

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 224

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 MULTIPLE FAMILY RESIDENTIAL (RM-4) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KUKUAU 1ST, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-01:31 & POR. 164.

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(vv). The district classification of the following area situated at Kukuau 1st, South Hilo, Hawaii, shall be Single Family Residential (RS-7.5):

Beginning at the south corner of this parcel of land, being also the south corner of Lot 67-A, Land Court Application 1205, Map 23, and on the northeast line of Komohana Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 3,667.89 feet South and 1,104.96 feet East, and running by azimuths measured clockwise from true South:

1. 148° 10' 752.34 feet along Komohana Street;

Thence along a curve to the right and having a radius of 27.00 feet, the chord azimuth and distance being:

2. 193° 10' 38.18 feet along Kukuau Street;

Thence continuing along Kukuau Street for the next eight (8) courses:

3. 238° 10' 11.50 feet;

Thence along a curve to the left and having a radius of 330.38 feet, the chord azimuth and distance being:

4. 228° 40' 109.06 feet;

5. 309° 10' 0.75 feet;

6. 220° 59' 185.29 feet;  
 Thence along a curve to the right and having a radius of 20.00 feet, the chord azimuth and distance being:
7. 265° 59' 28.28 feet;
8. 220° 59' 60.00 feet;  
 Thence along a curve to the right and having a radius of 20.00 feet, the chord azimuth and distance being:
9. 175° 59' 28.28 feet;
10. 220° 59' 100.00 feet;  
 Thence along the remainder of Lot 68-A, Land Court Application 1205, Map 23, for the next three (3) courses:
11. 310° 59' 157.28 feet;  
 Thence along a curve to the left having a radius of 155.00 feet, the chord azimuth and distance being:
12. 296° 41' 15" 76.55 feet;
13. 282° 23' 30" 237.92 feet;  
 Thence along Lot 68-A, Land Court Application 1205, Map 23, for the next three (3) courses:
14. 191° 13' 21.05 feet;
15. 237° 13' 220.00 feet;
16. 268° 05' 119.00 feet to the west line of Kumukoa Street;  
 Thence along a curve to the left having a radius of 250.00 feet, the chord azimuth and distance being:
17. 332° 37' 30" 214.93 feet along Kumukoa Street;
18. 307° 10' 4.61 feet along Kumukoa Street;

- |     |     |     |  |
|-----|-----|-----|--|
| 19. | 41° | 12' | 926.09 feet along Government Lands;  |
| 20. | 58° | 14' | 208.06 feet along Government Lands<br>to the point of beginning and<br>containing an area of 14.96<br>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 petitioner, HSC, Inc., shall provide an improved pedestrian access to be approved by the Planning Director between the single family residential area and the park to the south of this area after the effective date of zoning for the second increment; (B) the area be zoned in two (2) increments. The first increment shall consist of thirty-five (35) lots. The second increment shall consist of the remaining lots. The effective date of zoning for the second increment shall be after development has occurred in the first increment. Development is defined as building permits issued for single family dwellings and construction partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of 35 lots; (C) 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 Code; (D) curbs, gutters and sidewalks be provided; (E) the method of sewage disposal shall meet with the approval of the State Department of Health and/or County Department of Public Works; and (F) all other applicable rules and regulations 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:



