

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 70

AN ORDINANCE AMENDING SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-3a) AT OULI, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-2-01:17.

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

SECTION 1. Section 7.06 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.06(1). The district classification of the following area situated at Ouli, South Kohala, Hawaii, shall be Agricultural (A-3a):

Beginning at a "+" in concrete (Found) at the Northwest corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "PUU PA" being 12,528.19 feet North and 24,110.83 feet West, and running by azimuths measured clockwise from true South:

- 1. 273° 13' 40" 2,575.50 feet along Government Land to a "+" in concrete (found);
- 2. 265° 40' 10" 2,835.30 feet along Government Land to a "+" in concrete (found);
- 3. 271° 02' 4,656.20 feet along Government Land to a "+" in concrete (found);
- 4. 275 27" 4,362.70 feet along Government Land to a "+" in concrete (found);
- 5. 257° 27' 50" 949.55 feet along Government Land to the Northwest side of Kawaihae Road;
- 6. 53° 39' 40" 646.14 feet along the Northerly side of Kawaihae Road;

thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 447.50 feet, the chord azimuth and distance being:

- 7. 79° 55' 10" 395.97 feet;

8. 106° 10' 40" 1,010.90 feet along the Northerly side of Kawaihae Road;
- thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 1,462.50 feet, the chord azimuth and distance being:
9. 100° 06' 10" 309.55 feet;
10. 94° 01' 40" 2,071.97 feet along the Northerly side of Kawaihae Road;
- thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 1,880.00 feet, the chord azimuth and distance being:
11. 97° 23' 40" 220.81 feet; thence
12. 100° 45' 40" 220.60 feet along the Northerly side of Kawaihae Road;
- thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 2,895.00 feet, the chord azimuth and distance being:
13. 95° 52' 10" 493.72 feet;
14. 90° 58' 40" 150.75 feet along the Northerly side of Kawaihae Road;
- thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 746.30 feet, the chord azimuth and distance being:
15. 65° 37' 25" 639.15 feet;
16. 40° 16' 10" 303.39 feet along the Northerly side of Kawaihae Road;
- thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 543.00 feet, the chord azimuth and distance being:
17. 73° 19' 55" 592.47 feet;
18. 106° 23' 40" 2,589.71 feet along the Northerly side of Kawaihae Road;
- thence along the Northerly side of Kawaihae Road, on a curve to

the left with a radius of
1,176.00 feet, the chord azimuth
and distance being:

- | | | | | |
|-----|------|-----|-----|---|
| 19. | 89° | 58' | 40" | 664.72 feet; |
| 20. | 73° | 33' | 40" | 179.62 feet along the Northerly side of
Kawaihae Road; |
| | | | | thence along the Northerly side
of Kawaihae Road, on a curve to
the right with a radius of
5,700.00 feet, the chord azimuth
and distance being: |
| 21. | 77° | 52' | 25" | 857.24 feet; |
| 22. | 82° | 11' | 10" | 1,667.05 feet along the Northerly side of
Kawaihae Road; |
| | | | | thence along the Northerly side
of Kawaihae Road, on a curve to
the right with a radius of
5,700.00 feet, the chord azimuth
and distance being: |
| 23. | 84° | 04' | 10" | 374.65 feet; |
| 24. | 85° | 57' | 10" | 118.24 feet along the Northerly side of
Kawaihae Road; |
| | | | | thence along the Northerly side
of Kawaihae Road, on a curve to
the left with a radius of
1,940.00 feet, the chord azimuth
and distance being: |
| 25. | 80° | 48' | 25" | 348.00 feet; |
| 26. | 165° | 39' | 40" | 10.00 feet along the Northerly side of
Kawaihae Road; |
| 27. | 75° | 39' | 40" | 77.52 feet along the Northerly side of
Kawaihae Road; |
| | | | | thence along the Northerly side
of Kawaihae Road, on a curve to
the right with a radius of
676.30 feet, the chord azimuth
and distance being: |
| 28. | 88° | 54' | 10" | 309.82 feet; |
| 29. | 12° | 08' | 40" | 10.00 feet along the Northerly side of
Kawaihae Road; |
| 30. | 102° | 08' | 40" | 88.12 feet along the Northerly side of
Kawaihae Road; |

thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 603.00 feet, the chord azimuth and distance being:

