

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 731

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, TO AMEND THE METES AND BOUNDS DESCRIPTION RELATING TO THE DISTRICT RECLASSIFICATION OF LAND AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-2-46:PORTIONS OF 17 AND 49.

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 read as follows:

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

Beginning at the Southwest corner of this parcel of land, [being also the Northwest corner of Parcel "F" as shown on County of Hawaii, Waiakea-Uka Flood Control Map, Job No. P-2978A] and on the easterly side of Kanoelehua Avenue, F.A.P. F-2(3), the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being [15,071.17] 15,081.64 feet South and [11,012.70] 11,013.48 feet East, thence running by azimuths measured clockwise from True South:

1. 175° 42' [489.50] 500.00 feet along the easterly side of Kanoelehua Ave., F.A.P. F-2(3);
2. 265° 42' 30.00 feet along same;
3. 175° 42' 302.91 feet along same;
4. 265° 42' 454.00 feet along Grant 11537 to Heirs of Abner Kama, deceased;
5. 355° 42' [780.55] 802.91 feet [along Lots 184, 185 and a portion of Lot 186, Panaewa Tract "1", (Hawaiian Homes Land);] along Hawaiian Homes Land;

| | | | |
|-----------|---------------------------------|---------------|--|
| [6. | 89° 56' 44" | 66.32 | feet along the remainder of Grant 8872 to Arcenia J. Gomes, being also along Parcel "F" as shown on County of Hawaii, Waiakea-Uka Flood Control Map, Job No. P-1978A; |
| 7. | 64° 56' 44" | 105.09 | feet along same; |
| 8. | 85° 40' | 69.00 | feet along same; |
| 9. | 175° 40' | 107.88 | feet along same; |
| 10. | 85° 40' | 25.00 | feet along same; |
| 11. | 15° 40' | 13.00 | feet along same; |
| 12. | Thence along same on a curve to | | the right with a radius of 114.00 feet, the chord azimuths and distance being 50° 40', 130.78 feet; |
| 13. | 85° 40' | 114.00 | feet along the remainder of Grant 8872 to Arcenia J. Gomes, being also along Parcel "F" as shown on County of Hawaii, Waiakea-uka Flood Control Map, Job No. P-1978A to the point of beginning and containing an area of 8.502 Acres.] |
| <u>6.</u> | <u>85° 42'</u> | <u>484.00</u> | <u>feet along the remainder of Grant 8872 to Arcenia J. Gomes to the point of beginning and containing an area of 8.713 Acres.</u> |

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

Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) the subject area shall not be developed until after the completion of the Waiakea-Uka Flood Control Project; (B) the area to be developed in two (2) zoning increments. The first increment shall consist of a maximum of five (5) contiguous acres, and the second, the remaining area. The effective date of zoning for the second increment shall be after development has occurred on the first increment. Development is defined as building

permits issued for single-family residential dwelling units and construction partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of the units for the entire area of 8.5 acres; (C) the petitioner, Hiromu Yamanaka, submit a subdivision plan for the first increment and secure tentative approval within one (1) year from the completion of the Waiakea-Uka Flood Control Project, and also assume the responsibility of securing final subdivision approval of the first increment. The petitioner shall also be responsible for submitting a subdivision plan and securing final subdivision approval of the second increment; (D) a hydrologic/drainage study and a grading plan be submitted with the subdivision application for the first increment to the Planning Department and the Chief Engineer of the Department of Public Works; (E) the petitioner be responsible to provide a water system in accordance with the County of Hawaii Department of Water Supply standards; (F) only one (1) access from Kanoelehua Avenue shall be permitted. Since Kanoelehua Avenue will be one-way Hilo-bound fronting the property after the completion of the highway improvements, only right turn movements will be allowed in and out of the proposed subdivision. No through connection to the Keaau-bound lanes will be permitted at the subdivision access. Access to all lots shall be from the interior subdivision roads; thus, no direct access shall be allowed from the lots onto Kanoelehua Avenue; (G) curbs, gutters and sidewalks shall be constructed within the proposed subdivision; (H) the method of sewage disposal shall meet with the requirements of the State Department of Health; (I) a park fee, using the guidelines of the Park Dedication Code, shall be assessed at the time of subdivision

approval; and (J) all other applicable rules and regulations shall be complied with. Should any of the foregoing conditions not be met, rezoning of the property to its original zoning designation may be initiated."

