

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 52

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-1a) AND AGRICULTURAL (A-3a) AT ILILOA, KALAMAUMI, AND KALAMAKOWALI HOMESTEADS, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-09:8.

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

SECTION 1. Section 7.03 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.03(0-1). The district classification of the following area situated at Ililoa, Kalamaumi, and Kalamakowali Homesteads, South Kona, Hawaii, shall be Agricultural (A-1a):

Beginning at the easterly corner of this parcel of land and on the westerly side of the Ancient Government Road to Ka'u, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAE-O-KANONI" being 17,556.57 feet North and 6,620.89 feet East, and running by azimuths measured clockwise from true South, westerly from said Road:

1. 28° 13' 50" 181.79 feet along Grant 1187 to Paulo, thence continuing along said Grant 1187 the following courses:
2. 27° 41' 518.83 feet;
3. 28° 44' 15" 197.51 feet;
4. 29° 22' 45" 202.90 feet;
5. 30° 07' 135.44 feet;
6. 34° 48' 134.70 feet;
7. 36° 50' 190.51 feet, thence;
8. 31° 21' 40" 172.94 feet along Grant 1188 to Kahikina, thence leaving said Grant 1188 in a northwesterly direction;
9. 147° 26' 40" 777.31 feet, thence;
10. 132° 33' 1,565.00 feet to the northwesterly line of this parcel, thence northeasterly along the

southeasterly line of RP 4497, L.C. Award 8559, Apana 6 to C. Kanaina the following courses:

- |     |      |     |     |   |
|-----|------|-----|-----|---|
| 11. | 223° | 44' | 20" | 11.27 feet;   |
| 12. | 218° | 53' | 30" | 95.24 feet;   |
| 13. | 220° | 59' | 10" | 157.05 feet;  |
| 14. | 214° | 39' |     | 43.65 feet;   |
| 15. | 219° | 43' | 50" | 100.33 feet;  |
| 16. | 221° | 25' | 40" | 115.65 feet;  |
| 17. | 229° | 29' | 20" | 160.64 feet;  |
| 18. | 227° | 38' | 50" | 105.60 feet;  |
| 19. | 225° | 25' |     | 85.00 feet;   |
| 20. | 220° | 34' | 50" | 90.67 feet;   |
| 21. | 218° | 05' | 50" | 104.86 feet;  |
| 22. | 216° | 31' | 25" | 275.79 feet;  |
| 23. | 213° | 18' | 30" | 151.25 feet;  |
| 24. | 211° | 23' | 20" | 67.91 feet, thence;   |
| 25. | 214° | 04' | 40" | 57.06 feet to the southwesterly line of the Old Upper Government Main Road to Ka'u, thence Southeasterly along said line the following courses: |
| 26. | 310° | 15' |     | 81.46 feet;   |
| 27. | 317° | 53' |     | 53.30 feet;   |
| 28. | 317° | 32' |     | 175.05 feet;  |
| 29. | 329° | 27' |     | 50.97 feet;   |
| 30. | 328° | 59' |     | 104.72 feet;  |
| 31. | 335° | 51' |     | 93.26 feet, being the chord of a curve to the right with a radius of 390 feet, thence;  |
| 32. | 342° | 43' |     | 55.55 feet;   |
| 33. | 328° | 49' | 30" | 96.04 feet, being the chord of a curve to the left with a radius of 200 feet, thence;   |
| 34. | 314° | 56' |     | 170.97 feet, thence leaving said southwesterly line and traversing around the boundary  |

of a small parcel of land which protrudes southwesterly from said Road line and is described by the following courses:

