

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 185

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 2-4-37:7.

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(11). 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 Southwest corner of this parcel of land on the northerly side of Ainaola Drive, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 18,747.46 feet South and 1,037.78 feet West, thence running by azimuths measured clockwise from true South:
1. 175° 40' 360.04 feet along the remainder of Grant 10417 to Waiakea Mill Company;
 2. 265° 40' 131.86 feet along a portion of Grant 10714 to (Mrs.) Rose Mahi;
 3. 355° 40' 292.97 feet along the remainder of Grant 10417 to Waiakea Mill Company;
 4. 55° 07' 111.47 feet along the northerly side of Ainaola Drive;
 5. 69° 29' 37.34 feet along same to the point of beginning and containing an area of 1.000 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 applicant, Stanley Kawano, submit a subdivision plan and secure tentative approval within one (1) year of the date of approval of the change of zone request. The applicant shall also be responsible for securing final subdivision approval; (B) construction of another single family dwelling commence within three (3) years of receipt of final subdivision approval and be completed within one (1) year thereafter; (C) a 15-foot wide strip along Ainaola Drive be delineated and set aside for future road widening purposes; and (D) 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. Should any of the foregoing conditions not be met, rezoning to the 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:



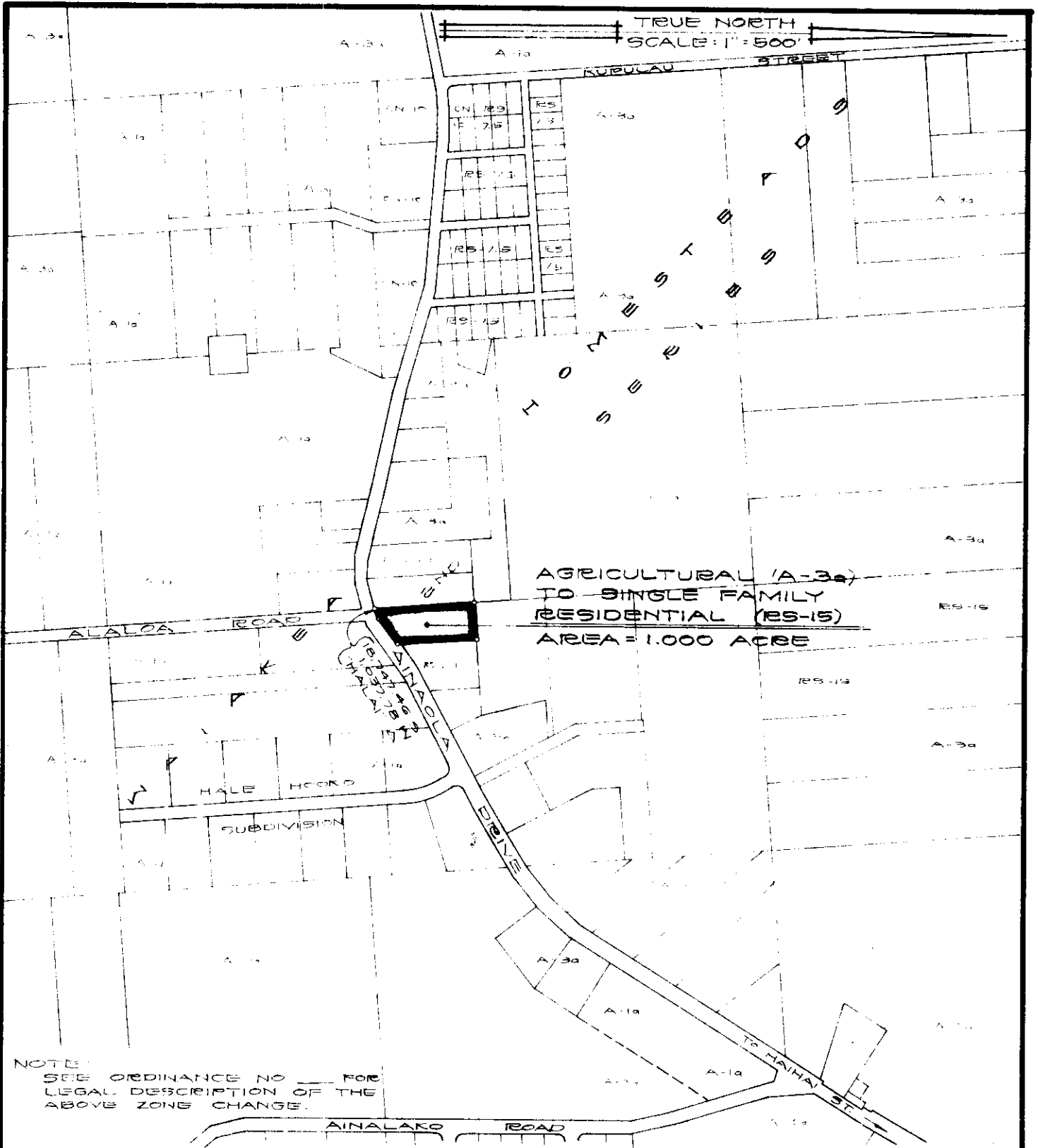
COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: October 8, 1975

