

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 555

AN ORDINANCE AMENDING SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-3-25:06.

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

SECTION 1. Section 7.01, Article 2, Chapter 8 (Zoning Code) of the Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.01 (e). The district classification of the following area situated at Kaloko, North Kona, Hawaii, shall be Agricultural (A-3a):

Beginning at the Northeasterly corner of this parcel of land, being also the Southeasterly corner of Lot 3, Block 5, Kaloko Mauka Subdivision Increment 1 (File Plan 994) and on the Westerly side of Hao Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOANUIAHEA" being 11,377.42 feet South and 1,702.60 feet West and running by azimuths measured clockwise from True South:

1. 23° 51' 30" 359.60 feet along the Westerly side of Hao Street to a point;

Thence, following along the Westerly side of Hao Street on a curve to the left with a radius of 1,530.00 feet, the chord azimuth and distance being:

2. 13° 12' 565.52 feet to a point;
3. 2° 33' 334.09 feet along the Westerly side of Hao Street to a point;

Thence, following along the Westerly side of Hao Street on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

4. 68° 51' 30" 91.57 feet to a point;
5. 135° 10' 788.48 feet along the Northerly side of Kaloko Drive to a point;
6. 171° 00' 1,196.01 feet along Lot 1, Block 5, Kaloko Mauka Subdivision, Increment 1 (File Plan 994) to a point;

7. 293° 51' 1,222.20 feet along Lot 3, Block 5, Kaloko Mauka Subdivision, Increment 1 (File Plan 994) to a point of beginning and containing an area of 24.017 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 property shall be zoned on an incremental basis. Each increment shall not exceed 13 acres of land area, or 50 percent of the total land area of the property, whichever is greater; (B) the zoning of the successive increment(s) shall become effective upon subdivision of the previous increment and it shall be demonstrated to the satisfaction of the Planning Director that substantial agricultural activity is being conducted on the land. For the purpose of this condition "agriculture" shall be defined as the cultivation of crops, including but not limited to flowers, vegetables, foliage, fruits, forage and timber, game propagation; raising of livestock, including but not limited to poultry, bees, fish or other animal or aquatic life that are propagated for economic or personal use. An agricultural activity will be considered substantial if such activity is implementing a conservation program for the affected property(ies) as approved by the applicable soil and water conservation district directors filed with the Soil Conservation Service or if it provides a major source of income to the person(s) to reside on the property; or if the property is dedicated for agriculture uses in accordance with applicable Tax Department procedures and that such agriculture dedication shall be made a deeded covenant and duly recorded with the Planning Department. The


execution of a Farm Dwelling Agreement may also suffice in lieu of the above requirements. Each lot in the previous increment must comply with one (1) or more of the above requirements prior to the effective zoning of the successive increment; (C) the petitioner or his authorized representative shall submit plans for and secure tentative subdivision approval for the first increment within two (2) years from the effective date of the change of zone. The petitioner/representative shall also secure final subdivision approval within two (2) years thereafter; (D) the petitioner or his authorized representative shall submit plans for and secure tentative subdivision approval of successive increment(s) within one (1) year from the effective date of the zoning for that increment. The petitioner/representative shall also secure final subdivision approval within two (2) years thereafter; (E) the road design for subdivision shall be consistent with the circulation plans for the area adopted by the Planning Director; (F) the drainage system within the subject property shall be consistent with a drainage plan approved by the Chief Engineer. Said drainage plan shall be developed in conjunction with the circulation plan; (G) prior to the receipt of final subdivision approval, the petitioner or his authorized representative shall dedicate to the County any required drainage easements and access; (H) prior to or in conjunction with the receipt of final subdivision approval the petitioner or his authorized representative shall record with the Bureau of Conveyances documents assuring the future compliance with the terms and requirements of Improvement District No. 10. Said documents

shall be reviewed and meet with the approval of the Finance Director, Corporation Counsel, and the Planning Director;
(I) all other applicable rules, regulations, and requirements shall be complied with. Should any of the foregoing conditions not be met, the Planning Director may initiate rezoning of the subject property to its original or more appropriate zoning designation."

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.

