

## COUNTY OF HAWAII -- STATE OF HAWAII

ORDINANCE NO. 596

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, TO AMEND THE METES AND BOUNDS DESCRIPTION RELATING TO THE DISTRICT RECLASSIFICATION OF LAND 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 further amended to read as follows:

"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' 3.5~~7~~1" 592.68 feet to the point of beginning  
and containing an area of  
~~27.979~~ 21.979 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. Material to be repealed is bracketed. New material is underscored. In printing this ordinance, the brackets, bracketed material and underscoring need not be included.

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.

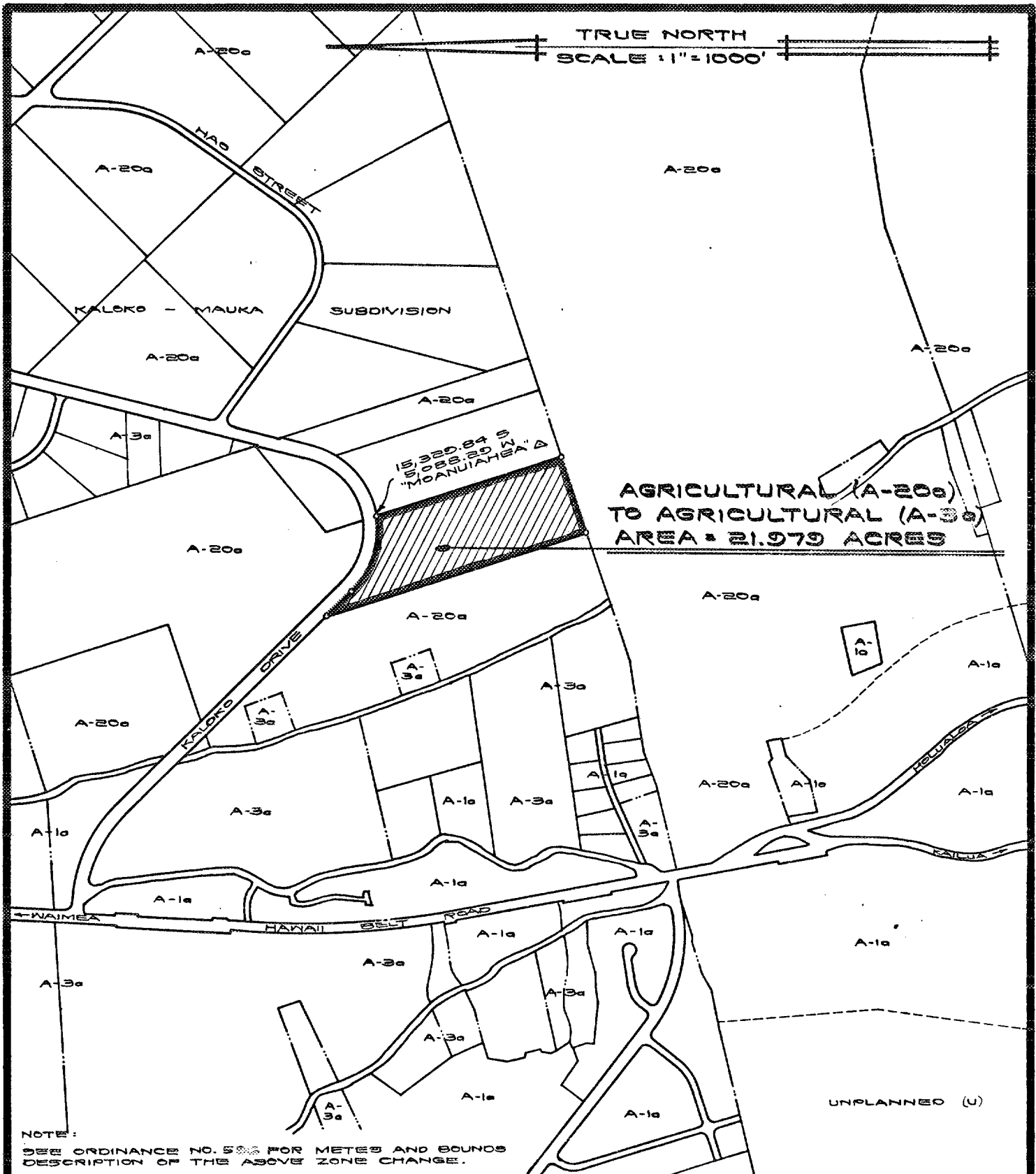
INTRODUCED BY:

*Jurashi Dowling*

COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: June 3, 1980  
Date of Adoption: June 18, 1980  
Effective Date: June 26, 1980



AGRICULTURAL (A-20a)  
TO AGRICULTURAL (A-3a)  
AREA = 21.979 ACRES

NOTE:  
SEE ORDINANCE NO. 596 FOR METES AND BOUNDS  
DESCRIPTION OF THE ABOVE ZONE CHANGE.

## 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 KALOPO, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: NOV. 15, 1979  
EFFECTIVE DATE: JUNE 26, 1980  
ORDINANCE NO. 596  
PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 7-3-24:20

JAN. 24, 1980

EXHIBIT "A"

Hilo, Hawaii  
Date: June 3, 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		
	9	0	0

JUN 10 1980

Publication Date: \_\_\_\_\_

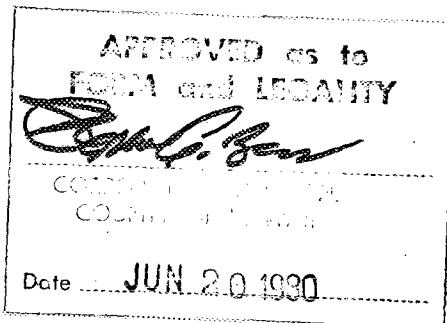
Hilo, Hawaii  
Date: June 18, 1980

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

JUL 2 1980

Publication Date: \_\_\_\_\_

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



*Paul Gamal*  
\_\_\_\_\_  
Council Chairman

*R. B. Legaspi*  
\_\_\_\_\_  
County Clerk

Approved/Disapproved this 26<sup>th</sup> day of  
June, 1980

*Robert K. ...*  
\_\_\_\_\_  
Mayor, County of Hawaii

Bill No. 633  
Reference: C-1496.1/PC-166  
M.B. No. \_\_\_\_\_  
Ord. No. 596