- |     |      |     |     |  |
|-----|------|-----|-----|--|
| 35. | 352° | 57' |     | 20.53 feet;  |
| 36. | 34°  | 19' |     | 70.67 feet;  |
| 37. | 38°  | 39' |     | 10.49 feet;  |
| 38. | 324° | 47' | 40" | 18.46 feet;  |
| 39. | 350° | 38' |     | 28.58 feet;  |
| 40. | 331° | 25' | 30" | 20.87 feet;  |
| 41. | 308° | 46' | 20" | 38.13 feet;  |
| 42. | 232° | 00' |     | 14.63 feet;  |
| 43. | 209° | 56' | 30" | 20.85 feet;  |
| 44. | 216° | 21' |     | 41.57 feet, thence;  |
| 45. | 211° | 11' | 40" | 39.72 feet, returning to the aforementioned southwesterly Road line, thence continuing southeasterly along said Road line;   |
| 46. | 301° | 10' |     | 121.66 feet, being the chord of a curve to the left with a radius of 295 feet, thence;   |
| 47. | 289° | 16' |     | 191.98 feet, thence;   |
| 48. | 285° | 53' | 10" | 84.92 feet, being the chord of a curve to the left with a radius of 720 feet, thence; Southeasterly along the Southwesterly line of the Ancient Government Road to Ka'u the following courses: |
| 49. | 333° | 00' |     | 66.20 feet;  |
| 50. | 325° | 21' |     | 77.35 feet;  |
| 51. | 326° | 11' |     | 116.51 feet;   |
| 52. | 312° | 13' | 30" | 48.05 feet;  |
| 53. | 292° | 26' |     | 32.27 feet;  |
| 54. | 316° | 43' | 40" | 127.85 feet;   |
| 55. | 320° | 50' |     | 148.93 feet;   |
| 56. | 325° | 17' |     | 61.50 feet, thence;  |
| 57. | 295° | 58' |     | 20.97 feet to the point of beginning and containing an area of approximately 76.91 acres.  |

"7.03(0-2). The district classification of the following area situated at Ililoa, Kalamauni, and Kalamakowali Homesteads, South Kona, Hawaii, shall be Agricultural (A-3a):

Beginning at a point, known as the TRUE POINT OF BEGINNING, which point is the easterly corner of this parcel of land and which point ties from a pipe in the ground, the coordinates of said pipe referred to Government Survey Triangulation Station "LAE-O-KANONI" being 17,556.57 feet North and 6,620.89 feet East, thence tying by azimuths measured clockwise from true South, southwesterly from said pipe the following courses:

- |     |              |   |
|-----|--------------|---|
|     | 28° 13' 50"  | 181.79 feet;  |
|     | 27° 41'      | 518.83 feet;  |
|     | 28° 44' 15"  | 197.51 feet;  |
|     | 29° 22' 45"  | 202.90 feet;  |
|     | 30° 07'      | 135.44 feet;  |
|     | 34° 48'      | 134.70 feet;  |
|     | 36° 50'      | 190.51 feet, thence;  |
|     | 31° 21' 40"  | 172.94 feet to the TRUE POINT OF BEGINNING,<br>southwesterly along Grant 1188 to<br>Kahikina, thence;   |
| 1.  | 31° 21' 40"  | 173.00 feet, thence;  |
| 2.  | 47° 14'      | 273.57 feet to the northeasterly line of the<br>Lower Government Main Road to Honaunau,<br>thence northwesterly along said line<br>the following courses: |
| 3.  | 163° 49'     | 7.84 feet;  |
| 4.  | 150° 20' 15" | 95.57 feet, being the chord of a curve to the<br>left of radius 205 feet;   |
| 5.  | 136° 51' 30" | 119.45 feet;  |
| 6.  | 119° 17' 45" | 135.80 feet, being the chord of a curve to the<br>left of radius 225 feet;  |
| 7.  | 101° 44'     | 30.33 feet;   |
| 8.  | 130° 38'     | 125.65 feet, being the chord of a curve to the<br>right of radius 130 feet;   |
| 9.  | 159° 32'     | 89.03 feet;   |
| 10. | 149° 18' 45" | 44.36 feet, being the chord of a curve to the<br>left of radius 125 feet;   |

11. 139° 05' 30" 36.27 feet;
12. 144° 44' 45" 54.21 feet, being the chord of a curve to the right of radius 275 feet;
13. 150° 24' 26.53 feet to the southerly corner of properties of the County of Hawaii, thence northeasterly along the southeasterly line of said County properties;
14. 232° 43' 101.29 feet to the easterly corner of said County properties, thence;
15. 132° 33' 660.00 feet along the northeasterly line of said County properties to the northerly corner of said County properties, thence;
16. 39° 53' 89.05 feet along the northwesterly line of said County properties to the northeasterly line of the aforementioned Lower Government Main Road to Honaunau, thence continuing northwesterly along said line the following courses:
17. 154° 20' 30" 246.07 feet;
18. 146° 10' 15" 60.54 feet, being the chord of a curve to the left of radius 213 feet;
19. 138° 00' 50.87 feet;
20. 129° 02' 105.36 feet, being the chord of a curve to the left of radius 338 feet;
21. 120° 04' 172.78 feet;
22. 127° 14' 45" 71.73 feet, being the chord of a curve to the right of radius 287 feet;
23. 134° 25' 30" 76.71 feet;
24. 121° 04' 30" 144.54 feet, being the chord of a curve to the left of radius 313 feet;
25. 107° 43' 30" 28.70 feet to the westerly corner of this parcel of land, thence leaving the aforementioned northeasterly line of the Lower Government Main Road in a northeasterly direction along R. P. 4497, L.C. Award 8559, Apana 6 to C. Kanaina the following courses:
26. 210° 42' 29.54 feet;
27. 216° 29' 30" 95.07 feet;
28. 222° 24' 50" 74.46 feet;