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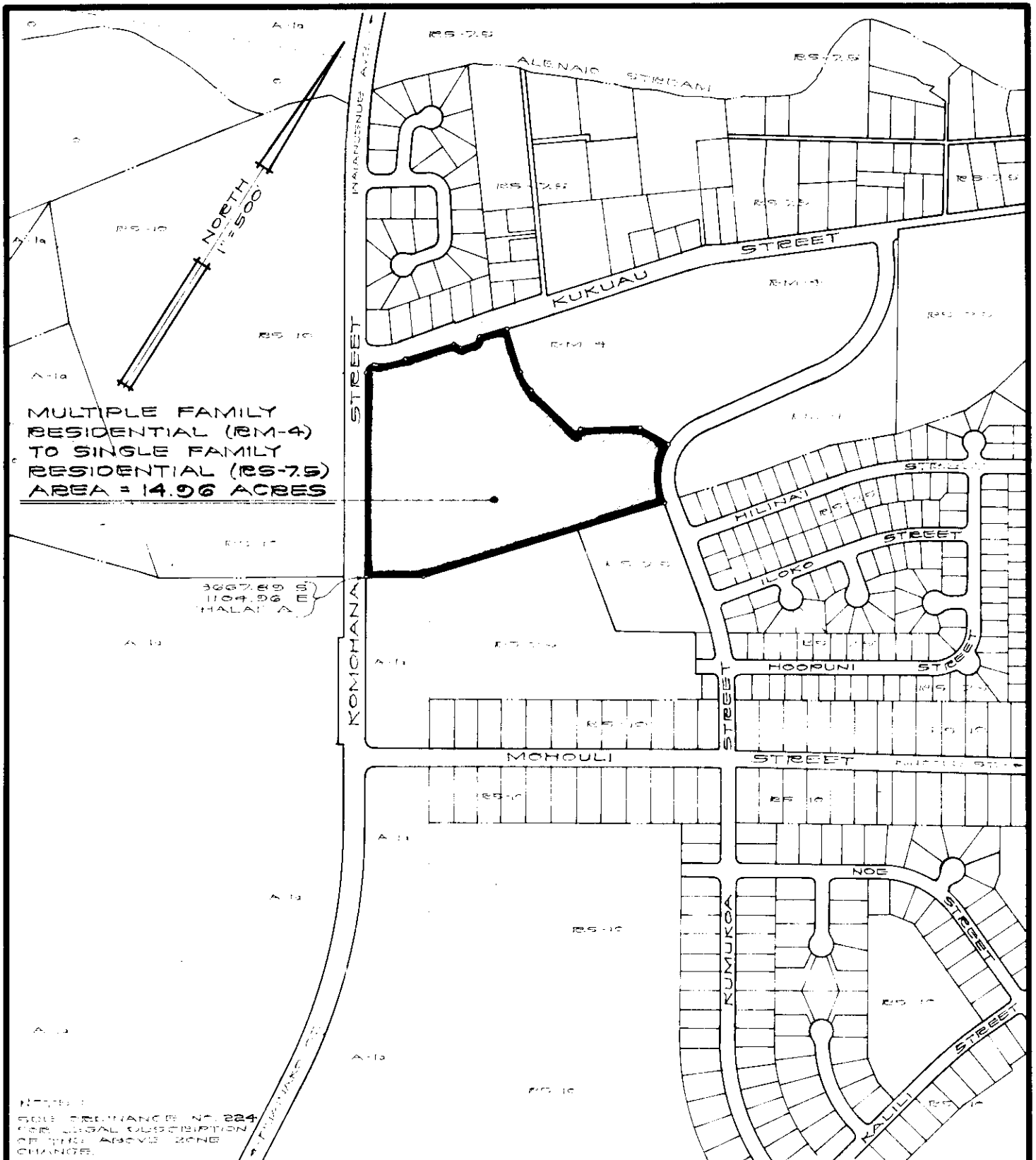
COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 1, 1976

