

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 276

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP, OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO AGRICULTURAL (A-1a) AT KEALAKEHE HOMESTEADS, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-04:44.

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

SECTION 1. Section 7.02 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.02 (qq). The district classification of the following area situated at Kealakehe Homesteads, North Kona, Hawaii, shall be Agricultural (A-1a):

Beginning at a pipe at the North corner of this parcel of land, being also the East corner of Grant 3742 to J. R. Kailiuaua, the coordinates of said point of beginning referred to Government Survey Triangulation Station, "KAILUA NORTH MERIDAN" being 11,719.56 feet North and 6,975.32 feet East and running by azimuths measured clockwise from true South:

1. 333° 10' 280.04 feet along Grant 6361 to J. S. Barros;
2. 62° 10' 775.41 feet along Lot 13-B along remainder of Grant 4144 to J. Peahi Jr.;
3. 152° 10' 260.00 feet along Lot 13-B along remainder of Grant 4144 to J. Peahi Jr.;
4. 62° 10' 565.78 feet along Lot 13-B along remainder of Grant 4144 to J. Peahi Jr.;
5. 116° 30' 24.62 feet along East side of twenty foot (20.00 ft.) wide Homestead Road to a nail;
6. 242° 10' 1360.44 feet along Grant 3742 to J. R. Kailiuaua to the point of beginning and containing an area of 5.263 acres.

"All as outline 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 petitioners or their authorized representative, submit a subdivision plan and secure tentative approval within one (1) year from

the effective date of adoption of the change of zone. The petitioners/representative shall also be responsible for securing final subdivision approval; (B) a minimum of two (2) of the proposed lots shall be put into agricultural production. Agricultural production is the active use of the land for agricultural purposes, and in accordance with the State Land Use Commission's definition of agriculture; (C) the petitioners shall be responsible in providing for an oil-treated surface within the existing right-of-way from the first bend on Tomi Tomi Road to the southeastern end of the subject property, a distance of approximately 400 feet, at a width of sixteen (16) feet. Such improvement to the roadway shall meet with the approval of the Chief Engineer of the County Department of Public Works; (D) the rules, regulations and requirements of the County Department of Water Supply shall be complied with; and (E) that all other applicable rules and regulations shall be complied with. Should any of 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:

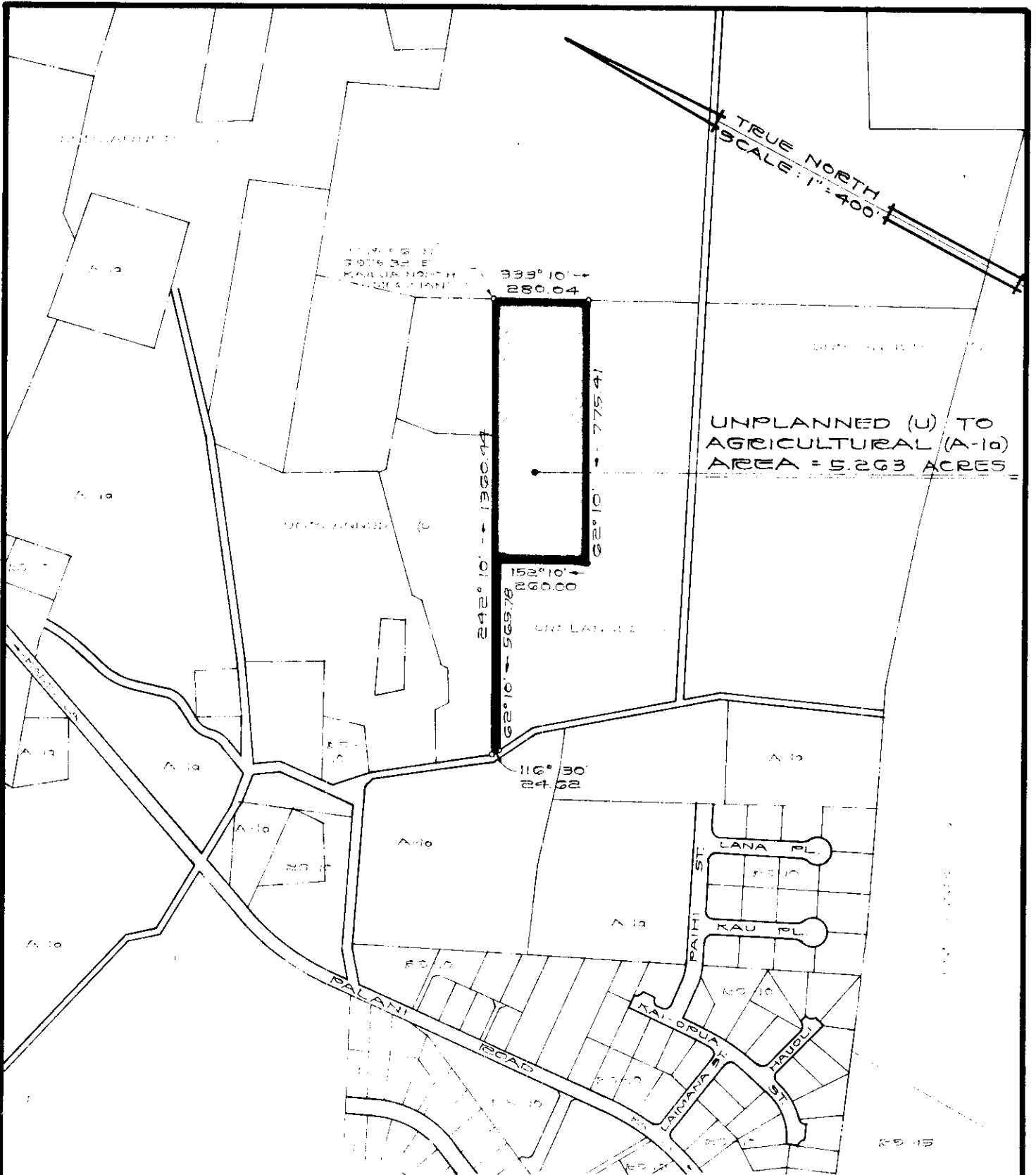

COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: May 4, 1977

Date of Adoption: May 18, 1977

Effective Date: May 24, 1977



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 43 TO SECTION 7.02, THE NORTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO AGRICULTURAL (A-1a) AT KEALAKEHE HOMESTEADS, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING : MARCH 23, 1977
 DATE OF APPROVAL : MAY 24, 1977
 ORDINANCE NO. 276
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