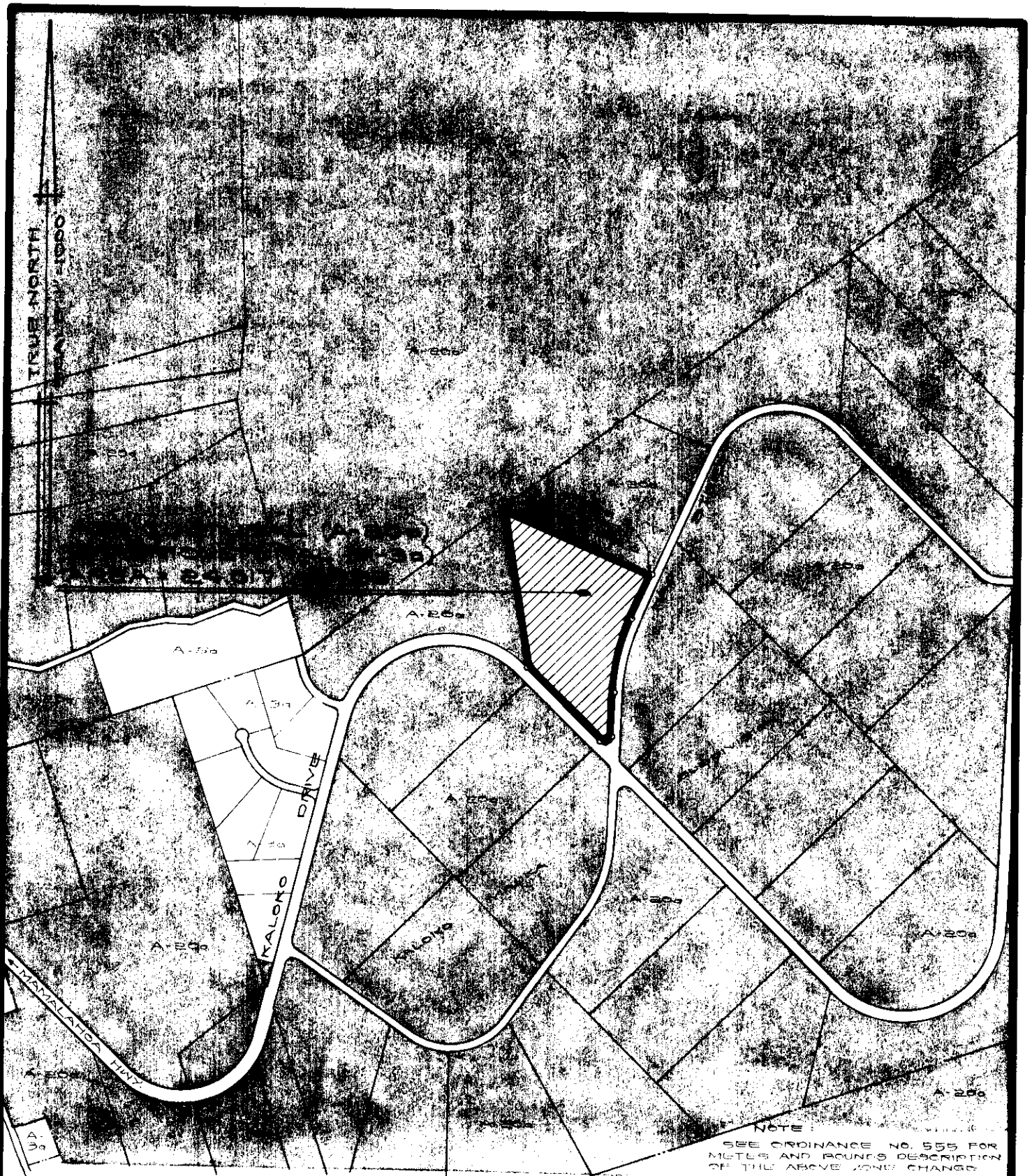
SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: April 2, 1980
Date of Adoption: April 16, 1980
Effective Date: April 21, 1980



