

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 617

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE), HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-03:17.

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

SECTION 1. Section 7.29 of Article 2, Chapter 8 (Zoning Code), Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.29(p). The district classification of the following area situated at Waiakea Homesteads, 2nd Series, Waiakea, South Hilo, Hawaii, shall be Single Family Residential (RS-10):

Beginning at the northwest corner of this parcel of land, the northeast corner of Lot 721, Waiakea Homesteads, 2nd Series, and along the south side of Kawailani Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station 'HALAI,' being 12,400.7 feet South and 540.7 feet West, thence running by azimuths measured clockwise from true South:

1. 265° 40'            968.00 feet along the south side of Kawailani Street;
2. 355° 40'            1,800.00 feet along Lot 719, Waiakea Homesteads, 2nd Series;
3. 85° 40'            968.00 feet along Lot 814, Waiakea Homesteads, 2nd Series;
4. 175° 40'            1,800.00 feet along Lot 721, Waiakea Homesteads, 2nd Series, to the point of beginning and containing an area of 40.000 acres.

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

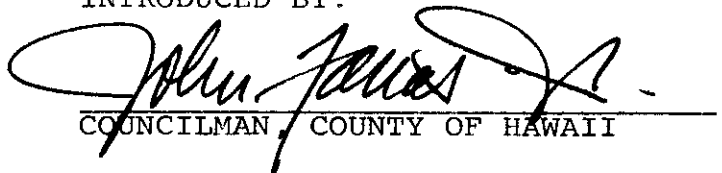
SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) the area be zoned in two (2) increments. The first increment shall consist of 80 lots and the second increment the remaining lots. The effective date

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 32 units within the first increment to assure that a minimum of 25 per cent of the lots are developed with dwellings; (B) the applicant, Herbert Matsunaga, submit and secure tentative approval of increment 1 of the proposed subdivision within one (1) year from the date of approval of the change of zone and also assume the responsibility for securing final subdivision approval for the first increment; (C) a minimum park area of 3.5 acres be provided. Minimum improvements shall include but not be limited to grading and grassing which is acceptable to appropriate agencies. The exact location and configuration of the park site shall be determined at the time of subdivision review of the first increment; (D) a cost breakdown and a complete list of buyers be submitted to the Planning Commission for review prior to submittal of the plans for preliminary subdivision approval for the second increment. Should any of these conditions not be met, action shall be taken to rezone the subject area to a more appropriate designation.

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.