31. 83° 47' 10" 379.84 feet;

32. 65° 25' 40" 732.79 feet along the Northerly side of Kawaihae Road;

thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 410.80 feet, the chord azimuth and distance being:

33. 90° 10' 10" 343.86 feet;

34. 114° 54' 40" 16.65 feet along the Northerly side of Kawaihae Road;

thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 746.30 feet, the chord azimuth and distance being:

35. 110° 12' 58" 122.18 feet;

36. 167° 51' 40" 487.35 feet along remainder of Land Commission Award 8518-B, Apana 1 to James Young Kanehoa, to a pipe in concrete;

37. 161° 09' 15" 273.49 feet along remainder of Land Commission Award 8518-B, Apana 1 to James Young Kanehoa;

38. 233° 47' 50" 225.00 feet along Land Commission Award 8515-B, Apana 1 to Keoni Ana, to the point of beginning and containing a gross area of 103.177 acres and a net area of 103.085 acres, after deducting and excluding Tank Sites Nos. 2 and 3 described as follows:

Beginning at the Southeast corner of this tank site No. 2, on the Northerly side of Kawaihae Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 12,338.77 feet North and 13,069.52 feet West, and running by azimuths measured clockwise from true South:

Along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 1,880.00 feet, the chord azimuth and distance being:

1. 95° 42' 10" 50.00 feet;

2. 185° 42' 10" 30.00 feet;
3. 275° 42' 10" 50.00 feet;
4. 5° 42' 10" 30.00 feet to the point of beginning and containing an area of 0.035 acre.

Beginning at the Northwest corner of this tank site No. 3, the coordinates of which referred to Government Survey Triangulation Station "PUU PA" being 12,179.58 feet North and 23,983.47 feet West, and running by azimuths measured clockwise from true South:

1. 272° 43' 50.00 feet;
2. 2° 43' 50.00 feet;
3. 92° 43' 50.00 feet;
4. 182° 43' 50.00 feet to the point of beginning and containing an area of 0.057 acre.

"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 zoning increment shall consist of seventy-five (75) acres, and the second, the remaining area. The effective date of zoning for the second increment shall be after agricultural development has occurred on the first increment. Agricultural development is defined as the active cultivation or production of land for agricultural purposes as determined by the County Planning Department on a minimum of twenty-five (25) per cent of the lots for the entire 103.085 acres. Each of these lots shall be used for agricultural activities on a minimum of fifty (50) per cent of the lot area; (B) the applicant, Signal Properties, Inc., submit a subdivision plan and secure tentative approval of Increment No. 1 within one (1) year of the date of approval of the request, and also assume the responsibility of securing final subdivision approval for the first increment. The applicant shall also be responsible for securing tentative and final subdivision approval of the second increment; (C) the applicant, Signal Properties, Inc., provide a water system in accordance with the County of Hawaii Department of Water Supply standards. This system shall be

constructed and made available for lots within the first increment; and
(D) no direct access will be permitted from the lots on to Kawaihae Road.
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:

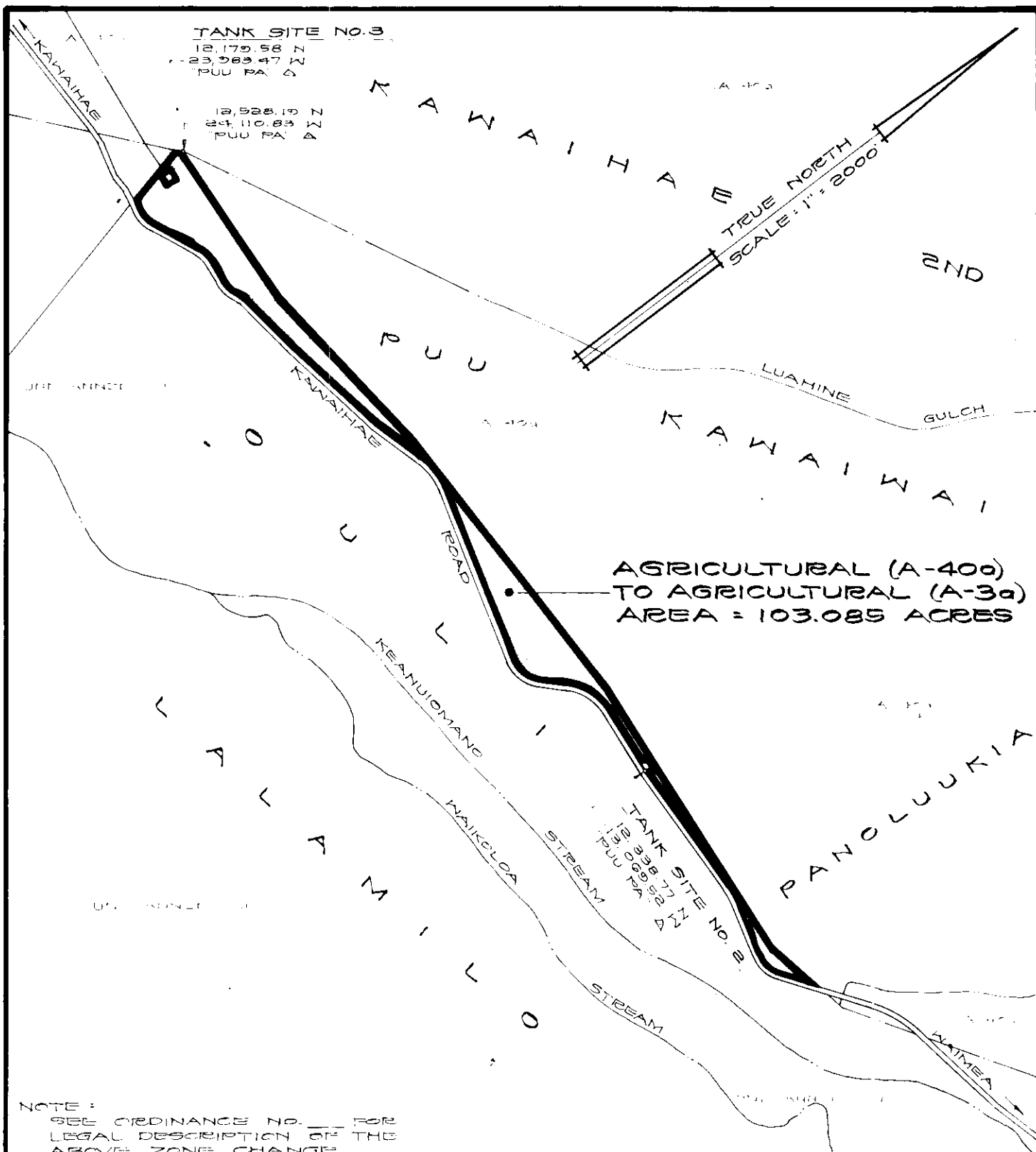

COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: October 9, 1974

Date of Adoption: October 23, 1974

Effective Date: November 1, 1974

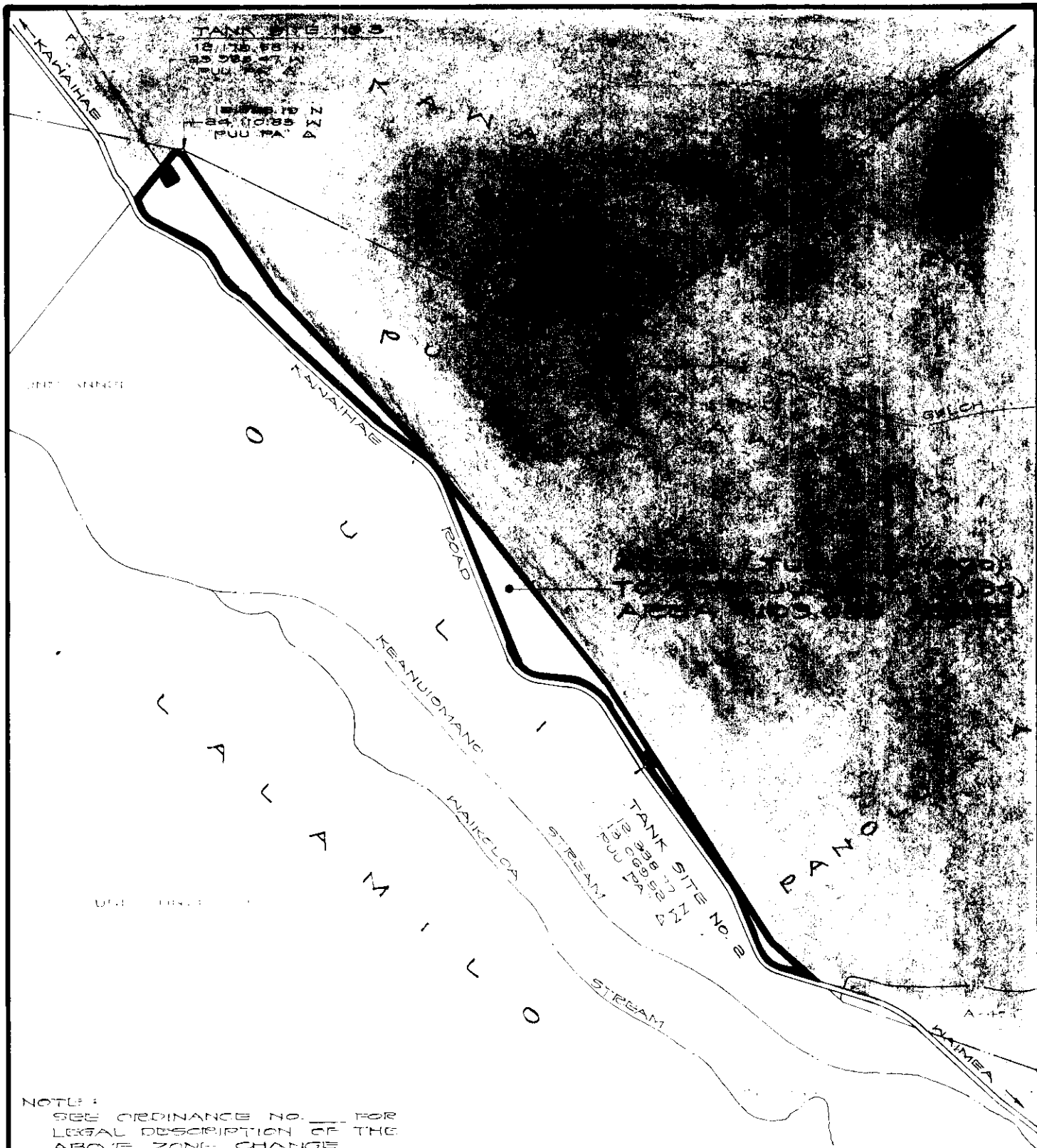


NOTE:
SEE ORDINANCE NO. ___ FOR
LEGAL DESCRIPTION OF THE
ABOVE ZONE CHANGE.

AMENDMENT TO THE ZONING CODE

AMENDMENT NO. _____ OF CHAPTER 8 (ZONING CODE),
ARTICLE 2, SECTION 7.06, THE NORTH & SOUTH
KOHALA DISTRICTS ZONE MAP, CHANGING THE
DISTRICT CLASSIFICATION FROM AGRICULTURAL
(A-40a) TO AGRICULTURAL (A-3a) AT OULI,
SOUTH KOHALA, HAWAII.

