

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 41

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-10a) TO AGRICULTURAL (A-1a) AT WAIAKEA HOMESTEADS, SECOND SERIES, WAIAKEA, SOUTH HILO, HAWAII COVERED BY TAX MAP KEY: 2-4-03:13.

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

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

"7.29(u). The district classification of the following area situated at Waiakea Homestead, Second Series, Waiakea, South Hilo, Hawaii, shall be Agricultural (A-1a):

Beginning at the southeast corner of this parcel of land, being also the northeast corner of Grant 11639 to Akira and Hiroko Nakamatsu and on the westerly side of Kupulau Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 14416.26 feet south and 3317.87 feet west, thence running by azimuths measured clockwise from true south:

1. 85° 40' 950.50 feet along Grant 11639 to Akira and Hiroko Nakamatsu, being also Lot 818, Waiakea Homesteads, 2nd Series;
2. 175° 40' 1800.00 feet along the remainder of the Government Land of Waiakea (portion of which is held by Kulana Foods, Ltd. under Revocable Permit No. S-3847);
3. 265° 40' 960.50 feet along the southerly side of Kawailani Street;
4. 355° 40' 259.08 feet along the westerly side of Kupulau Street;
5. 85° 40' 10.00 feet along the westerly side of Kupulau Street, being also the remainder of Grant 8667 to Annabelle L. Ruddle;
6. 355° 40' 1540.92 feet along same to the point of beginning and containing an area of 39.336 acres.

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

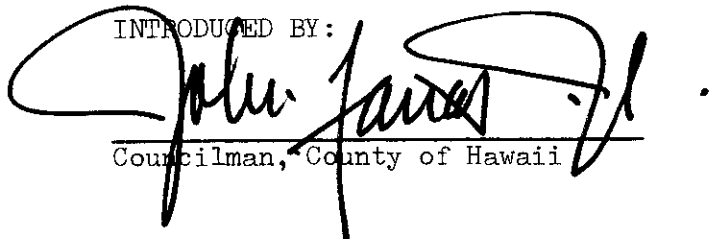
SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the condition that (A) the area be zoned in two increments. The first increment shall consist of twenty (20) lots and the second increment the remaining lots. The effective date of zoning for the second increment shall be after development has occurred on the first increment. Development is defined as building permit issued for residential dwelling

units and construction partially completed - partially completed in the sense of having roofs on 8 units within the first increment to assure that a minimum of forty (40) per cent of the lots are developed with dwellings; (B) the applicant, Kenneth Fujiyama, submit and secure tentative approval of increment No. 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; and (C) the applicant provide a cash contribution to the County of Hawaii equivalent to the sum of two hundred fifty dollars (\$250) per lot. Said funds shall be expended by the County to further the area's park and recreational development program. Should these conditions not be met, action may be taken to rezone the subject property 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:

A handwritten signature in black ink, appearing to read "John James". The signature is written over a horizontal line.

