

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 560

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 7-3-24:20.

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

Beginning at the northeast corner of this parcel of land, being also the northwest corner of Lot 5 on the southerly side of Lot A (100 foot wide road reserve), the coordinates of said point of beginning referred to Government Survey Triangulation Station "MOANUIAHEA" being 15,329.84 feet south and 5,088.29 feet west and running by azimuths measured clockwise from true south:

1. 342° 00' 1426.84 feet along Lot 5 and along remainder of L. P. 8214, L. C. Aw. 7715, Apana 11 to Lota Kamehameha;
2. 72° 00' 595.40 feet along R. P. 7587, L. C. Aw. 11216, Apana 36 to M. Kekauonohi;
3. 162° 00' 2000.23 feet along Lot 7 and along remainder of L. P. 8214, L. C. Aw. 7714, Apana 11 to Lota Kamehameha;
4. 315° 00' 253.69 feet along Lot A (100 foot wide road reserve) and along L. P. 8214, L. C. Aw. 7715, Apana 11 to Lota Kamehameha;

Thence along Lot A (100 foot wide road reserve) on a curve

to the left with a radius of
650.00 feet, the chord azimuth
and distance being:

5. 287° 52' 35.5" 592.68 feet to the point of beginning
and containing an area of
27.979 acres.

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

This subsection shall take effect 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 per-
cent 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 econ-
omic or personal use. An agricultural activity will be considered
substantial (1) if such activity is implementing a conservation
program for the affected property(ies), as approved by the appli-
cable soil and water conservation district directors and filed with
the Soil Conservation Service, (2) if it provides a major source
of income to the person(s) who reside on the property; or (3) if
the property is dedicated for agriculture uses in accordance
with applicable Tax Department procedures and that such agri-
culture dedication shall be made a deed covenant and
duly recorded with the Planning Department and Bureau of
Conveyances. 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; and (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 the 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.

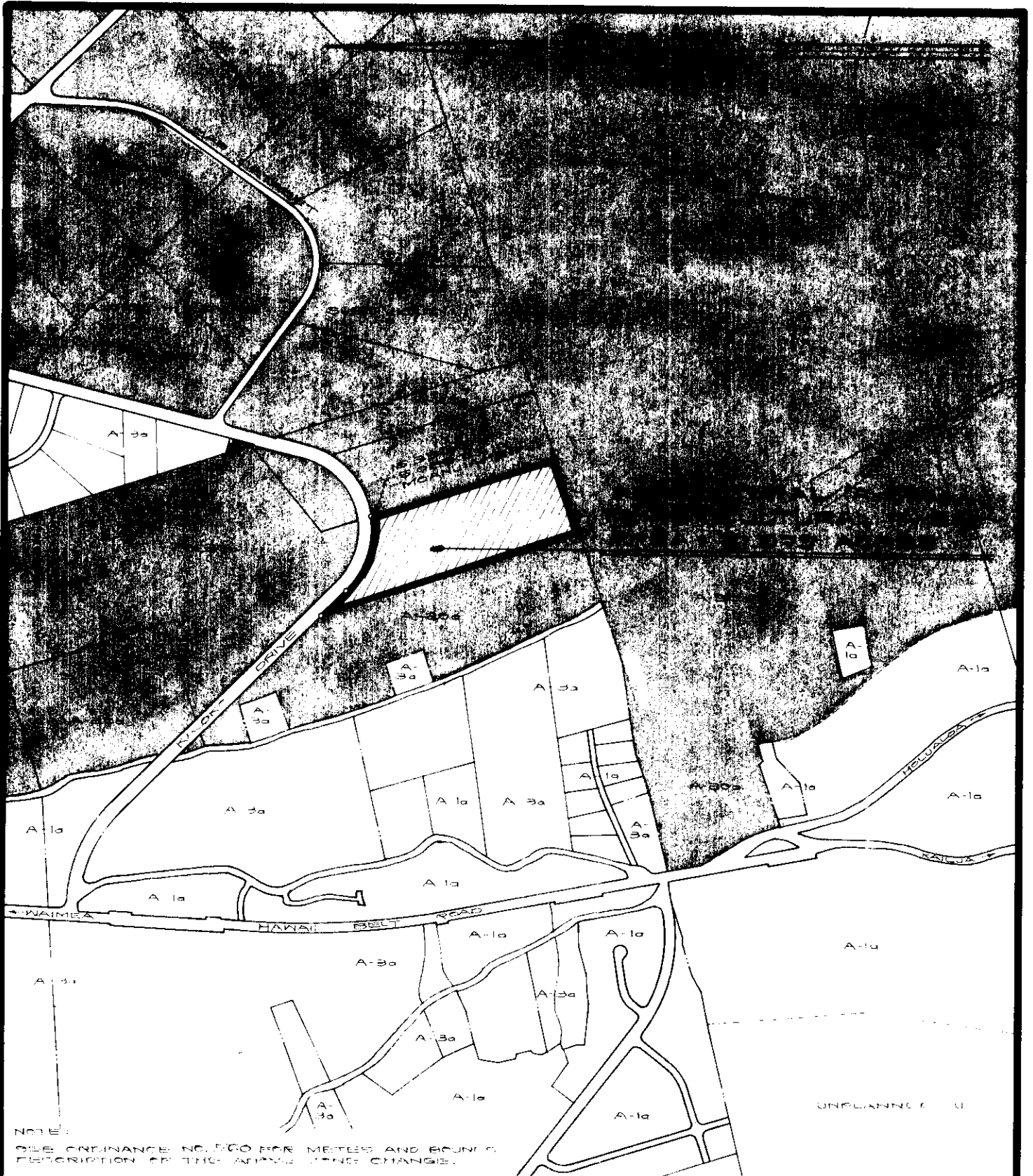
SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: April 2, 1980
Date of Adoption: April 16, 1980
Effective Date: April 30, 1980



