

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 151

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT KEALAKEKUA, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-13:7 & 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( r ). The district classification of the following area situated at Kealakekua, South Kona, Hawaii, shall be Single Family Residential (RS-10):

Beginning at a pipe in concrete at the northwest corner of this parcel of land, and on the eastern side of Hawaii Belt Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OHAU" being 7,407.33 feet South and 13,644.65 feet East, thence running by azimuths measured clockwise from true South:

- |    |      |     |     |  |
|----|------|-----|-----|--|
| 1. | 243° | 57' | 30" | 323.64 feet along Lot 1 of the Kealakekua, Kiloa 1 and 2, and Waipunaula Coffee Farm Lots, to a pipe in concrete;  |
| 2. | 311° | 55' | 30" | 136.08 feet along same to a pipe in concrete;  |
| 3. | 46°  | 29' |     | 277.86 feet along the northwesterly side of Road Reserve "F";<br><br>thence along the northwesterly side of Road Reserve "F" on a 25 foot radius curve to the right, the chord azimuth and distance being: |
| 4. | 89°  | 12' | 15" | 33.93 feet;  |
| 5. | 131° | 55' | 30" | 210.48 feet along the eastern side of Hawaii Belt Road to the point of beginning and containing an area of 1.2705 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 applicant, Kealakekua Ranch, Ltd., submit

a consolidation and resubdivision plan and secure tentative approval within one (1) year from the date of approval of the change of zone request. The applicant shall also be responsible for securing final subdivision approval;

(B) that construction of another single family dwelling on one of the proposed lots commence within three (3) years of receipt of final subdivision approval and shall be completed within one (1) year thereafter;

(C) that a payment of fee for park and recreational purposes for the area shall be required at the time of subdivision approval, using the standards and guidelines of the Park Dedication Ordinance; and (D) that a 10-foot wide strip along the Loop road be delineated and set aside for future road widening purposes. Should the foregoing conditions not be met, rezoning of the area to its original 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:

*Frank J. III*

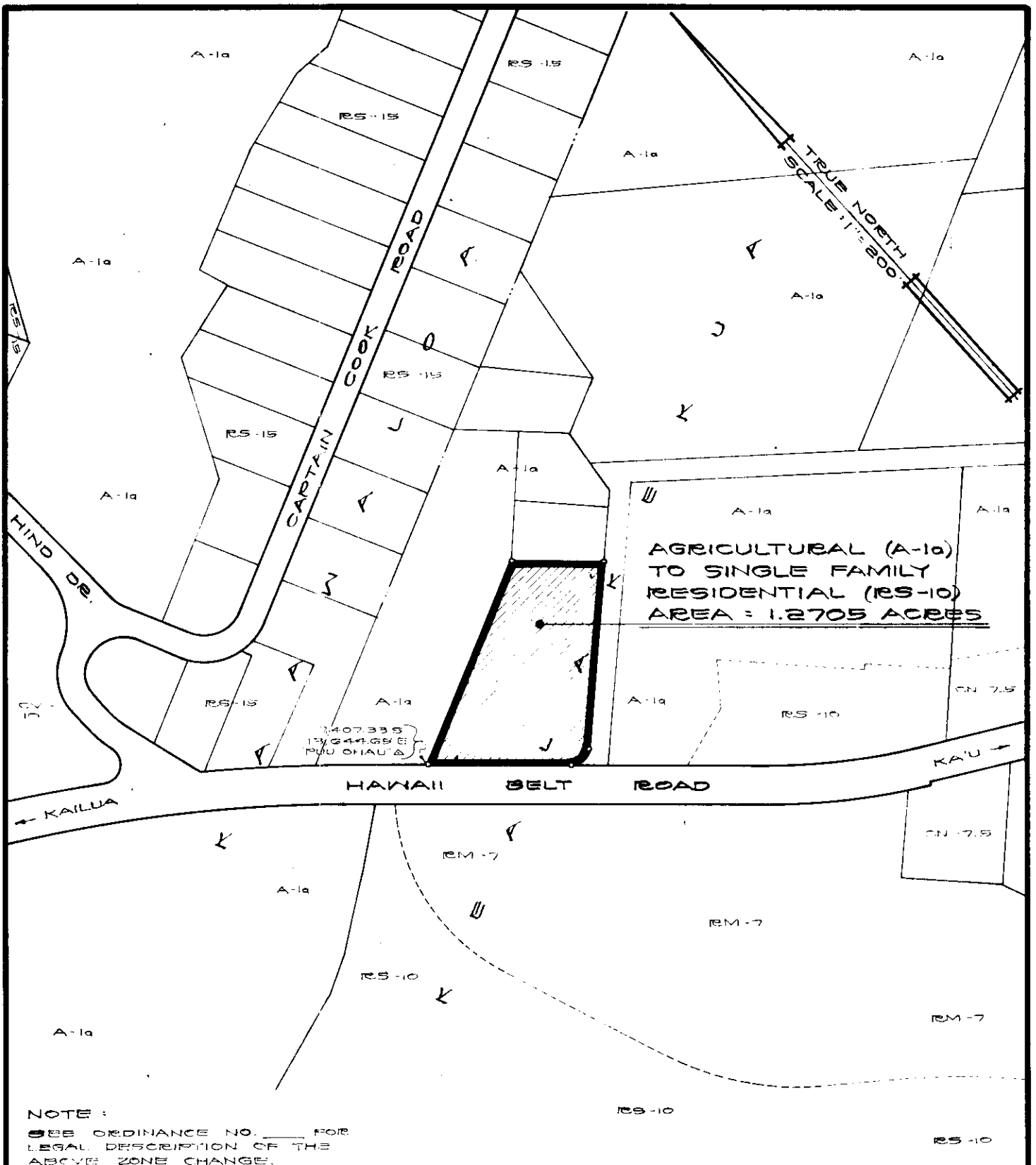
\_\_\_\_\_  
COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 24, 1975