DATE OF PUBLIC HEARING : MAY 22, 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 7.06, THE NORTH & SOUTH KOHALA DISTRICTS ZONE MAP, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-3a) AT OULI, SOUTH KOHALA, HAWAII.

DATE OF PUBLIC HEARING : MAY 23, 1974
 DATE OF APPROVAL :
 ORDINANCE NO. _____
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

Hilo, Hawaii
Date: October 9, 1974

FIRST READING			
	AYES	NOES	A/E
Carpenter			AB
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
Malayski			
Yadao	X		
Chr. Yamada	X		
	7	0	1

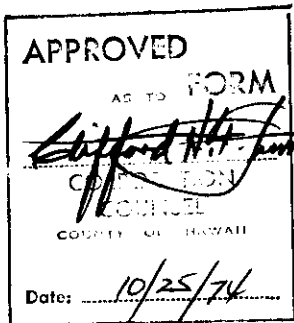
Publication Date: Oct. 13, 1974

Hilo, Hawaii
Date: October 23, 1974

SECOND & FINAL READING			
	AYES	NOES	A/E
Carpenter			AB
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara			AB
Malayski			
Yadao	X		
Chr. Yamada	X		
	6	0	2

Publication Date: NOV 1 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/Disapproved this 1st day of November, 1974.

Bruce McCall
Mayor, County of Hawaii

Bill No. 81
Reference: C-1012/PRDLC-36
M.B. No. _____
Ord. No. 70

Bill No. 81 - 1974

AN ORDINANCE AMENDING SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-3a) AT OULI, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-2-01:17.

This Bill amends Section 7.06, the North and South Kohala Districts Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Agricultural (A-40a) to Agricultural (A-3a) at Ouli, S. Kohala. (Signal Properties, Inc.)

Date Introduced: October 9, 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 October 9, 1974, by the following aye and no vote:

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

NOES: None.

ABSENT AND EXCUSED: Councilman Carpenter - 1.

(ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-3a) AT OULI, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-2-01:17.

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NOES: None.

ABSENT AND EXCUSED: Councilman Carpenter - 1.

TED T. SUZUKI
COUNTY CLERK

(176--Hawaii Tribune-Herald:
Oct. 13, 1974)



COUNTY CLERK

ORDINANCE NO. 70
(Bill No. 81-1974)

AN ORDINANCE AMENDING SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-3a) AT OULI, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-2-01:17

Date Approved: October 23, 1974
Date Effective: November 1, 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 October 23, 1974, by the following aye and no vote:

AYES: Councilmen De Luz, Farias, Fujii, Hisaoka, Yadao and Chairman Yamada - 6.

NOES: None.

ABSENT AND EXCUSED: Councilmen Carpenter and Kawahara - 2.



COUNTY CLERK
COUNTY OF HAWAII

ORDINANCE NO. 70
(Bill No. 81-1974)

AN ORDINANCE AMENDING SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-3a) AT OULI, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-2-01:17

Date Approved: October 23, 1974
Date Effective: November 1, 1974
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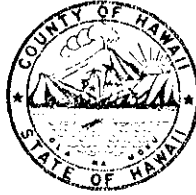
AYES: Councilmen De Luz, Farias, Fujii, Hisaoka, Yadao and Chairman Yamada - 6.

NOES: None.
ABSENT AND EXCUSED: Councilmen Carpenter and Kawahara - 2.

TED T. SUZUKI
COUNTY CLERK
COUNTY OF HAWAII

(HIS - Hawaii Tribune-Herald:
Nov. 11, 1974)

Ted T. Suzuki
~~xxxxxx~~
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. 81
passed by the County Council on second and final
reading.

Ted T. Suzuki
COUNTY CLERK

Encl.

Dated: OCT 23 1974