

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 472

AN ORDINANCE AMENDING SECTION 7.29, THE CITY OF HILO ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-38:1 and 2.

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

SECTION 1. Section 7.29, Article 2, Chapter 8 (Zoning Code) of the Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.29 (ttt). The district classification of the following area situated at Waiakea, South Hilo, Hawaii, shall be Single Family Residential (RS-10):

Beginning at the Northeast corner of this parcel of land, being also the Northwest corner of Grant 11642 to (Mrs.) Kikumi Higa Maedo and on the southerly side of Haihai Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 16,088.8; feet South and 264.29 feet West, thence running by azimuths measured clockwise from true South:

1. 355° 40' 1177.65 feet along Grant 11642 to (Mrs.) Kikumi Higa Maedo;
2. 85° 40' 487.50 feet along Grant 10714 to (Mrs.) Rose Mahi;
3. 175° 40' 1177.65 feet along the remainder of Grant 10493 to Mabel P. Chilson, being also along the easterly boundaries of Kennedy Acres, Unit II (File Plan 1599) and Kennedy Acres, Unit I (File Plan 1526);
4. 265° 40' 487.50 feet along the southerly side of Haihai Street to the point of beginning and containing an area of 13.180 Acres.

"All as outlined in red on the map attached hereto, marked Exhibit 'A' and by reference made a part hereof."

"This ordinance shall take effect forthwith upon the conditions that (A) the area be zoned in two (2) increments. The first increment shall consist of a maximum of eight (8) contiguous acres, and the second, the remaining area. 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 residential units and construction partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of the units for the entire area of 13.1 acres. In lieu of the actual construction of the dwelling units in the first increment, the petitioners or their authorized representative may enter into an agreement with the Planning Department which would bond and assure the County that the dwellings would be constructed within a given period. In doing so, development of the second increment may proceed prior to the actual construction of the dwellings in the first increment. Such agreement shall meet with the approval of the Corporation Counsel and the Planning Director; (B) the petitioners/representative submit a subdivision plan for the first increment and secure tentative approval within one (1) year from the effective date of the change of zone. The petitioners/representative shall also be responsible for securing final subdivision approval for both increments; (C) a hydrologic/drainage study be prepared by the petitioners/representative and be submitted with the subdivision plans for the first increment to the Planning Director and Chief Engineer; (D) curbs, gutters, and sidewalks be constructed within the proposed subdivision; (E) access to the proposed lots shall be from the interior subdivision roadway(s). No direct access to the lots shall be permitted from Haihai Street; and (F) all other applicable rules and regulations

be complied with. Should any of the foregoing conditions not be met, rezoning of the area to its original zoning or more appropriate designation may be initiated.

