Yadao and Chairman Yamada - 9.

NOES: None.



COUNTY CLERK
COUNTY OF HAWAII

ALL ORDINANCES PASSED BY THE COUNTY OF HAWAII
7.26, THE NAALEHU ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) AND AGRICULTURAL (A-20a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KAHILIPALI NUI, KA'U, HAWAII, COVERED BY TAX MAP KEY 9-5-22:1.

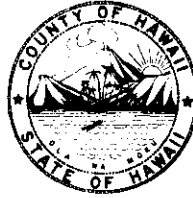
Date Approved: February 7, 1973
Date Effective: February 14, 1973
Copies of the foregoing Ordinance, in full, are on file in the Office of the County Clerk for use and examination by the public.

I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on February 7, 1973, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Farias, Fujii, Hisaoka, Kawahara, Matayoshi, Yadao and Chairman Yamada - 9.

NOES: None.
TADASHI SUZUKI
COUNTY CLERK
COUNTY OF HAWAII

Tadashi Suzuki
COUNTY CLERK



Robert Shioji
DEPUTY COUNTY CLERK

OFFICE OF THE COUNTY CLERK
COUNTY OF HAWAII
HILO, HAWAII 96720

Mayor Shunichi Kimura
County of Hawaii
Hilo, Hawaii

I hereby transmit Ordinance Bill No. 954
passed by the County Council on second and final
reading.

Tadashi Suzuki
COUNTY CLERK

Encl.

Dated: February 7, 1973