Councilman, County of Hawaii

Hilo, Hawaii

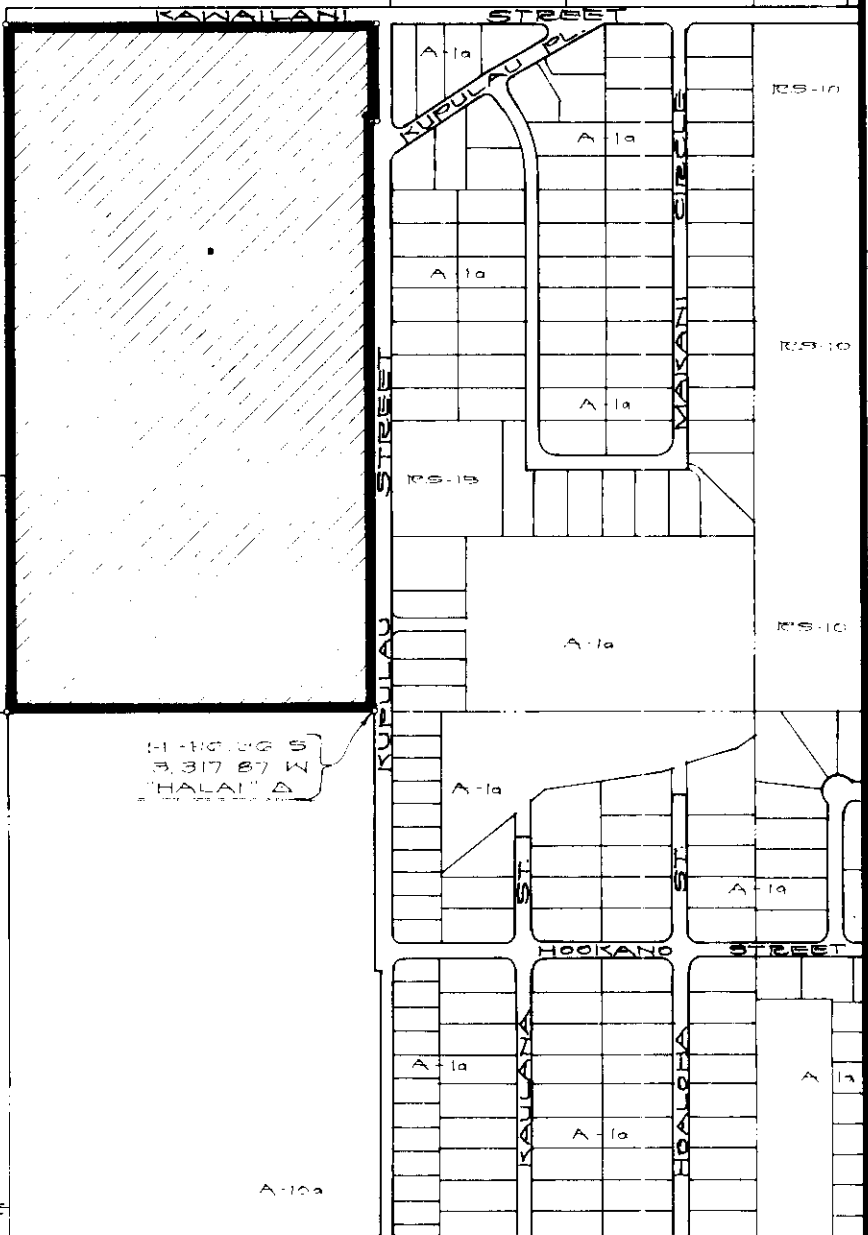
Date of Introduction: May 22, 1974

Date of Adoption: June 5, 1974

Date Effective: June 18, 1974

TRUE NORTH  
SCALE: 1"=500'

AGRICULTURAL (A-10a)  
TO AGRICULTURAL (A-1a)  
AREA = 39.336 ACRES



NOTE:  
SEE ORDINANCE NO. \_\_\_ FOR  
LEGAL DESCRIPTION OF THE  
ABOVE ZONE CHANGE.

## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. \_\_\_\_\_ OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.29, THE CITY OF HILO ZONE MAP, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-10a) TO AGRICULTURAL (A-1a) AT WAIAKEA HOME-STEADS, SECOND SERIES, WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: MARCH 14, 1974  
DATE OF APPROVAL: \_\_\_\_\_  
ORDINANCE NO. \_\_\_\_\_  
PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 2-4-03:13

APRIL 4, 1974

EXHIBIT "A"

Tadashi Suzuki  
COUNTY CLERK



Robert Shioji  
DEPUTY COUNTY CLERK

**OFFICE OF THE COUNTY CLERK**

COUNTY OF HAWAII  
HILO, HAWAII 96720

Mayor Bruce McCall  
County of Hawaii  
Hilo, Hawaii

I hereby transmit Ordinance Bill No. 44 passed by  
the County Council on second and final reading.

*Tadashi Suzuki*  
COUNTY CLERK

Encl.

