

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 238

AN ORDINANCE AMENDING SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICT'S ZONE MAP, CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-5a) AT KAAUHUUHOMESTEADS, NORTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 5-5-08:3; AND REPEALING ORDINANCE NO. 185, ADOPTED ON FEBRUARY 6, 1976.

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

SECTION 1. Section 7.06 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.06 (o). The district classification of the following area situated at Kaauhuhu Homesteads, North Kohala, Hawaii, shall be Agricultural (A-5a):

Beginning at a 1-1/2 inch pipe at the southeast corner of this lot and the northeast corner of Lot 79, the coordinates of said pipe referred to the Government Survey Trig. Station "PUU-O-NALE" being 15227.2 feet North and 4671.2 feet East, as shown on Government Survey Registered Map No. 2579, and running by true azimuths:

1. 90° 00' 1281.6 feet along Lot 79 to a 1-1/2 inch pipe;
2. 190° 30' 531.4 feet along Hoesa Road to a 1-1/2 inch pipe;
3. 270° 00' 1245.0 feet along Lot 81 to a 1-1/2 inch pipe;
4. 6° 35' 526.0 feet along Homestead Road to the point of beginning and containing an area of 15-15/100 Acres or thereabouts.

"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 upon the conditions that (a) the applicant, Gilbert McConnell, submit

a subdivision plan and secure tentative approval within one (1) year from the date of adoption of the change of zone. The applicant shall also be responsible for securing final subdivision approval; (b) no further subdivision of the proposed 10-acre lot shall occur until twenty-five percent (25%) of that proposed lot is put into agricultural production. Agricultural production is defined as the actual use of the land for agricultural purposes, and in accordance with the State Land Use Commission's definition of agriculture. This condition shall apply to whomever holds title to the land; and (c) that access to the proposed 10-acre lot shall be from Cambra Road. 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 repeals Ordinance No. 185, adopted by the County Council of the County of Hawaii on February 6, 1976, in its entirety.

SECTION 5. This ordinance shall take effect upon its approval.

INTRODUCED BY:

*Frank G. Syll*

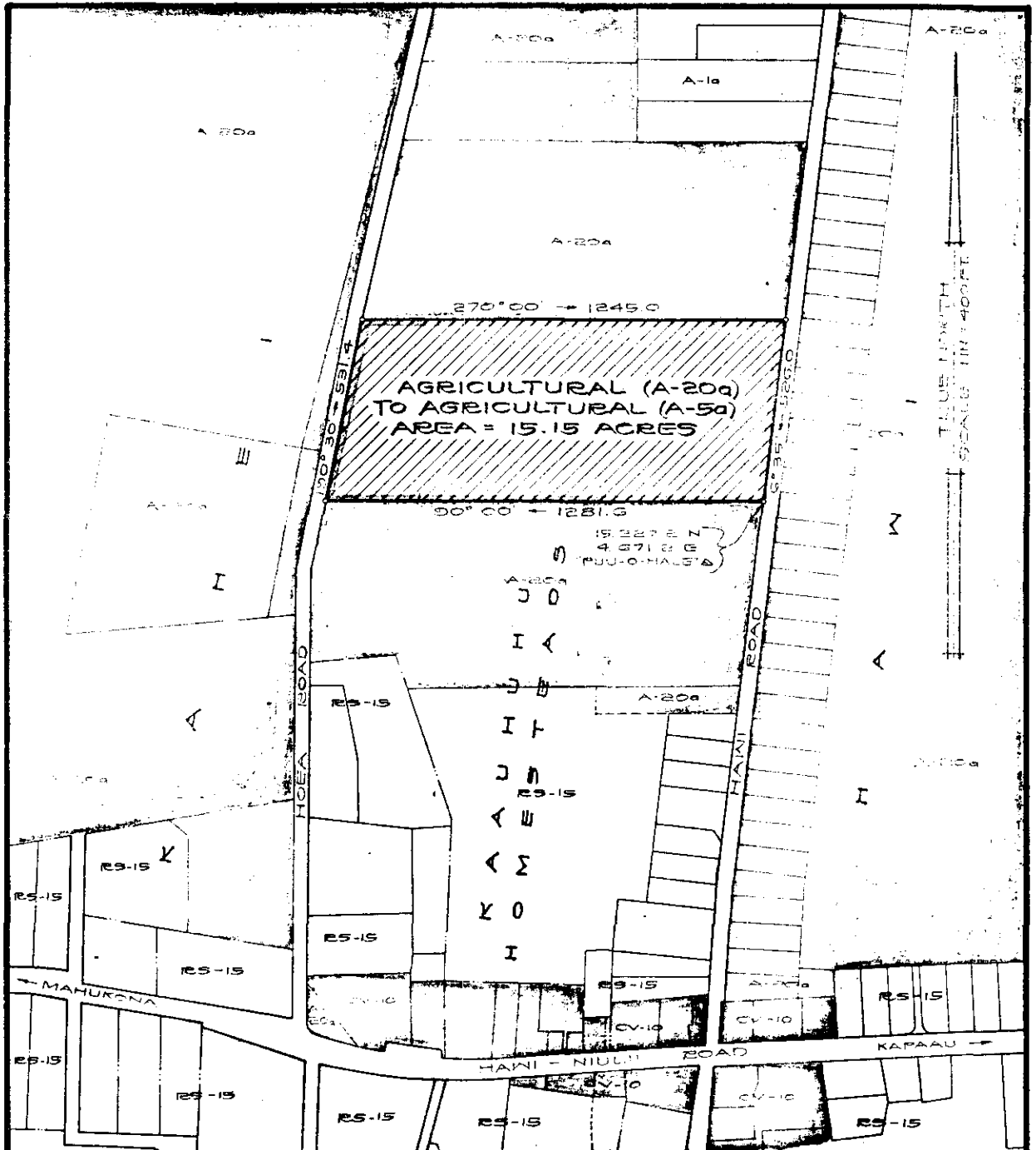
COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: November 17, 1976