AMENDMENT TO THE ZONING CODE

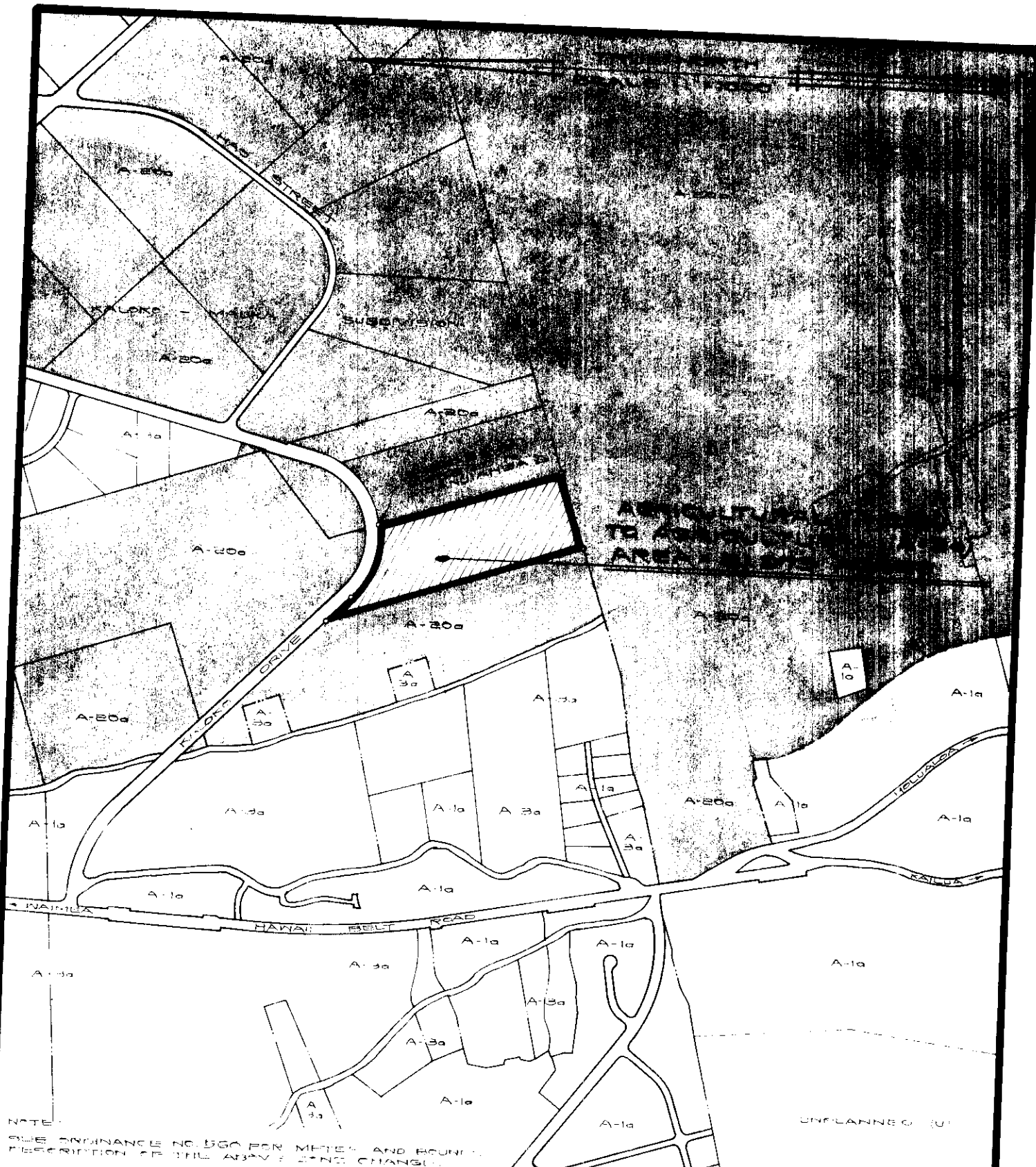
AMENDMENT NO. 6 TO SECTION 701, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979
 EFFECTIVE DATE: APRIL 30, 1980
 ORDINANCE NO. 560
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK: 7-3-24:20

