RESOLUTION NO. 311 15

RESOLUTION AUTHORIZING THE EXEMPTION OF CERTAIN CODE REQUIREMENTS, PURSUANT TO SECTION 201H-38 OF THE HAWAI‘I REVISED STATUTES FOR THE PROPOSED MOHOULI HEIGHTS SENIOR NEIGHBORHOOD PROJECT PHASES II AND III IN SOUTH HILO, HAWAI‘I, TAX MAP KEY: (3) 2-4-001:184.

WHEREAS, the Hawai‘i Island Community Development Corporation (HICDC) proposes to continue construction of an affordable housing program for seniors (Project) on land dedicated for that purpose and transferred to the County of Hawai‘i by Gubernatorial Executive Order 4224 (EO) in South Hilo, Hawai‘i, identified as Tax Map Key (3) 2-4-001:177, to provide decent, safe and affordable housing for qualified seniors in the County of Hawai‘i (County); and

WHEREAS, The County Council of the County of Hawai‘i, by way of Resolution No. 709-08, authorized the Director of Finance to negotiate a seventy-five year lease with the HICDC, a non-profit Hawai‘i corporation, for development of senior housing and supportive services; and

WHEREAS, the HICDC has successfully developed the first 60 affordable senior housing units of the Mohouli Heights Senior Neighborhood Project (Project), referred to as Phase 1; and

WHEREAS, the parcel identified as Tax Map Key (3) 2-4-001:184, consisting of 9.572 acres, was subdivided from the parcel identified as (3) 2-4-001:177 to separate the Phase 1 portion of the Project for financing purposes; and

WHEREAS, the HICDC now proposes to continue development of Phases 2 and 3 of the Project, situated at tax map key: (3) 2-4-001:184, in accordance with the requirements of the EO; and

WHEREAS, Hawai‘i Revised Statutes (HRS), Section 201H-38, in conjunction with HRS 46-15.1, allows the County to exempt the Project from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon ... contingent on County Council approval; and


WHEREAS, the Program will promote the goals contained in Section 201H-38 of the HRS, and Chapter 2, Article 13, of the Hawai‘i County Code (Code).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I, that the exemptions requested for the Project attached hereto as Exhibit A are hereby approved.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Planning Director, Director of Public Works, Manager of Department of Water Supply, Housing Administrator and HICDC.

Dated at Hilo, Hawai'i, this 3rd day of November, 2015.

INTRODUCED BY:



 COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
 County of Hawai'i
 Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on November 3, 2015.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
DAVID	X			
CHUNG	X			
EOFF	X			
ILAGAN	X			
KANUHA	X			
ONISHI	X			
PALEKA	X			
POINDEXTER	X			
WILLE	X			
	9	0	0	0

Reference: C-514/HSSSC-1
 RESOLUTION NO. 311 15

Exhibit A: Exemption List

Hawai'i County Code:

Zoning Code: **Existing Zoning –Agricultural 1-acre (A-1a)
Section 25-5-70 through 77**

**Exemption to allow the standards and
requirements of the Multiple Family
Residential One Thousand Five Hundred (RM-
1.5) zoning for tax map key (3) 2-4-001:184
Section 25-5-30 through 38**

*Not to exceed a total of 160 units between all
phases of the Project.*

Additional Exemption:

State Land Use: **Existing designation - Agriculture
Hawai'i Revised Statutes, Chapter 205**

**Exemption to allow for the standards and
requirements of the Multiple Family
Residential One Thousand Five Hundred (RM-
1.5) zoning for tax map key (3) 2-4-001:184 to
be a consistent use of the State Land Use Urban
designation
Section 25-5-30 through 38**