Date of Adoption: September 15, 1976

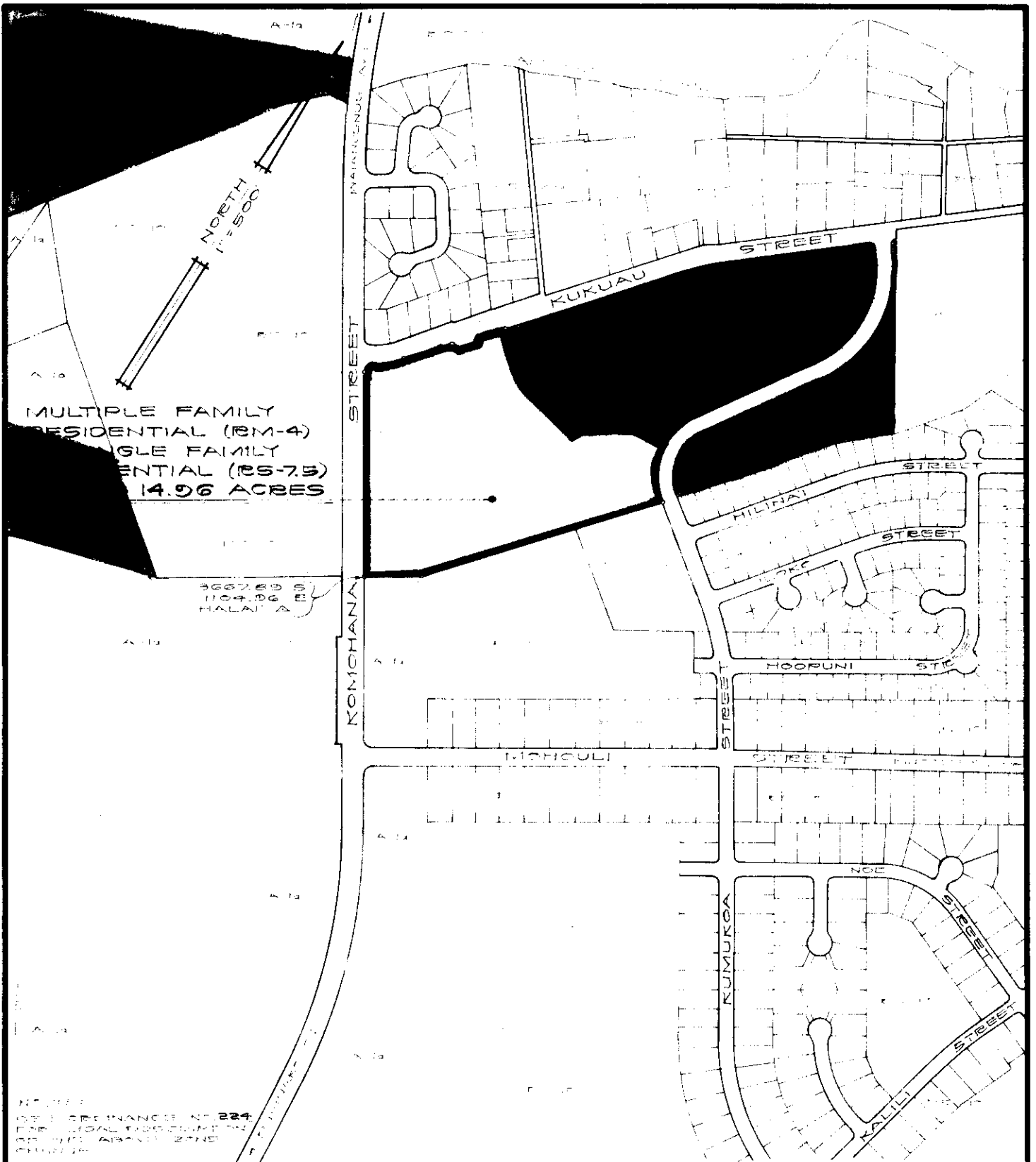
Effective Date: September 20, 1976



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 48 TO 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 MULTIPLE FAMILY RESIDENTIAL (RM-4) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KUKUAU 1ST, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: JULY 29, 1976  
 DATE OF APPROVAL: SEPT. 20, 1976  
 ORDINANCE NO. 224  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 48 TO SECTION 229, THE CITY OF HILO ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM MULTIPLE FAMILY RESIDENTIAL (RM-4) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KUKUUAU 1ST, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: JULY 29, 1976  
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 ORDINANCE NO. 224  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII



NOTE:  
 THIS ZONE MAP IS IN ACCORDANCE WITH ORDINANCE NO. 224  
 WHICH CHANGES THE LEGAL DESCRIPTION OF THE ABOVE ZONE  
 CHANGES.

## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 48 TO SECTION 729, THE CITY OF HILO ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM MULTIPLE FAMILY RESIDENTIAL (RM-4) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KUKUUAU 1ST, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: JULY 29, 1976  
 DATE OF APPROVAL: SEPT. 29, 1976  
 ORDINANCE NO. 224  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII

CHANGE OF ZONE/PUD AMENDMENT: HSC, INC.

HSC, Inc., has submitted an application to amend Condition No. 2 of Planned Unit Development (PUD) Permit 72-3, which allowed the establishment of the Pacific Heights Planned Unit Development project. Also requested is a change of zone for a 15.03-acre portion of the PUD area from a Multiple Family Residential-4,000 square foot (RM-4) to a Single Family Residential-7,500 square foot (RS-7.5) zoned district. The property involved is located at the intersection of Komohana and Kukuau Streets, Kukuau 1st, South Hilo (TMK: 2-4-01: 31, por. 164).

The purpose of the proposed PUD amendment is to eliminate multiple family residential units and to create additional single family residential lots. The proposed change of zone is to have the zoning conform with the actual use of the land *and the PUD Permit.*

Condition No. 2 of PUD Permit 72-3 states "That construction shall conform substantially to that as submitted with the PUD application." The petitioner is seeking to have this condition amended to read "That construction conform to the revised master plan schematic."