JAN. 24, 1980

EXHIBIT "A"



AMENDMENT TO THE ZONING CODE

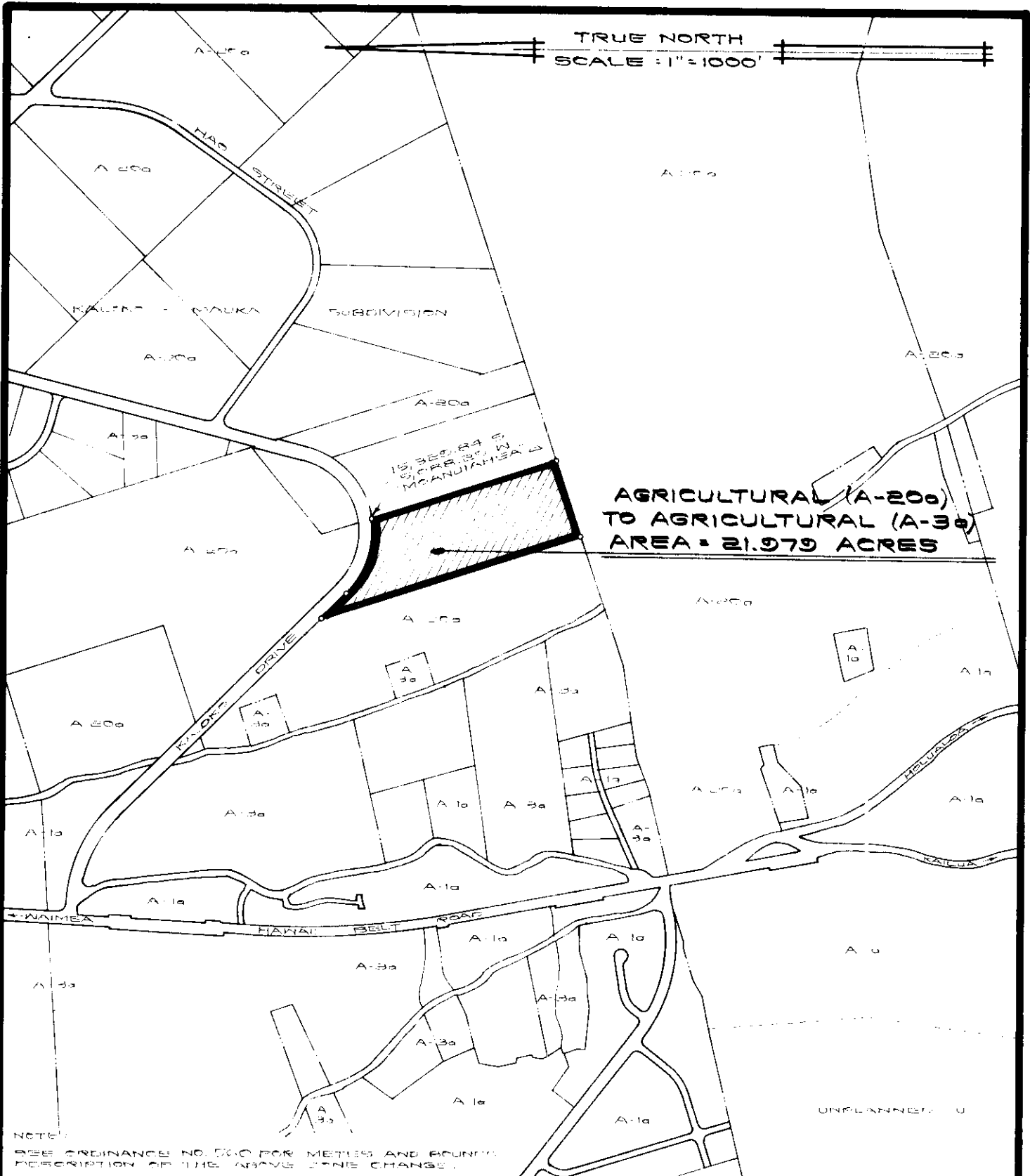
AMENDMENT NO. 6 TO SECTION 701, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979
 EFFECTIVE DATE: APRIL 30, 1980
 ORDINANCE NO. 560
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK: 7-3-24:20