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:

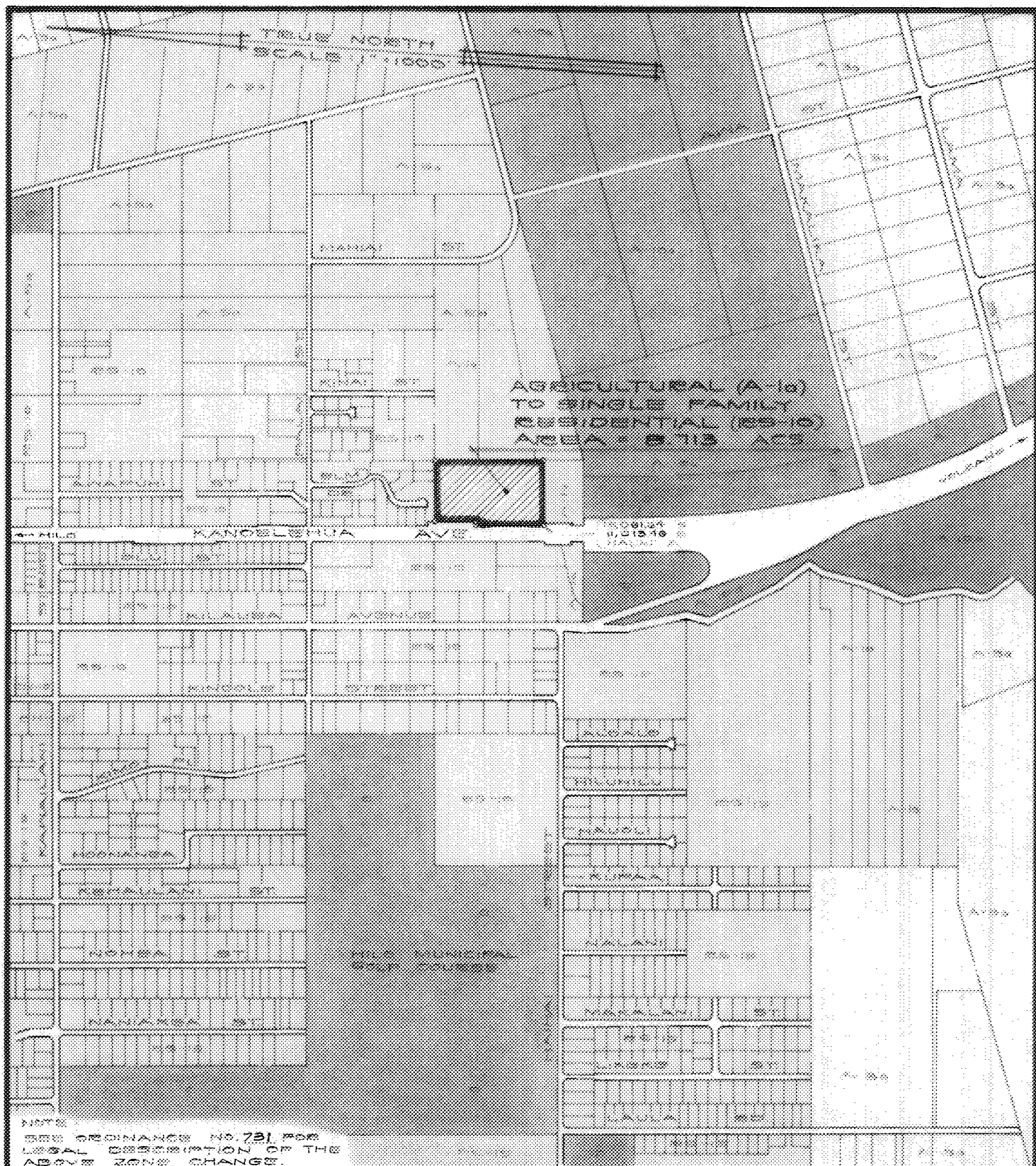

COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: October 28, 1981

Date of Adoption: November 4, 1981

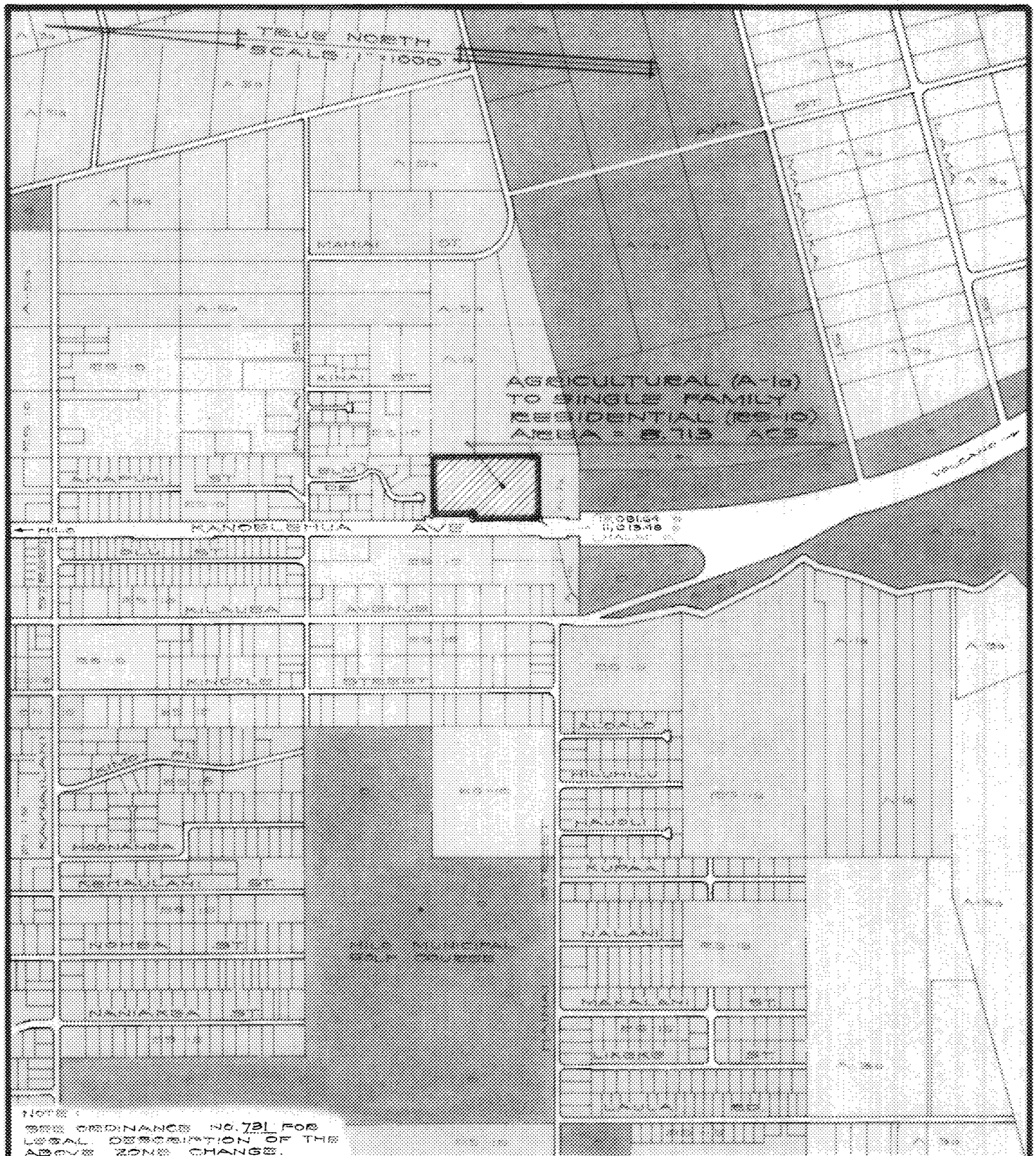
Effective Date: November 17, 1981



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 53 TO SECTION 7.29, THE CITY OF HILO ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING : Sept. 10, 1981
 DATE OF APPROVAL : NOV. 17, 1981
 ORDINANCE NO. 731
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII



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| FIRST READING | | | |
|----------------|------|------|-----|
| | AYES | NOES | A/E |
| Dahlberg | X | | |
| De Luz | X | | |
| Domingo | X | | |
| Fujii | X | | |
| Hale | X | | |
| Kawahara | X | | |
