

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 75

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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-38:3 & 4.

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(z). The district classification of the following area situated at Waiakea Homesteads, 2nd series, Waiakea, South Hilo, Hawaii, shall be Single Family Residential (RS-15):

Beginning at the Northwest corner of this parcel of land, on the Southerly side of Haihai Street, the coordinates of which referred to Government Survey Triangulation Station "HALAI" being 16,162.38 feet South and 1236.50 feet West and running by azimuths measured clockwise from true South:

1. 265° 41' 487.50 feet along the Southerly side of Haihai Street;
2. 355° 40' 1177.51 feet along remainder of Grant 10,493 to Mabel P. Chilson and along remainder of Lot 915 of Waiakea Homesteads, 2nd Series;
3. 85° 40' 487.50 feet along portion of Grant 10,714 to Rose Mahi (portion of Lot 1002 of Waiakea Homesteads, 2nd Series);
4. 175° 40' 1177.65 feet along Grant 11,622 to Gilbert Takeo Yamaguchi (Lot 11,622 of Waiakea Homesteads, 2nd Series) to the point of beginning and containing an area of 13.179 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 nine (9) 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 13.4 acres; (B) the applicant, Eugene Kennedy Investments, Inc., submit a subdivision plan for Increment I 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; and (C) a minimum area of 15,000 square feet be set aside within the subject area for park and recreational purposes. 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:

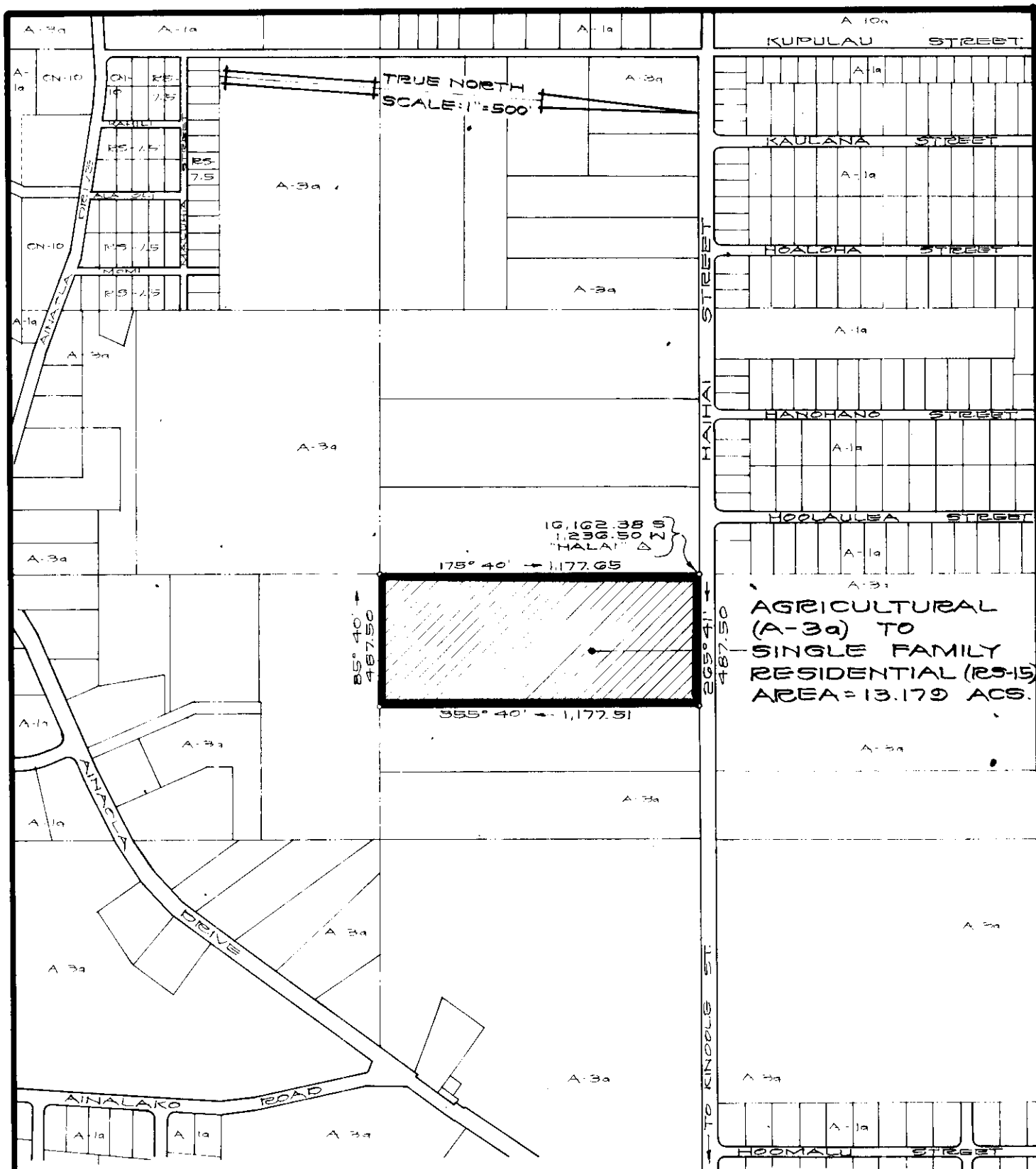

COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: November 7, 1974

Date of Adoption: November 19, 1974

Effective Date: November 26, 1974



AMENDMENT TO THE ZONING CODE

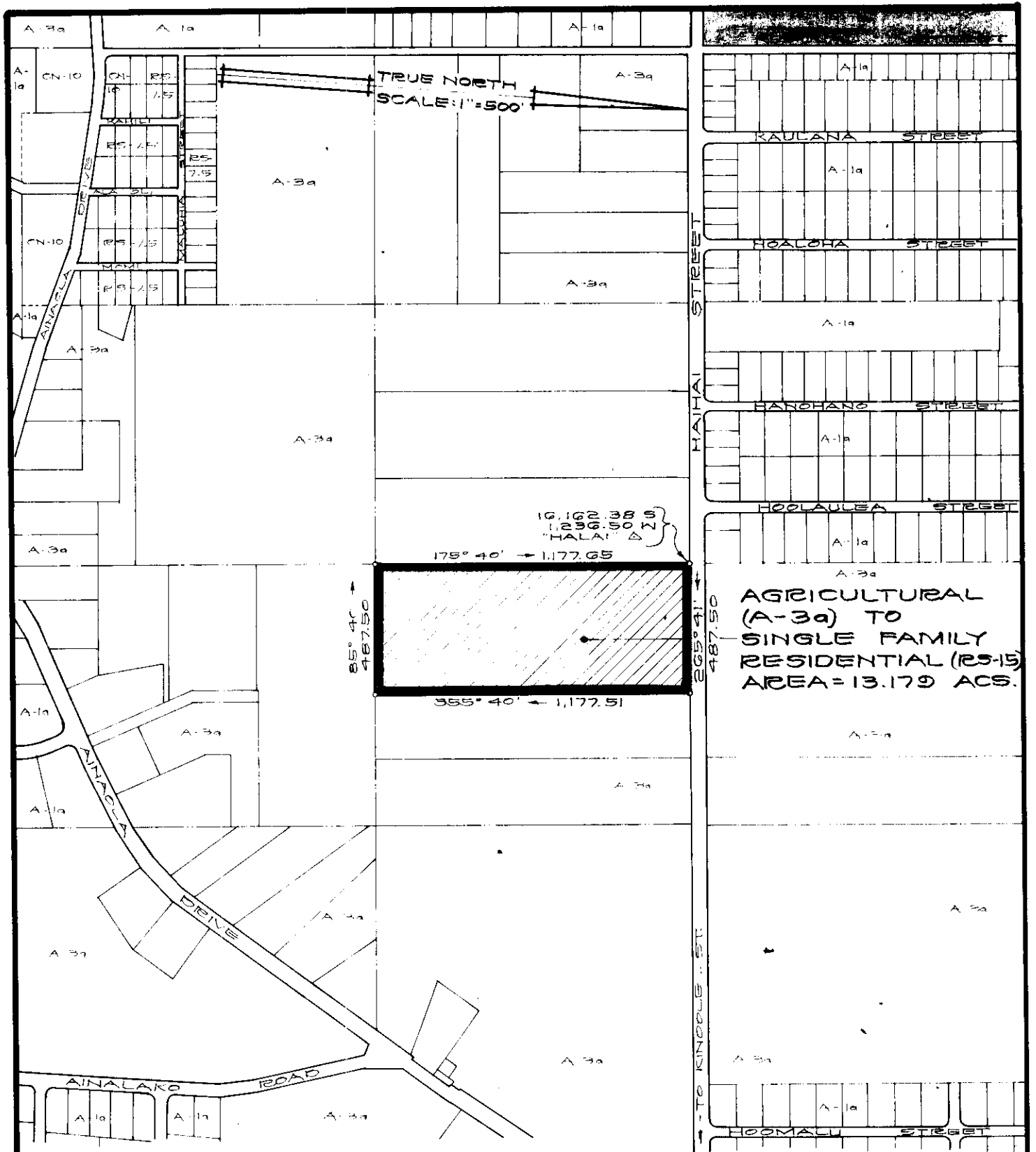
AMENDMENT NO. _____ OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.29, THE CITY OF HILO ZONE MAP, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT WAIAKEA HOMESTEADS 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING : JUNE 14, 1974

DATE OF APPROVAL :

ORDINANCE NO.

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII



AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AREA=13.179 ACS.

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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT WAIAKEA HOMESTEADS 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING : JUNE 14, 1974
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 ORDINANCE NO.
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

Bill No. 87 - 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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-38:3 & 4.

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-3a) to Single Family Residential (RS-15) at Waiakea Homesteads, 2nd Series, Waiakea, S. Hilo.

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.

BILL No. 87 - 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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-38:3 & 4.

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

NOES: None.

TED T. SUZUKI
COUNTY CLERK
COUNTY OF HAWAII

Ted T. Suzuki
COUNTY CLERK
COUNTY OF HAWAII

ORDINANCE NO. 75
(Bill No. 87-1974)

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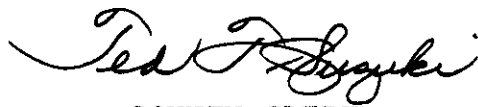
Date Approved: November 19, 1974
Date Effective: November 26, 1974

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.



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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT WAIAKEA HOMESTEADS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-38: 3 & 4.

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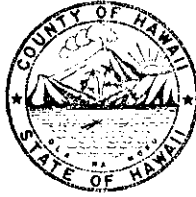
I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on November 19, 1974, by the following aye and no vote:

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

NOES: None.
TED F. SUZUKI
COUNTY CLERK
COUNTY OF HAWAII

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

Ted T. Suzuki
~~XXXXXXXXXX~~
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. 87
passed by the County Council on second and final
reading.

Ted T. Suzuki
COUNTY CLERK

Encl.

Dated: November 20, 1974