

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 361

AN ORDINANCE AMENDING SECTION 7.03, THE SOUTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-10) AND AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-20) AT KEOPUKA, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-1-06:51, 126 to 136.

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

SECTION 1. Section 7.03 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsections:

"7.03(v-1). The district classification of the following area situated at Keopuka, South Kona, Hawaii, shall be Single Family Residential (RS-20):

Beginning at the Southwest corner of this parcel of land, being also the Southeast corner of Lot 4-D, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OHAU" being 4916.52 feet South and 12,511.18 feet East, thence running by azimuths measured clockwise from True South:

1. 155° 07' 149.03 feet along the remainder of Grant 148 to Daniel Barrat (Lot 4-D);
2. Thence along the remainder of Grant 148 to Daniel Barrat (30-foot road) on a curve to the right with a radius of 4.10 feet, the chord azimuth and distance being: 200° 50' 30" 5.86 feet;
3. 246° 34' 809.70 feet along the remainder of Grant 148 to Daniel Barrat (30-foot road);
4. 240° 56' 43" 266.10 feet along the remainders of Grant 148 to Daniel Barrat and Grant 1161 to J.D. Paris (30-foot road);
5. Thence along the remainder of Grant 1161 to J.D. Paris (30-foot road) on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: 285° 56' 43" 28.28 feet;
6. 330° 56' 43" 95.71 feet along the remainder of Grant 1161 to J.D. Paris (Lot 1-B-12);
7. 63° 09' 1108.03 feet along the remainders of Grant 1161 to J.D. Paris and Grant 148 to Daniel Barrat to the point of beginning and containing an area of 3.139 Acres.

"7.03(v-2). The district classification of the following area situated at Keopuka, South Kona, Hawaii, shall be Single Family Residential (RS-20):

Beginning at the Northwest corner of this parcel of land, being also the Southwest corner of Lot 6 and on the northeasterly side of Mamalahoa Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU OHAU" being 5269.76 feet South and 11,813.39 feet East, thence running by azimuths measured clockwise from True South:

1. 243° 09' 2046.13 feet along the remainders of Grant 148 to Daniel Barrat and Grant 1161 to J.D. Paris (Lots 6, 5-D, 4-D, and 1-B-1 thru 1-B-12, inclusive);
2. 322° 01' 108.39 feet along Grant 1171 to P. Cummings (Lot 10-1-A);
3. 63° 08' 30" 2103.55 feet along the remainders of Grant 1161 to J.D. Paris and Grant 148 to Daniel Barrat;
4. Thence along the northeasterly side of Mamalahoa Highway on a curve to the left with a radius of 1940.08 feet, the chord azimuth and distance being: 172° 01' 56.8" 112.72 feet to the point of beginning and containing an area of 5.072 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 petitioners or their authorized representative shall submit a subdivision plan and secure tentative approval within one (1) year from the effective date of approval of the change of zone. The petitioners/representative shall also secure final subdivision approval; and (B) 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:

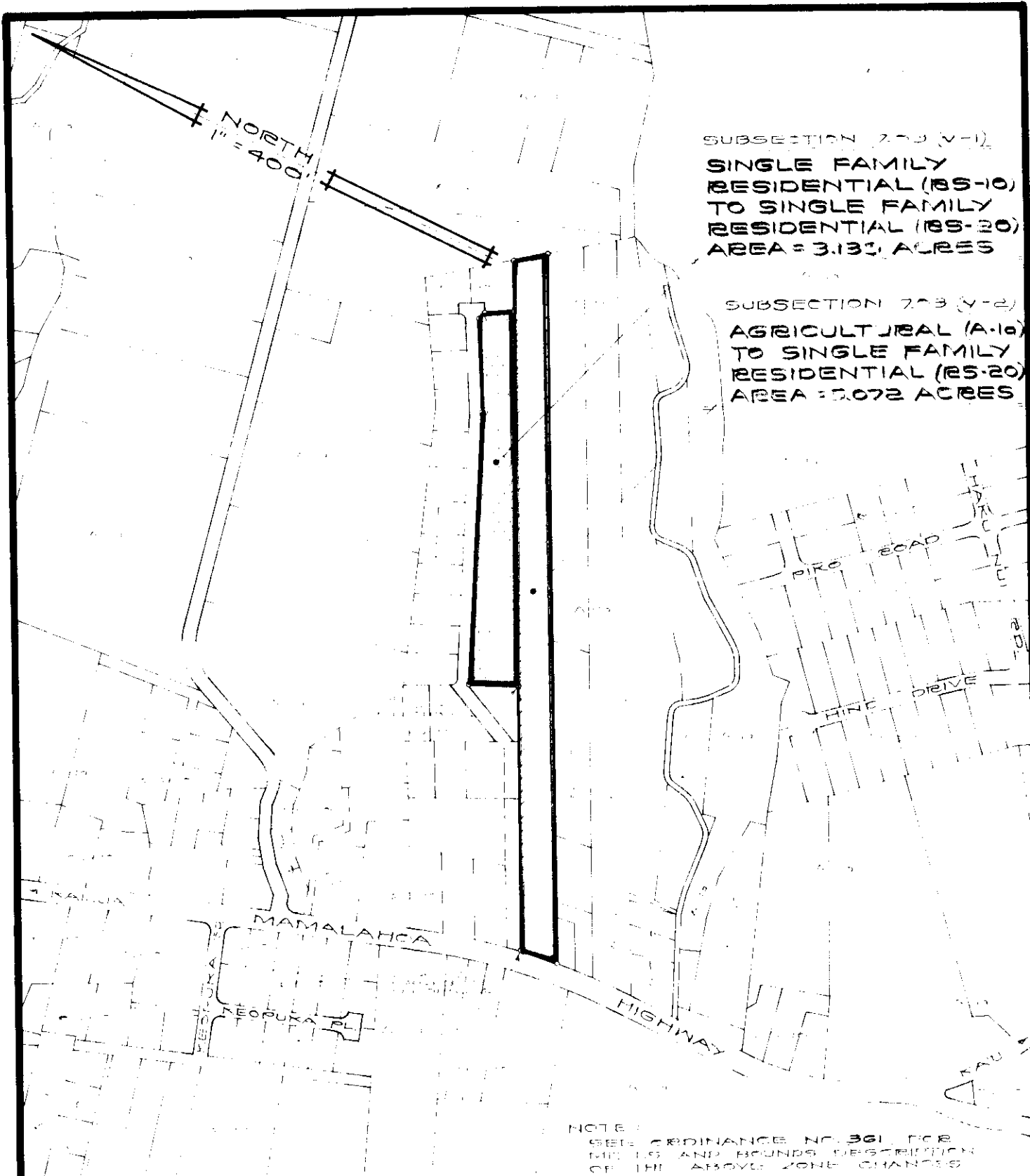

COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: June 3, 1978.