Date of Adoption: October 23, 1975

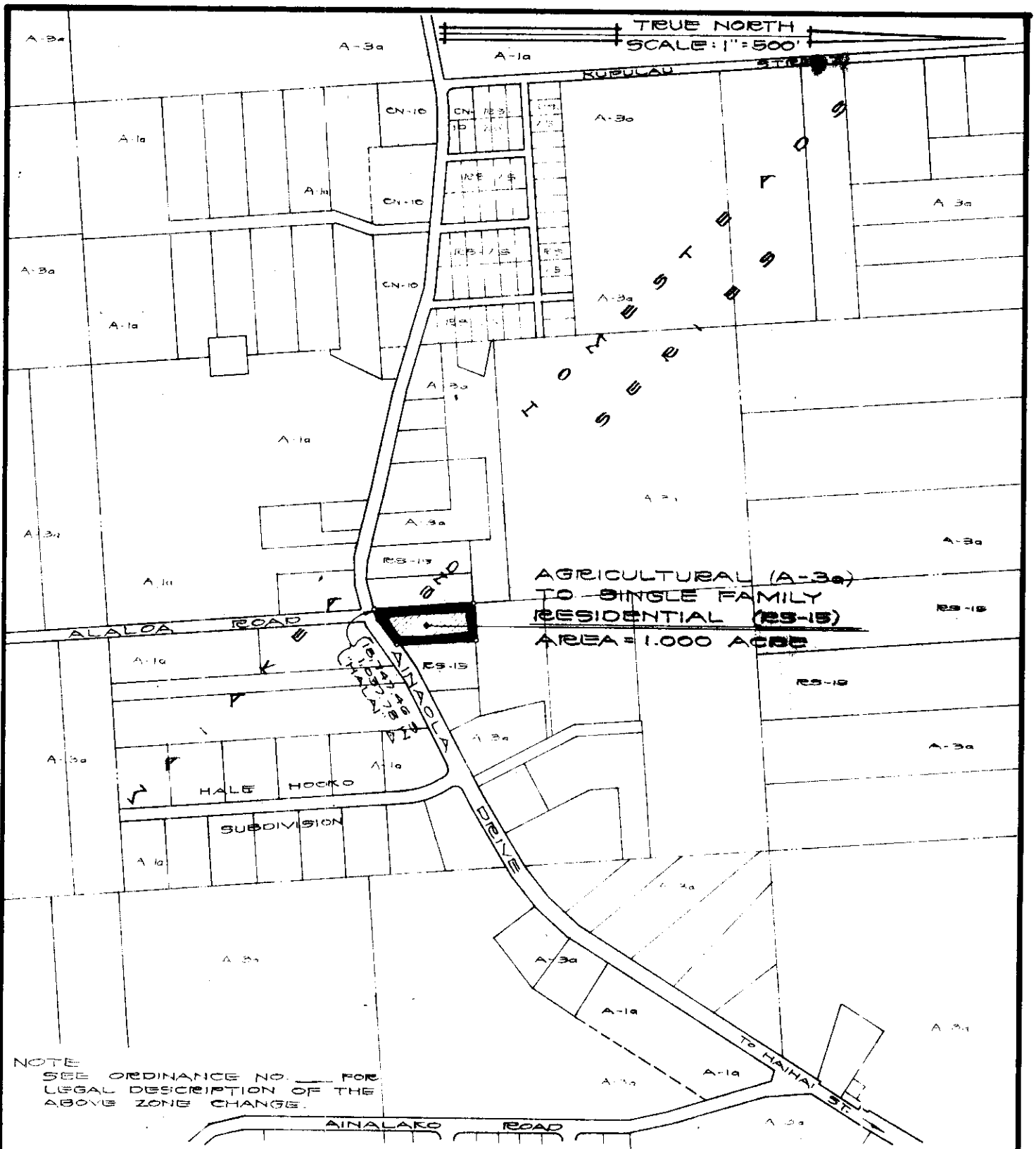
Effective Date: October 31, 1975



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



AMENDMENT TO THE ZONING CODE

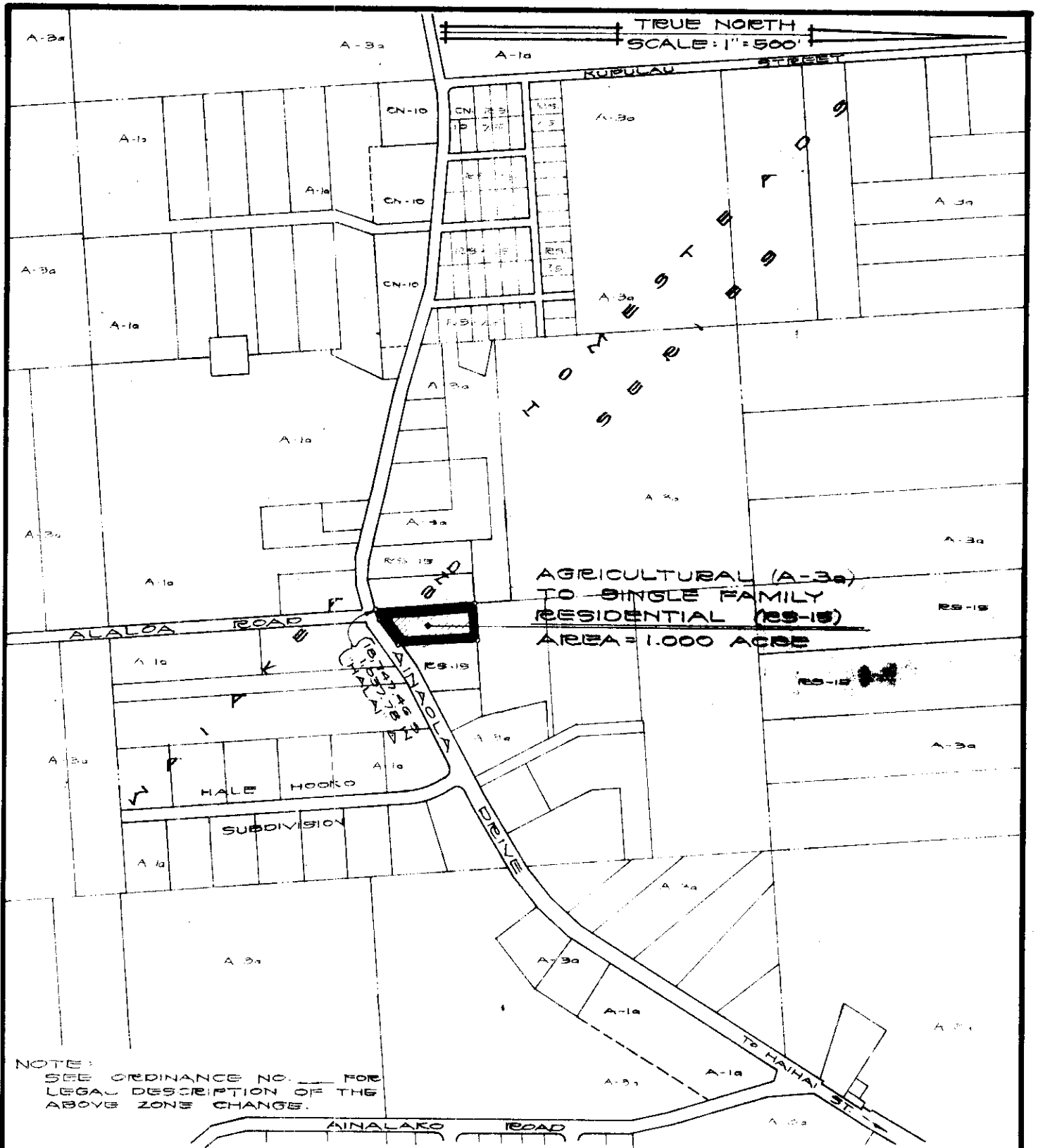
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DATE OF PUBLIC HEARING: JULY 17, 1975
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PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 2-4-37:7