SECTION 2. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

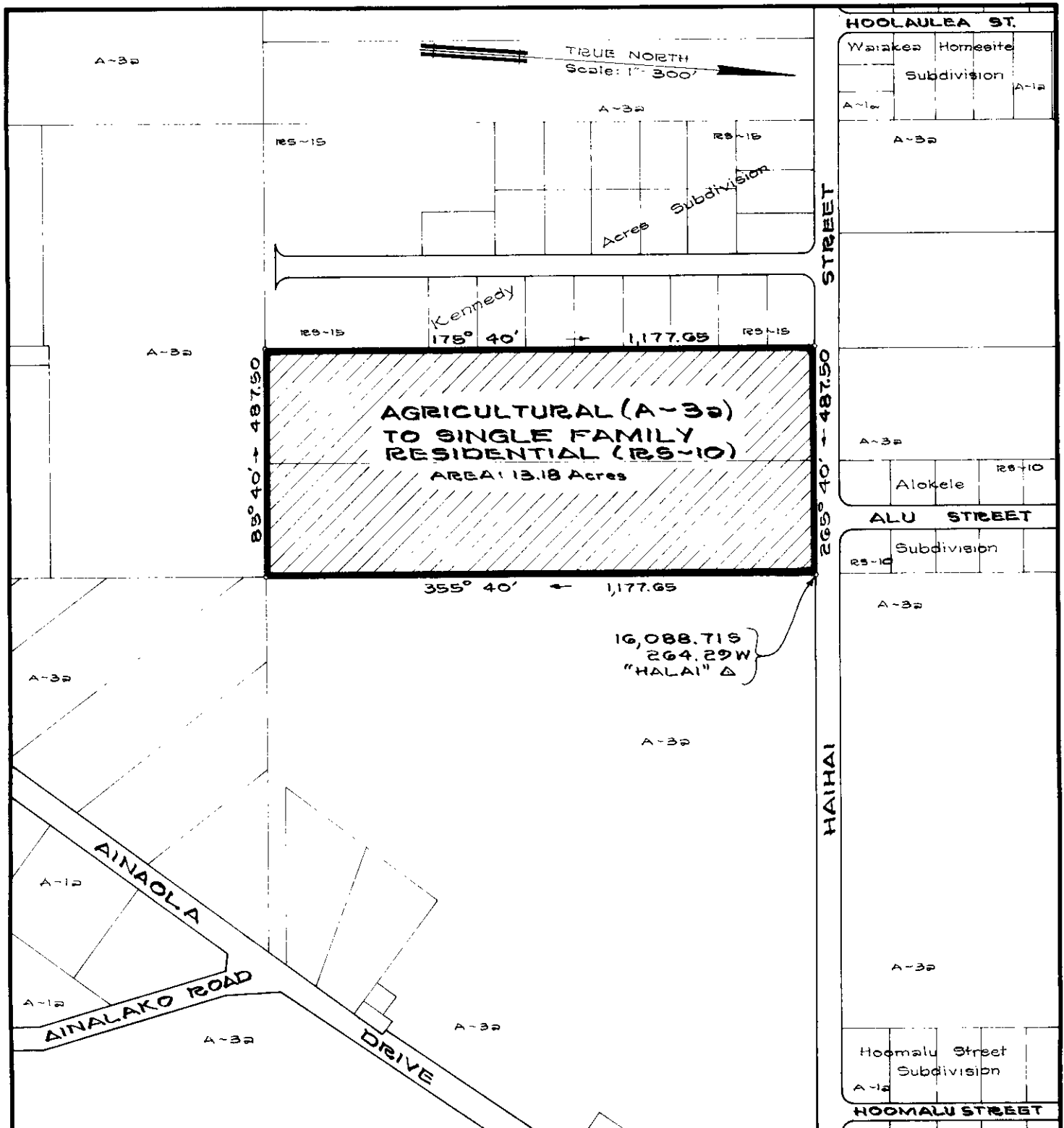
  
COUNCILMEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 5, 1979

Date of Adoption: September 19, 1979

Effective Date: September 24, 1979



## AMENDMENT TO THE ZONING CODE

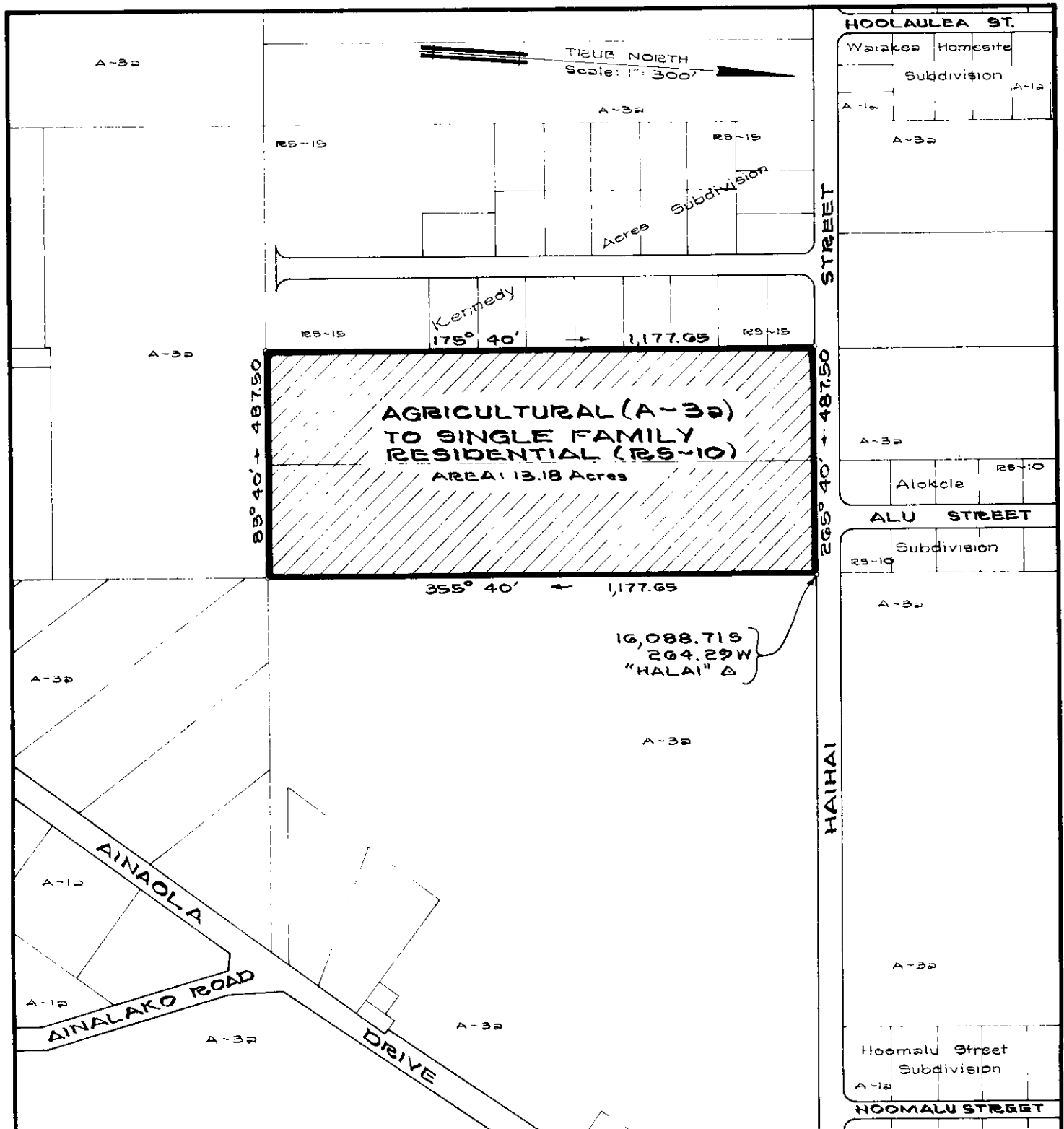
AMENDMENT NO. 72 TO SECTION 7.29, THE CITY OF HILO ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-3a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA HOMESTEADS, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: JULY 12, 1979  
EFFECTIVE DATE: SEPT. 24, 1979  
ORDINANCE NUMBER: 472  
PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 2-4-38:1 & 2

JULY 29, 1979

EXHIBIT "A"