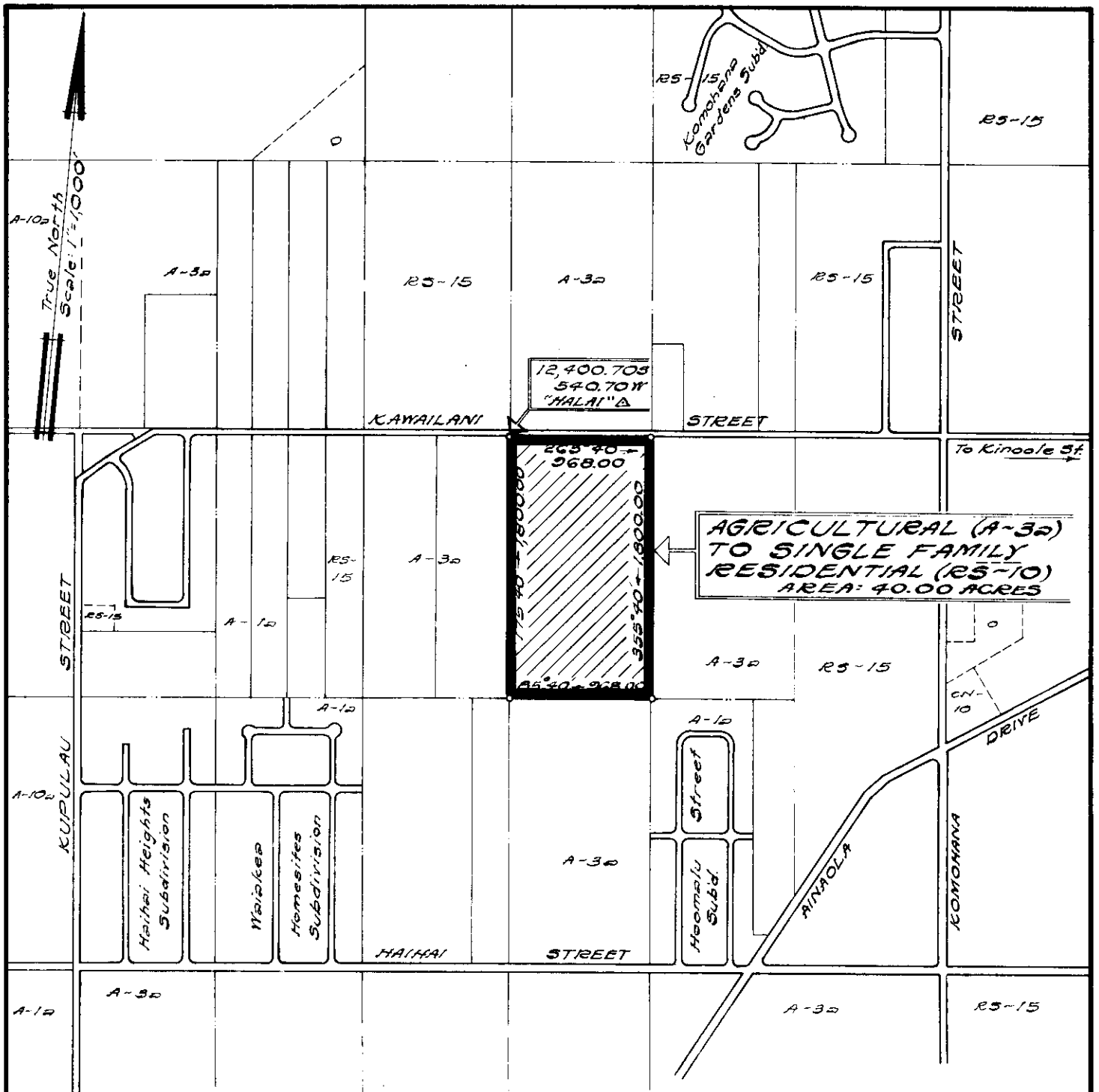
INTRODUCED BY:

  
COUNCILMAN, COUNTY OF HAWAII

Date of Introduction: October 24, 1973

Date of Adoption: December 5, 1973

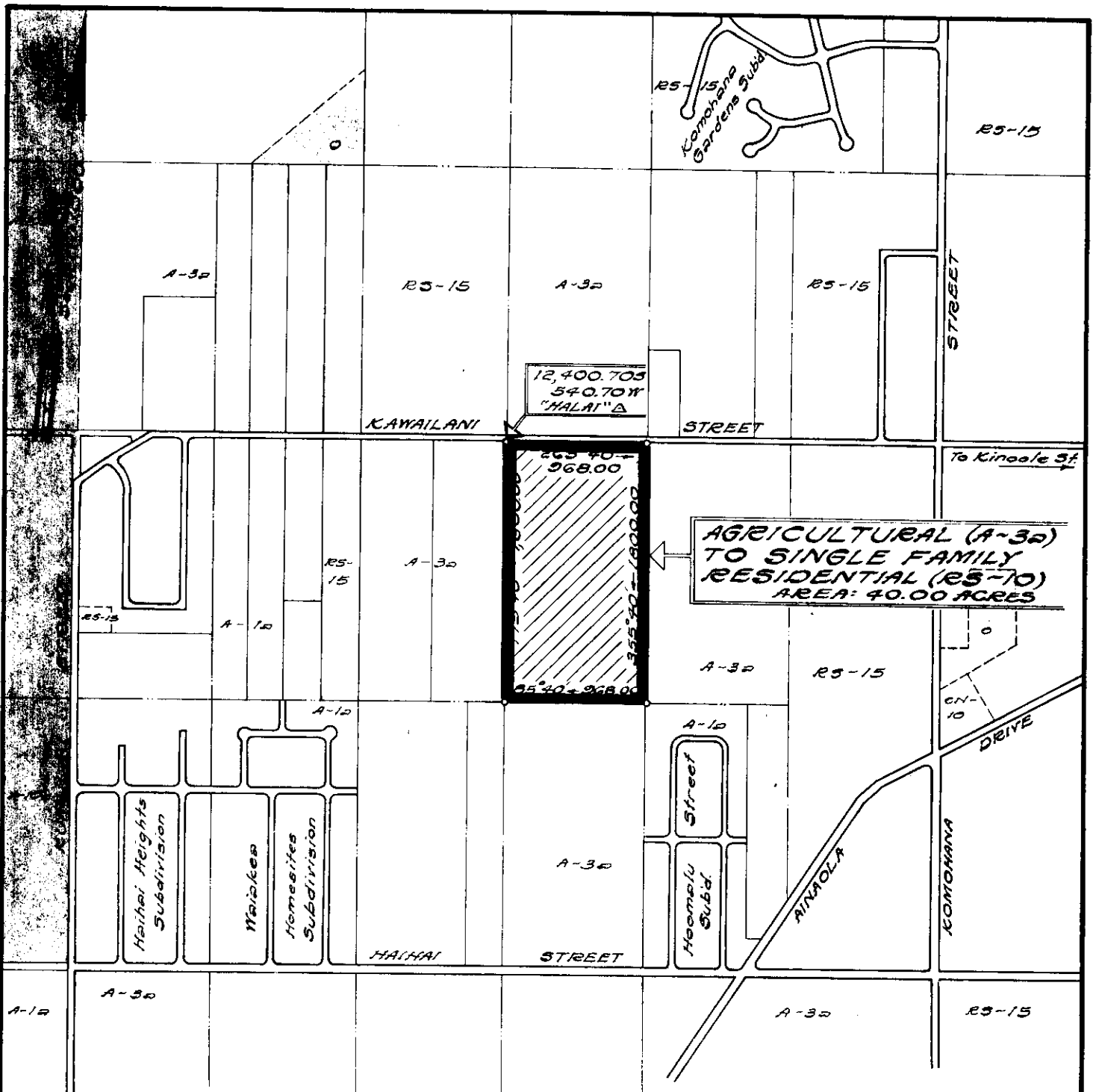
Effective Date: December 19, 1973



**AMENDMENT TO THE COUNTY ZONING ORDINANCE**

**AMENDMENT NO. 17 OF SECTION 7.29, THE CITY OF HILO ZONE MAP, PORTION OF ORD. NO. 187, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2nd SERIES, WAIAKEA, SOUTH HILO, HAWAII.**

DATE OF PUBLIC HEARING: 8-23-73  
 DATE OF APPROVAL:  
 ORDINANCE No.  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII



**AMENDMENT TO THE COUNTY ZONING ORDINANCE**

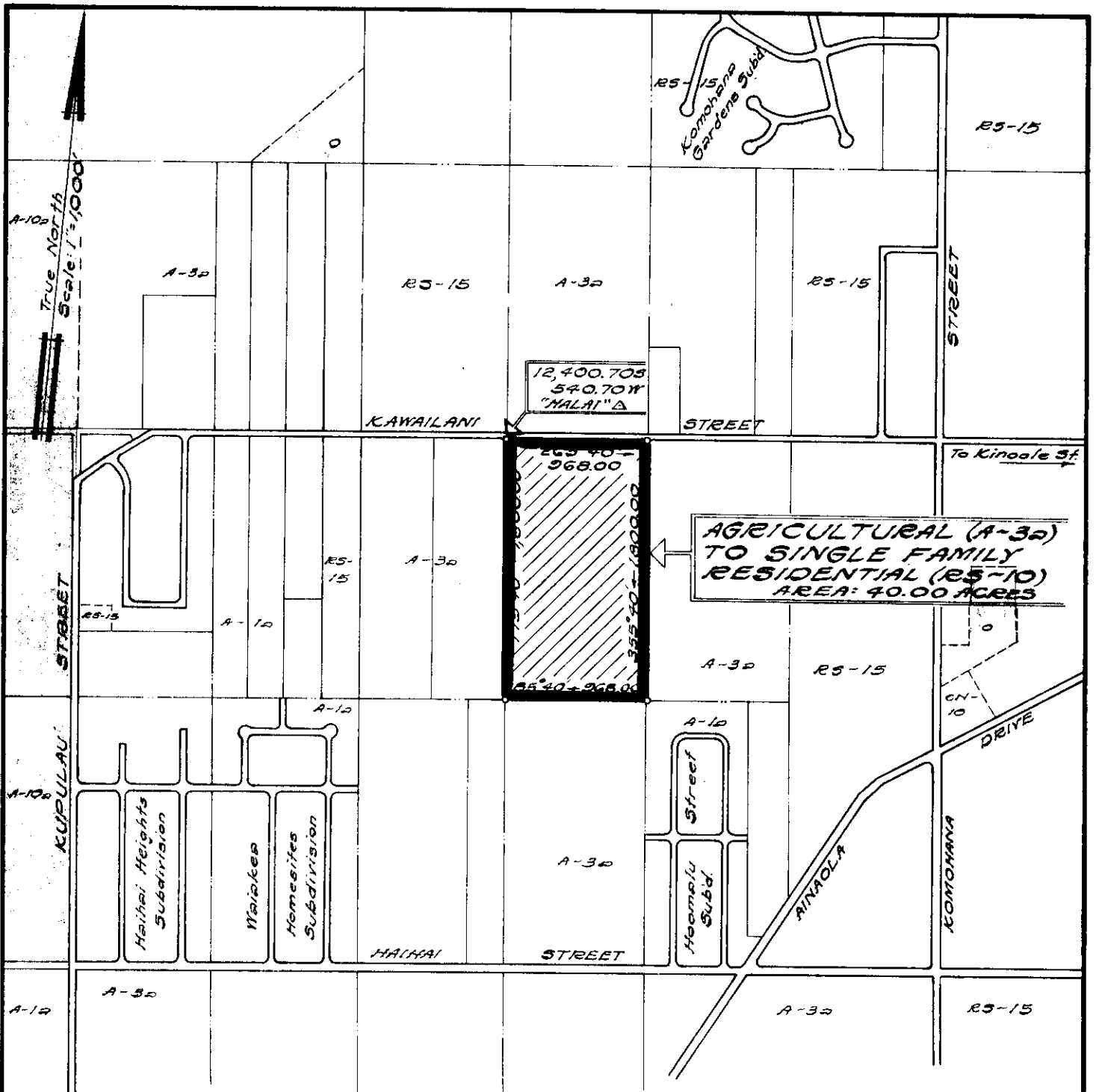
AMENDMENT NO. 17 OF SECTION 7.29, THE CITY OF HILO ZONE MAP, PORTION OF ORD. NO. 187, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2nd SERIES, WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: 8-23-73

