

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 150

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 DELETING FROM THE CITY OF HILO CIRCULATION PATTERN, THE PROPOSED 60-FOOT RIGHT-OF-WAY COLLECTOR STREET WHICH WOULD HAVE LINKED MAKAALA STREET AND KILAUEA AVENUE BY TRAVERSING PARCELS AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEYS 2-2-39:36, 44, 52, 53, 60, 88, 106, 107, 108, 110 AND 111; AND 2-2-60:07 AND 09.

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( jj ). The proposed 60-foot right-of-way collector street situated at Waiakea, South Hilo, Hawaii, shall be deleted.

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

SECTION 2. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:



COUNCILMAN, COUNTY OF HAWAII

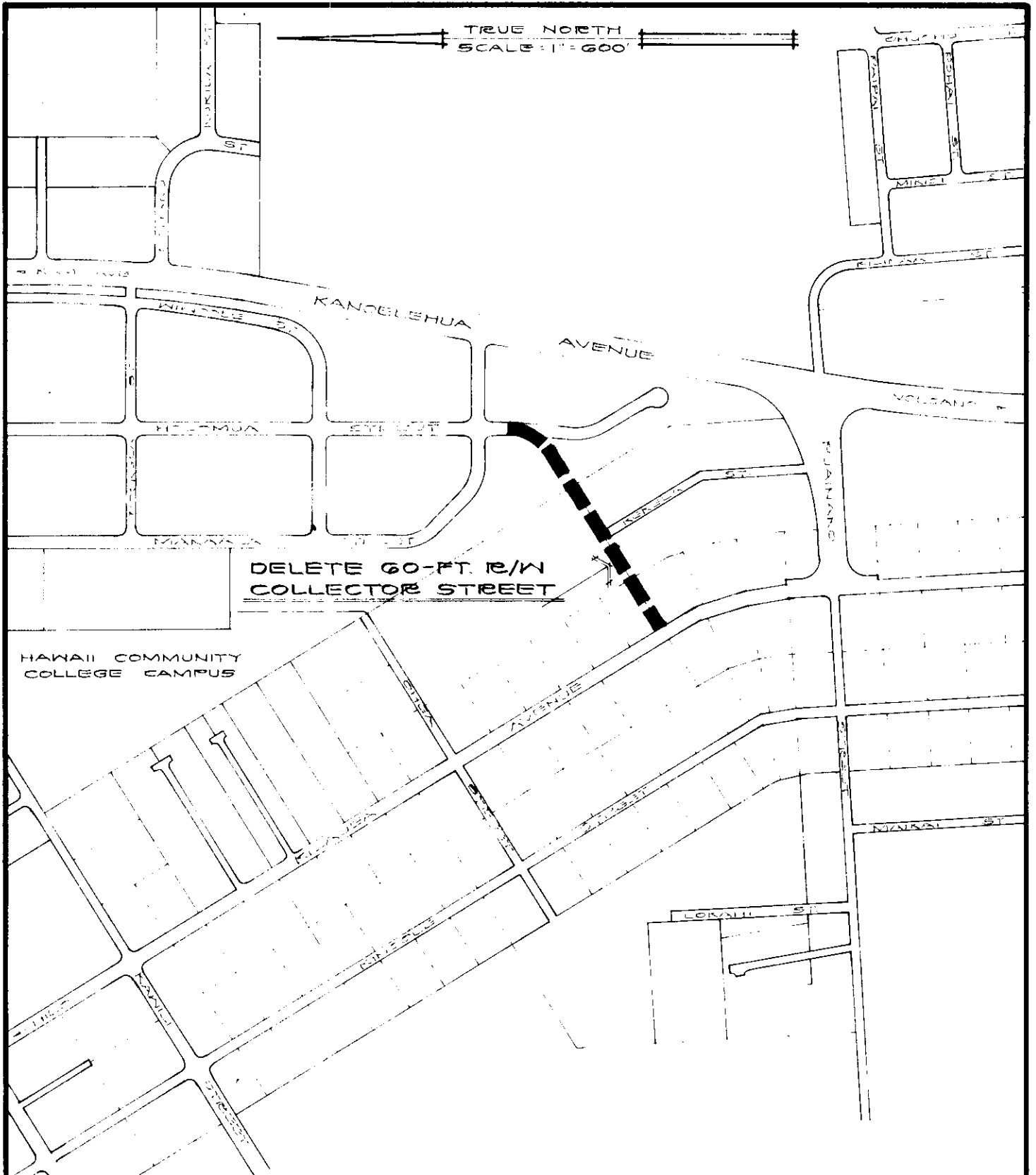
Hilo, Hawaii

Date of Introduction: September 10, 1975

Date of Adoption: September 24, 1975

Effective Date: October 1, 1975





## AMENDMENT TO THE ZONING CODE

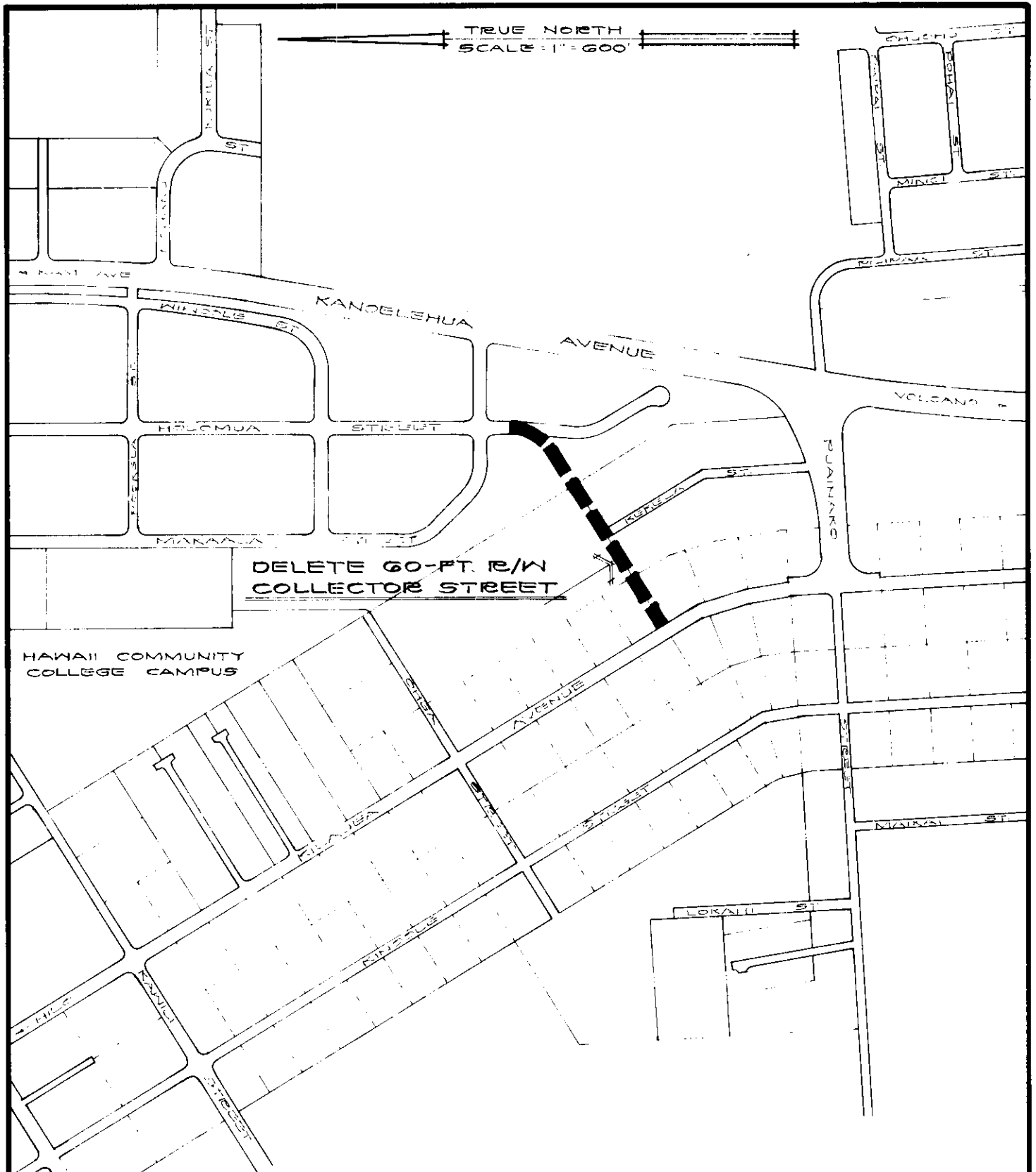
AMENDMENT NO. \_\_\_\_\_ OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.29, THE CITY OF HILO ZONE MAP, DELETING FROM THE CITY OF HILO CIRCULATION PATTERN, THE PROPOSED 60-FT RIGHT-OF-WAY COLLECTOR STREET AT WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: JULY 17, 1975  
 DATE OF APPROVAL \_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 PREPARED BY : PLANNING DEPARTMENT  
 COUNTY OF HAWAII