Date of Adoption: June 17, 1978

Effective Date: June 30, 1978



SUBSECTION 703 (V-1)
 SINGLE FAMILY
 RESIDENTIAL (RS-10)
 TO SINGLE FAMILY
 RESIDENTIAL (RS-20)
 AREA = 3.133 ACRES

SUBSECTION 703 (V-2)
 AGRICULTURAL (A-10)
 TO SINGLE FAMILY
 RESIDENTIAL (RS-20)
 AREA = 0.072 ACRES

NOTE:
 SEE ORDINANCE NO. 361 FOR
 METERS AND BOUNDS DESCRIPTION
 OF THE ABOVE ZONE CHANGES

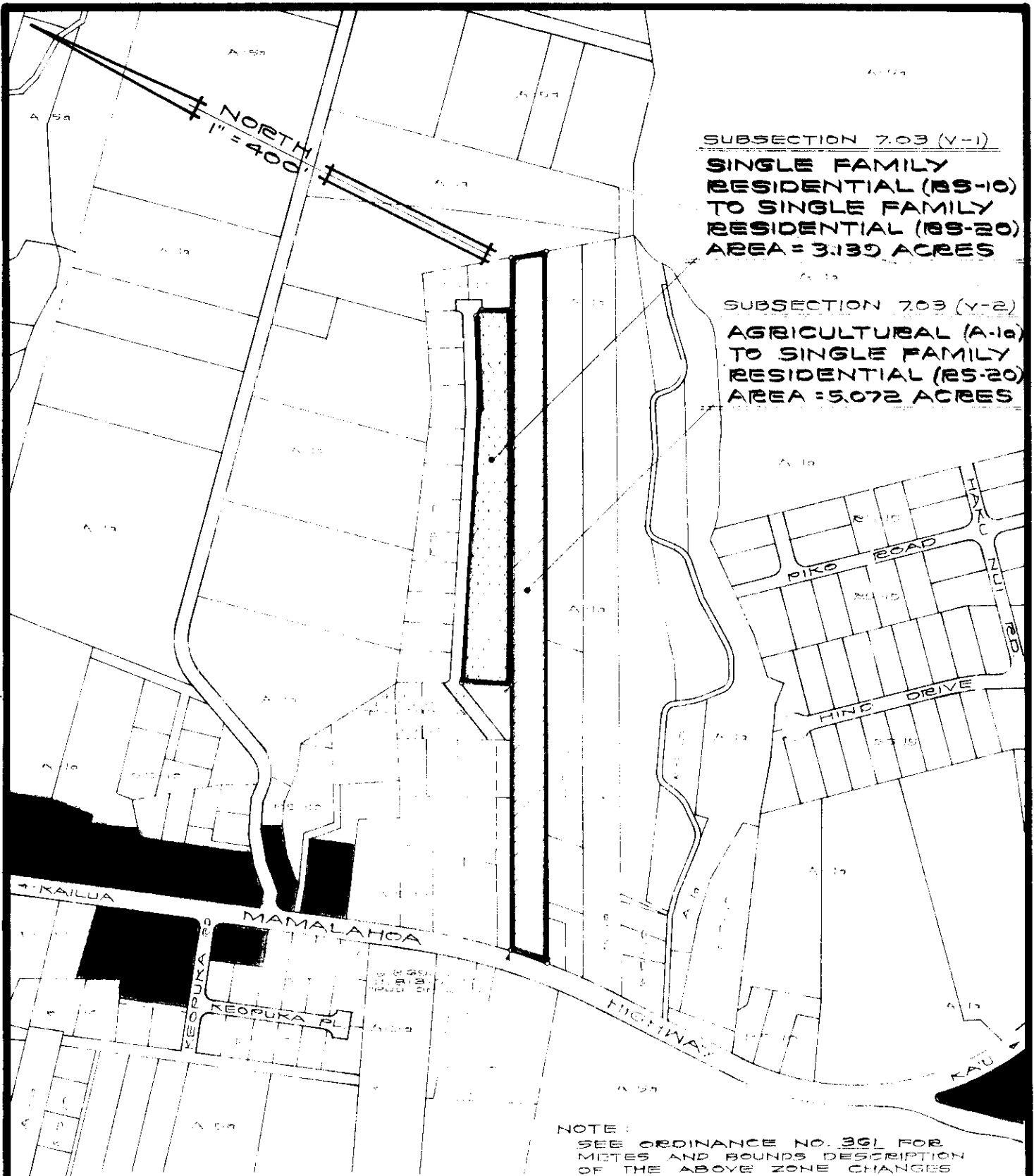
AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 22 TO SECTION 7.03, THE SOUTH KONA ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-10) AND AGRICULTURAL (A-10) TO SINGLE FAMILY RESIDENTIAL (RS-20) AT KEOPUKA, SOUTH KONA, HAWAII.

DATE OF PUBLIC HEARING: MARCH 9, 1978
 DATE OF APPROVAL: JUNE 30, 1978
 ORDINANCE NO. 361
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK - 8 1 06 91, 126 TO 135