DATE OF APPROVAL:

ORDINANCE No.

PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII



**AMENDMENT TO THE COUNTY ZONING ORDINANCE**

AMENDMENT NO. 17 OF SECTION 729, THE CITY OF HILO ZONE MAP, PORTION OF ORD. NO. 187, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2nd SERIES, WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: 8-23-73  
 DATE OF APPROVAL:  
 ORDINANCE No.  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII

Hilo, Hawaii  
 Date: October 29, 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		

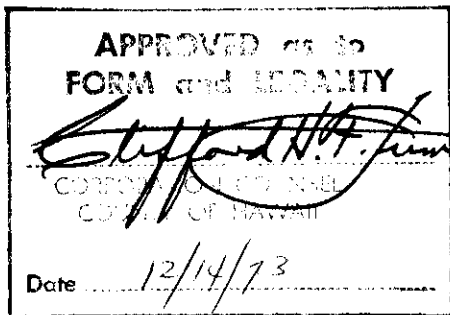
Publication Date: October 29, 1973

Hilo, Hawaii  
 Date: December 5, 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		

Publication Date: DEC 5 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

\_\_\_\_\_  
 County Clerk

Approved/~~Disapproved~~ this 19<sup>th</sup> day of  
December, 1973

Shumida Kama  
 Mayor, County of Hawaii

Bill No. 1019  
 Reference: C-460/PRDC-18  
 M.B. No. 4/1/73  
 Ord. No. \_\_\_\_\_

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO 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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-03:17.

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

SECTION 1. Section 7.29 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 subsection:

"7.29(q). The district classification of the following area situated at Waiakea Homesteads, 2nd Series, Waiakea, South Hilo, Hawaii, shall be Single Family Residential (RS-10):

Beginning at the northwest corner of this parcel of land, the northeast corner of Lot 721, Waiakea Homesteads, 2nd Series, and along the south side of Kawailani Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI," being 12,400.7 feet South and 540.7 feet West, thence running by azimuths measured clockwise from true South:

1. 265° 40' 968.00 feet along the south side of Kawailani Street;
2. 355° 40' 1,800.00 feet along Lot 719, Waiakea Homesteads, 2nd Series;
3. 85° 40' 968.00 feet along Lot 814, Waiakea Homesteads, 2nd Series;
4. 175° 40' 1,800.00 feet along Lot 721, Waiakea Homesteads, 2nd Series, to the point of beginning and containing an area of 40.000 acres.