SEPT. 8, 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, 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: JULY 17, 1975

DATE OF APPROVAL:

ORDINANCE NO.

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 2-4-37: 7

SEPT. 8, 1975

EXHIBIT "A"

PLANNING DEPARTMENT

County of Hawaii

APPLICATION FOR CHANGE OF ZONE

Name of Applicant: Mr. & Mrs. Stanley K. Kawano
(print or type)

(I) (We) hereby request an amendment of zoning to change the present classification in a(n) Agriculture - 3Acs. district into a(n) Residential 15,000 sq. ft. district in accordance with provisions of Section 38, Ordinance No. 63 of the County of Hawaii for the following reasons:

The Owners wish to develop this parcel into a subdivision of two (2) lots of 15,377 Sq. Ft. & 28,193 Sq. Ft.

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*)

Fee 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.)

This residential zoning conforms to the county general plan for this area and is, we feel, a logical urban addition to the Hilo area.

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

There are presently properties subdivided into lots similar to my request in the immediate areas.

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

Signature

Name

Title

Address

Telephone

CHANGE OF ZONE: STANLEY KAWANO

An application for a change of zone from an Agricultural 3-acre (A-3a) to a Single Family Residential - 15,000 square foot (RS-15) zoned district has been submitted by Stanley Kawano. The area under consideration consists of one (1) acre of land and is located on the north side of Ainaola Drive and across Alaloa Road in Waiakea Homesteads, Waiakea, South Hilo (TMK: 2-4-37:7).

The General Plan land use pattern allocation guide map designates the area for low density urban uses. Such a designation may permit single-family residential uses at a maximum density of four (4) units per acre. The requested change falls within this density limit.

The General Plan also identifies a portion of the property to be within a flood plain. A drainage channel was originally proposed for the front part of the property along Ainaola Drive. However, the Department of Public Works determined that the channel was unnecessary due to the construction of the diversion channel at Waiakea-Uka Gym.

The soil in the subject area is of the Oloa series. The surface layer is very dark brown extremely stony silty clay loam about 16 inches thick. The subsoil is of similar make-up about 9 inches thick. It is underlain by a'a lava. Permeability is rapid, runoff is slow, and the erosion hazard is slight. The land is relatively level and average rainfall per year is about 175 inches. The Soil

Conservation Service designates this soil as capability class VII, or soils which have very severe limitations which make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife.