| Lai | X | | |
| Schutte | X | | |
| Chr. Yamashiro | X | | |
| | 9 | 0 | 0 |

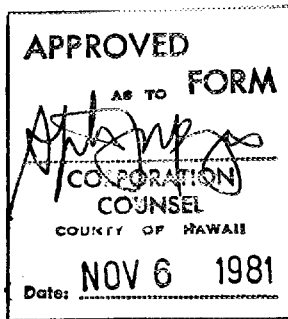
Publication Date: _____

Hilo, Hawaii
Date: November 4, 1981

| SECOND & FINAL READING | | | |
|------------------------|------|------|-----|
| | AYES | NOES | A/E |
| Dahlberg | X | | |
| De Luz | X | | |
| Domingo | X | | |
| Fujii | X | | |
| Hale | X | | |
| Kawahara | X | | |
| Lai | X | | |
| Schutte | X | | |
| Chr. Yamashiro | X | | |
| | 9 | 0 | 0 |

Publication Date: NOV 27 1981

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



[Handwritten Signature]
Council Chairman

[Handwritten Signature]
County Clerk

Approved, ~~approved~~ this 17th day of November, 1981.

[Handwritten Signature]
Mayor, County of Hawaii

Bill No. 790
Reference: C-495/PC-64
M.B. No. _____
Ord. No. 731