TMK : PORTIONS OF 2-2-39 & 2-2-60

JULY 9, 1975

EXHIBIT "A"



**AMENDMENT TO THE ZONING CODE**

AMENDMENT NO. OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.29, THE CITY OF HILO ZONE MAP, DELETING FROM THE CITY OF HILO CIRCULATION PATTERN, THE PROPOSED 60-FT RIGHT-OF-WAY COLLECTOR STREET AT WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: JULY 17, 1975  
 DATE OF APPROVAL  
 ORDINANCE NO.  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII

TMK: PORTIONS OF 2-2-39 & 2-2-60

JULY 9, 1975

AMENDMENT TO CITY OF HILO ZONE MAP -- PROPOSED ROADWAY

The applicants, Hisashi Fujiyama and others, are requesting an amendment to the City of Hilo zone map relative to a proposed 60-foot roadway through properties situated in Waiakea Homestead House Lots, South Hilo. The proposed roadway will run perpendicular to Kilauea Avenue, off the east side of Kilauea Avenue and hooking up with Makaala Street within the Hawaiian Home Lands Industrial Subdivision, Kaei Hana I, Waiakea.

The proposed roadway will be approximately <sup>1,100</sup>~~1,250~~ linear feet in length and will affect the following parcels:

1. TMK: 2-2-39:36, 44, 53, 60, 106 to 108, 110, and 111.
2. TMK: 2-2-60:07, <sup>08, and 10,</sup> ~~09, 12, and 18.~~

Single family dwellings are presently situated on TMK: 2-2-39: 36, 44, 106, 107, 110, and 111, while the remaining seven parcels are vacant. These parcels within TMK: 2-2-39 are zoned for Single Family Residential - 10,000 sq.ft. (RS-10), while parcels within TMK: 2-2-60 are zoned for Limited Industrial - 20,000 sq.ft. (ML-20).

Should the proposed roadway be constructed, the lots will be reduced in size by 2,000 to 9,600 sq. ft.

1. TMK: 2-2-39: 36 - 12, 958 sq. ft. to 8,008 sq. ft. (-4,950)
2. Parcel 44 - 19,158 sq. ft. 12,648 sq. ft. (-6,510)
3. " 53 - 87,120 " " 80,670 " " (-6,450)
4. " 60 - 7,979 " " 4,379 " " (-3,600)
5. " 106 - 10,966 " " 7,546 " " (-3,420)
6. " 107 - 10,965 " " 8,949 " " (-2,016)
7. " 108 - 14,026 " " 9,262 " " (-4,764)
8. " 110 - 10,069 " " 7,819 " " (-2,250)
9. " 111 - 23,474 " " 16,214 " " (-7,260)

10. TMK: 2-2-60: 07 - 11, 476 sq. ft. to 5,300 sq. ft. (-6,176)
11. Parcel 9 - 43,186 sq. ft. to 33,580 sq. ft. (-9,606)
12. " 12 - 20,332 " " 16,000 " " (-4,332)
13. " 13 - 22,953 " " 14,650 " " (-8,303)

Nine (9) of the thirteen (13) lots will become less than the minimum building site area requirement of the respective zoned district in which they are located.