Dated: June 10, 1974

Hilo, Hawaii  
Date: May 22, 1974

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		
	8		1

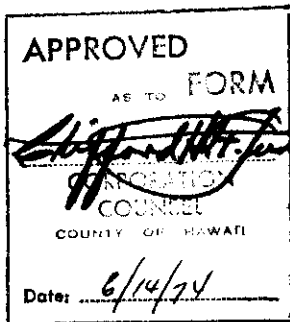
Publication Date: May 26, 1974

Hilo, Hawaii  
Date: June 5, 1974

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: JUN 23 1974

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



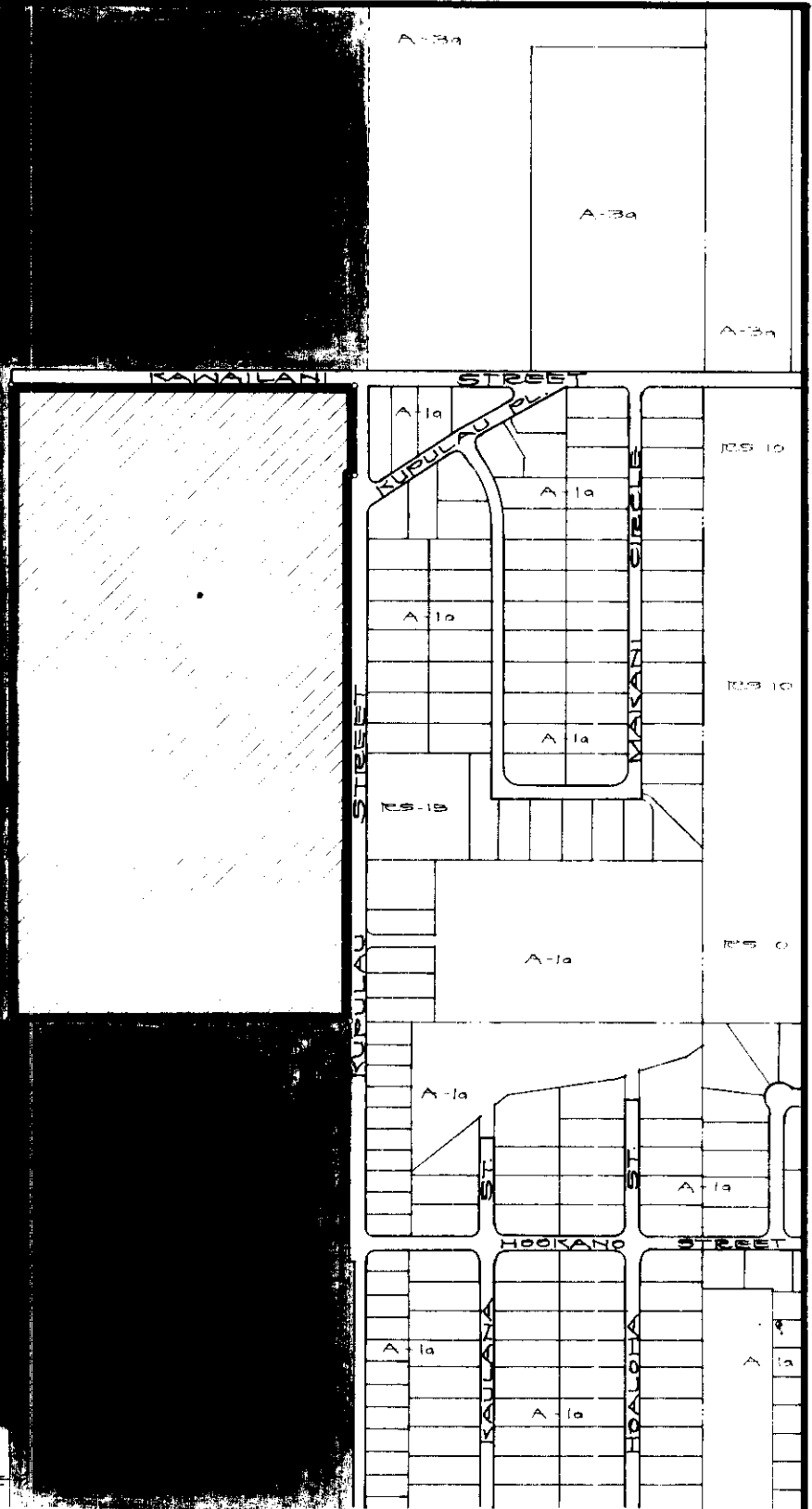
Robert M. Yamada  
Council Chairman

Tadashi Suzuki  
County Clerk

Approved/~~Disapproved~~ this 18<sup>th</sup> day of June, 1974

Bruce McCall  
Mayor, County of Hawaii

Bill No. 44  
Reference: C-807/PRDC-29  
M.B. No. \_\_\_\_\_  
Ord. No. 41



NOTE:  
SEE ORDINANCE NO. \_\_\_ FOR  
LEGAL DESCRIPTION OF THE  
ABOVE ZONE CHANGE.

## AMENDMENT TO THE ZONING CODE

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DATE OF PUBLIC HEARING: MARCH 14, 1974

DATE OF APPROVAL:

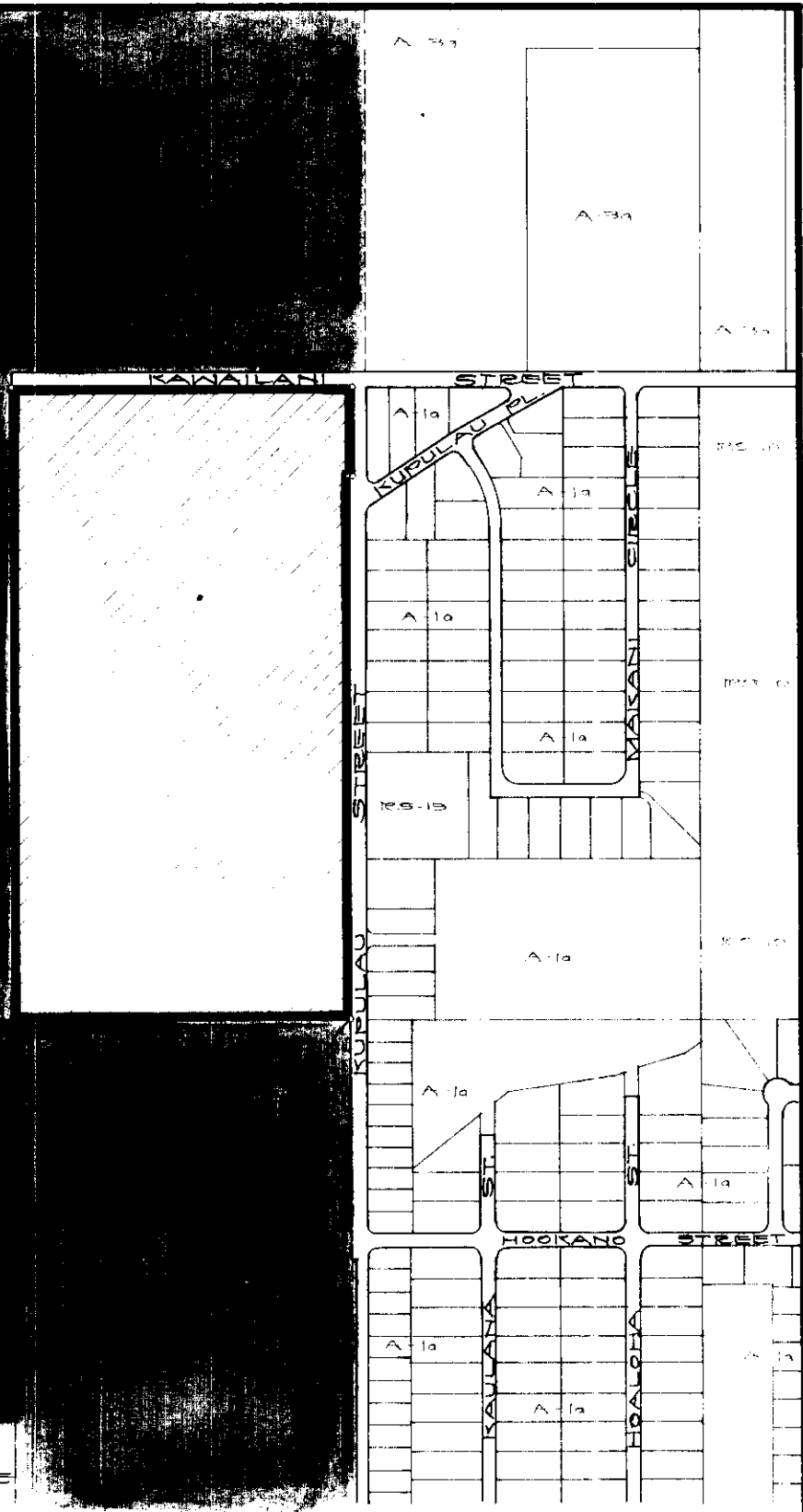
ORDINANCE NO.

PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 2-4-03:13

APRIL 4, 1974

EXHIBIT "A"



NOTE:  
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DATE OF PUBLIC HEARING: MARCH 14, 1974  
 DATE OF APPROVAL: \_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII

Bill No. 44 - 1974

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-10a) TO AGRICULTURAL (A-1a) AT WAIAKEA HOMESTEADS, SECOND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY: 2-4-03:13.

This Bill amends Section 7.29, the City of Hilo Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Agricultural (A-10a) to Agricultural (A-1a) at Waiakea Homesteads, 2nd Series, Waiakea, S. Hilo.

Date Introduced: May 22, 1974

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 May 22, 1974, by the following aye and no vote:

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

NOES: None.

ABSENT AND EXCUSED: Councilman Hisaoka - 1.

CHAPTER 8 ZONING CODE, ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-10a) TO AGRICULTURAL (A-1a) AT WAIAKEA HOMESTEADS, SECOND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY: 2-4-03:13.

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Date Introduced: May 22, 1974.  
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AYES: Councilmen Carpenter, De Luz, Farias, Fujii, Kawahara, Matayoshi, Yadao and Chairman Yamada - 8.  
NOES: None.  
ABSENT AND EXCUSED: Councilman Hisaoka - 1.

Tadashi Suzuki  
COUNTY CLERK  
COUNTY OF HAWAII

*Tadashi Suzuki*  
COUNTY CLERK  
COUNTY OF HAWAII



ORDINANCE NO. 41  
(Bill No. 44-1974)

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Date Approved: June 5, 1974  
Date Effective: June 18, 1974

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 June 5, 1974, 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 OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-10a) TO AGRICULTURAL (A-1a) AT WAIAKEA HOMESTEADS, SECOND SERIES, WAIAKEA, SOUTH HILO, HAWAII COVERED BY TAX MAP KEY: 2-4-03:13.

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

Tadashi Suzuki  
COUNTY CLERK  
COUNTY OF HAWAII  
(168—Hawaii Tribune-Herald:  
June 23, 30, 1974.)