PUD Permit 72-3 was granted in June, 1972, by the Planning Commission. It permitted a total of 32 single family residential lots, 128 townhouse units and 220 condominium/apartment units, all of which would be developed on a 37-acre area. Subsequent to the granting of the PUD Permit, the petitioner has found that the multiple family residential market is weaker than anticipated when the PUD was granted. This factor, coupled with the strength



of the demand for single family residential housing, has led the petitioner to revise the development master plan for the project. This revised plan, for which the PUD amendment is being sought, would create a total of 45 single family residential lots, 110 townhouse units including the existing 60 units, and 126 condominium/apartment units. The total number of units under the revised plan is 281, a decrease of 99 from the 380 units presently allowed under the PUD Permit. The 13 additional single family residential lots which would be created by amending the PUD Permit would range in size from 8,400 to 15,400 square feet. Under the existing RM-4 zoning, single family uses are allowed; however, the petitioner wishes to have the zoning conform to the actual use of the land.

The majority of the area proposed for the change of zone is designated for single family uses under the PUD. Twenty-nine (29 ) lots are currently being developed under the Pacific Heights Subdivision, Units I and II. These lots are 60% complete, with 19 of them available for purchase. *14 of these lots have been sold.* The petitioner is proposing to create 16 additional lots immediately of the east of these 29. These additional lots would encompass approximately 4.5 acres of land which is presently designated for condominium/apartment and townhouse units under the PUD Permit.

In support of the subject request, the petitioner has stated the following:

"We have reviewed the County of Hawaii General Plan document and the goals, policies and courses of action which form the basis for the housing recommendations and believe that the proposed zoning change will be consistent with the goals, policies, and courses of action set forth in the general plan document.

"The change will encourage safe, sanitary, and livable housing. It will help to attain diversity of socioeconomic mix throughout different parts of the county, as the adjacent housing is primarily a Section 235 development, whereas the proposed change will provide for middle income housing. The change will also allow for greater variety of choice within the proposed Pacific Heights unit development, as the number of single family lots will be increased from 29 to 45 with the reduction of 18 townhouses and 94 condominium-apartment units. The planned unit development will still provide for an additional 50 townhouses and 126 condominium-apartment units.

"The total mix of the project would be revised then to contain 45 single family units, 110 townhouses, and 126 condominium-apartment units, or a reduction in the original density from 10 units per acre to 7.4 units per acre, or 26%. In doing this, the ratio of townhouses to condominium-apartment units will be more evenly balanced and a greater number of single family lots will be available. The change will

meet the present demand for single family units as opposed to the lack of demand for condominium-apartment units and townhouses.

"The proposed change would upgrade the quality of the existing housing inventory in the County, and the approval of the zoning change will conform to the actual final use of this property within the planned unit development."

"Our original increment of 60 townhouses was approved for occupancy in early 1974. To date 50 of the 60 have been sold and occupied. Although this demonstrates a market for townhouses it is not as strong as we originally anticipated. The desire for single family lots has been demonstrated through the sale of our 19 lots presently on the market.

"This change will retain the basic concept of the PUD, but will provide a better mix of types of living units presently desired."

The General Plan Land Use Pattern Allocation Guide Map designates the area for Medium Density Urban development. This designation permits multiple family residential uses at densities of 11.6 to 35 units per acre, single family residential uses at a maximum density of 5.8 units per acre, village and neighborhood commercial uses, and related functions.

The Hilo Community Development Plan (CDP) zone guide map recommends the area for multiple family residential uses which

reflects the approved PUD Permit.

The area under consideration has an average slope of approximately 8%. It has been designated as a flood plain in the General Plan. Some areas of inundation are evident on the makai portion of the petitioner's overall development, outside of the area being considered by these requests. Drainage control improvements will resolve flooding problems as the area develops.

Access to the subject area is off of Kukuau Street which has a 60-foot right-of-way with a 36-foot pavement. Interior access to the single family residential lots will be off of a roadway with a 60-foot right-of-way and a 32-foot pavement. Curbs, gutters and sidewalks will be provided.

All necessary utilities and services are available to the subject area, including a sewerage system. All utilities will be placed underground.