## AMENDMENT TO THE ZONING CODE

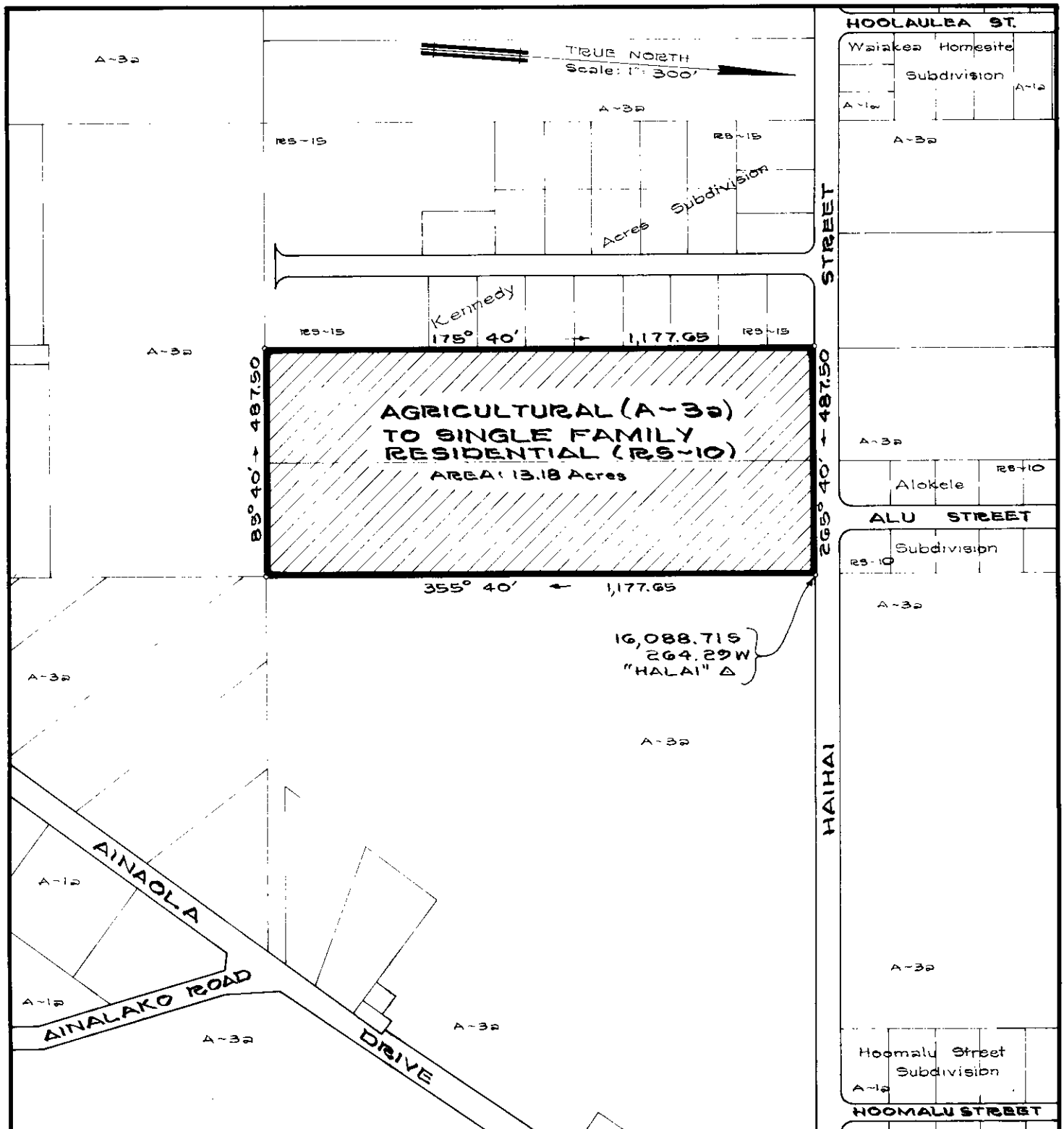
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FIRST READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo	X		
Fujii	X		
Garcia	X		
Kawahara	X		
Lai	X		
Sameshima	X		
Tajiri	X		
Chr. Yamashiro	X		
	9	0	0

Hilo, Hawaii

Date: September 19, 1979

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
	8	0	1

Publication Date: SEP 10 1979

Publication Date: SEP 28 1979

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

*[Signature]*

CORPORATION ENGINEER  
COUNTY OF HAWAII

Date SEP 9 1979

*Joseph R. Garcia Jr.*  
Acting Council Chairman

*R. B. Legaspi*  
County Clerk

Approved/Disapproved this 24<sup>th</sup> day of  
September, 1979

*[Signature]*  
Mayor, County of Hawaii

Bill No. 512  
Reference: C-1259/PC-115  
M.B. No. \_\_\_\_\_  
Ord. No. 472