

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 656

AN ORDINANCE AMENDING SECTION 7.06 (THE NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP), ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, TO MODIFY CONDITIONS TO THE DISTRICT RECLASSIFICATION OF LAND AT OULI, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-2-05:19 (FORMERLY PORTION OF 6-2-01:17).

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

SECTION 1. Section 7.06, Article 2, Chapter 8, (Zoning Code), of the Hawaii County Code, as amended, is further amended to read as follows:

"7.06 (1). The district classification of the following area situated at Ouli, South Kohala, Hawaii, shall be Agricultural (A-3a):

Beginning at a "+" in concrete (Found) at the Northwest corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "PUU PA" being 12,528.19 feet North and 24,110.83 feet West, and running by azimuths measured clockwise from True South:

1. 273° 13' 40" 2,575.50 feet along Government Land to a "+" in concrete (found);
2. 265° 40' 10" 2,835.30 feet along Government Land to a "+" in concrete (found);
3. 271° 02' 4,656.20 feet along Government Land to a "+" in concrete (found);
4. 275° 27' 4,362.70 feet along Government Land to a "+" in concrete (found);
5. 257° 27' 50" 949.55 feet along Government Land to the Northwest side of Kawaihae Road;
6. 53° 39' 40" 646.14 feet along the Northerly side of Kawaihae Road;

Thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 447.50 feet, the chord azimuth and distance being:

7. 79° 55' 10" 395.97 feet;
8. 106° 10' 40" 1,010.90 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 1,462.50 feet, the chord azimuth and distance being:
9. 100° 06' 10" 309.55 feet;
10. 94° 01' 40" 2,071.97 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 1,880.00 feet, the chord azimuth and distance being:
11. 97° 23' 40" 220.81 feet;
12. 100° 45' 40" 220.60 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 2,895.00 feet, the chord azimuth and distance being:
13. 95° 52' 10" 493.72 feet;
14. 90° 58' 40" 150.75 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 746.30 feet, the chord azimuth and distance being:
15. 65° 37' 25" 639.15 feet;
16. 40° 16' 10" 303.39 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 543.00 feet, the chord azimuth and distance being:

17. 73° 19' 55" 592.47 feet;
18. 106° 23' 40" 2,589.71 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 1,176.00 feet, the chord azimuth and distance being:
19. 89° 58' 40" 664.72 feet;
20. 73° 33' 40" 179.62 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 5,700.00 feet, the chord azimuth and distance being:
21. 77° 52' 25" 857.24 feet;
22. 82° 11' 10" 1,667.05 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 5,700.00 feet, the chord azimuth and distance being:
23. 84° 04' 10" 374.65 feet;
24. 85° 57' 10" 118.24 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 1,940.00 feet, the chord azimuth and distance being:
25. 80° 48' 25" 348.00 feet;
26. 165° 39' 40" 10.00 feet along the Northerly side of Kawaihae Road;
27. 75° 39' 40" 77.52 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 676.30 feet, the chord azimuth and distance being:

28. 88° 54' 10" 309.82 feet;
29. 12° 08' 40" 10.00 feet along the Northerly side of Kawaihae Road;
30. 102° 08' 40" 88.12 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 603.00 feet, the chord azimuth and distance being:
31. 83° 47' 10" 379.84 feet;
32. 65° 25' 40" 732.79 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 410.80 feet, the chord azimuth and distance being:
33. 90° 10' 10" 343.86 feet;
34. 114° 54' 40" 16.65 feet along the Northerly side of Kawaihae Road;
- Thence along the Northerly side of Kawaihae Road, on a curve to the left with a radius of 746.30 feet, the chord azimuth and distance being:
35. 110° 12' 58" 122.18 feet;
36. 167° 51' 40" 487.35 feet along remainder of Land Commission Award 8518-B, Apana 1 to James Young Kanehoa, to a pipe in concrete;
37. 161° 09' 15" 273.49 feet along remainder of Land Commission Award 8518-B, Apana 1 to James Young Kanehoa;
38. 233° 47' 50" 225.00 feet along Land Commission Award 8515-B, Apana 1 to Keoni Ana, to the point of beginning and containing a gross area of 103.177 acres and a net area of 103.085 acres, after deducting and excluding Tank Sites Nos. 2 and 3 described as follows:

Beginning at the Southeast corner of this tank site No. 2, on the Northerly side of Kawaihae Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 12,338.77 feet North and 13,069.52 feet West, and running by azimuths measured clockwise from True South:

Along the Northerly side of Kawaihae Road, on a curve to the right with a radius of 1,880.00 feet, the chord azimuth and distance being:

1. 95° 42' 10" 50.00 feet;
2. 185° 42' 10" 30.00 feet;
3. 275° 42' 10" 50.00 feet;
4. 5° 42' 10" 30.00 feet to the point of beginning and containing an area of 0.035 Acre.

Beginning at the Northwest corner of this tank site No. 3, the coordinates of which referred to Government Survey Triangulation Station "PUU PA" being 12,179.58 feet North and 23,983.47 feet West, and running by azimuths measured clockwise from True South:

1. 272° 43' 50.00 feet;
2. 2° 43' 50.00 feet;
3. 92° 43' 50.00 feet;
4. 182° 43' 50.00 feet to the point of beginning and containing an area of 0.057 Acre.

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

This subsection is conditioned upon the following:

(A) the area be zoned in two (2) increments. The first zoning increment shall consist of [seventy-five (75)] eighty-seven (87) acres, and the second, the remaining area. The effective date of zoning for the second increment shall be after agricultural development has occurred on the first increment. Agricultural development is defined as the active cultivation or production of land for agricultural purposes as determined

by the County Planning Department on a minimum of twenty-five (25) per cent of the lots for the entire 103.085 acres. Each of these lots shall be used for agricultural activities on a minimum of fifty (50) per cent of the lot area;

(B) the applicant, Signal Properties, Inc., submit a subdivision plan and secure tentative approval of Increment No. 1 within one (1) year of the date of approval of the request, and also assume the responsibility of securing final subdivision approval for the first increment. The applicant shall also be responsible for securing tentative and final subdivision approval of the second increment; (C) the applicant, Signal Properties, Inc., provide a water system in accordance with the County of Hawaii Department of Water Supply standards. This system shall be constructed and made available for lots within the first increment; and (D) no direct access will be permitted from the lots on to Kawaihae Road. Should any of the foregoing conditions not be met, rezoning of the property to its former zoning designation may be initiated."

SECTION [3]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 [4]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.


Hilo, Hawaii

INTRODUCED BY:

Date of Introduction: November 19, 1980

Date of Adoption: Dec. 1, 1980

Effective Date: Dec. 3, 1980


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii
Date: November 19, 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

NOV 23 1980

Publication Date: _____

Hilo, Hawaii
Date: December 1, 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

DEC 9 1980

Publication Date: _____

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
Alfred J. Meyer
Acting Clerk
Date: DEC 2 1980

Joseph R. Garcia Jr
ACT Council Chairman

R. B. Leggett
County Clerk

Approved/Disapproved this 3rd day of
December, 1980

Alfred J. Meyer
Mayor, County of Hawaii

Bill No. 694
Reference: C-1710/PC-190
M.B. No. _____
Ord. No. 656