

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 215

AN ORDINANCE AMENDING SECTION 7.13, THE HONOKAA-HAINA-KUKUIHAELE ZONE MAP CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL (RS-7.5) TO VILLAGE COMMERCIAL (CV-10) AT HAINA, HAMAKUA, HAWAII, COVERED BY TAX MAP KEY 4-5-16:PORTION OF 47.

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

SECTION 1. Section 7.13 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.13(c). The district classification of the following area situated at Haina, Hamakua, Hawaii, shall be Village Commercial (CV-10):

Beginning at the northernmost corner of this parcel of land, being also the most westerly corner of Lot 2, Honokaa Town and on the easterly side of Mill Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAAO" being 2,616.27 feet North and 1,997.51 feet West, thence running by azimuths measured clockwise from true South:

1. 285° 26' 150.00 feet along the remainder of Grant 3156, Apana 1 to W.H. Rickard, being also along a portion of Lot 2, Honokaa Town;
2. 15° 26' 91.34 feet along the remainder of Grant 3156, Apana 1 to W.H. Rickard, being also along the remainder of Lot 3-B, Honokaa Town;
3. 105° 26' 150.00 feet along the remainder of Grant 3156, Apana 1 to W.H. Rickard, being also along a portion of Lot 3-A, Honokaa Town;
4. 195° 26' 91.34 feet along the easterly side of Mill Road to the point of beginning and containing an area of 13,701 square feet.

"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 commence renovations of the existing building within one (1) year from the effective date of the change of zone. The improvements shall be completed within one (1) year thereafter; (B) a landscaping buffer be established along the side property lines for the purpose of screening the proposed use from adjacent properties. This buffer

shall be incorporated into plans submitted for "Plan Approval" and shall be approved by the Planning Director; and (C) all other applicable rules and regulations, including the "Plan Approval" process, be complied with. Should any of the foregoing conditions not be met, rezoning of the property 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:

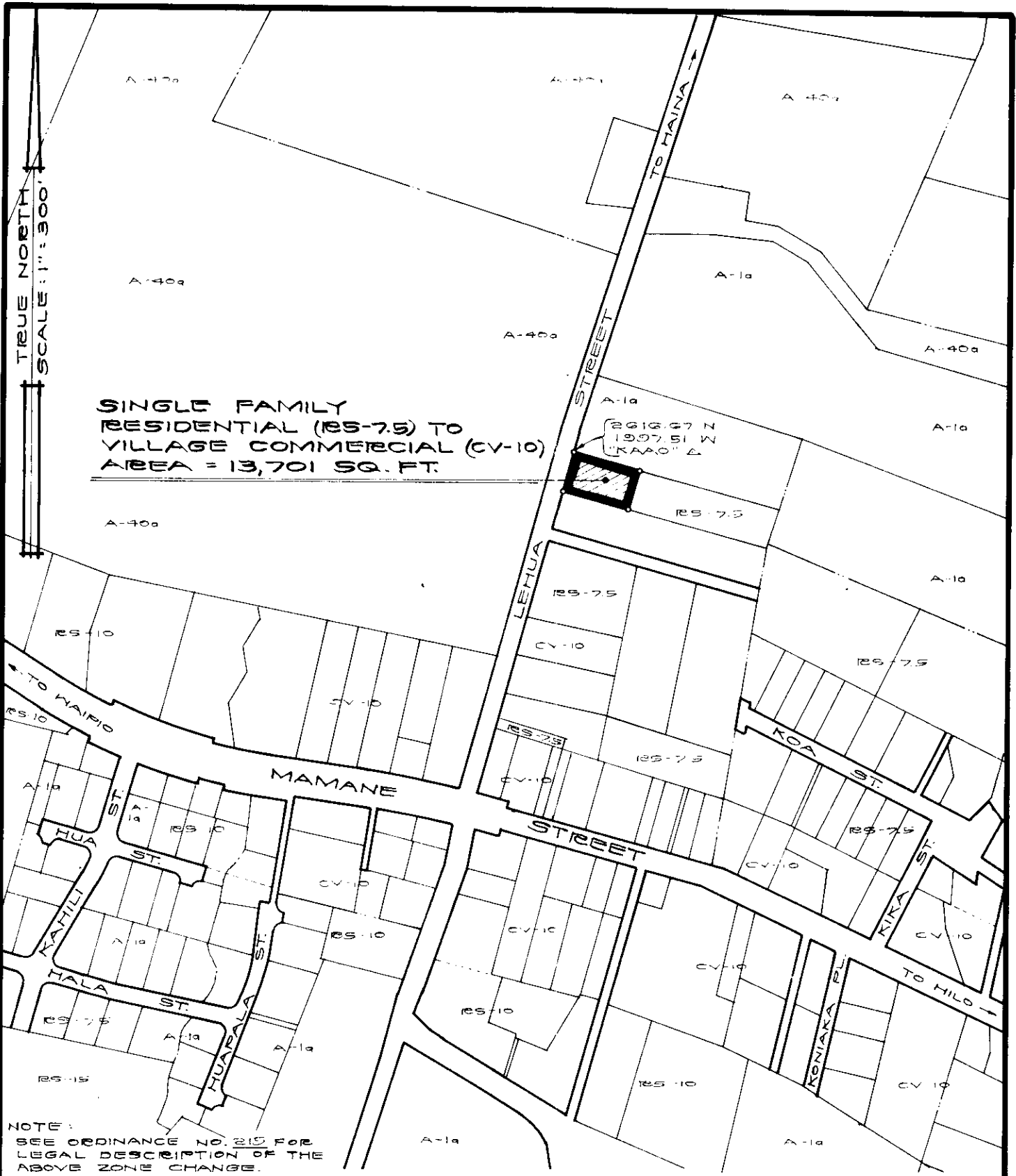
*Tomio Fujii*  
\_\_\_\_\_  
COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: June 16, 1976

