

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 566

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO VILLAGE COMMERCIAL (CV-7.5), MULTIPLE FAMILY RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL (RS-10) AT HALEKII, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-1-03:35, 43, 44, 46 AND PORTION OF 47.

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

SECTION 1. Section 7.03 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:

"7.03 (1-1). The district classification of the following area situated at Halekii, South Kona, Hawaii, shall be Village Commercial (CV-7.5):

Beginning at the southwest corner of this parcel of land, along the north side of Land Court Application 1609, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OHAU," being 2,072.93 feet North and 10,694.45 feet East, thence running by azimuths measured clockwise from true South:

1. 166° 45' 495.21 feet along the remainder of R. P. 1670 to John D. Parish on a portion of L. C. Aw. 387, Part 4, Section 2 to American Board of Commissioners for Foreign Missions;  

Thence along a curve to the left with a radius of 790.00 feet, the chord azimuth and distance being:
2. 73° 55' 34.5" 136.32 feet along same;
3. 168° 50' 33" 264.55 feet along same;
4. 276° 15' 117.13 feet along Grant 865 to John Nakookoo;
5. 277° 41' 30" 51.26 feet along same;
6. 2° 50' 30" 17.55 feet along Grant 173 to John Peters;
7. 271° 24' 423.93 feet along same;
8. 274° 57' 30" 110.44 feet along same;
9. 271° 55' 30" 201.64 feet along same;

Thence along a curve to the right with a radius of 1402.69 feet, the chord azimuth and distance being:

10. 0° 57' 38.6" 437.53 feet along the west side of Hawaii Belt Road;
11. 9° 56' 185.58 feet along same;
12. 83° 48' 30" 58.11 feet along Land Court Application 1609;
13. 78° 42' 72.78 feet along same;
14. 83° 32' 30" 212.88 feet along same;
15. 90° 45' 101.35 feet along same;
16. 100° 38' 126.86 feet along same to the point of beginning and containing an area of 11.091 acres, more or less.

"7.03 (1-2). The district classification of the following area situated at Halekii, South Kona, Hawaii, shall be Multiple Family Residential (RM-2):

Beginning at the northeast corner of this parcel of land, along the south side of Grant 865 to John Nakookoo, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OHAU," being 2,776.77 feet North and 10,398.76 feet East, thence running by azimuths measured clockwise from true South:

1. 348° 50' 33" 264.55 feet along the remainder of R. P. 1670 to John D. Parish on a portion of L. C. Aw. 387, Part 4, Section 2 to American Board of Commissioners for Foreign Missions;

Thence along a curve to the right with a radius of 790.00 feet, the chord azimuth and distance being:

2. 253° 55' 34.5" 136.32 feet along same;
3. 346° 45' 495.21 feet along same;
4. 100° 38' 58.99 feet along Land Court Application 1609;
5. 88° 04' 30" 57.86 feet along same;
6. 166° 45' 375.83 feet along the remainder of R. P. 1670 to John D. Parish on a portion of L. C. Aw. 387, Part 4, Section 2 to American Board of Commissioners for Foreign Missions;

Thence along a curve to the left with a radius of 710.00 feet, the chord azimuth and distance being:

- |     |                  |     |     |   |
|-----|------------------|-----|-----|---|
| 7.  | 67 <sup>o</sup>  | 45' | 34" | 59.70 feet along same;  |
| 8.  | 65 <sup>o</sup>  | 21' |     | 428.34 feet along same;   |
|     |                  |     |     | Thence along a curve to the left<br>with a radius of 30.00 feet, the<br>chord azimuth and distance being:   |
| 9.  | 26 <sup>o</sup>  | 03' |     | 38.00 feet along same;  |
| 10. | 166 <sup>o</sup> | 45' |     | 519.76 feet along same;   |
| 11. | 264 <sup>o</sup> | 46' |     | 42.50 feet along Grant 865 to John<br>Nakookoo;   |
| 12. | 268 <sup>o</sup> | 00' |     | 71.33 feet along same;  |
| 13. | 270 <sup>o</sup> | 30' | 30" | 118.59 feet along same;   |
| 14. | 250 <sup>o</sup> | 28' | 30" | 88.70 feet along same;  |
| 15. | 262 <sup>o</sup> | 08' | 30" | 172.47 feet along same to the point of<br>beginning and containing an area of<br>5.811 acres, more or less. |