JAN. 24, 1980

EXHIBIT "A"



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 6 TO SECTION 701, 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-200) TO AGRICULTURAL (A-30) AT KALOKO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979
 EFFECTIVE DATE: APRIL 30, 1980
 ORDINANCE NO. 560
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

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

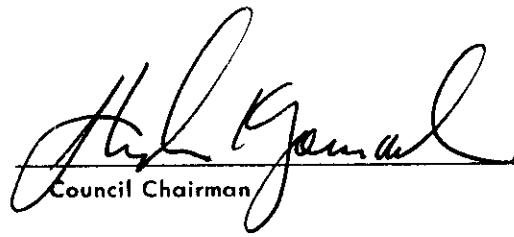
Publication Date: MAY 8 1980

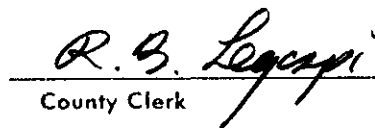
We do hereby certify that the foregoing BILL was adopted by the County Council and published as indicated above.

**APPROVED as to
FORM and LEGALITY**

COUNTY CLERK

Date


 Council Chairman


 County Clerk

Approved/Disapproved this _____ day of _____, 19_____

 Mayor, County of Hawaii

Bill No. 597
 Reference: C-1496/PC-146
 M.B. No. _____
 Ord. No. 560

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. 597
passed by the County Council on second final reading.

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

Encl.

Dated: APR 16 1980

Bill No. 597 - 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 7-3-24:20.

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, North 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 ye and no vote:

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

NOES: None.

ABSENT & EXCUSED: Councilman Domingo - 1.

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 7-3-24:20.

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, North 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 ye 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
COUNTY CLERK
COUNTY OF HAWAII

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

ORDINANCE NO. 560
(Bill No. 597-1980)

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 7-3-24:20.

Date Approved: April 16, 1980

Date Effective: April 30, 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.

R. B. Legayri
COUNTY CLERK
COUNTY OF HAWAII

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 7-3-24:20.

Date Approved: April 16, 1980.
Date Effective: April 30, 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.