

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 637

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 2-4-68:24.

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 further amended to add a new subsection, to read as follows:

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

Beginning at the southeast corner of this parcel of land, being the southwest corner of Lot 1 of Alokele Subdivision, Unit I, File Plan 1515 and on the north side of Haihai Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 16,049.78 feet South and 522.74 feet West and running by azimuths measured clockwise from True South:

1. 85° 40' 710.22 feet along the north side of Haihai Street;
2. 175° 40' 1,840.00 feet along Waiakea Homesite Subdivision, File Plan 989;
3. 265° 40' 710.22 feet along portions of Lot 721, Grant 12,194 to Munemitsu Gakiya;
4. 355° 40' 1,840.00 feet along Alokele Subdivision, Unit II, File Plan 1571 and Unit I, File Plan 1515 to the point of beginning and containing an area of 30.000 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 area be zoned in two (2) increments. The first

increment shall consist of a maximum of 18 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 dwelling units and construction partially completed - partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of the units for the entire thirty (30) acres. In lieu of the actual construction of the dwellings, the petitioner or his authorized representative may enter into an agreement with the Planning Department which would bond and assure the County that the dwellings will be constructed within a given period. Such agreement shall meet with the approval of the Corporation Counsel and the Planning Director. In doing so, development of the second increment may proceed prior to the actual construction of the dwellings in the first increment; (B) the petitioner/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 petitioner/representative shall also be responsible for securing final subdivision approval for the first increment. The petitioner/representative shall also be responsible for obtaining final subdivision approval for the second increment. All other concerns, such as drainage and roadway and access requirements, shall be considered at the time of subdivision review and approval; (C) a hydrologic/drainage study be prepared by the petitioner/representative and be submitted with the subdivision plans for the first increment to the Planning Department and the

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 roadways. No direct access to the lots shall be permitted from Haihai Street; (F) the internal roadway system shall be in general conformity with the Traffic Circulation Scheme on file with the Planning Department; and (G) all other applicable rules, regulations, and requirements be complied with. Should any of the foregoing conditions not be met, rezoning of the area to its original or more appropriate zoning 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:

Shirashi Dominguez

COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 17, 1980

Date of Adoption: October 1, 1980

Effective Date: October 6, 1980