"7.03 (1-3). The district classification of the following area situated at Halekii, South Kona, Hawaii, shall be Single Family Residential (RS-10):

Beginning at the southeast corner of this parcel of land, along the north side of Land Court Application 1609, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OHAU," being 2,081.87 feet North and 10,578.65 feet East, thence running by azimuths measured clockwise from true South:

- |     |                 |     |     |   |
|-----|-----------------|-----|-----|---|
| 1.  | 88 <sup>o</sup> | 04' | 30" | 22.13 feet along Land Court Application<br>1609 for the following fourteen (14)<br>courses: |
| 2.  | 84 <sup>o</sup> | 15' |     | 74.28 feet;   |
| 3.  | 71 <sup>o</sup> | 58' | 30" | 74.69 feet;   |
| 4.  | 51 <sup>o</sup> | 02' | 30" | 52.96 feet;   |
| 5.  | 47 <sup>o</sup> | 50' | 30" | 151.15 feet;  |
| 6.  | 63 <sup>o</sup> | 27' |     | 80.72 feet;   |
| 7.  | 54 <sup>o</sup> | 20' | 30" | 42.09 feet;   |
| 8.  | 59 <sup>o</sup> | 40' |     | 328.63 feet;  |
| 9.  | 69 <sup>o</sup> | 07' | 30" | 56.82 feet;   |
| 10. | 60 <sup>o</sup> | 55' |     | 180.40 feet;  |

11.	63 <sup>o</sup>	13'		159.71 feet;
12.	73 <sup>o</sup>	02'		87.56 feet;
13.	82 <sup>o</sup>	44'	30"	282.04 feet;
14.	69 <sup>o</sup>	29'		97.61 feet;
15.	350 <sup>o</sup>	50'		88.01 feet;
16.	78 <sup>o</sup>	27'	30"	137.31 feet along Grant 977 to Panaunau;
17.	91 <sup>o</sup>	04'		164.93 feet along same;
18.	170 <sup>o</sup>	44'	55"	982.92 feet along the remainder of R. P. 1670 to John D. Parish on a portion of L. C. Aw. 387, Part 4, Section 2 to American Board of Commissioners for Foreign Missions;
				Thence along Grant 865 to John Nakookoo for the following fifteen (15) courses:
19.	248 <sup>o</sup>	00'	30"	100.91 feet;
20.	297 <sup>o</sup>	57'		24.62 feet;
21.	223 <sup>o</sup>	18'		39.77 feet;
22.	252 <sup>o</sup>	08'		71.35 feet;
23.	247 <sup>o</sup>	51'		62.63 feet;
24.	258 <sup>o</sup>	44'		135.37 feet'
25.	249 <sup>o</sup>	25'		117.69 feet;
26.	256 <sup>o</sup>	52'		95.04 feet;
27.	244 <sup>o</sup>	57'	30"	158.52 feet;
28.	247 <sup>o</sup>	24'	30"	132.40 feet;
29.	244 <sup>o</sup>	49'		69.03 feet;
30.	241 <sup>o</sup>	04'		71.39 feet;
31.	256 <sup>o</sup>	15'	30"	68.14 feet;
32.	254 <sup>o</sup>	36'		201.92 feet;
33.	264 <sup>o</sup>	46'		40.00 feet;
34.	346 <sup>o</sup>	45'		519.76 feet along the remainder of R. P. 1670 to John D. Parish on a portion of L. C. Aw. 387, Part 4, Section 2 to American Board of Commissioners for Foreign Missions;

Thence along a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being:

35. 206<sup>o</sup> 03' 38.00 feet;

36. 245<sup>o</sup> 21' 428.34 feet;

Thence along a curve to the right with a radius of 710.00 feet, the chord azimuth and distance being:

37. 247<sup>o</sup> 45' 34" 59.70 feet;

38. 346<sup>o</sup> 45' 375.83 feet to the point of beginning and containing an area of 36.000 acres, more or less.