the effective date of adoption of the change of zone. The petitioners/representative shall also be responsible for securing final subdivision approval; (B) a minimum of two (2) of the proposed lots shall be put into agricultural production. Agricultural production is the active use of the land for agricultural purposes, and in accordance with the State Land Use Commission's definition of agriculture; (C) the petitioners shall be responsible in providing for an oil-treated surface within the existing right-of-way from the first bend on Tomi Tomi Road to the southeast end of the subject property, a distance of approximately 400 feet, at a width of sixteen (16) feet. Such improvement to the roadway shall meet with the approval of the Chief Engineer of the County Department of Public Works; (D) the rules, regulations and requirements of the County Department of Water Supply shall be complied with; (E) a payment of fee for park and recreational purposes shall be assessed at the time of subdivision approval using the standards and guidelines of the Park Dedication Code; and (F) that all other applicable rules and regulations shall be complied with. Should any of 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:

COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction:

Date of Adoption:

Hilo, Hawaii
Date: May 4, 1977

FIRST READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo	X		
Fujii	X		
Garcia	X		
Kawahara	X		
Lai	X		
Sameshima	X		
Yamashiro	X		
Chr. Tajiri	X		
	9		

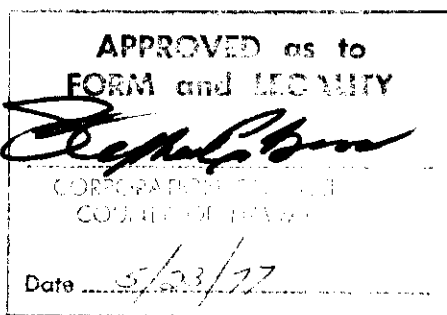
Hilo, Hawaii
Date: May 19, 1977

SECOND & FINAL READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo	X		
Fujii	X		
Garcia	X		
Kawahara	X		
Lai	X		
Sameshima	X		
Yamashiro	X		
Chr. Tajiri			X
	8		1

Publication Date: MAY 9 1977

Publication Date: May 29, 1977

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



Joseph R. Garcia Jr.
Act. Council Chairman

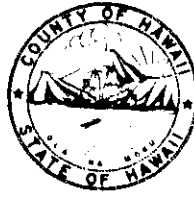
R. B. Legaspi
County Clerk

Approved/Disapproved this 24th day of
May, 1977

Akio M. Matayoshi
Mayor, County of Hawaii

Bill No. 302
Reference: C-275/PC-9
M.B. No. _____
Ord. No. 276

R. B. Legaspi
COUNTY CLERK



Yasuki Arakaki
DEPUTY COUNTY CLERK

Harry A. Takahashi
LEGISLATIVE AUDITOR

OFFICE OF THE COUNTY CLERK
COUNTY OF HAWAII
HILO, HAWAII 96720

Mayor Herbert T. Matayoshi
County of Hawaii
Hilo, HI

I hereby transmit Ordinance Bill No. 302 *Ord. 216*
passed by the County Council on second final reading.

R. B. Legaspi
COUNTY CLERK

Encl.

Dated: MAY 19 1977

Bill No. 302 - 1977

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP, OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO AGRICULTURAL (A-1a) AT KEALAKEHE HOMESTEADS, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-04:44.

This Bill amends Section 7.02, The North Kona Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Unplanned (U) to Agricultural (A-1a) at Kealakehe Homesteads, N. Kona.

Date Introduced: May 4, 1977

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 May 4, 1977, by the following aye and no vote:

AYES: Councilmen Dahlberg, Domingo, Fujii, Garcia, Kawahara, Lai, Sameshima, Yamashiro and Chairman Tajiri - 9.

NOES: None.

R. B. Legeapi
COUNTY CLERK
COUNTY OF HAWAII

ORDINANCE NO. 276
(Bill No. 302-1977)

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP, OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO AGRICULTURAL (A-1a) AT KEALAKEHE HOMESTEADS, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-04:44.

Date Approved: May 18, 1977

Date Effective: May 24, 1977

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 May 18, 1977, by the following aye and no vote:

AYES: Councilmen Dahlberg, Domingo, Fujii, Garcia, Kawahara, Lai, Sameshima and Yamashiro - 8.

NOES: None.

ABSENT AND EXCUSED: Council Chairman Tajiri - 1.

J. M. Keopu
COUNTY CLERK
COUNTY OF HAWAII

AN ORDINANCE AMENDING SECTION 7.02, THE NORTH KONA ZONE MAP, OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO AGRICULTURAL (A-1a) AT KEALAKEHE HOMESTEADS, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-4-04:44.

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AYES: Councilmen Dahlberg, Domingo, Fujii, Garcia, Kawahara, Lai, Sameshima and Yamashiro - 8.

NOES: None.

ABSENT AND EXCUSED: Council Chairman Tajiri - 1.

J. M. Keopu
COUNTY CLERK
COUNTY OF HAWAII