Date of Adoption: October 8, 1975

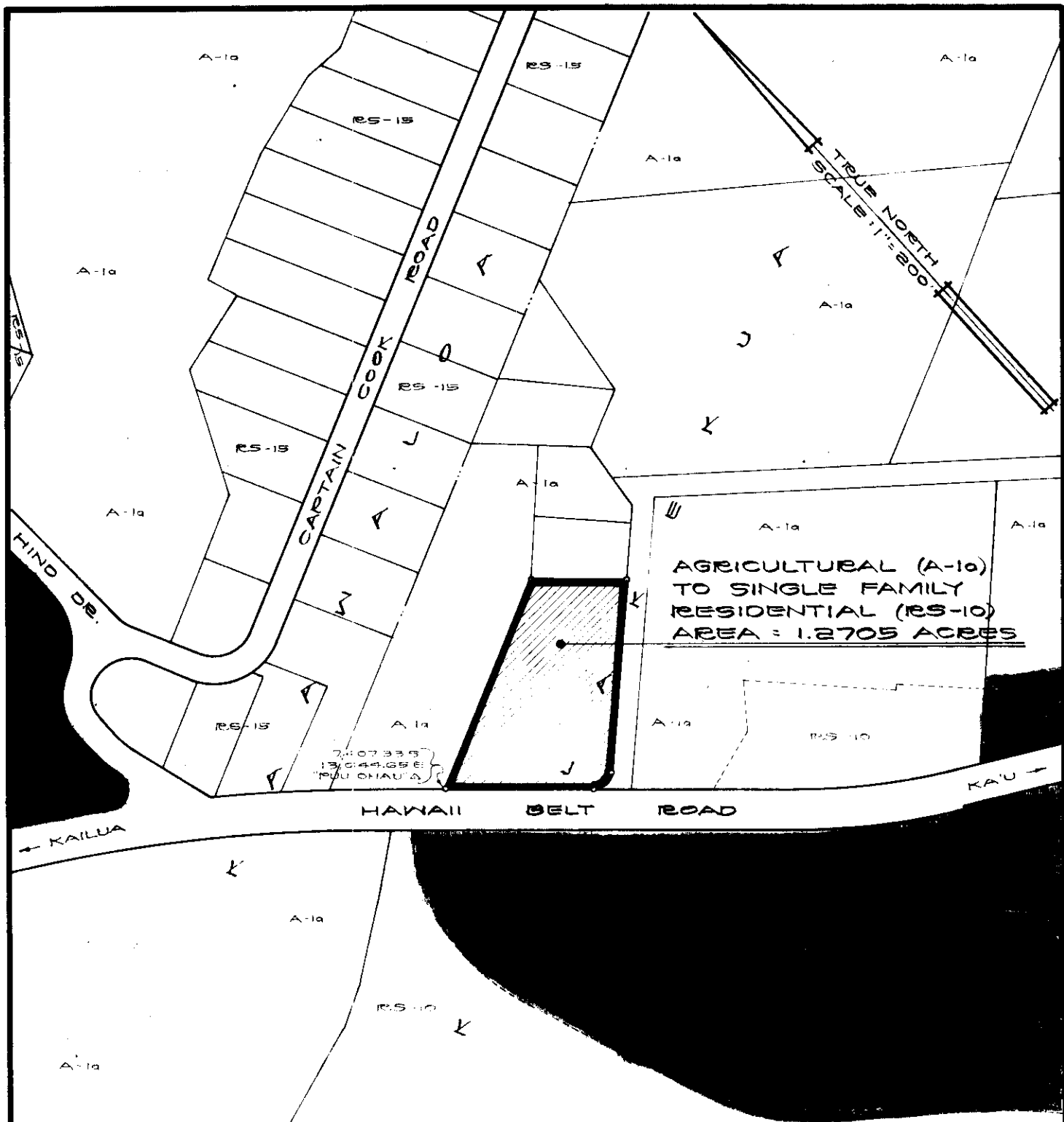
Effective Date: October 15, 1975



## 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-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT KEALAKEKUA, SOUTH KONA, HAWAII.

DATE OF PUBLIC HEARING: JULY 31, 1975  
 DATE OF APPROVAL:  
 ORDINANCE NO.  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII



**NOTE :**

SEE ORDINANCE NO. \_\_\_\_\_ FOR  
LEGAL DESCRIPTION OF THE  
ABOVE ZONE CHANGE.