"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) the area be zoned with the following increments: 1.) The RS-10 area shall consist of two (2) increments. The first increment shall consist of seventy (70) lots and the second, the remaining lots. The effective date of zoning for the second increment shall be after development has occurred on the first increment. Development is defined as building permits issued for residential dwelling units and construction partially completed - partially completed in the sense of having roofs on those units - on thirty (30) lots or forty-three (43) per cent in the first increment. This is to assure that a minimum of twenty-five (25) per cent of the lots of the entire RS-10 requested area would have single-family residential units on them; 2.) the RM-2 area shall consist of two (2) increments. The first increment shall consist of three (3) acres and the second increment, the remaining area. The effective date of zoning for the second increment shall be after development has occurred on the first increment. Development is defined as building permits issued for a multiple-residential complex consisting of a minimum of sixteen (16) units or twenty-five (25) per cent of the allowable units in the first increment and construction partially completed -

partially completed in the sense of having the basic structures fastened in a permanent fashion - on those units; and 3.) the CV-7.5 area shall consist of two (2) increments. The first increment shall consist of five (5) acres and the second increment, the remaining area. The effective date of zoning for the second increment shall be after development has occurred on the first increment. Development is defined as building permits issued and basic structures fastened in a permanent fashion on twenty-five (25) per cent of the land area of the first increment; (B) the petitioner be responsible for submitting a subdivision plan and secure preliminary approval for the RS-10 area within one (1) year from date of approval; (C) the petitioner be responsible for submitting a cluster plan development application for the requested RS-10 area, which shall include a minimum of four (4) acres of open space for active recreational use; (D) all other rules and regulations be complied with; and (E) the area be served by a sewer system of such design and capacity and meeting such standards and criteria as shall be required or imposed by the County's ordinance and by other applicable law.

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:

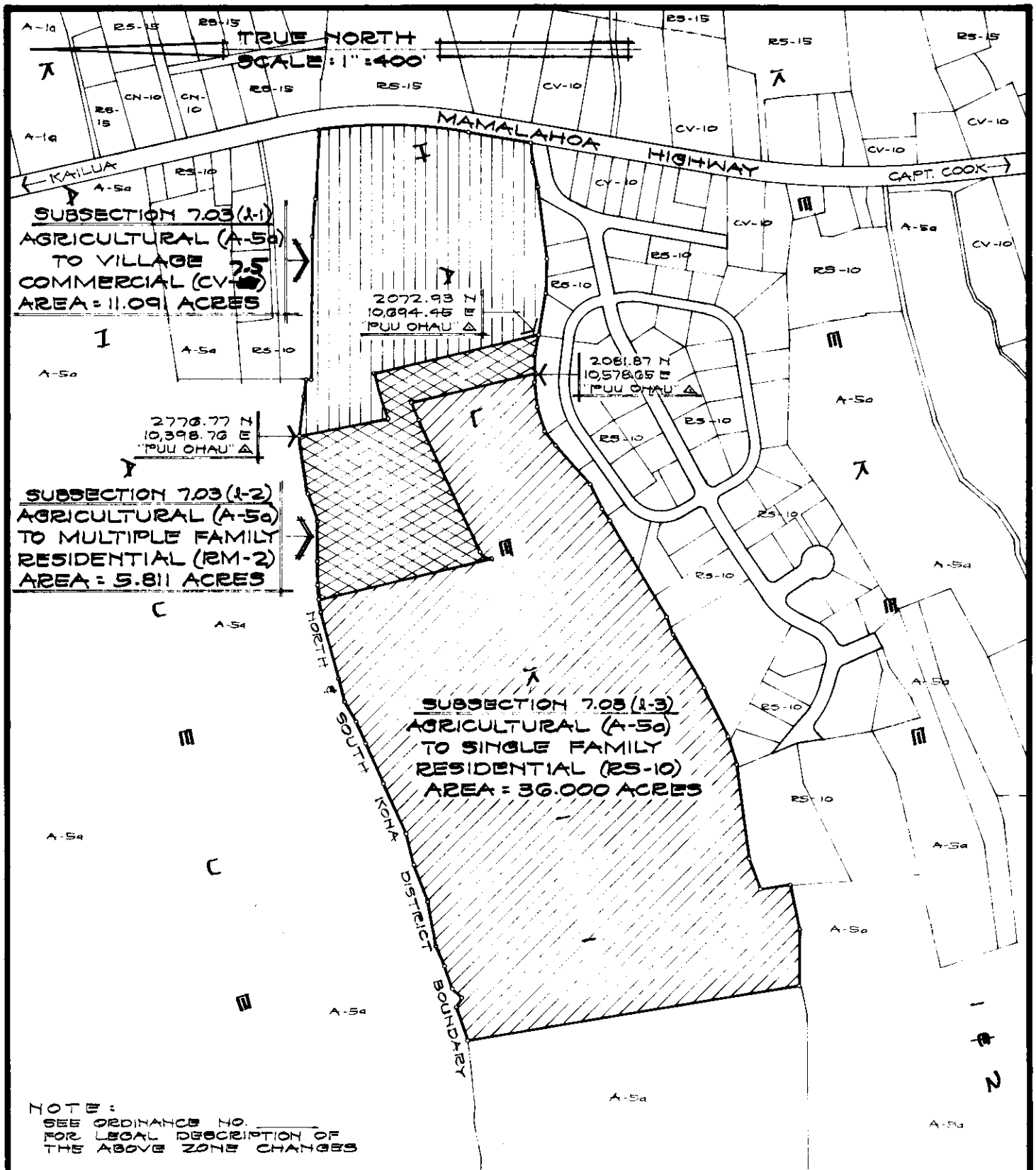
A handwritten signature in black ink, appearing to read "John J. ...", is written over a horizontal line. Below the line, the text "Councilman, County of Hawaii" is printed.