The proposed roadway is not incorporated in the General Plan document and transportation map and the ~~proposed~~ Hilo Community Development Plan. There are also no Capital Improvement funds geared for the construction of this proposed roadway.

Kekela Street, which bisects the proposed road, has a 40-foot right-of-way with a 20-foot pavement. Kilauea Avenue is a 60-foot roadway with a 35-foot pavement. Makaala Street within the Industrial Subdivision has a 60-foot right-of-way with a 24-foot pavement.

In reviewing this request, the following agencies had comments to offer:

1. POLICE: "The application for amendment to the City of Hilo Zone Map regarding a proposed right-of-way has been reviewed and, from the police standpoint, we can foresee no adverse effect from the requested amendment."
2. FIRE: "Proposed right-of-way will create a hazardous condition to our responding fire units because of poor visibility. It's located at a curve and also a hump."
3. STATE HIGHWAYS: "If the subject proposed right-of-way is deleted, extension of Ohea Street to Makaala Street should be considered to provide internal circulation."
4. PUBLIC WORKS: (read DPW's memo)

In support of the request, the applicants have stated the following: (read applicant's reasons)

PLANNING DEPARTMENT  
County of Hawaii

APPLICATION FOR VARIANCE *Amendment To City of Hilo  
Zoning Map - Proposes Right-of-Way*

Name of Applicant: HISASHI FUJIYAMA AND OTHERS

(print or type)

(I) (We) hereby request approval of a variance to use certain property located at KEKELA STREET, HILO, HAWAII in accordance with provisions of Section 36, Ordinance No. 63 of the County of Hawaii for the following described purpose:

Description and map of property: Petitioner shall submit five (5) copies of location and site plan, drawn to scale.

TAX MAP KEY: 2-2-39: Lots A-1, A-2, B-1, B-2, C-1, and C-2  
Waiakea, South Hilo, Hawaii

Petitioner's interest in subject property: (State if owner or lessee\*)

OWNER

\*must be for 5 years or more

Petitioner's reason(s) for requesting variance:

The applicant must show that all of the following conditions exist: 1) that there are special or unusual circumstances applying to the subject property, building, or use which do not generally apply to surrounding property or improvements in the same district; 2) that said special or unusual circumstances exist either to a degree which deprives the owner or applicant of substantial property rights which would otherwise be available or to a degree which obviously interferes with the best use or manner of development of the subject property; 3) that the granting of the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical district classification; 4) that the granting of the variance will not be inconsistent with the general purpose of the district or the intent and purpose of this ordinance, will not militate against the County Plan and will not be materially detrimental to the public welfare nor will it be injurious to improvements or property rights related to property in the near vicinity.

The application shall be accompanied with a deposit of \$100.00 to cover publication and administrative costs.

Signature *Hisashi Fujiyama*  
Name Title  
Address 257 A Ulukani St  
Telephone 935 7883

ADDENDUM TO APPLICATION FOR VARIANCE  
Hisashi Fujiyama and Others

We wish to ask the County of Hawaii to eliminate its proposed road which passes through our property for the following reasons:

1. The building area for the affected lots is reduced tremendously and thereby causes a hardship on each property owner.
2. There are no funds available to construct the road and condemn the land so we feel this proposed road should be eliminated.
3. We cannot see a new road connecting the industrial area to Kilauea as being feasible when we have a major road only a few hundred feet away, i.e., Puainako intersection.
4. Creates a very hazardous and a dangerous situation.



Bill No. 158 - 1975

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 DELETING FROM THE CITY OF HILO CIRCULATION PATTERN, THE PROPOSED 60-FOOT RIGHT-OF-WAY COLLECTOR STREET WHICH WOULD HAVE LINKED MAKAAALA STREET AND KILAUEA AVENUE BY TRAVERSING PARCELS AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEYS 2-2-39:36, 44, 52, 53, 60, 88, 106, 107, 108, 110 AND 111; AND 2-2-60:07 AND 09.