RS-10

**AMENDMENT TO THE ZONING CODE**

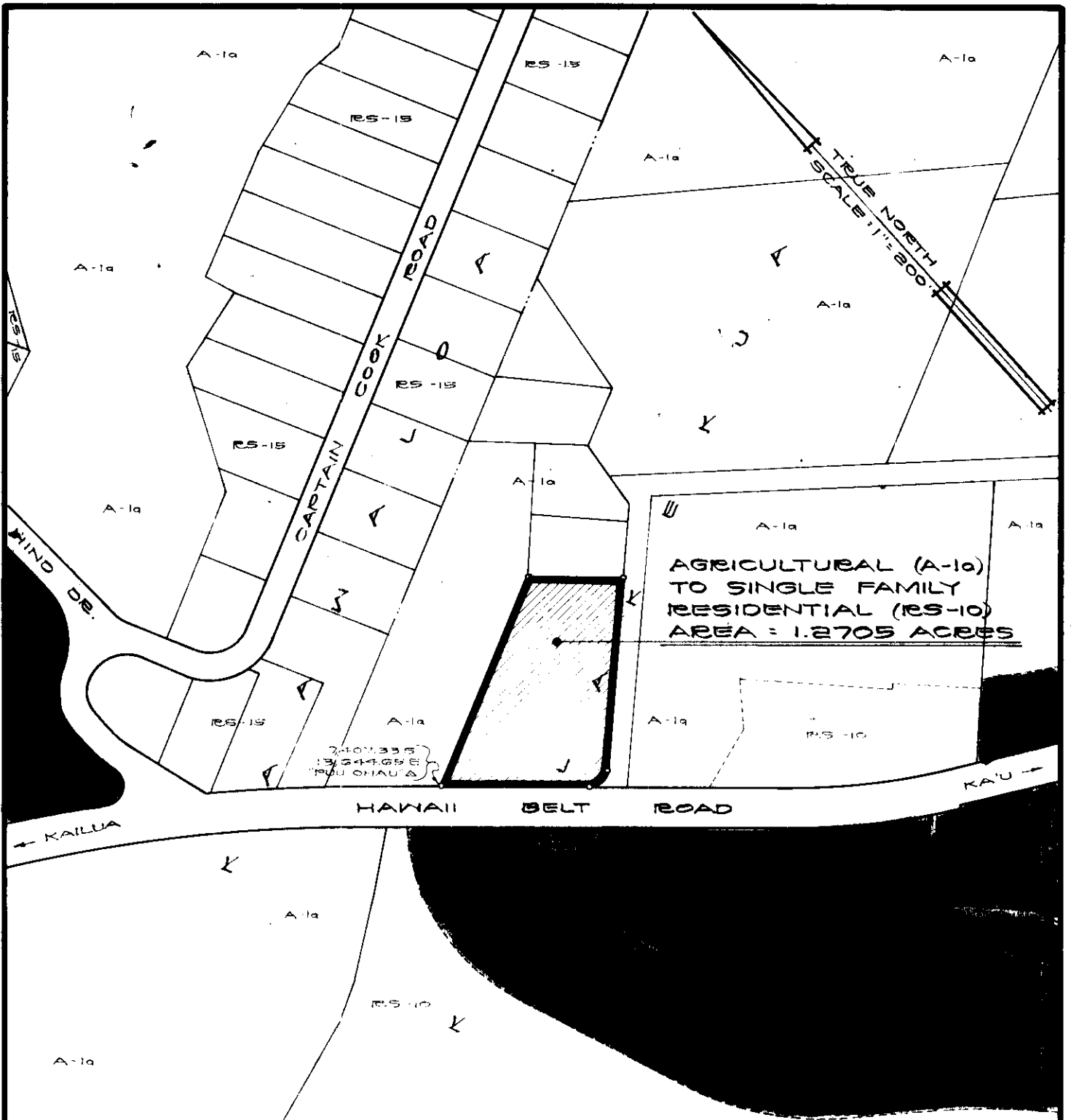
AMENDMENT NO. \_\_\_\_\_ OF CHAPTER 8 (ZONING CODE),  
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(RS-10) AT KEALAKEKUA, SOUTH KONA, HAWAII.

DATE OF PUBLIC HEARING: JULY 31, 1975  
DATE OF APPROVAL:  
ORDINANCE NO.  
PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 8-2-13: 75.8

AUG. 6, 1975

EXHIBIT "A"



AGRICULTURAL (A-1a)  
TO SINGLE FAMILY  
RESIDENTIAL (RS-10)  
AREA = 1.2705 ACRES

2,407,355  
13,244,695  
"PULU OHIAU"

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

**AMENDMENT TO THE ZONING CODE**

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ARTICLE 2, SECTION 7.03, THE SOUTH KONA ZONE  
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DATE OF PUBLIC HEARING: JULY 31, 1975  
DATE OF APPROVAL:  
ORDINANCE NO.  
PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 8-2-13: 7 & 8

AUG. 6, 1975

EXHIBIT "A"

PLANNING DEPARTMENT

County of Hawaii

APPLICATION FOR CHANGE OF ZONE

Name of Applicant: KEALAKEKUA RANCH, LTD.  
(print or type)

for TMK 8-2-13-7 and 8 of .3925 and .878 acres respectively, a total of 1.2305 acres  
(X) (We) hereby request an amendment of zoning to change the present classification in a(n) A 1-a Agricultural district into a(n) RS-10 Residential district in accordance with provisions of Section 38, Ordinance No. 63 of the County of Hawaii for the following reasons:

The area is zoned Urban by the State Land Use Commission and is taxed as Improved Residential and conforms to the General Plan Exhibit "C" for medium density use.