Councilman, County of Hawaii

Hilo, Hawaii

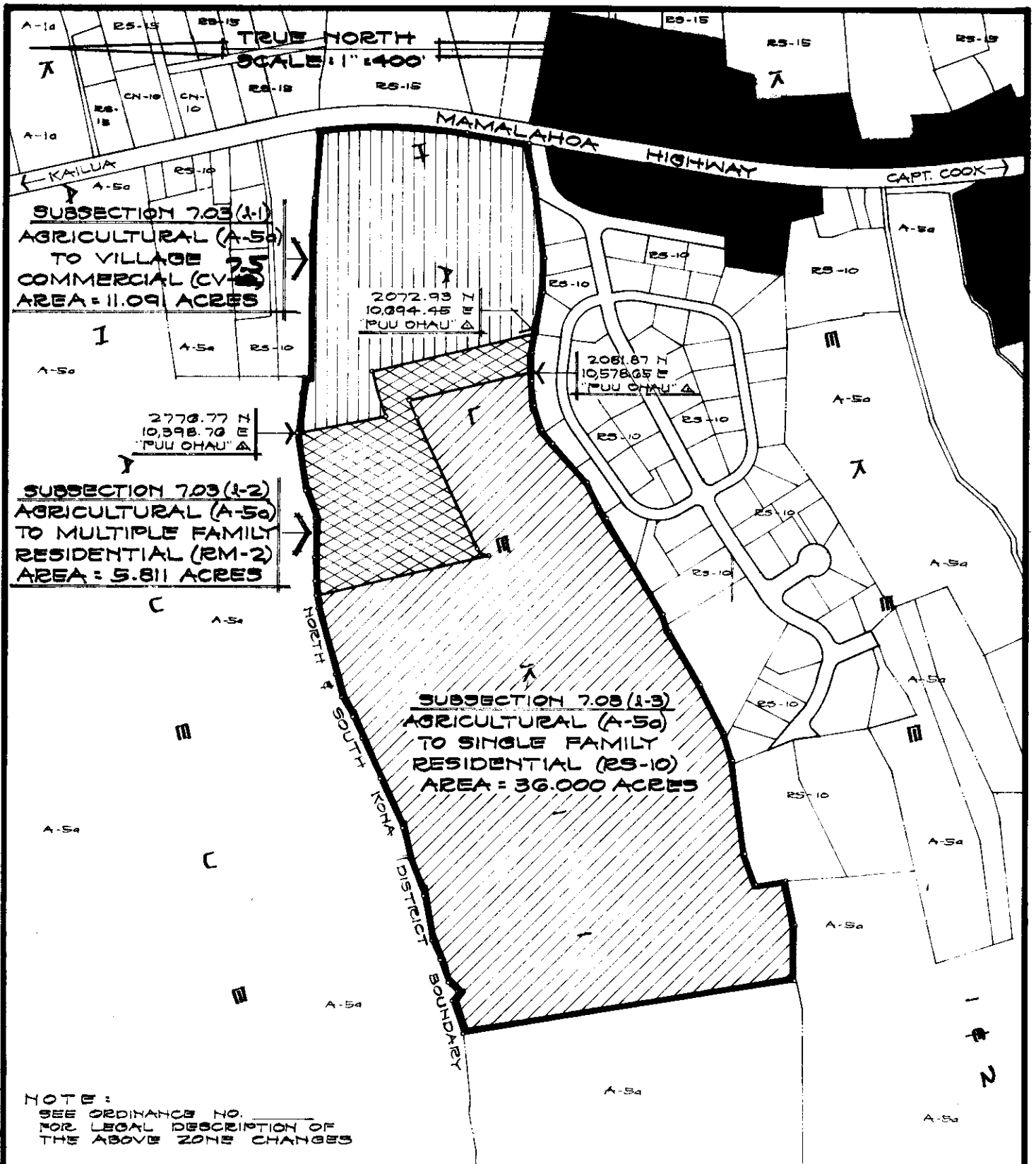
Date of Introduction: February 21, 1973

Date of Adoption: March 6, 1973



**AMENDMENT TO THE COUNTY ZONING ORDINANCE**  
 AMENDMENT NO. 12 OF SECTION 7.03, THE SOUTH KONA  
 ZONE MAP, PORTION OF ORDINANCE NO. 74, CHANGING  
 THE DISTRICT CLASSIFICATION FROM AGRICULTURAL  
 (A-5a) TO VILLAGE COMMERCIAL (CV-7.5), MULTIPLE FAMILY  
 RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL  
 (RS-10) AT HALEKII, SOUTH KONA, HAWAII.