Date of Adoption: July 7, 1976

Effective Date: July 16, 1976



**SINGLE FAMILY  
RESIDENTIAL (RS-7.5) TO  
VILLAGE COMMERCIAL (CV-10)  
AREA = 13,701 SQ. FT.**

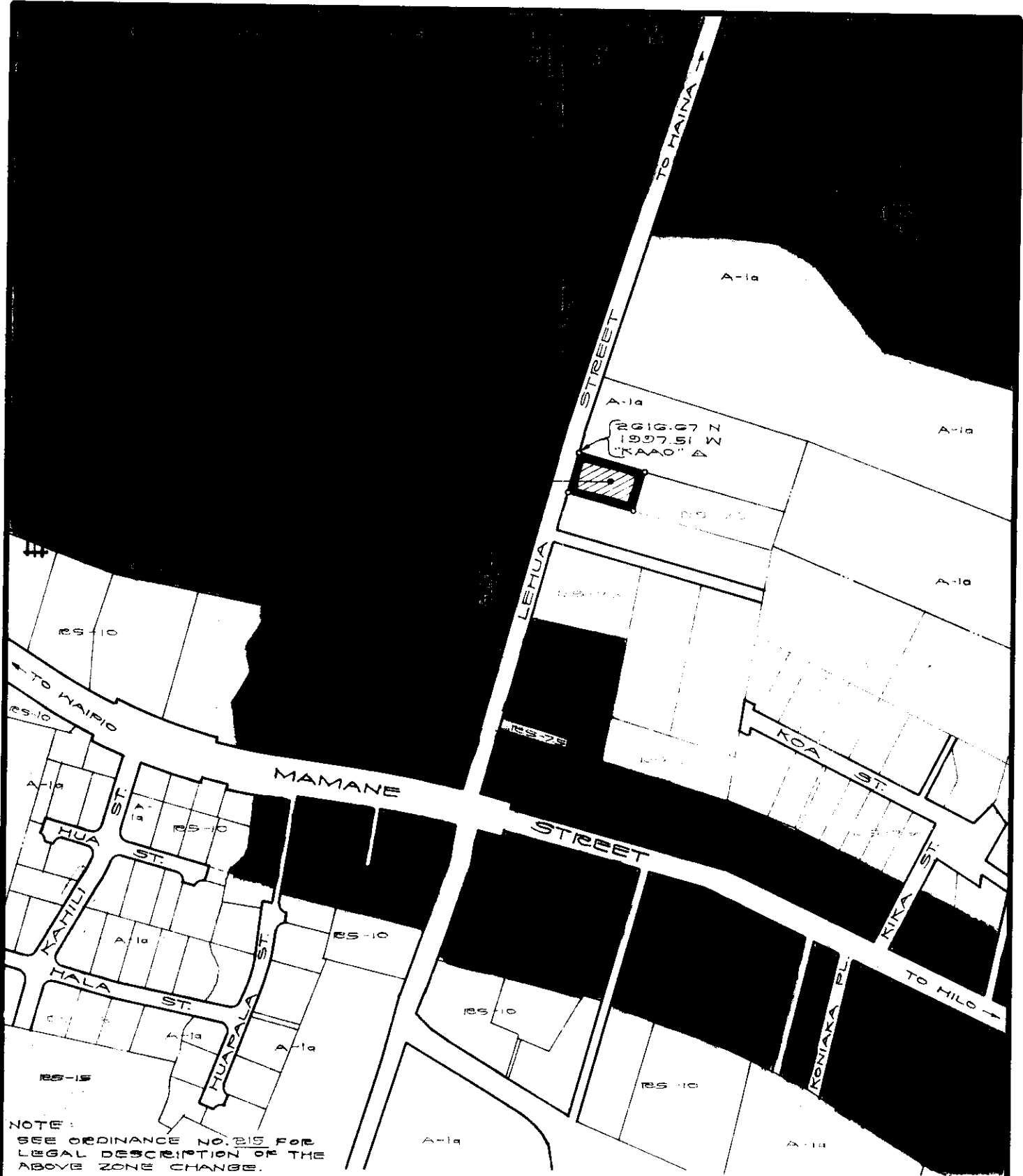
TRUE NORTH  
SCALE: 1" = 300'