29. 224° 19' 50" 124.18 feet;
30. 218° 58' 20" 61.20 feet;
31. 215° 41' 86.96 feet;
32. 223° 44' 20" 72.00 feet to the northerly corner of this parcel of land, thence closing south-easterly to the easterly corner of this parcel of land the following courses:
33. 312° 33' 1,565.00 feet, thence;
34. 327° 26' 40" 777.31 feet to said easterly corner, being also the TRUE POINT OF BEGINNING, and containing an area of approximately 26.48 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 seventy-two (72) acres and the second, 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 permit issued for residential dwelling units and construction partially completed -- partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of the units for the entire area of 103.39 acres. The existing dwellings on the subject property shall not be included as being part of this requirement; (B) the applicants, Frank Krieger and Kid McCoy, submit a subdivision plan and secure tentative approval within one (1) year of the date of final approval of the change of zone request. All applicable subdivision regulations, in regard to roads, grading, etc., shall be reviewed and complied with at the time of subdivision approval; and (C) the disposal of sewage shall meet with the rules and regulations of the State Department of Health. Should any of the foregoing conditions not be met, rezoning of the property to its former zoning designation may be initiated.

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

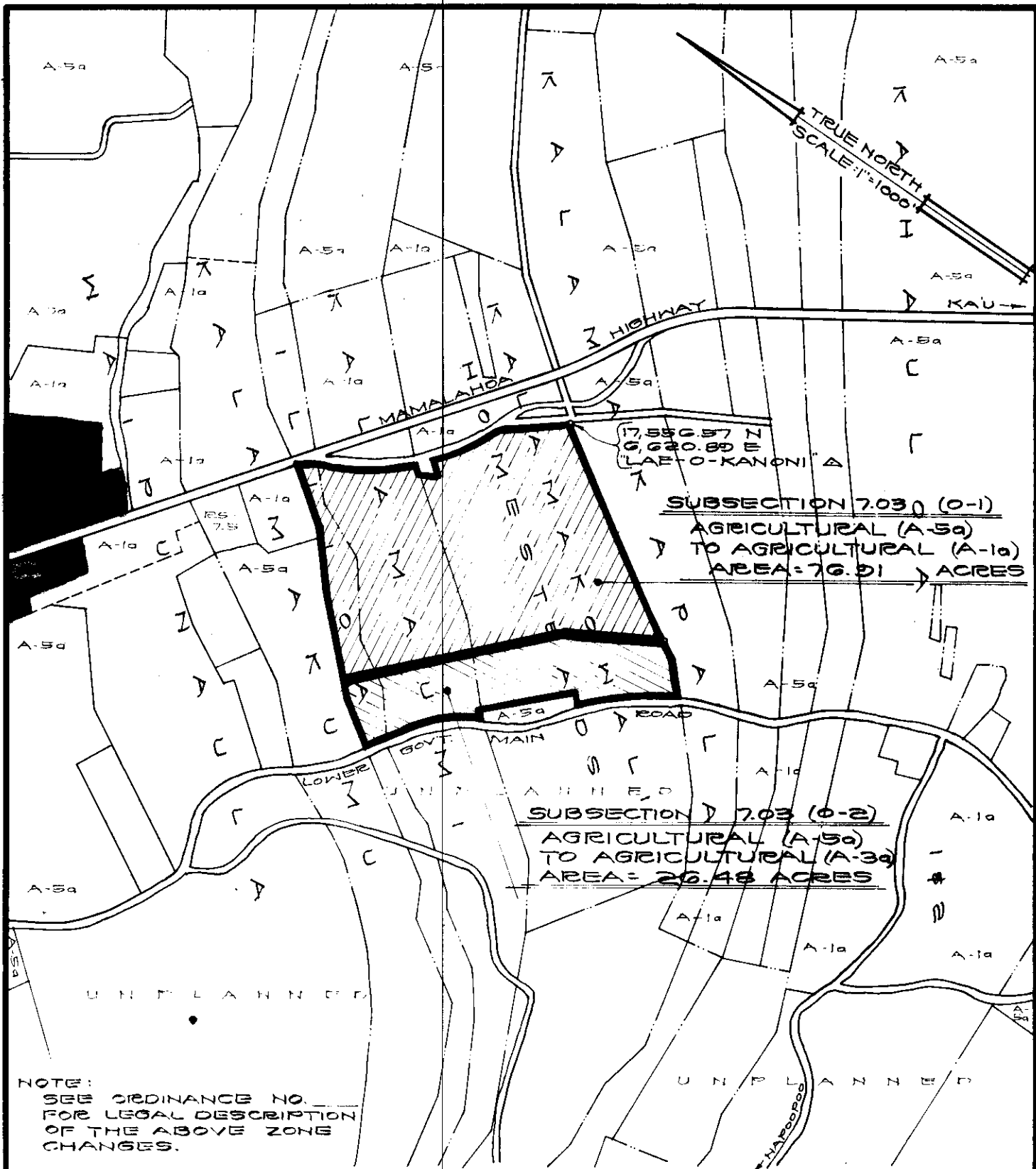
Date of Introduction: July 24, 1974

Date of Adoption: August 21, 1974

Effective Date: August 30, 1974



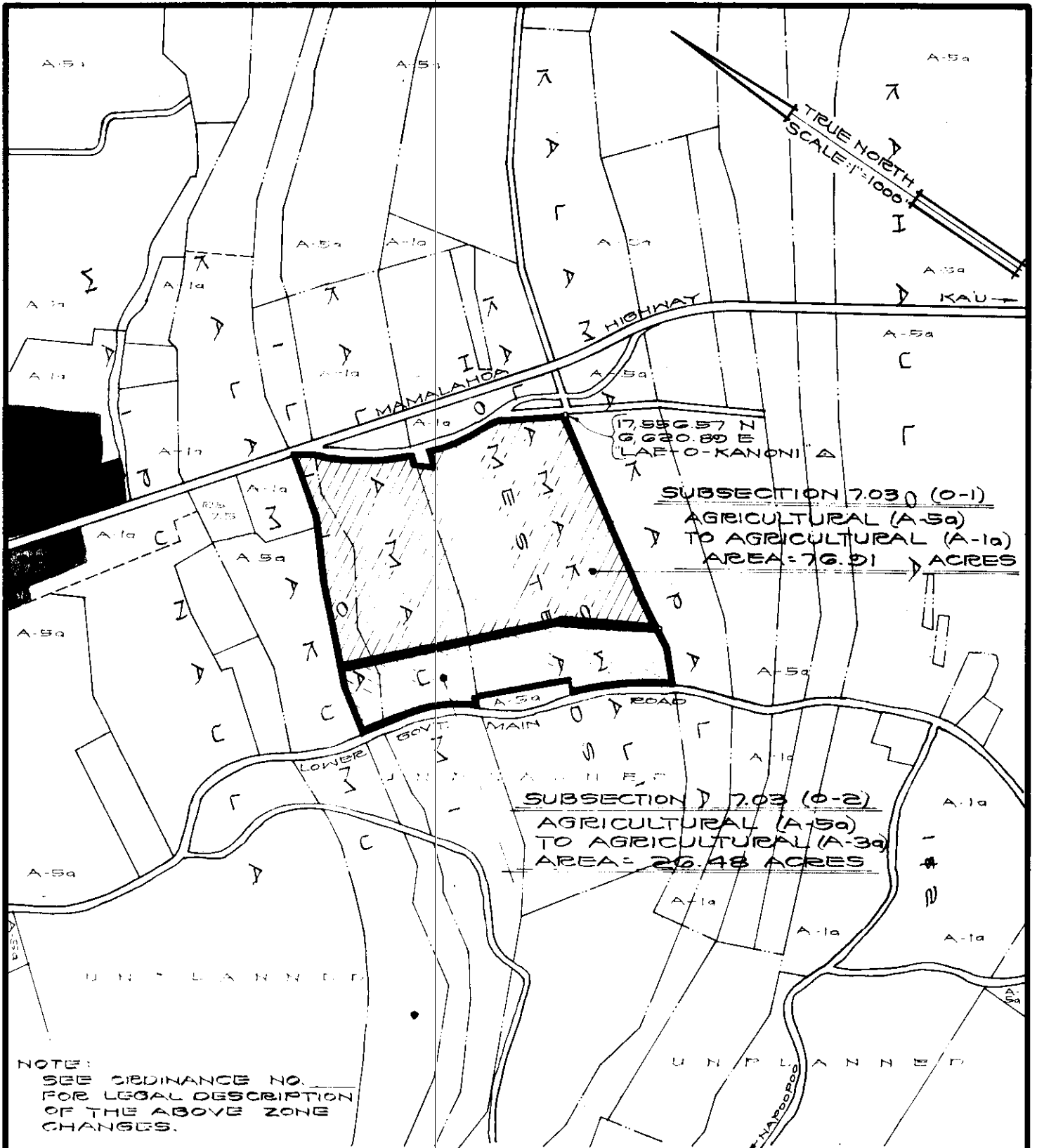




## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. \_\_\_\_\_ OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.03, THE SOUTH KONA ZONE MAP, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-1a) AND AGRICULTURAL (A-3a) AT KALAMAKOWALI HOMESTEADS, KALAMAUMI AND ILILOA, SOUTH KONA, HAWAII.

DATE OF PUBLIC HEARING: FEB. 15, 1974  
 DATE OF APPROVAL: \_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. \_\_\_\_\_ OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.03, THE SOUTH KONA ZONE MAP, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-1a) AND AGRICULTURAL (A-3a) AT KALAMAKOWALI HOMESTEADS, KALAMAUMI AND ILILOA, SOUTH KONA, HAWAII.

DATE OF PUBLIC HEARING: FEB. 15, 1974

DATE OF APPROVAL:

ORDINANCE NO.

PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

Tadashi Suzuki  
COUNTY CLERK



Robert Shioji  
DEPUTY COUNTY CLERK

OFFICE OF THE COUNTY CLERK

COUNTY OF HAWAII  
HILO, HAWAII 96720

Mayor Bruce McCall  
~~Mayor Shunichi Kinoshita~~  
County of Hawaii  
Hilo, Hawaii

I hereby transmit Ordinance Bill No. 56 passed by  
the County Council on second and final reading.

A handwritten signature in cursive script that reads "Ted J. Suzuki".

COUNTY CLERK

Encl.

Dated: Aug. 21, 1974

Hilo, Hawaii  