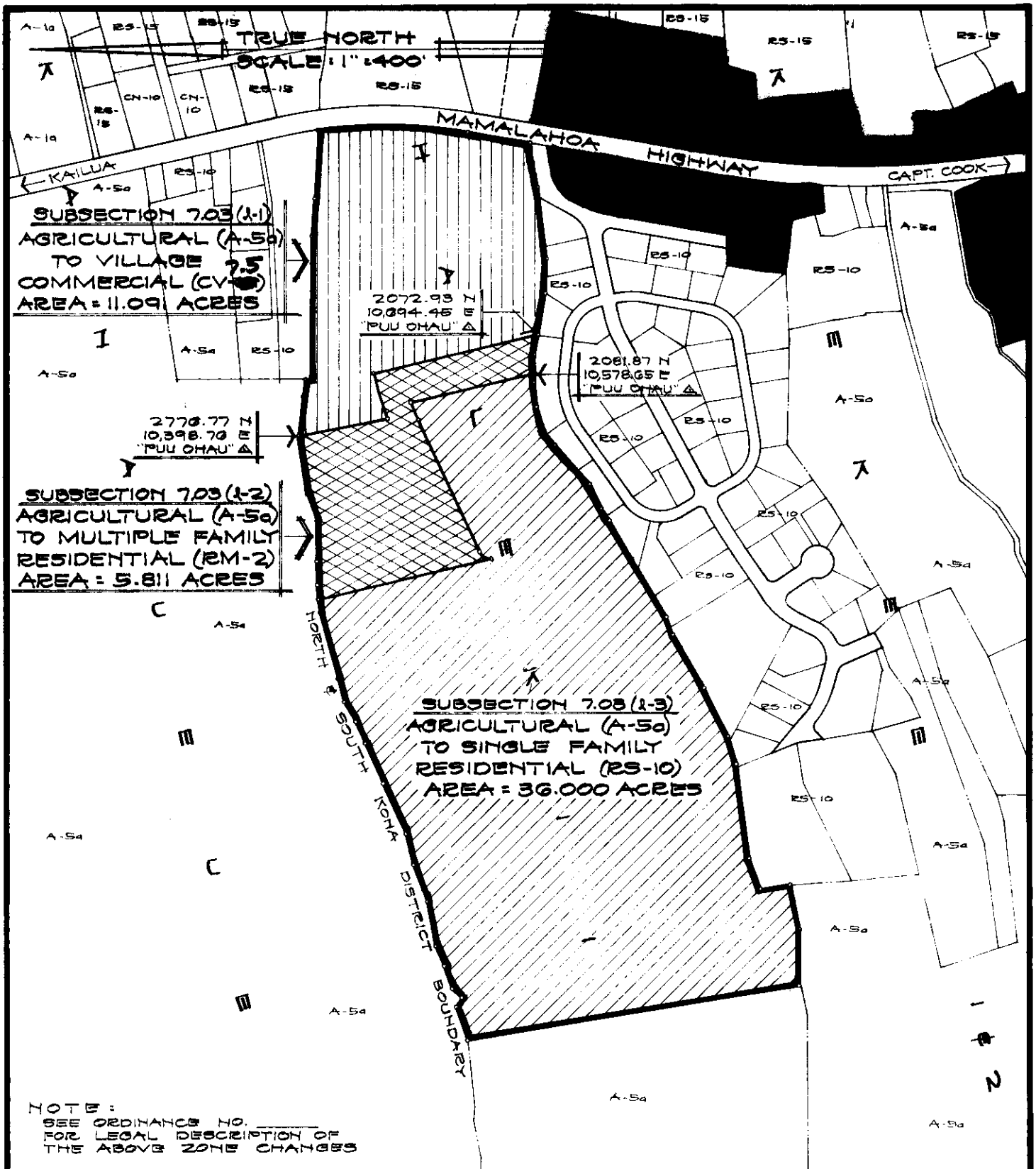
DATE OF PUBLIC HEARING: SEPT. 14, 1972  
 DATE OF APPROVAL:  
 ORDINANCE NO.  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII



AMENDMENT TO THE COUNTY ZONING ORDINANCE  
AMENDMENT NO. 12 OF SECTION 7.03, THE SOUTH KONA  
ZONE MAP, PORTION OF ORDINANCE NO. 74, CHANGING  
THE DISTRICT CLASSIFICATION FROM AGRICULTURAL  
(A-5a) TO VILLAGE COMMERCIAL (CV-2.5), MULTIPLE FAMILY  
RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL  
(RS-10) AT HALEKII, SOUTH KONA, HAWAII.

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





**AMENDMENT TO THE COUNTY ZONING ORDINANCE**

AMENDMENT NO. 12 OF SECTION 7.03, THE SOUTH KONA ZONE MAP, PORTION OF ORDINANCE NO. 74, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO VILLAGE COMMERCIAL (CV-2), MULTIPLE FAMILY RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL (RS-10) AT HALEKII, SOUTH KONA, HAWAII.

