

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 73

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT KEAHUOLU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-08: PORTION OF 12.

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

SECTION 1. Section 7.02 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.02(mm). The district classification of the following area situated at Keahuolu, North Kona, Hawaii, shall be Single Family Residential (RS-15):

Beginning at the Southeast corner of this parcel of land and on the West side of Palani Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KEAHUOLU" being 5479.29 feet North and 15,131.03 feet East, thence running by azimuths measured clockwise from True South:

1. 109° 08' 40" 5.00 feet along the remainder of Royal Patent 6851, Land Commission Award 8452, Apana 12 to A. Keohokalole;
2. Thence along same, on a curve to the left with a radius of 140.00 feet, the azimuth and distance of the chord being 89° 54' 20" 92.26 feet;
3. 70° 40' 375.00 feet along same;
4. Thence along same, on a curve to the left with a radius of 740.00 feet, the azimuth and distance of the chord being 63° 35' 182.50 feet;
5. 56° 30' 305.00 feet along same;
6. Thence along same, on a curve to the left with a radius of 1940.00 feet, the azimuth and distance of the chord being 52° 57' 30" 239.68 feet;
7. 49° 25' 582.16 feet along same;
8. 171° 08' 20" 1379.31 feet along same;
9. 236° 38' 778.00 feet along Government Land of Kealakehe;

10. 248° 38' 495.00 feet along the South boundary of Kealakehe School Site;
11. 263° 08' 416.00 feet along same;
12. 267° 38' 181.31 feet along same and along Kealakaa Street;
13. Thence along the New South side of Kealakaa Street, on a curve to the left with a radius of 192.11 feet, the azimuth and distance of the chord being 294° 40' 37" 130.40 feet;
14. Thence along the New Southwest corner of the intersection of Kealakaa Street and Palani Road, on a curve to the right with a radius of 30.00 feet, the azimuth and distance of the chord being 317° 31' 34" 40.68 feet;
15. Thence along the West side of Palani Road, on a curve to the left with a radius of 714.00 feet, the azimuth and distance of the chord being 356° 08' 47" 101.39 feet;
16. 352° 04' 40" 159.83 feet along same;
17. Thence along same, on a curve to the right with a radius of 935.40 feet, the azimuth and distance of the chord being 5° 36' 40" 437.79 feet;
18. 19° 08' 40" 350.20 feet along same;
19. Thence along same, on a curve to the left with a radius of 975.40 feet, the azimuth and distance of the chord being 18° 26' 44" 23.80 feet to the point of beginning and containing an Area of 52.00 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 thirty-two (32) 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) per cent of the units for the entire area

of fifty-two (52) acres; (B) the applicant, Palani Development Company, in behalf of the Liliuokalani Trust Estate, submit a subdivision plan for the first increment and secure tentative approval within one (1) year from the date of approval of the change of zone and also assume the responsibility of securing final subdivision approval of the first increment. The applicant shall also be responsible for submitting and securing final subdivision approval of the second increment; (C) a letter from the B. P. Bishop Museum be submitted to the Planning Director certifying that the area has no significant sites of historical or archaeological value; and (D) a minimum area of one (1) acre be set aside within the subject area for park and recreational purposes. The park area shall be developed concurrently with the second increment and that the exact location and configuration of the park site shall be determined at the time of subdivision review of the first increment. Said area shall be kept in private ownership and maintenance and the type of improvements shall include a minimum of lot grading and grass planting meeting the approval of the Parks and Recreation Director. There shall also be adequate assurance, as determined by the Corporation Counsel, for the maintenance of the private park by recorded covenant running with the land which shall include the following: a) Obligate the subdividers, purchasers, occupants or association in the subdivision to maintain the private park in perpetuity; and b) empower the County through the Parks and Recreation Director to enforce the covenants to maintain the private park and authorize the performance of maintenance work by the County in the event of failure by the subdividers, purchasers, occupants or association in the subdivision, to perform such work and permit the subjecting of the land and properties in the subdivision to a lien until the cost of work performed by the County has been reimbursed. Should any of the foregoing conditions not be met, rezoning of the property to its former 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:

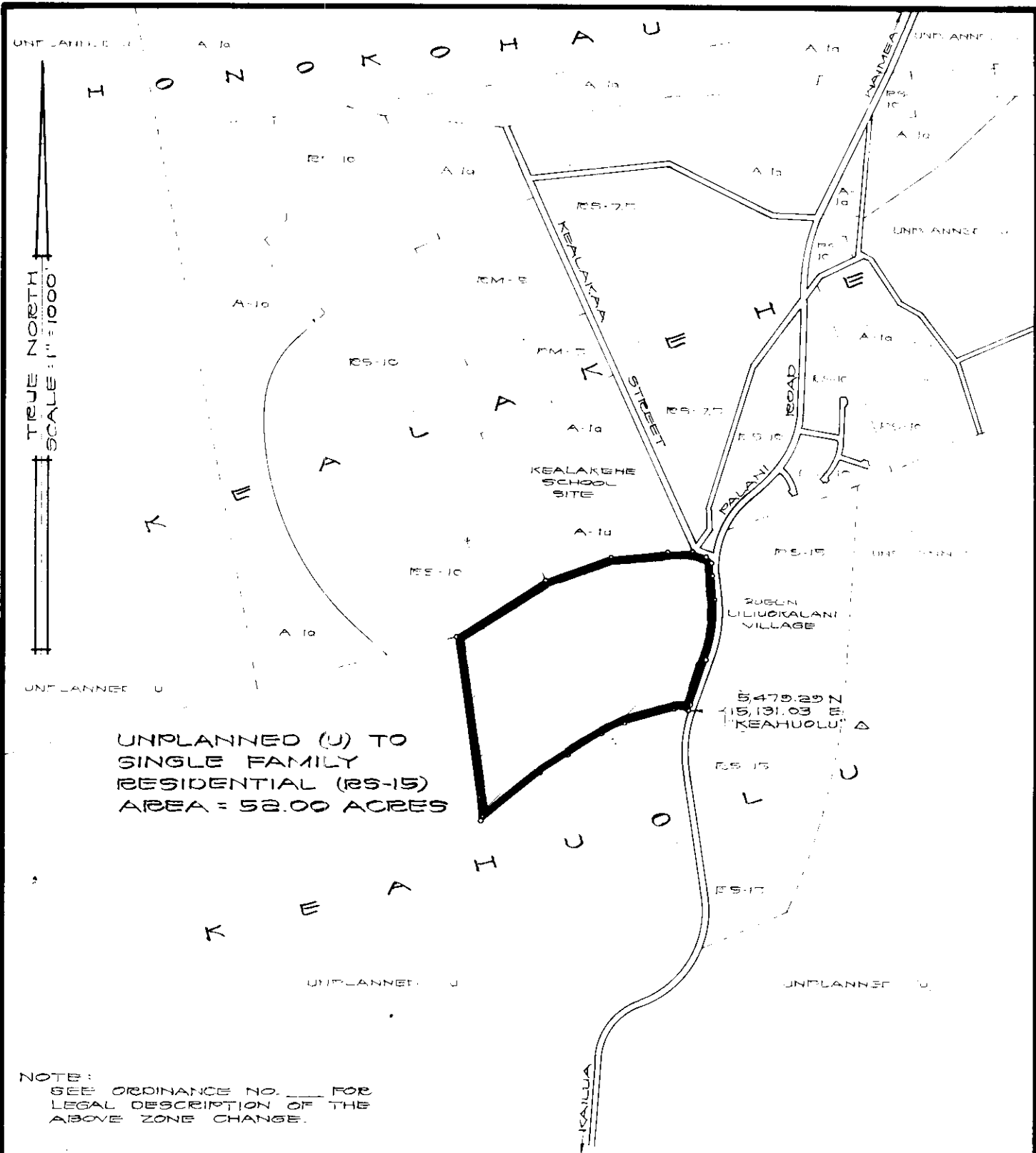
  
COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: November 7, 1974

Date of Adoption: November 19, 1974

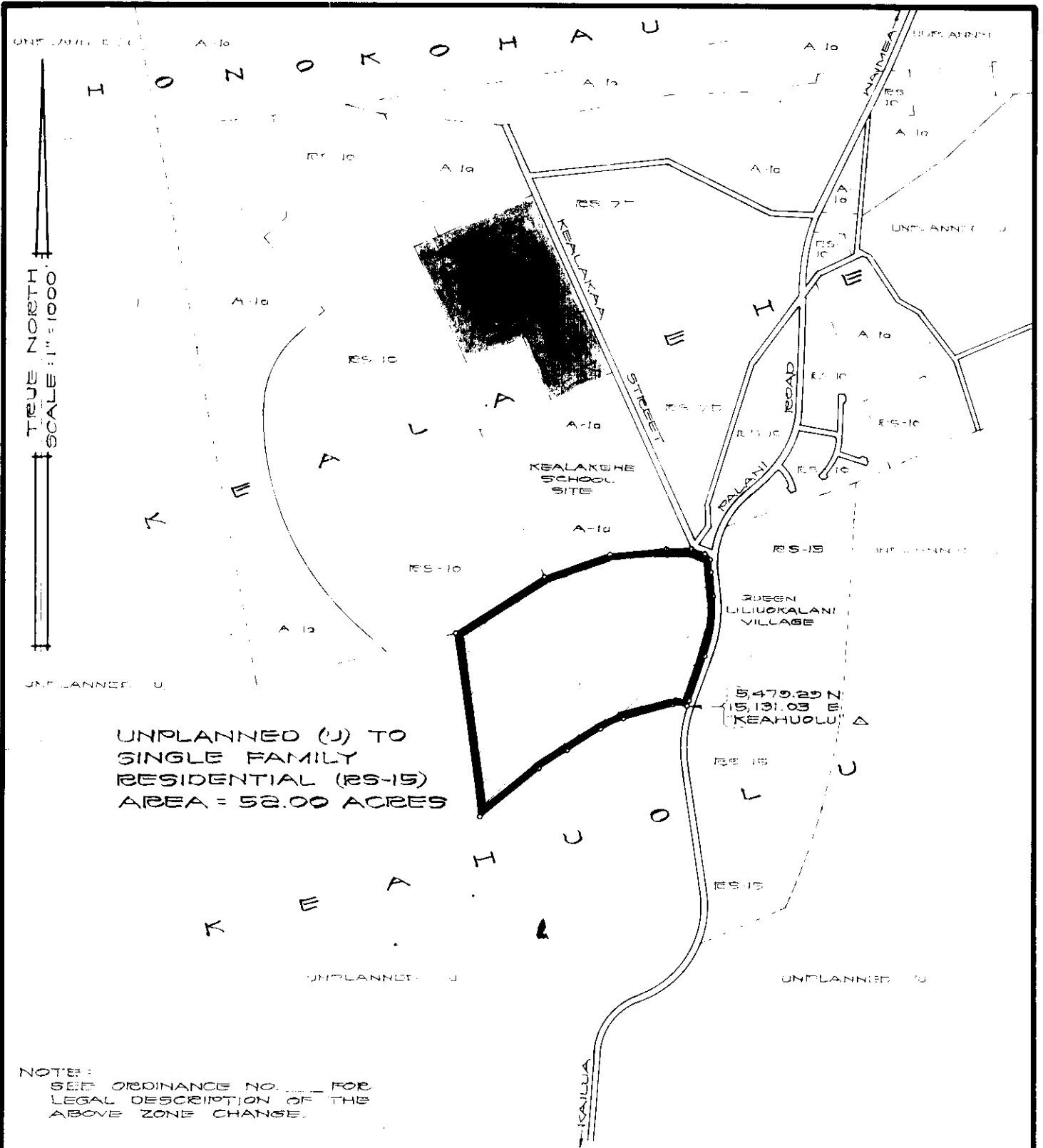
Effective Date: November 26, 1974



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. \_\_\_\_ OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.02, THE NORTH KONA ZONE MAP, CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT KEAHUOLU, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: SEPT. 13, 1974  
 DATE OF APPROVAL:  
 ORDINANCE NO.  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII



## AMENDMENT TO THE ZONING CODE

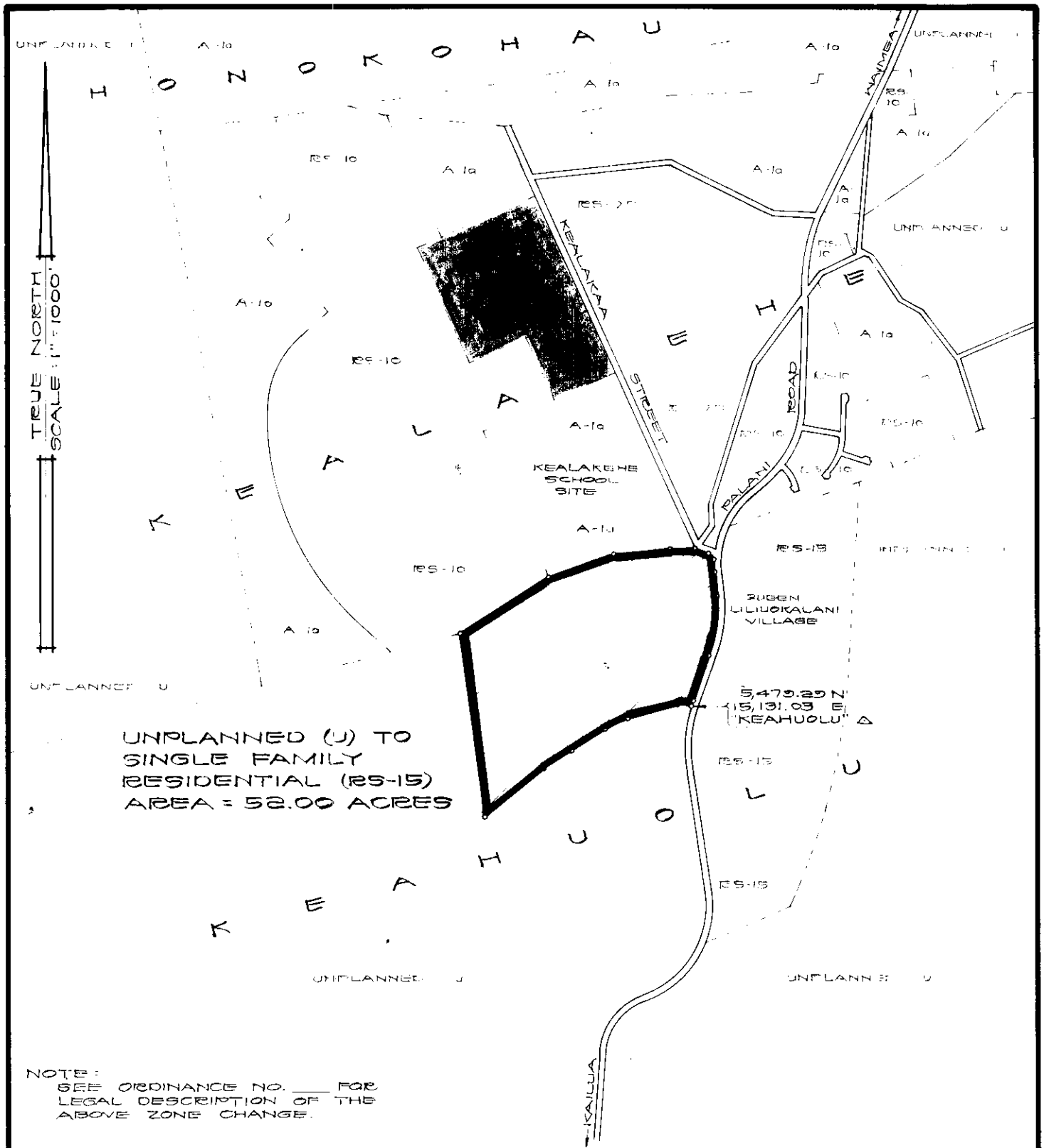
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 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII

TMK: 7-4-08: PORTION OF 12

SEPT. 16, 1974

EXHIBIT "A"



## AMENDMENT TO THE ZONING CODE

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DATE OF PUBLIC HEARING: SEPT. 13, 1974  
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ORDINANCE NO.  
PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

Hilo, Hawaii  
 Date: November 7, 1974

FIRST READING			
	AYES	NOES	A/E
Carpenter	X		
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
<del>Matyoshi</del>			
Yadao	X		
Chr. Yamada	X		
	8		

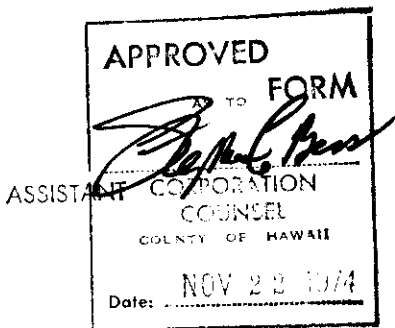
Hilo, Hawaii  
 Date: November 19, 1974

SECOND & FINAL READING			
	AYES	NOES	A/E
Carpenter	X		
De Luz	X		
Farias	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
<del>Matyoshi</del>			
Yadao	X		
Chr. Yamada	X		
	8		

Publication Date: \_\_\_\_\_ 1974

Publication Date: \_\_\_\_\_

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 J. Suzuki  
 County Clerk

Approved/Disapproved this 26th day of  
November, 1974

Bruce McCall  
 Mayor, County of Hawaii

Bill No. 85  
 Reference: C-1035/PRDLC-38  
 M.B. No. \_\_\_\_\_  
 Ord. No. 73



Bill No. 85 - 1974

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT KEAHUOLU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-08: PORTION OF 12.

This Bill amends Section 7.02, the North Kona Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Unplanned (U) to Single Family Residential (RS-15) at Keahuolu, N. Kona.

Date Introduced: November 7, 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 November 7, 1974, by the following aye and no vote:

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

NOES: None.



COUNTY CLERK  
COUNTY OF HAWAII

BILL No. 85 - 1974

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT KEAHUOLU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-08: PORTION OF 12.

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Date Introduced: November 7, 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 November 7, 1974, by the following aye and no vote:

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

NOES: None.

TED T. SUZUKI  
COUNTY CLERK  
COUNTY OF HAWAII

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

ORDINANCE NO. 73  
(Bill No. 85-1974)

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT KEAHUOLU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-08: PORTION OF 12.

Date Approved: November 19, 1974  
Date Effective: November 26, 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 November 19, 1974, by the following aye and no vote:

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

NOES: None.



COUNTY CLERK  
COUNTY OF HAWAII

ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT KEAHUOLU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-08: PORTION OF 12.

Date Approved: November 19, 1974

Date Effective: November 26, 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 November 19, 1974, by the following aye and no vote:

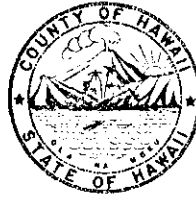
AYES: Councilmen Carpenter, De Luz, Farias, Fujii, Hisaoka, Kawahara, Yadao and Chairman Yamada - 8.

NOES: None.

TED T. SASAKI  
COUNTY CLERK  
COUNTY OF HAWAII

(154-Hawaii Tribune-Herald:  
Dec. 2, 1974)

Ted T. Suzuki  
~~XXXXXXXXXXXX~~  
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. 85  
passed by the County Council on second and final  
reading.

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

COUNTY CLERK

Encl.

Dated: November 20, 1974