Submittals: Petitioner shall submit sixteen (16) copies of the application and location/site plan drawn to scale, and one (1) copy of the questionnaire.

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 a change of zone:

NOTE: a. Please explain how the requested change of zone would be consistent with the goals, policies, and course of action (if applicable) of the General Plan document. Please, also, specifically indicate which goals, policies, and courses of action are involved. (Copies of the General Plan document are available at all public libraries and at the Hawaii County Planning Department.)

The tenant of TMK 8-2-13-8 has built one house for sale and intends to construct one or two more for the same purpose. This construction, we feel, will better utilize the area of ~~36,503~~ 38,246 sq. ft.

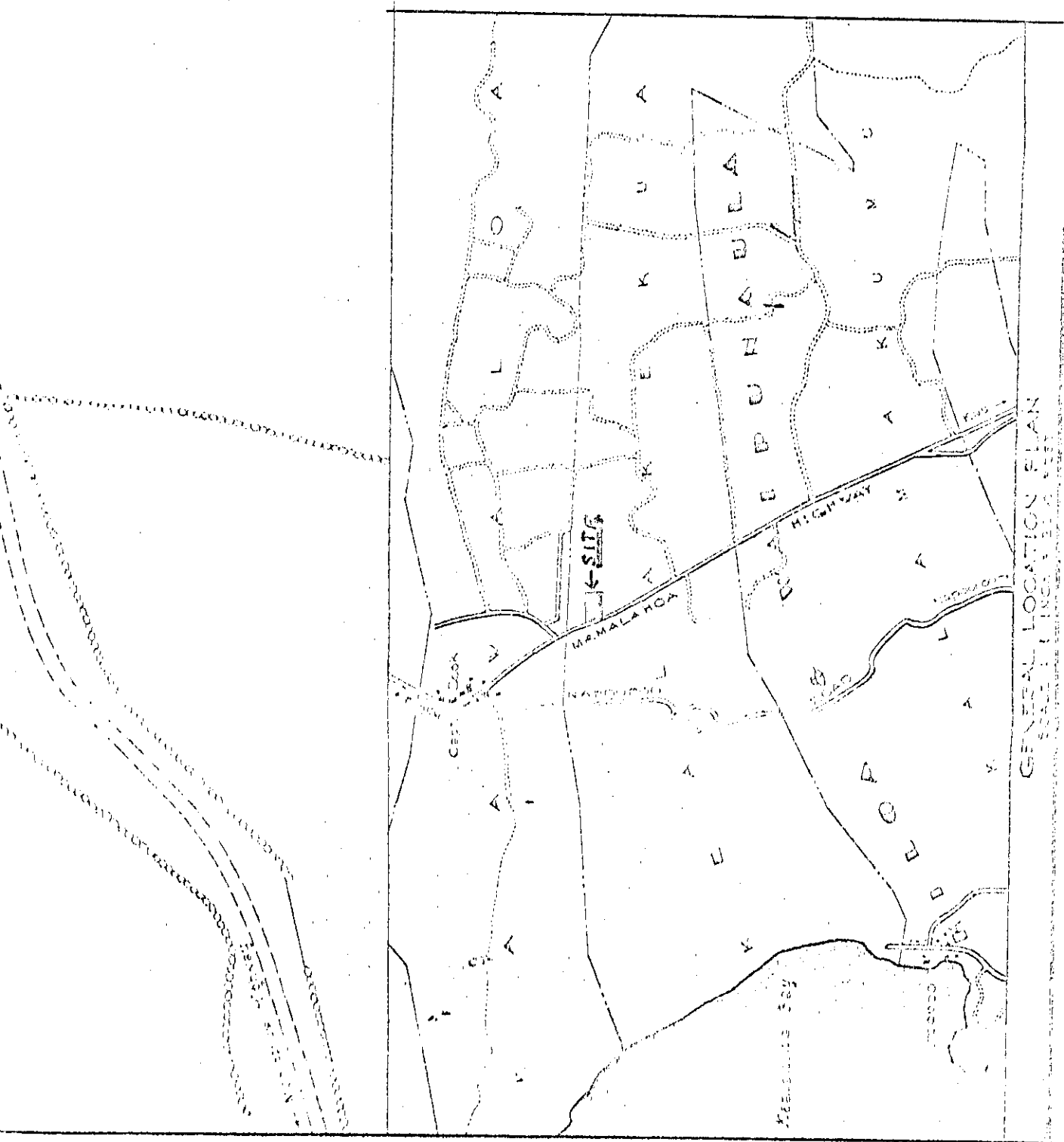
b. Please state any other reason(s) for your request.