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

Hilo, Hawaii  
 Date: February 21, 1973

FIRST READING			
	AYES	NOES	A/E
Carpenter	X		
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
Matayoshi	X		
Yadao	X		
Chr. Yamada	X		
	9	0	0

Publication Date: March 1, 1973

Hilo, Hawaii  
 Date: March 6, 1973

SECOND & FINAL READING			
	AYES	NOES	A/E
Carpenter	X		
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
Matayoshi	X		
Yadao	X		
Chr. Yamada	X		
	9	0	0

Publication Date: March 19, 1973

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

*Robert M. Yamada*  
 Council Chairman

*Tadashi Suzuki*  
 County Clerk

Approved/Disapproved this 12 day of March, 1973.

*Samuel K. Kamura*  
 Mayor, County of Hawaii

Bill No. 964  
 Reference: C-101/PRDC-4  
 M.B. No. 105,124  
 Ord. No. 566

Bill No. 964 - 1973

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO VILLAGE COMMERCIAL (CV-7.5), MULTIPLE FAMILY RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL (RS-10) AT HALEKII, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-1-03:35, 43, 44, 46 AND PORTION OF 47.

This Bill proposes to amend the South Kona Zone Map by changing the district classification from agricultural (A-5a) to a village commercial (CV-7.5), multiple family residential (RM-2) and single family residential (RS-10) zoned district at Halekii, South Kona, Hawaii.

Date Introduced: February 21, 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.

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I hereby certify that the foregoing Bill passed first reading at the meeting of the County Council on February 21, 1973, by the following aye and no vote:

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

NOES: None.

**AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO VILLAGE COMMERCIAL (CV-7.5), MULTIPLE FAMILY RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL (RS-10) AT HALEKII, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-1-03:35, 43, 44, 46 AND PORTION OF 47.**

This Bill proposes to amend the South Kona Zone Map by changing the district classification from agricultural (A-5a) to a village commercial (CV-7.5), multiple family residential (RM-2) and single family residential (RS-10) zoned district at Halekii, South Kona, Hawaii.

Date Introduced: February 21, 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 February 21, 1973, by the following aye and no vote:

AYES: Councilman Carpenter, De Luz, Farias, Fujii, Hisaoka, Kawahara, Matayoshi, Yadao, and Chairman Yamada - 9.  
NOES: None.

R. S. Shioji  
DEPUTY COUNTY CLERK

  
DEPUTY COUNTY CLERK

ORDINANCE NO. 566  
(Bill No. 964-1973)

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO VILLAGE COMMERCIAL (CV-7.5), MULTIPLE FAMILY RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL (RS-10) AT HALEKII, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-1-03:35, 43, 44, 46 AND PORTION OF 47.

Date Approved: March 6, 1973  
Date Effective: March 12, 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.

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I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on March 12, 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.

**ORDINANCE NO. 566  
BILL NO. 964-1973**

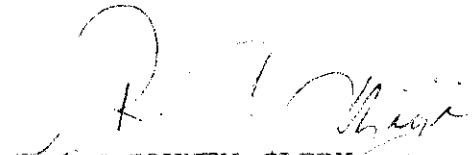
**AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO VILLAGE COMMERCIAL (CV-7.5), MULTIPLE FAMILY RESIDENTIAL (RM-2) AND SINGLE FAMILY RESIDENTIAL (RS-10) AT HALEKII, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-1-03:35, 43, 44, 46 AND PORTION OF 47.**

Date Approved: March 6, 1973  
Date Effective: March 12, 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 March 12, 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.  
R. S. SHIOJI  
For COUNTY CLERK  
COUNTY OF HAWAII

  
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. 964 passed by  
the County Council on second and final reading.

*Tadashi Suzuki*  
COUNTY CLERK

Encl.

Dated: March 8, 1973