At the present time there is one single family dwelling on the lot. The applicant intends to create two lots, one to be 15,377 square feet in area and the other to be 28,193 square feet. In support of the request, the applicant has stated that the requested change of zone to residential conforms to the County General Plan for the area and is a logical urban addition to the Hilo area. He has further stated: "There are presently properties subdivided into lots similar to my request in the immediate areas."

The applicant would retain his existing dwelling. He does not intend to construct a dwelling on the second lot, but has stated: "If I can sell the lot without the existing house for a reasonably low price this will give the buyer an opportunity to build a home."

Surrounding lands are residential agricultural in character. For the commissioners' information, three similar change of zone requests in the immediate area have been granted over the past year. The most recent application was that of David Prudencio, Sr., whose property is immediately mauka of the applicant's (1/30/75). The Fernandez property, approved as RS-15 on December 12, 1974, is mauka of the Prudencio's. The Murakami property, directly makai of the area under consideration, was also rezoned to RS-15 (8/30/74).

Change of Zone
Stanley Kawano
Page 3

All essential utilities, including an 8-inch water line, are available to the subject area. Ainaola Drive, which provides direct access to the area, has a right-of-way width of fifty (50) feet with a 20-foot pavement. It is proposed to be widened to an 80-foot right-of-way, which will affect a 15-foot wide frontage strip of the subject property.

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

Hilo, Hawaii
 Date: October 8, 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	

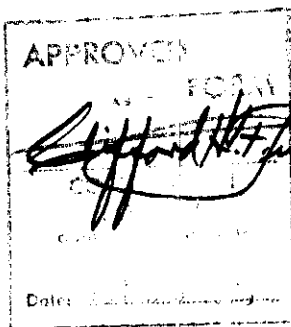
Publication Date: OCT 10 1975

Hilo, Hawaii
 Date: October 23, 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		
	7	1	1

Publication Date: NOV 0 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 31st day of
October, 1975

Hubert Matayoshi
 Mayor, County of Hawaii

Bill No. 176
 Reference: C-1563/PRDLC-59
 M.B. No. _____
 Ord. No. _____

Bill No. 176 - 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 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 2-4-37:7.

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, S. Hilo.


Date Introduced: October 8, 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 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

CHANGING 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 2-4-37:7.

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NOES: Councilman Levin - 1.

TED T. SUZUKI
COUNTY CLERK
COUNTY OF HAWAII

(1975-Hawaii Tribune-Herald:
Oct. 12, 1975)

ORDINANCE NO. 165
(Bill No. 176-1975)

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 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 2-4-37:7.

Date Approved: October 23, 1975
Date Effective: October 31, 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 23, 1975, by the following aye and no vote:

AYES: Councilmen Carpenter, Fujii, Hisaoka, Kawahara, Lai, Yadao and Chairman Yamada - 7.

NOES: Councilman Levin - 1.

ABSENT AND EXCUSED: Councilman De Luz - 1.



COUNTY CLERK
COUNTY OF HAWAII

ORDINANCE NO. 165
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 2-4-37:7.

Date Approved: October 23, 1975
Date Effective: October 31, 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 23, 1975, by the following aye and no vote:

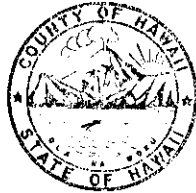
AYES: Councilmen Carpenter, Fujii, Hisaoka, Kawahara, Lai, Yadao and Chairman Yamada - 7.

NOES: Councilman Levin - 1.

ABSENT AND EXCUSED: Councilman De Luz - 1.

TED T. SUZUKI
COUNTY CLERK
COUNTY OF HAWAII

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. 176
passed by the County Council on second and final
reading.

Ted T. Suzuki
COUNTY CLERK

Encl.

Dated: OCT 24 1975