NOTE:  
SEE ORDINANCE NO. 215 FOR  
LEGAL DESCRIPTION OF THE  
ABOVE ZONE CHANGE.

## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 3 TO SECTION 7.13, THE HONOKAA-HAINA - KUKUIHAELE ZONE MAP, OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-7.5) TO VILLAGE COMMERCIAL (CV-10) AT HAINA, HAMAKUA, HAWAII.

DATE OF PUBLIC HEARING : APRIL 22, 1976  
DATE OF APPROVAL : JULY 16, 1976  
ORDINANCE NO. 215  
PREPARED BY : PLANNING DEPARTMENT  
COUNTY OF HAWAII



NOTE:  
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TMK : 4-5-16 : 47 (POR)

APRIL 30, 1976



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APRIL 30, 1976

EXHIBIT "A"

APPLICATION FOR CHANGE OF ZONE

COUNTY OF HAWAII

PLANNING DEPARTMENT

APPLICANT: LARRY DELUZ

APPLICANT'S SIGNATURE: Larry De Luz

ADDRESS: P.O. Box 982, HONOLULU, HAWAII

TELEPHONE: 775-0678

REQUEST FROM: RS-7.5 TO: CV-7.5

TAX MAP KEY: 4-5-16-<sup>P1</sup>47 AREA OF PROPERTY: 13,701 sq ft  
(size of parcel)

OWNER: Ernest C. Thijssen & wife  
Box 756 - Honolulu PH-935-1778

OWNER'S SIGNATURE: Ernest C. Thijssen Miyasaki

APPLICANT'S INTEREST, IF NOT OWNER: \_\_\_\_\_  
(If lessee, must be for at least another 5 years from date of application)

APPLICANT'S REASONS FOR REQUESTING A CHANGE OF ZONE (Please attach)

1. Please explain how the requested change of zone would be consistent with the goals, policies, and courses of action (if applicable) of the General Plan document. Also, please indicate specifically which goals, policies, and courses of action are involved. (Copies of the General Plan document are available at public libraries and at the Hawaii County Planning Department.)
2. Please state any other reasons for your request.

**TO USE EXISTING BUILDING FOR A WOODCRAFT SHOP.**

THIS APPLICATION MUST BE ACCOMPANIED BY:

- (1) 16 copies of the completed application form.
- (2) 16 copies of a location map.
- (3) 16 copies of a site plan with existing and proposed uses (e.g., structures, topography, proposed subdivision).
- (4) 1 copy of appropriate questionnaire.
- (5) any additional information.
- (6) \$100.00 processing fee.

FOR OFFICIAL USE:

Date Received	_____
Director's Action	_____
Prelim. Hearing	_____
Public Hearing	_____
To Council	_____

CHANGE OF ZONE: LARRY DELUZ

The applicant, Larry DeLuz, on behalf of the owner of the property, Ernest Miyasaki, is requesting a change of zone for 13,701 square feet of land from a Single-Family Residential-7,500 square foot (RS-7.5) to a Village-Commercial-<sup>10,000</sup>~~7,500~~ square foot <sup>(CV-10)</sup>~~(CV-7.5)~~ zoned district. The area under consideration is located on the east side of Lehua Street, approximately 750 feet north of the Lehua Street - Mamane Street intersection, Honokaa Town, Haina, Hamakua (TMK: 4-5-16:por. of 47).