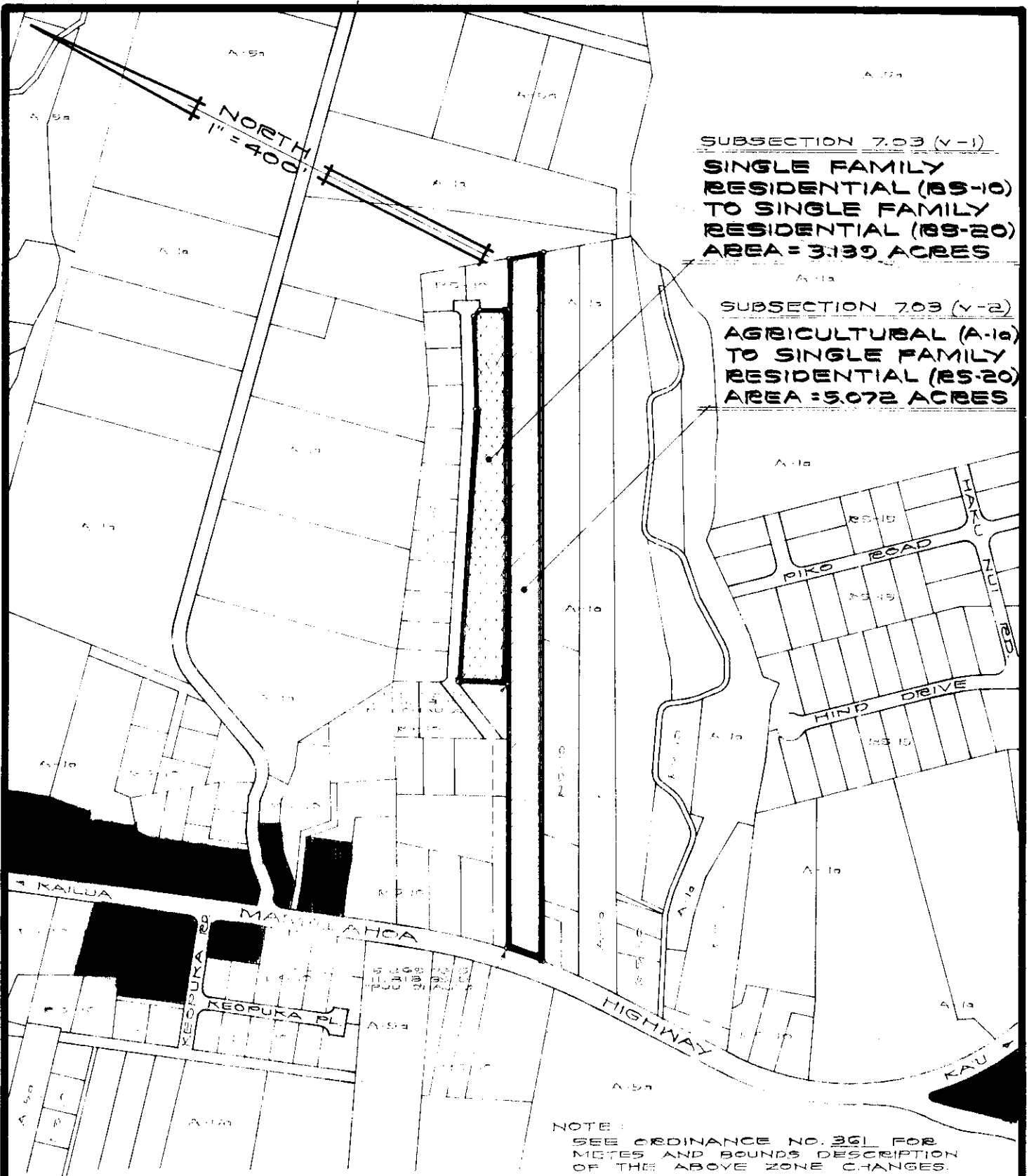
APRIL 18, 1978



AMENDMENT TO THE ZONING CODE

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 COUNTY OF HAWAII

Hilo, Hawaii

Date: June 3, 1978

FIRST READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo	X		
Fujii	X		
Garcia	X		
Kawahara	X		
Lai	X		
Sameshima	X		
Tajiri	X		
Chr. Yamashiro	X		
	9	0	0

Publication Date: JUN 11 1978

Hilo, Hawaii

Date: June 17, 1978

SECOND & FINAL READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo	X		
Fujii	X		
Garcia	X		
Kawahara	X		
Lai	X		
Sameshima	X		
Tajiri	X		
Chr. Yamashiro	X		
	9	0	0

Publication Date: JUL 7 1978

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

APPROVED as to
FORM and LEGALITY

Joseph L. Ben

JUN 23 1978

Stephen Yamashiro

Council Chairman

R. B. Legaspi

County Clerk

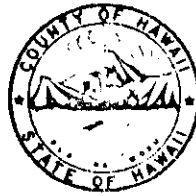
Approved/~~Disapproved~~ this 30th day of
June, 1978

Hubert H. Hironaka

Mayor, County of Hawaii

Bill No. 396
Reference: C-794/PC-32
M.B. No. _____
Ord. No. 361

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

June 19, 1978

Mayor Herbert T. Matayoshi
County of Hawaii
Hilo, HI

I hereby transmit Ordinance Bill No. 396
passed by the County Council on second final reading.

A handwritten signature in cursive script that reads "R. B. Legaspi".