The Department of Research and Development made the following comments: "We have no objections to the change of zone requested by HSC, Inc. on the basis of apparent demand. The single residential market appears to be stronger than the townhouse or condominium market at this time."

The Department of Parks and Recreation had no objections but requested information on what recreational facilities are proposed for the subject development.

The Department of Public Works made the following comments:

Change of Zone/PUD amendment  
HSC, Inc.  
page 6

"Construction on Units 1 and 2 of the Pacific Heights  
Subdivision has started and is 60% finished.

"The roadway is a 60' wide right-of-way with curbs,  
gutters and sidewalks. We have no objections to the subject  
request."

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

**HSC, Inc.** P. O. BOX 747 / HILO, HAWAII 96720 / TELEPHONE 935-6661

a wholly-owned subsidiary of

THE REALTY INVESTMENT COMPANY, LIMITED

June 4, 1976

Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Gentlemen:

Attached are requests for Amendments to Zoning Ordinance and PUD Permit 72-3 along with required attachments.

The purpose of these requests are to change the configuration of our Pacific Heights Planned Unit Development as follows:

	Original Plan	As Amended
Townhouses	128	110
Condo Apartments	220	126
Single Family Lots	32	45

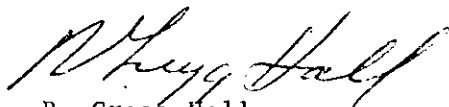
Our original increment of 60 townhouses was approved for occupancy in early 1974. To date 50 of the 60 have been sold and occupied. Although this demonstrates a market for townhouses it is not as strong as we originally anticipated. The desire for single family lots has been demonstrated through the sale of our 19 lots presently on the market.

This change will retain the basic concept of the PUD, but will provide a better mix of types of living units presently desired.

Your approval of the attached requests will be greatly appreciated.

If there are any questions regarding the attached, please call Mr. R. Gregg Hall, 935-6661.

Yours very truly,



R. Gregg Hall  
Manager & Treasurer

RGH/lp

Attachment

APPLICATION FOR CHANGE OF ZONE

COUNTY OF HAWAII

PLANNING DEPARTMENT

APPLICANT: HSC, Inc.

APPLICANT'S SIGNATURE: \_\_\_\_\_

ADDRESS: 1145 Kilauea Street

Hilo, Hawaii 96720

TELEPHONE: 935-6661

REQUEST FROM: RM 4 TO: RS 7.5

TAX MAP KEY: 2-4-01-31 & ~~164~~ AREA OF PROPERTY: 15.03 acres  
(size of parcel)

OWNER: HSC, Inc.

OWNER'S SIGNATURE: *W. Guy Hall*

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.

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	_____

~~Handwritten description~~

A PORTION OF LOT 68-A,  
Land Court Application 1205, Map 23  
Situate at Kukuau 1st, South Hilo, Hawaii

Beginning at the south corner of this parcel, being also the south corner of Lot 68-A, Land Court Application 1205, Map 23, and being also on the northeast line of Ka'anini Circle, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Halai" being 2951.03 feet South and 1424.40 feet East, and running by azimuths measured clockwise from true South:

along a curve to the left, having a radius of 200.00 feet, the chord azimuth and distance being:

- 1. 117° 49' 45" 106.47 feet along Ka'anini Circle;
- 2. 102° 23' 30" 109.66 feet along Ka'anini Circle; thence along a curve to the right having a radius of 275.00 feet, the chord azimuth and distance being:
- 3. 116° 41' 15" 135.81 feet along Ka'anini Circle;
- 4. 130° 59' 137.28 feet along Ka'anini Circle; thence along a curve to the right, having a radius of 20.00 feet, the chord azimuth and distance being:
- 5. 175° 59' 28.28 feet along Ka'anini Circle;
- 6. 220° 59' 100.00 feet along Kukuau Street;
- 7. 310° 59' 157.28 feet along remainder of Lot 68-A; thence along a curve to the left, having a radius of 155.00 feet, the chord azimuth and distance being:
- 8. 296° 41' 15" 76.55 feet along the remainder of Lot 68-A;
- 9. 282° 23' 30" 237.92 feet along the remainder of Lot 68-A;
- 10. 11° 31' 102.86 feet along Lot 67-A-22, Land Court Application 1205, Map 24;
- 11. 43° 16' 53.00 feet along Lot 67-A-22 to the point of beginning and containing an area of 61,412 square feet.

MURRAY, SMITH & ASSOCIATES, LTD.