This Bill amends Section 7.29, The City of Hilo Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by deleting a proposed 60-foot roadway designated in the City of Hilo Zone Map, Waiakea, South Hilo.

Date Introduced: September 10, 1975

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 September 10, 1975, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Fujii, Hisaoka, Kawahara, Lai, Levin, Yadao and Chairman Yamada - 9.

NOES: None.



CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY DELETING FROM THE CITY OF HILO CIRCULATION PATTERN, THE PROPOSED 60-FOOT RIGHT-OF-WAY COLLECTOR STREET WHICH WOULD HAVE LINKED MAKAAALA STREET AND KILAUEA AVENUE BY TRAVERSING PARCELS AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEYS 2-2-39:36, 44, 52, 53, 60, 88, 106, 107, 108, 110 AND 111; AND 2-2-60:07 AND 09.

This Bill amends Section 7.29, The City of Hilo Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by deleting a proposed 60-foot roadway designated in the City of Hilo Zone Map, Waiakea, South Hilo.

Date Introduced: September 10, 1975  
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 September 10, 1975, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Fujii, Hisaoka, Kawahara, Lai, Levin, Yadao and Chairman Yamada - 9.

NOES: None.

TED T. SUZUKI  
COUNTY CLERK  
COUNTY OF HAWAII

COUNTY CLERK  
COUNTY OF HAWAII

ORDINANCE NO. 150  
(Bill No. 158-1975)

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 DELETING FROM THE CITY OF HILO CIRCULATION PATTERN, THE PROPOSED 60-FOOT RIGHT-OF-WAY COLLECTOR STREET WHICH WOULD HAVE LINKED MAKAALA STREET AND KILAUEA AVENUE BY TRAVERSING PARCELS AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEYS 2-2-39:36, 44, 52, 53, 60, 88, 106, 107, 108, 110 AND 111; AND 2-2-60:07 AND 09.

Date Approved: September 24, 1975  
Date Effective: October 1, 1975

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 September 24, 1975, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Fujii, Hisaoka, Kawahara, Lai, Levin, Yadao and Chairman Yamada - 9.

NOES: None.



COUNTY CLERK  
COUNTY OF HAWAII



Hilo, Hawaii  
Date: September 10, 1975

FIRST READING			
	AYES	NOES	A/E
Carpenter	X		
De Luz	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
Lai	X		
Levin	X		
Yadao	X		
Yamada	X		
	9		

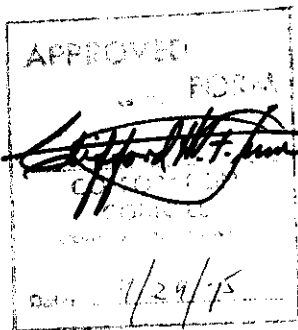
Publication Date: Sept. 15, 1975

Hilo, Hawaii  
Date: September 24, 1975

SECOND & FINAL READING			
	AYES	NOES	A/E
Carpenter	X		
De Luz	X		
Fujii	X		
Hisaoka	X		
Kawahara	X		
Lai	X		
Levin	X		
Yadao	X		
Yamada	X		
	9		

Publication Date: Sept 24 1975

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



Robert M. Yamada  
Council Chairman

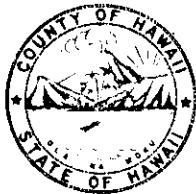
Ted J. Inagaki  
County Clerk

Approved/Disapproved this 1st day of October, 1975.

Hubert Matsuyoshi  
Mayor, County of Hawaii

Bill No. 158  
Reference: C-1522/PRDLC-57, 58  
M.B. No. \_\_\_\_\_  
Ord. No. \_\_\_\_\_

Ted T. Suzuki  
COUNTY CLERK



Robert Shioji  
DEPUTY COUNTY CLERK

**OFFICE OF THE COUNTY CLERK**

COUNTY OF HAWAII  
HILO, HAWAII 96720

Mayor Herbert T. Matayoshi  
County of Hawaii  
Hilo, Hawaii

I hereby transmit Ordinance Bill No. 158  
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: Sept. 26, 1975