Date of Adoption: December 6, 1976

Effective Date: December 14, 1976



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. OF CHAPTER 8 (ZONING CODE), ARTICLE 2, SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP, CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-5a) AT KAAUHUU HOMESTEADS, NORTH KOHALA, HAWAII.

DATE OF PUBLIC HEARING : NOV. 6, 1975  
 DATE OF APPROVAL :

Hilo, Hawaii  
 Date: November 17, 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   |

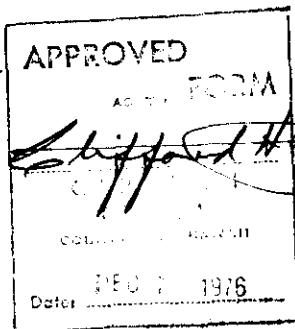
Publication Date: November 21, 1976

Hilo, Hawaii  
 Date: December 6, 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: December 22, 1976

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

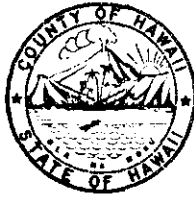


Robert M. Yamada  
 Council Chairman

Ted Suzuki  
 County Clerk

Approved/Disapproved this 14<sup>th</sup> day of

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. 257  
passed by the County Council on second and final  
reading.

*Ted T. Suzuki*  
COUNTY CLERK

Encl.

Dated: 12-7-76

Bill No. 257 - 1976

AN ORDINANCE AMENDING SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICT'S ZONE MAP, CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-5a) AT KAAUHUHU HOMESTEADS, NORTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 5-5-08:3; AND REPEALING ORDINANCE NO. 185, ADOPTED ON FEBRUARY 6, 1976.

This Bill amends Section 7.06, The North and South Kohala Districts Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, and repeals Ordinance No. 185 adopted on February 6, 1976.

Date Introduced: November 17, 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 November 17, 1976, by the following aye and no vote:

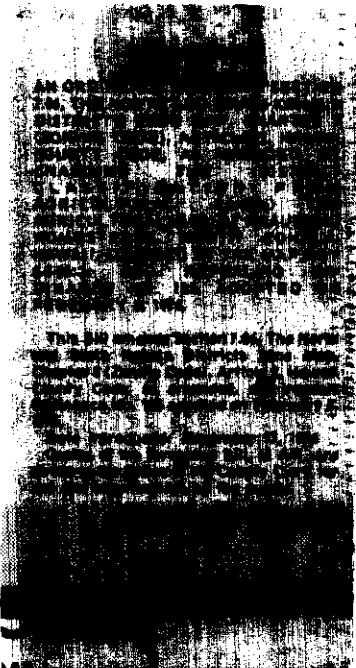
AYES: Councilmen Carpenter, De Luz, Fujii, Hisaoka, Kawahara, Lai, and Yadao. - 7.

NOES: Councilman Levin - 1.

ABSENT AND EXCUSED: Chairman Yamada - 1.



COUNTY CLERK  
COUNTY OF HAWAII



ORDINANCE NO. 238  
(Bill No. 257-1976)

AN ORDINANCE AMENDING SECTION 7.06, THE NORTH AND SOUTH KOHALA DISTRICT'S ZONE MAP, CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-5a) AT KAAUHUUH HOMESTEADS, NORTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 5-5-08:3; AND REPEALING ORDINANCE NO. 185, ADOPTED ON FEBRUARY 6, 1976.

Date Approved: December 6, 1976  
Date Effective: December 14, 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 December 6, 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.



*R. B. Leepasi*  
COUNTY CLERK  
COUNTY OF HAWAII