By Frank C. L. Holz  
Frank C.L. Holz  
Registered Surveyor

Hilo, Hawaii  
May 24, 1976



ATTACHMENT

Residential Rezoning

PLANNING DEPARTMENT  
COUNTY OF HAWAII

APPLICATION FOR CHANGE OF ZONE

1. If your request is approved, do you intend to subdivide the subject land in accordance with the approved change of zone? yes

If yes, please answer the rest of question 1 and then to question 3.

a. How many acres of the requested area do you intend to subdivide? All of it

b. Into what lot sizes? 8418 to 50,397

c. If your request is approved, approximately how long after the date of approval do you expect to submit your subdivision plans to the Planning Department for preliminary approval? immediately

d. Do you intend to build houses on the newly created lots? In the first increment of 19 lots house plans have been completed by four of the lot purchasers. No

If yes, please answer the following questions:

On how many of those lots? \_\_\_\_\_

At what approximate price range? House \_\_\_\_\_

Lot \_\_\_\_\_

Total \_\_\_\_\_

Approximately how long, after approval of the subdivision, would the first house be available for occupancy? \_\_\_\_\_

If you intend to subdivide, please submit a preliminary schematic subdivision plan together with your change of zone application form. Attached

2. If you have no firm plans of subdividing the subject area, do you intend to: \_\_\_\_\_

a. Sell or lease the land to someone who has firm plans? \_\_\_\_\_

b. Sell or lease the land to someone who has tentative plans? \_\_\_\_\_

c. Sell or lease the land to someone who has no plans? \_\_\_\_\_

d. Keep it? \_\_\_\_\_

e. Other (please state) \_\_\_\_\_

f. If you intend to do either a, b, or c, please elaborate on the kind of plans the other party has. Please, also, include in your answer approximately how soon after approval of your rezoning do you expect to transfer the subject land to another party.

3. Do you think that your request and your further plans for the land will alleviate the local housing situation?

Yes

How? There has been demonstrated a definite demand for single family lots in the close vicinity to downtown Hilo by the sales of the 19 lots approved for sale in September 1975. There has not been a demonstrated demand for Townhouses and Condominium Apartments which are presently proposed for the area.

4. Are there any buildings on the subject area?  
If so, what kind?

No

What do you intend to do with those buildings if your request is approved?

5. Is the subject land currently being used for any agricultural activity?

No

If so, please list the kinds of products grown and on how many square feet or acres of land per product.

6. To your knowledge, has there been any flooding and/or drainage problem on the subject area?

No

If so, please describe the problem.

There has been substantial water control facilities already installed in the property.

7. Do you think that the roads leading to the subject area needs improvement?

No

If so, what kind?

Is the road adequate for the proposed traffic volume or load?

Yes

8. What sort of governmental assistance and/or improvements do you feel will be needed in the subject area when developed?

	<u>Yes</u>	<u>No</u>
a. Schools	_____	_____ X
b. Roads	_____	_____ X
c. Sewer	_____	_____ X
d. Drainage	_____	_____ X
e. Police Protection	_____	_____ X
f. Fire Protection	_____	_____ X
g. Recreational Facilities	_____	_____ X
h. Public Utilities	_____	_____ X
i. Other	_____	_____

For those checked "yes", please elaborate what type or kinds of improvements and/or assistance are needed.

Signature: \_\_\_\_\_

Address: P. O. Box 747, Hilo

Telephone: 935-6661

Date: June 15, 1976

ATTACHMENT

Commercial, RM, Resort, & Industrial

PLANNING DEPARTMENT  
County of Hawaii

APPLICATION FOR CHANGE OF ZONE

1. If your request is approved, do you intend to subdivide the subject land in accordance with the approved change of zone? yes

If yes, please answer the rest of question 1 and then to question 3.

- a. How many acres of the requested area do you intend to subdivide? All
- b. Into what lot sizes? 8,400 to 15,400 sq. ft.
- c. If your request is approved, approximately how long after the date of approval do you expect to submit your subdivision plans to the Planning Department for preliminary approval? immediately

If you intend to subdivide, please submit a preliminary schematic subdivision plan together with your change of zone application form. attached

2. If you have no firm plans of subdividing the subject area, do you intend to:

- a. Sell or lease the land to someone who has firm plans? \_\_\_\_\_
- b. Sell or lease the land to someone who has tentative plans? \_\_\_\_\_
- c. Sell or lease the land to someone who has no plans? \_\_\_\_\_
- d. Keep it? \_\_\_\_\_
- e. Other (please state) \_\_\_\_\_

- f. If you intend to do either a, b, or c, please elaborate on the kind of plans the other party has. Please, also, include in your answer approximately how soon after approval of your rezoning do you expect to transfer the subject land to another party.