The area in question is a portion of 43,385<sup>Square</sup> foot parcel. The purpose of this request is to allow the applicant to convert an existing building located within the subject area into a woodcraft shop. This building was the former Hamakua Soda Works plant which went out of business in June 1974. The former Soda Works operation was a non-conforming use, existing prior to the adoption of the Zoning Code. However, the Code states "If any non-conforming use ceases for any reason for a continuous period of twelve (12) months, then such use shall not be resumed and any use of the land and/or building shall be in full conformity with the provisions of this chapter." The proposed use is not permitted within the RS-7.5 zoned district; as such, the need for the change of zone to a district that may permit the proposed woodcraft shop is required. The existing building is 3,000 square feet in size, and was originally constructed in 1948. In 1960 an addition of 600 square feet was made to the original 2,400 square foot structure, increasing the area to the present size. The applicant intends to alter the interior to

accommodate the necessary machines and tools for the shop, as well as to create a show room for the finished products.

The General Plan Land Use Pattern Allocation Guide Map designates the area for "Medium Density" uses. These uses may include village and neighborhood commercial and residential related uses. The General Plan also designates this area as being located on a flood plain. However, there are significant drainage facilities being constructed in the vicinity of the parcel. These facilities are being built in conjunction with the Department of Park and Recreation's Honokaa Park, located mauka of the subject site.

The remaining area of the parcel which is not involved in the rezoning request, is being used for the growing of macadamia nuts. A single-family dwelling is situated on the adjacent parcel mauka of the proposed woodcraft shop. Surrounding land uses include sugar cane fields, macadamia nut orchards, pastoral lands, and scattered single family dwellings. A portion of the Honokaa commercial area is located less than 300 feet south of the subject area, along Lehua and Mamane Streets. Uses in this portion of the commercial area include a contractor's warehouse, hotel-restaurant, the Honokaa Community Federal Credit Union, service stations, and a repair shop.

According to a recent land use inventory, there are approximately twenty-five (25) acres of commercial zoned lands within the town of Honokaa. However, the majority of these lands are built upon.

All essential utilities are available to the area. Fire hydrants are available in the near vicinity. The property is fronted by Lehua Street which has a sixty (60) foot right-of-way and a twenty-three (23) foot wide pavement.



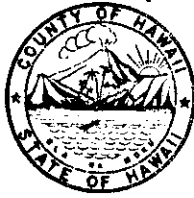
Upon review of this request, the Department of Water Supply commented that:

"We have no objections to this rezoning request provided that the applicant complies with all the water requirements as called for in the subdivision code at the time of subsequent subdivision application. For your information, the nearest water system available to provide fire flow would be from the 8-inch waterline along Mamane Street at an approximate distance of 780 feet away from the subject parcel."

The Department of Public Works had no comments on the subject application except to state that "All necessary permits shall be acquired when changing occupancy of existing building."

All other cooperating agencies had no comments on or objections to this proposed change of zone request.

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. 227  
passed by the County Council on second and final  
reading.

*Ted T. Suzuki*  
COUNTY CLERK

Encl.

Dated: July 8, 1976

Hilo, Hawaii

Date: June 16, 1976

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		
	7	1	1

Publication Date: June 20, 1976

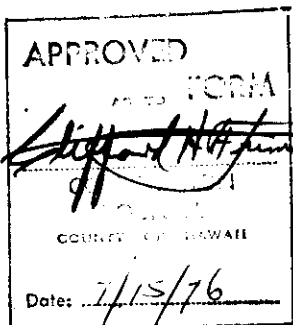
Hilo, Hawaii

Date: July 7, 1976

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: July 22, 1976

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 16<sup>th</sup> day of July, 1976

Keolu Matayoshi  
Mayor, County of Hawaii

Bill No. 227  
Reference: C-1887/PRDLC-78  
M.B. No. 215  
Ord. No. 215

ORDINANCE NO. 215  
(Bill No. 227-1976)

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Date Approved: July 7, 1976  
Date Effective: July 16, 1976

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 July 7, 1976, 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

Bill No. 227 - 1976

AN ORDINANCE AMENDING SECTION 7.13, THE HONOKAA-HAINA-KUKUIHAELE ZONE MAP CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL (RS-7.5) TO VILLAGE COMMERCIAL (CV-10) AT HAINA, HAMAKUA, HAWAII, COVERED BY TAX MAP KEY 4-5-16:PORTION OF 47.

This Bill amends the Honokaa-Haina-Kukuihaele Zone Map of the Zoning Code.

Date Introduced: June 16, 1976

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 June 16, 1976, 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

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This Bill amends the Honokaa-Haina-Kukuihaele Zone Map of the Zoning Code.

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I hereby certify that the foregoing Bill passed first reading at the meeting of the County Council on June 16, 1976, 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

(929—Hawaii Tribune-Herald:  
June 20, 1976)