AMENDMENT TO THE ZONING CODE

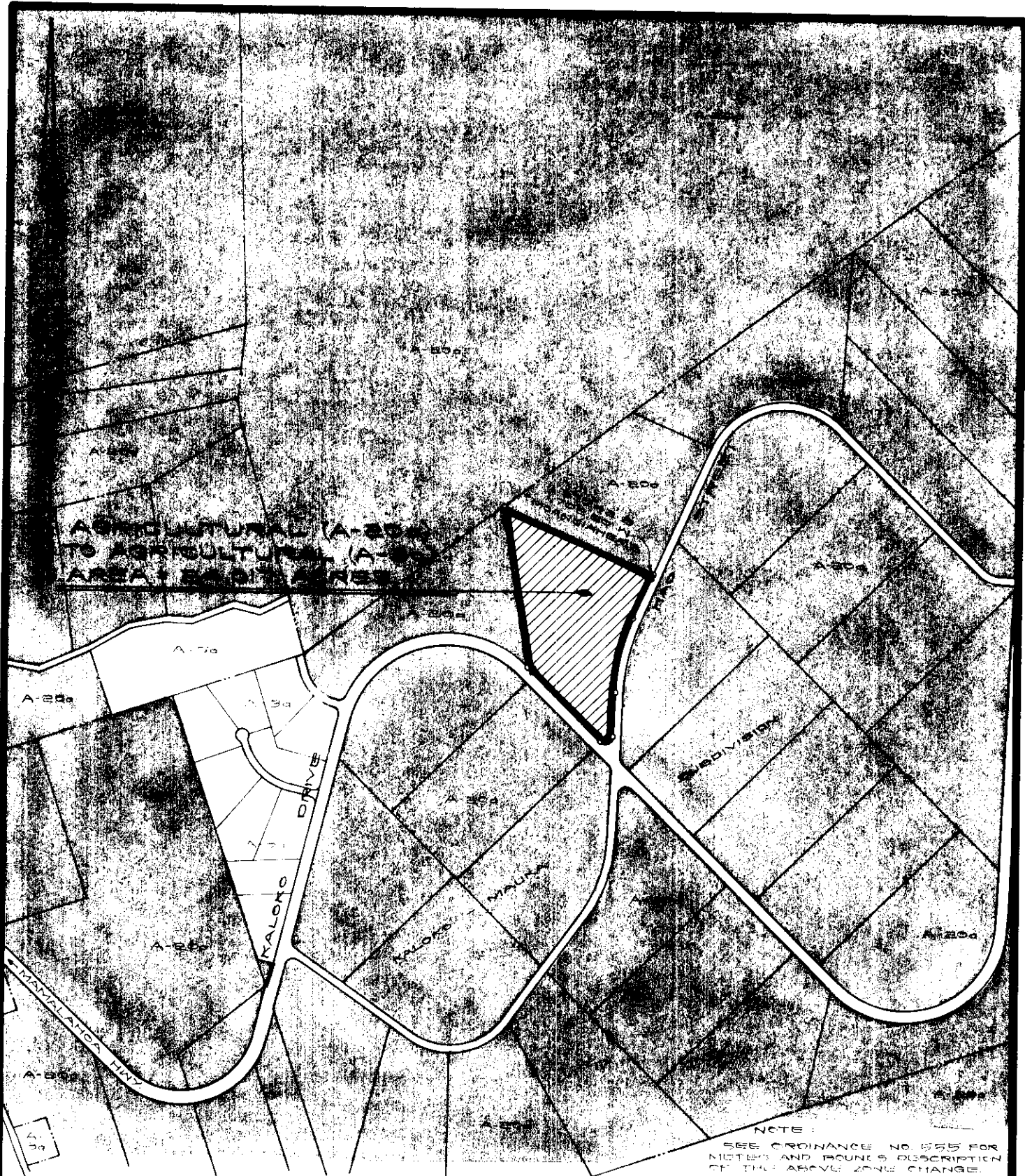
AMENDMENT NO. 5 TO SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979
 EFFECTIVE DATE: APRIL 25, 1980
 ORDINANCE NO. 555
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK: 7-3-25:06

JAN. 24, 1980

EXHIBIT "A"