3. What specific building plans do you have for the subject land? Include in your answer the following: type of building (apartment, office, launderette, etc.); financing arrangement; timetable for construction; and any other information which you feel might help us in evaluating your request.

The land will be subdivided into single family residential lots. Although there will be no requirement to build within a specific time it is anticipated that a high percentage of purchasers will be owner-occupants. There will be covenants which require minimum building specifications.

4. Have you performed any study which would demonstrate a need for your proposed building and/or development? \_\_\_\_\_

If so, please elaborate on your findings in the space provided below.

There has been a substantial interest in the 19 lots which already have final approval due to the close proximity to downtown, the views afforded each lot and the amenities (underground utilities, sewers, sidewalks, etc.)

5. Have you performed any study which discusses the environmental impacts your request would have on the surrounding area and/or the County? no

If so, please elaborate on your findings in the space provided below.

6. Are there any buildings on the subject area? no  
If so, what kind?

What do you intend to do with those buildings if your request is approved?

7. Is the subject land currently being used for any agricultural activity? no

If so, please list the kinds of products grown and on how many square feet or acres of land per product?

8. To your knowledge, has there been any flooding and/or drainage problem on the subject area? \_\_\_\_\_

If so, please describe the problem.

The improvements presently being constructed include substantial facilities for the control of surface water.

9. Do you think that the roads leading to the subject area needs improvements?

no

If so, what kind?

Is the road adequate for the proposed traffic volume or load? yes

10. What sort of governmental assistance and/or improvements do you feel will be needed in the subject area when developed?

	<u>Yes</u>	<u>No</u>
a. Schools	_____	<u>x</u>
b. Roads	_____	<u>x</u>
c. Sewer	_____	<u>x</u>
d. Drainage	_____	<u>x</u>
e. Police protection	_____	<u>x</u>
f. Fire protection	_____	<u>x</u>
g. Recreational Facilities	_____	<u>x</u>
h. Public Utilities	_____	<u>x</u>
i. Other	_____	_____

For those checked "yes" please elaborate what type or kinds of improvements and/or assistance are needed.

11. Have you performed any historical sites study and/or survey of the subject area? If so, what were the results? Please, also, submit a copy of the study together with this change of zone supplement.

No

Signature HSC, Inc.

Address P. O. Box 747, Hilo

Telephone 935-6661

Date June 4, 1976



**OFFICE OF THE COUNTY CLERK**

HAWAII COUNTY BUILDING  
COUNTY OF HAWAII  
HILO, HAWAII 96720

September 1, 1976

Refer: Bill 242

To: SECRETARY TO COUNCIL COMMITTEES

Re: Rezoning Request - HSC, INC.

The following is the action of the Hawaii County Council adopted at  
its meeting held \_\_\_\_\_ today \_\_\_\_\_:

Recommend passage of Bill on first reading  
and refer back to PRDLC.

COUNTY CLERK



- 19. 41° 12' 926.09 feet along Government Lands;
- 20. 58° 14' 208.06 feet along Government Lands to the point of beginning and containing an area of 14.96 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 petitioner, HSC, Inc., shall provide an improved pedestrian access to be approved by the Planning Director between the single family residential area and the park to the south of this area; (B) the area be zoned in two (2) increments. The first increment shall consist of thirty-five (35) lots. The second increment shall consist of the remaining lots. The effective date of zoning for the second increment shall be after development has occurred in the first increment. Development is defined as building permits issued for single family dwellings and construction partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of the total units for the entire area of fifteen (15) acres; (C) 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 Code; (D) curbs, gutters and sidewalks be provided; (E) the method of sewage disposal shall meet with the approval of the State Department of Health and/or County Department of Public Works; and (F) all other applicable rules and regulations be complied with. Should any of the foregoing conditions not be met, rezoning of the property to its original zoning designation may be initiated.

