

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 570

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 7-3-24:15.

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

Beginning at the northwesterly corner of this parcel of land being also the east corner of Lot 8 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 "Moanuaieha" being 14,076.58 feet South and 6,723.68 feet West and running by azimuths measured clockwise from true South:

1. 315° 00' 1,261.39 feet along Lot A (100-Foot Wide Road Reserve) and along remainder of R.P. 8214, L.C. Aw. 7715, Apana 11 to Lota Kamehameha;
2. 342° 00' 2,000.23 feet along Lot 6 and along remainder of R.P. 8214, L.C. Aw. 7715, Apana 11 to Lota Kamehameha;
3. 72° 00' 515.62 feet along R.P. 7587, L.C. Aw. 11216, Apana 36 to M. Kekauonohi; thence running along the easterly side of the Old Government Road for the next fourteen (14) courses, the direct azimuth and distance between points being:
4. 141° 33' 30" 113.26 feet;
5. 147° 05' 30" 57.09 feet;

6.	156° 32' 30"	121.36 feet;
7.	153° 11' 30"	66.74 feet;
8.	153° 42'	241.98 feet;
9.	154° 21'	24.86 feet;
10.	151° 36' 30"	151.59 feet;
11.	157° 32' 30"	75.07 feet;
12.	156° 27' 30"	36.13 feet;
13.	147° 14'	68.30 feet;
14.	151° 32' 30"	92.87 feet;
15.	156° 19'	92.02 feet;
16.	160° 15'	95.89 feet;
17.	157° 09' 30"	113.70 feet;
18.	252° 30'	253.39 feet along R.P. 3786, L.C. Aw. 9243 to Kalaikoa;
19.	159° 08" 30"	308.85 feet along R.P. 3786, L.C. Aw. 9243 to Kalaikoa;
20.	72° 11'	253.40 feet along R.P. 3786, L.C. Aw. 9243 to Kalaikoa; thence running along the easterly side of the Old Government Road for the next eleven (11) courses, the direct azimuth and distance between points being:
21.	156° 19' 30"	26.29 feet;
22.	160° 42'	159.99 feet;
23.	155° 43'	102.36 feet;
24.	167° 25' 30"	45.94 feet;
25.	161° 24'	163.14 feet;
26.	167° 24'	101.86 feet;
27.	160° 06'	102.92 feet;
28.	173° 52'	53.88 feet;
29.	165° 59' 30"	47.88 feet;
30.	159° 16' 30"	60.86 feet;

- | | | |
|-----|----------|--|
| 31. | 163° 10' | 15.89 feet; |
| 32. | 249° 40' | 297.00 feet along R.P. 5095, L.C. Aw. 10951 to Wahahee; |
| 33. | 159° 50' | 278.50 feet along R.P. 5095, L.C. Aw. 10951 to Wahahee; |
| 34. | 73° 51' | 299.01 feet along R.P. 5095, L.C. Aw. 10951 to Wahahee; thence running along the easterly side of the Old Government Road for the next four (4) courses, the direct azimuth and distance between points being: |
| 35. | 178° 09' | 42.96 feet; |
| 36. | 173° 46' | 162.24 feet; |
| 37. | 184° 55' | 49.19 feet; |
| 38. | 175° 03' | 65.00 feet; |
| 39. | 252° 00' | 95.76 feet along Lot 8 and along remainder of R.P. 8214, L.C. Aw. 7715, Apana 11 to Lota Kamehameha to the point of beginning and containing an area of 38.623 Acres, more or less. |

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 with the conditions that (A) the property shall be rezoned on an incremental basis, and each increment shall not exceed 13 acres of land area or 50% of the total land area of the property, whichever is greater; (B) rezoning of the successive increment(s) shall only become effective upon subdivision of the previous increment and upon it being 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) who 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 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 rezoning 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 rezoning 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:

Hilo, Hawaii

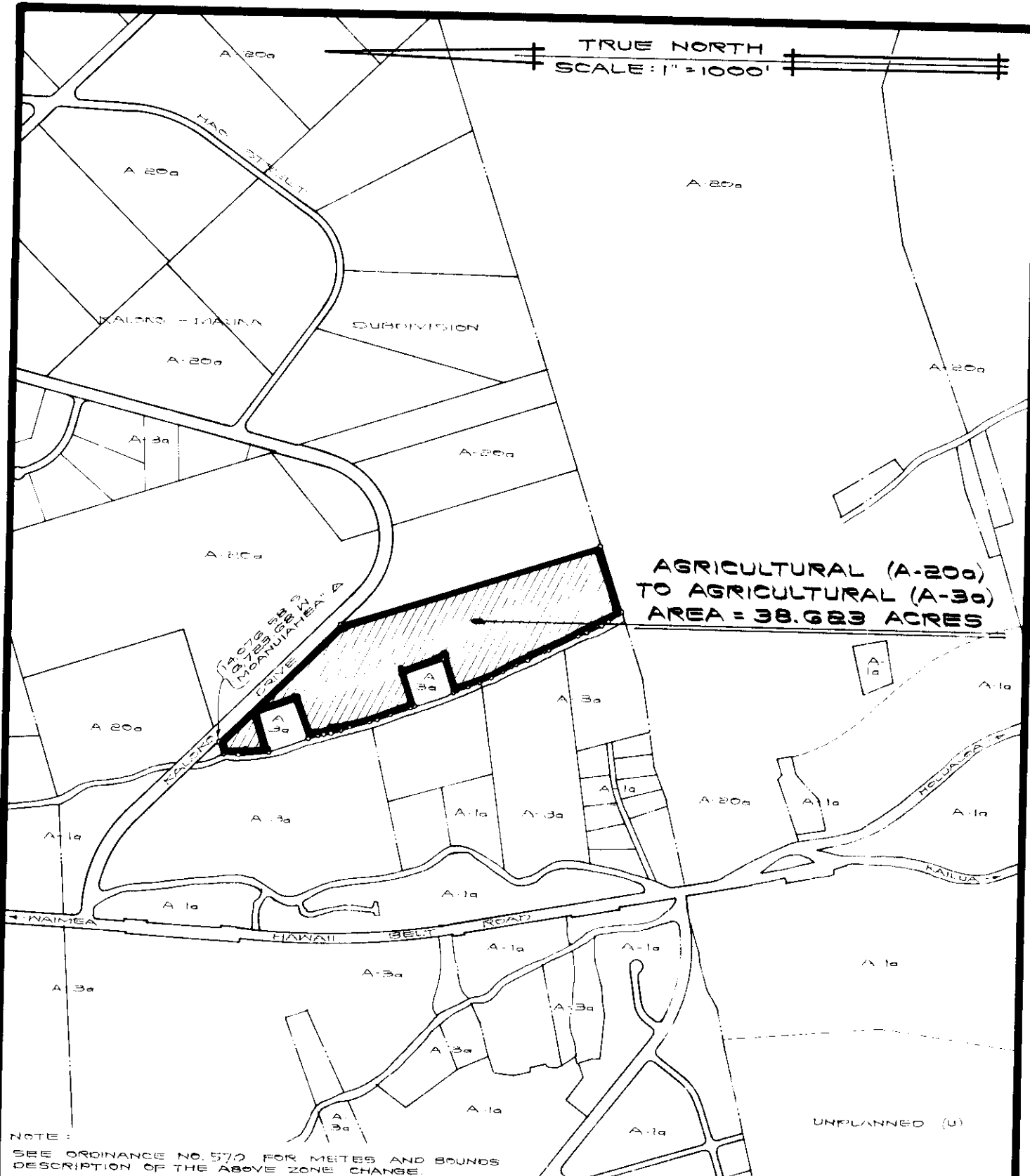
Date of Introduction: April 16, 1980

Date of Adoption: May 7, 1980

Effective Date: May 12, 1980

Isaiah Dominguez

COUNCIL MEMBER, COUNTY OF HAWAII



AMENDMENT TO THE ZONING CODE

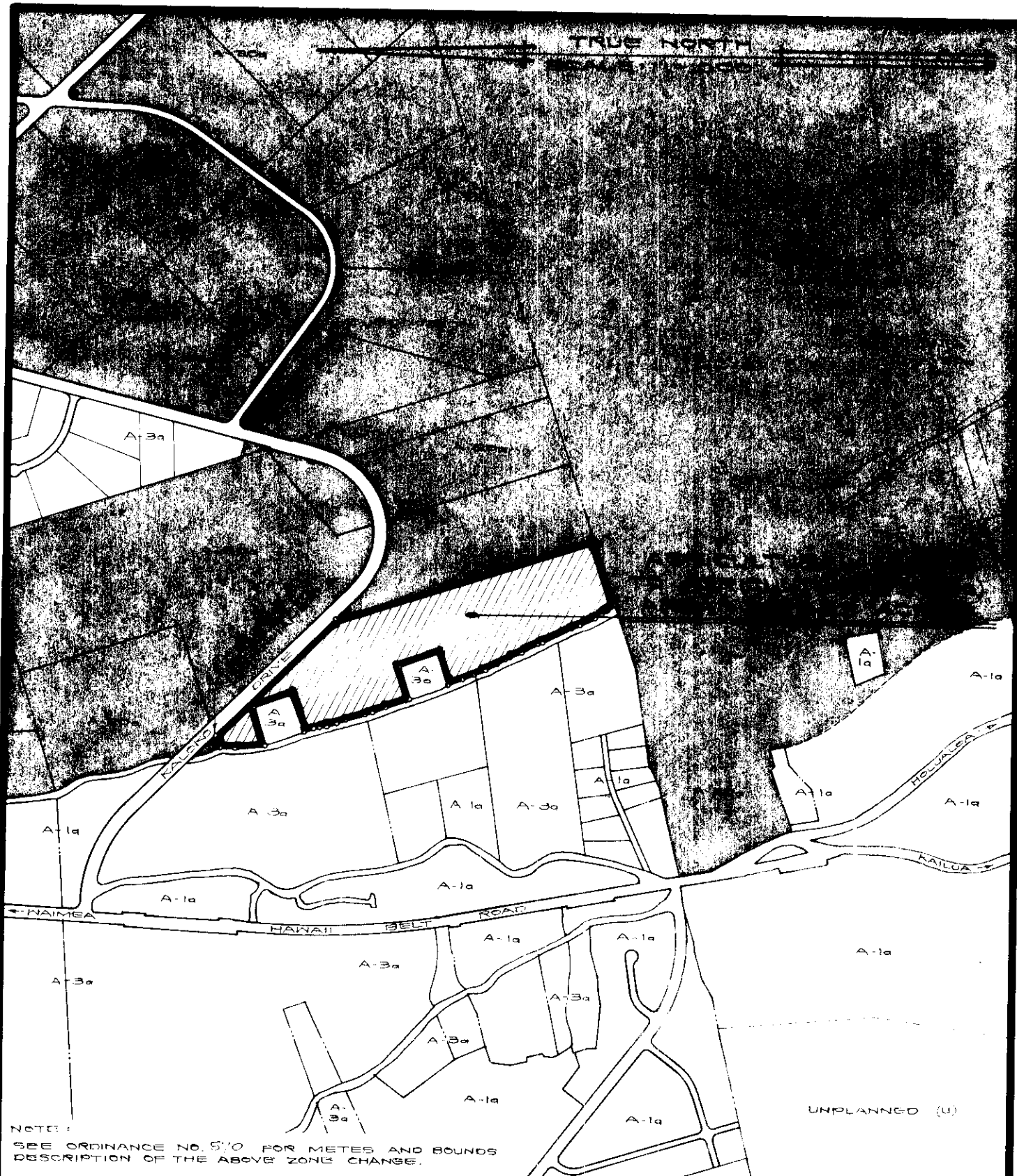
AMENDMENT NO. 7 TO SECTION 7.01, THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-3a) AT KALOKO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979
EFFECTIVE DATE: MAY 12, 1980
ORDINANCE NO. 570
PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 7-3-24: 15

MARCH 4, 1980

EXHIBIT "A"



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 7 TO SECTION 201, 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.

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NOTE:
 SEE ORDINANCE NO. 570 FOR METES AND BOUNDS
 DESCRIPTION OF THE ABOVE ZONE CHANGE.

AMENDMENT TO THE ZONING CODE

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MARCH 4, 1980

EXHIBIT "A"

Hilo, Hawaii
Date: April 16, 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 21, 1980

Hilo, Hawaii
Date: May 7, 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 20 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 CONTENT
Ruben Berzagali
COUNTY CLERK
Date 9 May 80

Alan Gurd
Council Chairman

R. B. Legorpi
County Clerk

Approved/Disapproved this 12th day of
May, 1980

Alan M. ...
Mayor, County of Hawaii

Bill No. 605
Reference: C-1509/PC-156
M.B. No. _____
Ord. No. 570

ORDINANCE NO. 570
(Bill No. 605-1980)

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 7-3-24:15.

Date Approved: May 7, 1980
Date Effective: May 12, 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 May 7, 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. Legorpi
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 7-3-24:15.
Date Approved: May 7, 1980
Date Effective: May 12, 1980
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I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on May 7, 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. Legorpi
COUNTY CLERK
COUNTY OF HAWAII
7-3-24:15
May 20, 1980

Bill No. 605 - 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 7-3-24:15.

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

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

NOES: None.

ABSENT & EXCUSED: Councilman Tajiri - 1.

R. B. Legaspi
COUNTY CLERK
COUNTY OF HAWAII

Bill No. 605
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 7-3-24:15.
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NOES: None.
ABSENT & EXCUSED: Councilman Tajiri - 1.
R. B. LEGASPI
COUNTY CLERK
COUNTY OF HAWAII
(Hawaii Tribune-Herald, April 21, 1980)