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

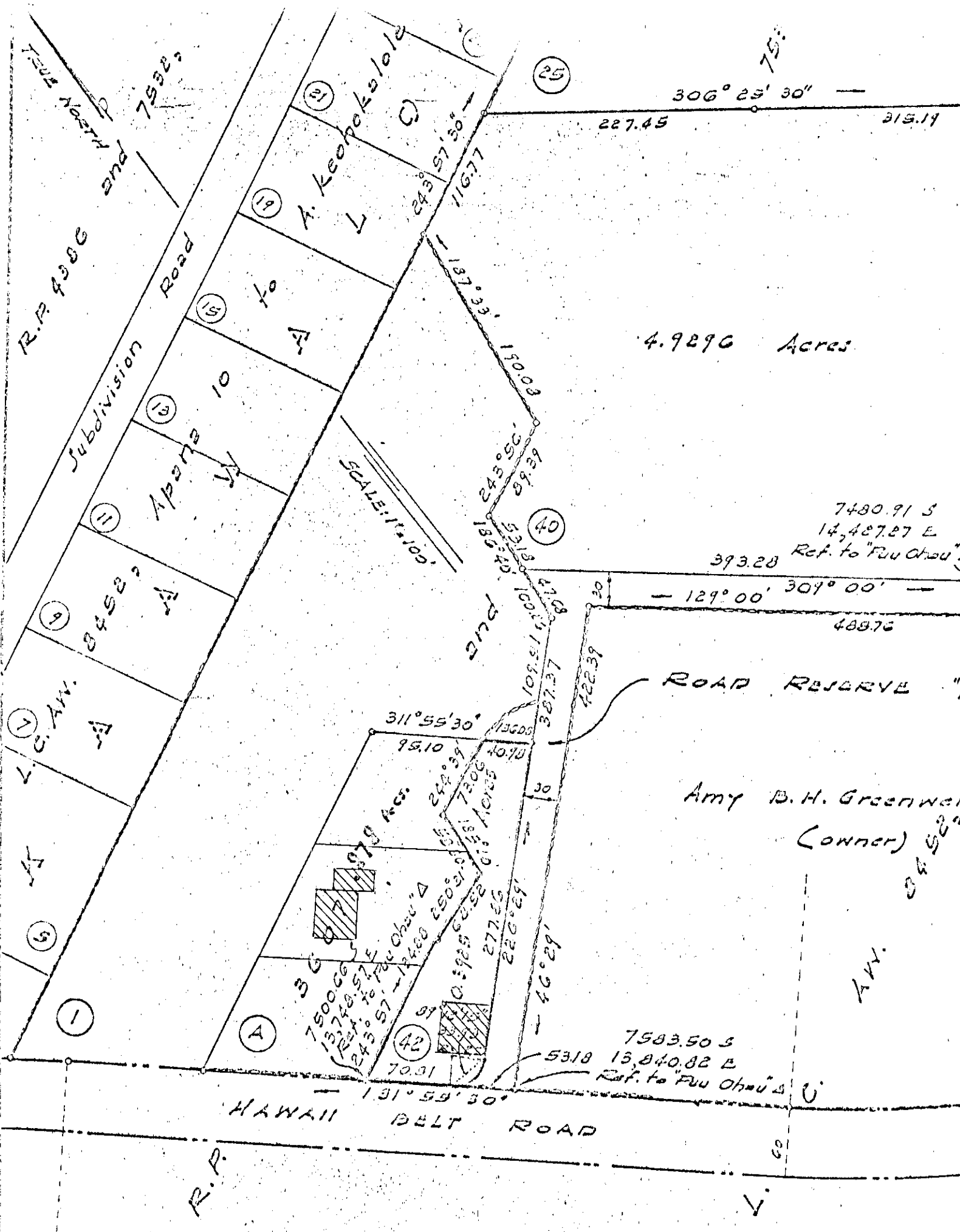
Signature *Donald R. W. Cannell* Vice Pres.  
Name Title