Date: July 24, 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		
	9		

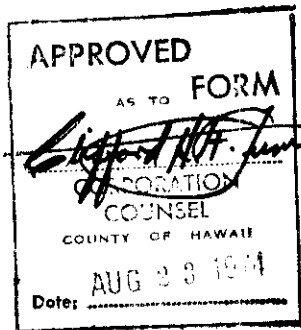
Publication Date: July 28, 1974

Hilo, Hawaii  
Date: August 21, 1974

SECOND & FINAL READING			
	AYES	NOES	A/E
Carpenter	X		
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
<del>Matayoshi</del>			
Yadao			AB
Chr. Yamada	X		
	7		1

Publication Date: SEP 3 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

*Ted F. Suzuki*  
County Clerk

Approved/ ~~by~~ this 30th day of August, 19 74

*Bruce McCall*  
Mayor, County of Hawaii

Bill No. 56  
Reference: C-934/PRDLC-34  
M.B. No. \_\_\_\_\_  
Ord. No. \_\_\_\_\_

Bill No. 56 - 1974

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-1a) AND AGRICULTURAL (A-3a) AT ILILOA, KALAMAUMI, AND KALAMAKOWALI HOMESTEADS, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-09:8.

This Bill amends Section 7.03, the South Kona Zone Map of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Agricultural (A-5a) to Agricultural (A-1a) and Agricultural (A-3a) at Ililoa, Kalamaumi, and Kalamakowali Homesteads, South Kona, Hawaii, covered by tax map key 8-2-09:8.

Date Introduced: July 24, 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 July 24, 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.

CHAPTER 8  
ARTICLE 2  
HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-1a) AND AGRICULTURAL (A-3a) AT ILILOA, KALAMAUMI, AND KALAMAKOWALI HOMESTEADS, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-09:8.