R.B. Legaspi
COUNTY CLERK

Encl.

Dated: JUN 20 1978



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

May 2, 1978

Honorable Stephen K. Yamashiro, Chairman
and Members of the County Council
County of Hawaii
Hilo, Hawaii

Dear Chairman Yamashiro and Members:

Rezoning Request - Masaichi & Harue Kimoto, et al
Tax Map Key 8-1-06:51, 126 to 136

The Planning Commission, after a duly held public hearing on Thursday, March 9, 1978, voted to recommend for your approval the proposed legislative bill to change the district classification from Agricultural 1-acre (A-1a) and Single Family Residential - 10,000 square foot (RS-10) zoned districts to a Single Family Residential - 20,000 square foot (RS-20) zoned district at Keopuka Mauka, South Kona, Hawaii.

The Commission's favorable recommendation was based on the following considerations:

1. That the requested zone change conforms to the General Plan Land Use Pattern Allocation Guide Map which designates the area for Low Density Urban Development. This designation may allow single family residential uses at a maximum density of four (4) units per acre. The requested Single Family Residential - 20,000 square foot (RS-20) zoning does fall well within the Low Density Urban Development's density limit.
2. That the requested zone change for its ultimate proposal would be consistent with the General Plan's Housing goals of providing a diversity of socio-economic housing mix within the immediate area. The provisions of 20,000 square foot, along with existing

COMM. NO.

794

To: PC

10,000 to 15,000 square foot lots would provide a myriad of residential sized lots in the area. Therefore, by allowing the proposed residential development for the type of potential clientele, it is determined that the Housing goals of the General Plan may be attained.

Furthermore, the proposed rezoning action would complement the existing residential land use make-up and zoning of the adjacent and surrounding lands; thus, providing for an orderly development of the area.

3. That the ultimate purpose of this request is to increase the land area of the existing eleven (11) residential lots. As a result of the proposed consolidation/resubdivision action, these lots would be increased in size and would range from 21,231 to 41,606 square feet. Inasmuch as these lots are already built upon, there will be no substantial increase in density for this area. Therefore, the proposed action would not create an unreasonable burden on the existing infrastructures.

Further, since the Kimoto property is a long, narrow sliver of land running mauka/makai, it is felt that the proposed consolidation/resubdivision action with the adjacent lots will result in a much more practical utilization of both areas.

4. That the subject area is conveniently located to the school and other public and private services and employment centers. All essential utilities are also available to the area. As such, it is determined that the request also conforms to the General Plan's Single Family Residential element which states that "Single family residential zoned areas shall be conveniently located with reference to shopping and other public and private services and shall be provided within easy and convenient access to employment centers", and also that such "Areas shall have basic improvements and amenities necessary for immediate use."
5. That there are no severe geologic or topographic problems which cannot be properly rectified or which would render the land unusable for the proposed use; namely, for single family residential purposes.

Honorable Stephen K. Yamashiro, Chairman
and Members of the County Council
Page 3

For your favorable consideration, an amendment to Section 7.03,
the South Kona Zone Map, of the County Zoning Code is transmitted.

We are enclosing a copy of the application and a copy of the
staff background for your information.

Sincerely,




William F. Mielcke
Chairman, Planning Commission

lgv

cc Mr. Kenneth M. Young
Mr. Masaichi Kimoto
Chief Engineer, Public Works
Manager, Water Supply

B.H. 296

APPROVED:


HERBERT T. MATAYOSHI, MAYOR

Bill No. 396 - 1978

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This Bill amends Section 7.03, The South Kona Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Single Family Residential (RS-10) and Agricultural (A-1a) to Single Family Residential (RS-20) at Keopuka, South Kona.

Date Introduced: June 3, 1978

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 June 3, 1978, by the following ye and no vote:

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

NOES: None.

R. B. Legaspi
COUNTY CLERK
COUNTY OF HAWAII

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NOES: None.
1978
June 11, 1978

ORDINANCE NO. 361
(Bill No. 396-1978)

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Date Approved: June 17, 1978
Date Effective: June 30, 1978

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 June 17, 1978, by the following aye and no vote:

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

NOES: None.

R. B. Legaspi

COUNTY CLERK
COUNTY OF HAWAII

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NOES: None.

R. B. LEGASPI
COUNTY CLERK
COUNTY OF HAWAII

July