Address P. O. Box 398, Capt. Cook, HI. 96704

Telephone 323-3188



GENERAL LOCATION PLAN  
SCALE 1:50,000



4.9896 Acres

7480.91 S  
14,487.87 E  
393.28 Ref. to "Fuu Ohu"

129° 00' 30" 00'  
489.76

ROAD RESERVE

Amy B. H. Greenwell  
(owner)

AVY.


7583.50 S  
5318 13,840.82 E  
Ref. to "Fuu Ohu"

HAWAII BELT ROAD

Keolakekua Investors, Subdivider  
Tax Map Key: 8-8-01  
F.D. 76

John D. W...

SUBDIVISION OF LOT A, Boundaries Approximate

 - Existing Houses



CHANGE OF ZONE: KEALAKEKUA RANCH, LTD.

The applicant, Kealakekua Ranch, Ltd., is requesting a change of zone for 1.2 acres of land from an Agricultural 1-acre (A-1a) to a Single Family Residential - 10,000 square foot (RS-10) zoned district. The area in question, involving two (2) parcels identified as TMK: 8-2-13:7 and 8, is situated along the mauka side of Mamalahoa Highway, approximately 850 feet Kailua direction of the Greenwell Park complex, Kealakekua, South Kona. Parcel 7 and 8 consist of 0.39 and 0.87 acre respectively.

According to preliminary subdivision plans submitted, parcel 8 will be subdivided into three (3) lots.

In support of the request, the applicant has stated the following:

"The area is zoned urban by the State Land Use Commission and is taxed as Improved Residential and conforms to the General Plan for medium density use. The tenant of TMK: 8-2-13:8 has built one house for sale and intends to construct one or two more for the same purpose. This construction, we feel will better utilize the area of 38,246 square feet."

Although the applicant stated that the General Plan designated the area for Medium Density uses, the actual designation is Low Density Urban Development. Such a designation may allow single family residential uses at a maximum density of four (4) units per acre. The requested change of zone does fall within this

density limit.

The soil is of the Honuauulu series which consists of well-drained silty clay loams that formed in volcanic ash. The surface layer is about 9 inches thick and the subsoil is about 28 inches thick. The substratum is Aa lava. The surface layer is strongly acid and the subsoil is medium acid. This soil dehydrates irreversible into fine sand-size aggregates. Permeability is rapid, runoff is slow, and the erosion hazard is slight. The land capability unit is subclass VI or soils which have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland or wildlife. The slope of the land range from 12 to 20 percent, and the annual rainfall is between 60 to 80 inches.