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

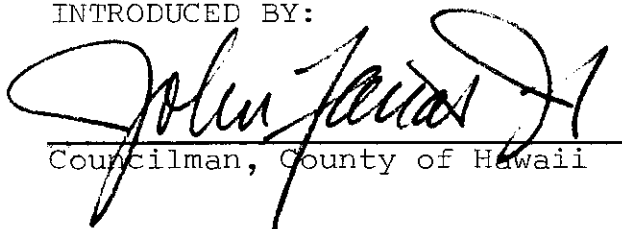
SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) the area be zoned in two (2) increments. The first increment shall consist of 80 lots and the second increment the remaining lots. The effective date of zoning for the second increment shall be after development 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 32 units within the first increment to assure that a minimum of 25 per cent of the lots are developed with dwellings; (B) the applicant, Herbert Matsunaga, submit and secure tentative approval of increment 1 of the proposed subdivision within one (1) year from the date of approval of the change of zone and also assume the responsibility for securing final subdivision approval for the first increment; (C) a minimum park area of 3.5 acres be provided. Minimum improvements shall include but not be limited to grading and grassing which is acceptable to appropriate agencies. The exact location and configuration of the park site shall be determined at the time of subdivision review of the first increment; (D) a cost breakdown and a complete list of buyers be submitted to the Planning Commission for review prior to submittal of the plans for preliminary subdivision approval for the second increment; and (E) the applicant include private covenant safeguards to minimize resale of the proposed lots. Such restrictive covenants shall include no resale of the lots for a period of five (5) years. Such a covenant shall be submitted for review and recordation by appropriate agencies as a condition before final approval is granted for any subdivision. Should any of these conditions not be met, action shall be taken to rezone the subject area to a more appropriate designation.

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: October 24, 1973

Date of Adoption:

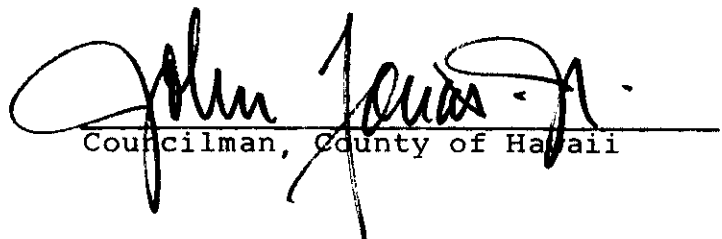


defined as building permits issued for residential dwelling units and construction partially completed - partially completed in the sense of having roofs on 32 units within the first increment to assure that a minimum of 25 per cent of the lots are developed with dwellings; (B) the applicant, Herbert Matsunaga, submit and secure tentative approval of increment 1 of the proposed subdivision within one (1) year from the date of approval of the change of zone and also assume the responsibility for securing final subdivision approval for the first increment; (C) a minimum park area of 3.5 acres be provided. Minimum improvements shall include but not be limited to grading and grassing which is acceptable to appropriate agencies. The exact location and configuration of the park site shall be determined at the time of subdivision review of the first increment; (D) a cost breakdown and a complete list of buyers be submitted to the Planning Commission for review prior to submittal of the plans for preliminary subdivision approval for the second increment. Should any of these conditions not be met, action shall be taken to rezone the subject area to a more appropriate designation.

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: October 24, 1973

Date of Adoption:

Bill No. 1019 - 1973

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO 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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-03:17.

This Bill proposes to amend the City of Hilo Zone Map by changing the district classification from Agricultural (A-3a) to Single Family Residential (RS-10) at Waiakea Homesteads, 2nd Series, S. Hilo.

Date Introduced: October 24, 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 October 24, 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

ORDINANCE NO. 617  
(Bill No. 1019-1973)

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE), HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-03:17.

Date Approved: December 5, 1973  
Date Effective: December 19, 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 December 5, 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

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE), HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-03:17.

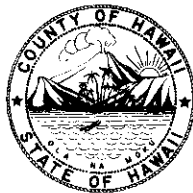
Date Approved: December 5, 1973  
Date Effective: December 19, 1973  
Copies of the foregoing Ordinance, in full, are on file in the Office of the County Clerk for use and examination by the public.

I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on December 5, 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. 1019 passed by  
the County Council on second and final reading.

*Tadashi Suzuki*

COUNTY CLERK

Encl.

Dated: December 10, 1973