- 19. 41° 12' 926.09 feet along Government Lands;
- 20. 58° 14' 208.06 feet along Government Lands to the point of beginning and containing an area of 14.96 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 petitioner, HSC, Inc., shall provide an improved pedestrian access to be approved by the Planning Director between the single family residential area and the park to the south of this area after the effective date of zoning for the second increment; (B) the area be zoned in two (2) increments. The first increment shall consist of thirty-five (35) lots. The second increment shall consist of the remaining lots. The effective date of zoning for the second increment shall be after development has occurred in the first increment. Development is defined as building permits issued for single family dwellings and construction partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of 45 lots; (C) 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 Code; (D) curbs, gutters and sidewalks be provided; (E) the method of sewage disposal shall meet with the approval of the State Department of Health and/or County Department of Public Works; and (F) all other applicable rules and regulations be complied with. Should any of the foregoing conditions not be met, rezoning of the property to its original zoning designation may be initiated.

Bill No. 242 - 1976

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 MULTIPLE FAMILY RESIDENTIAL (RM-4) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KUKUAU 1ST, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-01:31 & POR. 164.

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 Multiple Family Residential (RM-4) to Single Family Residential (RS-7.5) at Kukuau 1st, S. Hilo.

Date Introduced: September 1, 1976

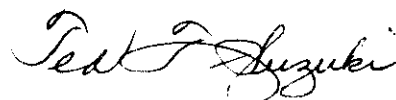
Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk for use and examination by the public.

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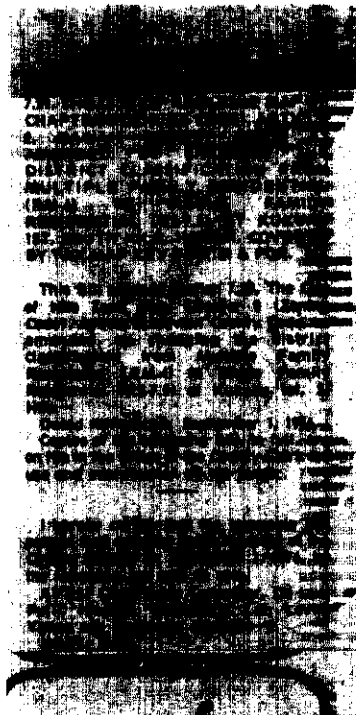
I hereby certify that the foregoing Bill passed first reading at the meeting of the County Council on September 1, 1976, by the following aye and no vote:

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

NOES: None.



COUNTY CLERK  
COUNTY OF HAWAII



ORDINANCE NO. 224  
(Bill No. 242-1976)

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 MULTIPLE FAMILY RESIDENTIAL (RM-4) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KUKUAU 1ST, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-01:31 & POR. 164.

Date Approved: September 15, 1976  
Date Effective: September 20, 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 September 15, 1976, 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

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 MULTIPLE FAMILY RESIDENTIAL (RM-4) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT KUKUAU 1ST, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-01:31 & POR. 164.

Date Approved: September 15, 1976  
Date Effective: September 20, 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.

I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on September 15, 1976, by the following aye and no vote:

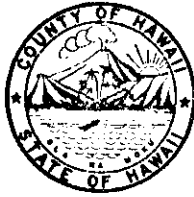
AYES: Councilmen Carpenter, De Luz, Fujii, Hisaoka, Kawahara, Lai, Levin, Yadao and Chairman Yamada - 9.

NOES: None.

TED I. FUJII  
COUNTY CLERK  
COUNTY OF HAWAII

(Ordinance Number 224)  
SEP. 20, 1976

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. 242  
passed by the County Council on second and final  
reading.

COUNTY CLERK

Encl.

Dated: September 16, 1976

Hilo, Hawaii  
Date: September 1, 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		
	9		

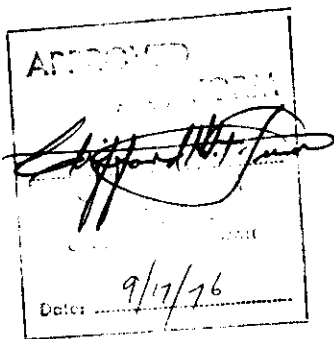
Publication Date: September 5, 1976

Hilo, Hawaii  
Date: September 15, 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		
	9		

Publication Date: September 23, 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 20<sup>th</sup> day of September, 1976

Kuhio Matsuyoshi  
Mayor, County of Hawaii

Bill No. 242  
Reference: \_\_\_\_\_  
M.B. No. \_\_\_\_\_  
Ord. No. 224