AMENDMENT TO THE ZONING CODE

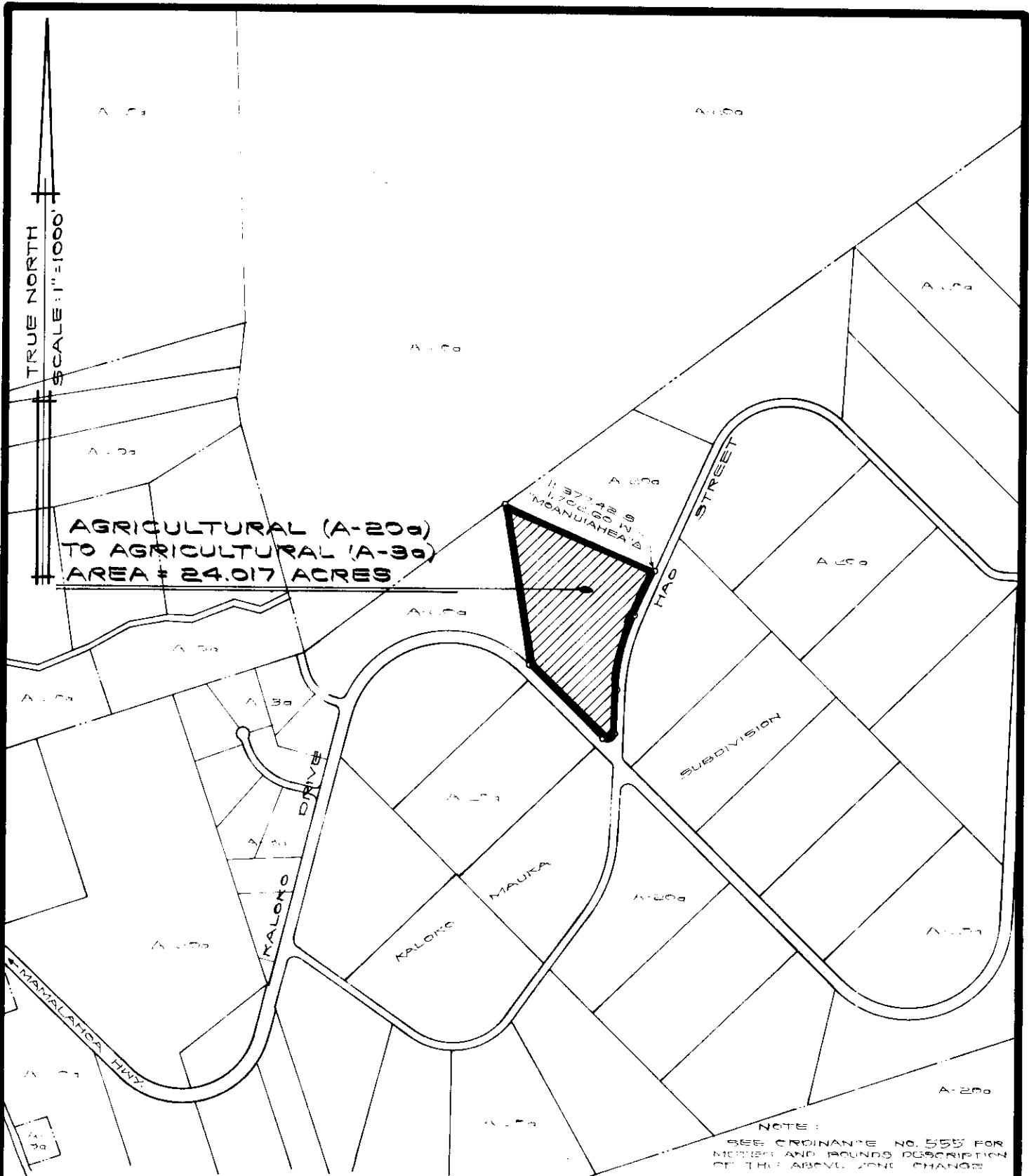
AMENDMENT NO. _____ TO SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979
 EFFECTIVE DATE: APRIL 21, 1980
 ORDINANCE NO. 555
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK: 7-3-25:06

JAN. 29, 1980

EXHIBIT "A"



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 5 TO SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-30a) AT KALOKO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979
EFFECTIVE DATE: APRIL 21, 1980
ORDINANCE NO. 555
PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 7-3-25:06

JAN. 24, 1980

EXHIBIT "A"

Hilo, Hawaii
Date: April 2, 1980

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		
	8	0	1

Publication Date: April 8, 1980

Hilo, Hawaii
Date: April 16, 1980

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: APR 25 1980

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

Bruce M. St.

ASSISTANT

Date: April 17, 1980

Harold Yamashiro
Council Chairman

R. B. Legaspi
County Clerk

Approved ~~by~~ this 21st day of

April, 1980

Herb Huby
Mayor, County of Hawaii

Bill No. 592
Reference: C-1486/PC-143
M.B. No. _____
Ord. No. 555

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

April 16, 1980

Mayor Herbert T. Matayoshi
County of Hawaii
Hilo, HI

I hereby transmit Ordinance Bill No. 592
passed by the County Council on second final reading.

R. B. Legaspi
R. B. Legaspi
COUNTY CLERK

Encl.

Dated: APR 16 1980

Bill No. 592 - 1980

AN ORDINANCE AMENDING SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-3-25:06.

This Bill amends the North and South Kona Districts Zone Map, as amended, by changing the district classification from Agricultural (A-20a) to Agricultural (A-3a) at Kaloko, N. Kona.

Date Introduced: April 2, 1980

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 April 2, 1980, by the following aye and no vote:

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

NOES: None.

ABSENT & EXCUSED: Councilman Domingo - 1.

R. B. Legaspi
R. B. Legaspi
COUNTY CLERK
COUNTY OF HAWAII

AN ORDINANCE AMENDING SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-3-25:06.

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AYES: Councilmen Dahlberg, Fujii, Garcia, Kawahara, Lai, Sameshima, Tajiri and Chairman Yamashiro - 8.
NOES: None.
ABSENT & EXCUSED: Councilman Domingo - 1.
R. B. LEGASPI
COUNTY CLERK
COUNTY OF HAWAII

ORDINANCE NO. 555
(Bill No. 592-1980)

AN ORDINANCE AMENDING SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-3-25:06.

Date Approved: April 16, 1980
Date Effective: April 21, 1980

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 April 16, 1980, by the following aye and no vote:

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

NOES: None.

ABSENT & EXCUSED: None.

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NOES: None.
ABSENT & EXCUSED: None.
R. S. Legaspi
COUNTY CLERK
COUNTY OF HAWAII

R. S. Legaspi
COUNTY CLERK
COUNTY OF HAWAII