A single family dwelling each is situated on both parcels. Surrounding land uses include the Greenwell Park complex, Manago Hotel, and other single family residential uses. Other Single Family Residential - 10,000 square feet across Mamalahoa Highway and also 140 feet Ka'u direction of the area in question. The Kealakekua Ranch single family residential subdivision and the Formost ~~Development, Ltd.~~, Ltd. (formerly Gentry-Hawaii, Ltd) proposed townhouse development are situated on the makai side of the property across Mamalahoa Highway.

Upon review of the request, the Dept. of Water Supply stated the following:

"Pursuant to your oral request and in accordance with the water policies for the Kona areas which were adopted by our Water Commission on June 23, 1975, we see no apparent objections to the subject application provided the applicant is informed that water will not be available unless the Kahaluu shaft and pump improvements are completed and placed in operation. The anticipated completion date will be in 1977."

For the Commissioners information, the applicant is aware of the water situation.

The Dept. of Public Works stated the following:

"The road reserves acts as a loop road and will gain in importance as the mauka lands develop. Provisions should be made to increase its width to fifty (50) feet. Access to the proposed subdivided lots should be from an interior road."

The Loop road which the Dept. of Public Works makes reference to presently has a thirty (30) foot right-of-way. Mamalahoa Highway, which abuts the area in question, has a right-of-way width of sixty (60) feet with a 20-foot pavement.

All other cooperating agencies had no objections to or comments on the subject request.

The following letter dated July 23, 1975, was received from John Iwane, President of the Capt. Cook Community Association:

"Dear Commissioners: Our Board of Directors today voted to favor the rezoning request to RS-10. We find no objections, and we recommend that the request be granted."

Bill No. 164 - 1975

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT KEALAKEKUA, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-13:7 & 8.

This Bill amends the South Kona Zone Map of the Zoning Code.

Date Introduced: September 24, 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.

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I hereby certify that the foregoing Bill, passed first 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, Iai, Yadao and Chairman Yamada - 8.

NOES: Councilman Levin - 1.



COUNTY CLERK  
COUNTY OF HAWAII

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT KEALAKEKUA, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-13:7 & 8.

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I hereby certify that the foregoing Bill, passed first 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, Iai, Yadao and Chairman Yamada - 8.

NOES: Councilman Levin - 1.

TED T. SUZUKI  
COUNTY CLERK  
COUNTY OF HAWAII

ORDINANCE NO. 154  
(Bill No. 164-1975)

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT KEALAKEKUA, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-13:7 & 8.

Date Approved: October 8, 1975  
Date Effective: October 15, 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.

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I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on October 8, 1975, by the following aye and no vote:

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

NOES: Councilman Levin - 1.



COUNTY CLERK  
COUNTY OF HAWAII

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT KEALAKEKUA, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-2-13:7 & 8.

Date Approved: October 8, 1975  
Date Effective: October 15, 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 October 8, 1975, by the following aye and no vote:

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

NOES: Councilman Levin - 1.

TED SUZUKI  
COUNTY CLERK  
COUNTY OF HAWAII

(152-Hawaii Tribune-Herald:  
Oct. 26, 1975)

Hilo, Hawaii

Date: September 24, 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		
	8	1	

Publication Date: October 1, 1975

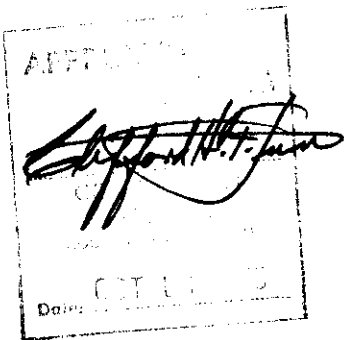
Hilo, Hawaii

Date: October 8, 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		
	8	1	

Publication Date: OCT 8 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 Suzuki  
County Clerk

Approved/~~Disapproved~~ this 15<sup>th</sup> day of October, 1975

Hubert Matsuyoshi  
Mayor, County of Hawaii

Bill No. 164  
Reference: C-1540/PRDLC-58, 57  
M.B. No. \_\_\_\_\_  
Ord. No. 153