This Bill amends Section 7.03, the South Kona Zone Map of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Agricultural (A-5a) to Agricultural (A-1a) and Agricultural (A-3a) at Ililoa, Kalamaumi, and Kalamakowali Homesteads, South Kona, Hawaii, covered by tax map key 8-2-09:8.

Date Introduced: July 24, 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.

I hereby certify that the foregoing Bill passed first reading at the meeting of the County Council on July 24, 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.

TED T. SUZUKI  
COUNTY CLERK  
COUNTY OF HAWAII

(969 - Hawaii Tribune-Herald:  
July 28, 1974)

*Ted T. Suzuki*

COUNTY CLERK  
COUNTY OF HAWAII

*Amended*

- 29. 224° 19' 50" 124.18 feet;
- 30. 218° 58' 20" 61.20 feet;
- 31. 215° 41' 86.96 feet;
- 32. 223° 44' 20" 72.00 feet to the northerly corner of this parcel of land, thence closing south-easterly to the easterly corner of this parcel of land the following courses:
- 33. 312° 33' 1,565.00 feet, thence;
- 34. 327° 26' 40" 777.31 feet to said easterly corner, being also the TRUE POINT OF BEGINNING, and containing an area of approximately 26.48 acres.

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

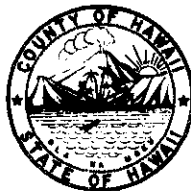
SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) the area be zoned in two (2) increments. The first increment shall consist of 30 lots and the second increment which would include the Agricultural 3-acre zoned area, the remaining lots. The effective date 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 eight (8) units within the first increment to assure that a minimum of 25 percent of the lots are developed with dwellings. The existing dwellings on the subject property shall not be included as being part of the requirement of the first increment; (B) the applicants, Frank Krieger and Kid McCoy, submit a subdivision plan and secure tentative approval within one (1) year of the date of final approval of the change of zone request. All applicable subdivision regulations, in regard to roads, grading, etc., shall be reviewed and complied with at the time of subdivision approval; and (C) the disposal of sewage shall meet with the rules and regulations of the State Department of Health. Should any of the foregoing conditions not be met, rezoning of the property to its former zoning designation shall be initiated.

OFFICE INFORMATION ONLY

Meeting: July 30, 1974 (PRDC)

Action: Defer pending reply from Dept. of Health on  
Rec. 1/PRDC-32.

Re: Bill 56 (C-814.7)



**OFFICE OF THE COUNTY CLERK**

HAWAII COUNTY BUILDING  
COUNTY OF HAWAII  
HILO, HAWAII 96720

July 24, 1974

Refer: C-814.7/PRDC-32

**To:** SECRETARY TO COUNCIL COMMITTEES

**Re:** Bill No. 56 - Rezoning Request of Krieger/McCoy

The following is the action of the Hawaii County Council adopted at  
its meeting held today \_\_\_\_\_ :

Approve and recommend passage of  
Bill 56 on first reading and refer  
Bill back to PRDC.

COUNTY CLERK



ORDINANCE NO. 52  
(Bill No. 56-1974)

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-1a) AND AGRICULTURAL (A-3a) AT ILILOA, KALAMAUMI, AND KALAMAKOWALI HOMESTEADS, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-09:8.

Date Approved: August 21, 1974  
Date Effective: August 30, 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 August 21, 1974, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Farias, Fujii, Hisaoka, Kawahara and Chairman Yamada - 7.

NOES: None.

ABSENT AND EXCUSED: Councilwoman Yadao - 1.



COUNTY CLERK  
COUNTY OF HAWAII

IN TESTIMONY WHEREOF, I, THE COUNTY CLERK, HAVE HEREIN SET MY HAND AND SEAL OF OFFICE, AT HONOLULU, HAWAII, THIS 21ST DAY OF AUGUST, 1974.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office, at Honolulu, Hawaii, this 21st day of August, 1974.

Date Approved: August 21, 1974  
Date Effective: August 30, 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.

I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on August 21, 1974, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Farias, Fujii, Hisaoka, Kawahara and Chairman Yamada - 7.

NOES: None.

ABSENT AND EXCUSED: Councilwoman Yadao - 1.

TED J. SUZUKI  
COUNTY CLERK  
COUNTY OF HAWAII

(194 - Hawaii Tribune Herald  
Sept. 5, 1974)