

COUNTY OF HAWAII STATE OF HAWAII

RESOLUTION No. 25 93

(DRAFT 2)

RESOLUTION OF THE COUNTY COUNCIL OF THE COUNTY OF HAWAII
AUTHORIZING THE EXEMPTION OF THE PROPOSED KALAOA VIEW ESTATE
PROJECT SITE FROM CERTAIN ZONING, SUBDIVISION, AND ROADWAY CODES
AND REQUIREMENTS, PURSUANT TO CHAPTERS 201E-201 AND 201E-210 OF
THE HAWAII REVISED STATUTES.

WHEREAS, the Kalaoa View Estate Project will be constructed
in Kalaoa, North Kona, Hawaii; and

WHEREAS, Kalaoa Partners desires to provide affordable
housing for residents of the County of Hawaii; and

WHEREAS, the Kalaoa View Estate Project will be affordable
to families earning below 80 percent (80%) and up to 140 percent
(140%) of the County's median family income; and

WHEREAS, Kalaoa Partners and the County will be entering
into an Agreement to develop the Kalaoa View Estate Project; and

WHEREAS, the preliminary subdivision plans submitted for
said Kalaoa View Estate Project are attached hereto as
"Exhibit A"; and

WHEREAS, pursuant to Chapter 201E-210, HRS, the items
requested for preemption are attached as "Exhibit B"; and

WHEREAS, on February 19, 1992, the County Council approved
Resolution No. 414-92, authorizing the exemption of the proposed
Kalaoa View Estate project site from certain zoning, subdivision,
and roadway codes and requirements, pursuant to Chapters 201E-201
and 201E-210 of the Hawaii Revised Statutes; and

WHEREAS, the Department of Health's (DOH) Administrative
Rules, Chapter 11-62, Wastewater Systems, were revised to
prohibit the use of individual wastewater systems for
subdivisions of 50 lots or more; and

WHEREAS, Kalaoa Partners' variance request for individual
wastewater systems was denied; and

WHEREAS, the DOH's Administrative Rules now require a Sewage
Treatment Plant (STP) for subdivisions of 50 lots or more; and

WHEREAS, additional constraints presented by unusual site
characteristics and required infrastructure improvements make it
impossible to comply with subdivision code requirements; and

WHEREAS, to enable this project to remain 100 percent (100%)
affordable, the Office of Housing and Community Development is

proposing to utilize HRS 201E-210, which allows certain housing projects to be exempt from certain laws and rules, provided the County Council approve the Project; and

WHEREAS, the Kalaoa View Estate Project will promote the goals contained in HRS 201E, HRS 46-15.1, and in Chapter 2, Article 13, of the Hawaii County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAII that the Kalaoa View Estate Project site is hereby approved according to the preliminary subdivision plans, as attached hereto as "Exhibit A."

BE IT FURTHER RESOLVED, that, pursuant to Chapter 201E-210, Hawaii Revised Statutes, the items requested for preemption, as attached hereto as "Exhibit B," are hereby approved.

BE IT FURTHER RESOLVED, that, upon compliance with Chapter 23, Article 6, Division 1, Section 23-80, of the Hawaii County Code, and/or code requirements preempted pursuant to provisions of Chapter 201E-210, Hawaii Revised Statutes, the preliminary subdivision plans for the Kalaoa View Estate Project site shall be granted final subdivision approval.

BE IT FURTHER RESOLVED, that, pursuant to HRS 201E-210 (a)(3)(C), the Housing Administrator shall be the responsible County official who will certify maps and plans of lands connected with the Kalaoa View Estate Project as having complied with applicable laws and ordinances relating to the subdivision of lands.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Kalaoa Partners, the Administrator of the Office of Housing and Community Development, and the Planning Director for the County of Hawaii.

Dated at Hilo, Hawaii, this 10th day of February, 1993.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

COUNTY COUNCIL
County of Hawaii
Hilo, Hawaii

ROLL CALL VOTE

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawaii on February 10, 1993.

ATTEST:

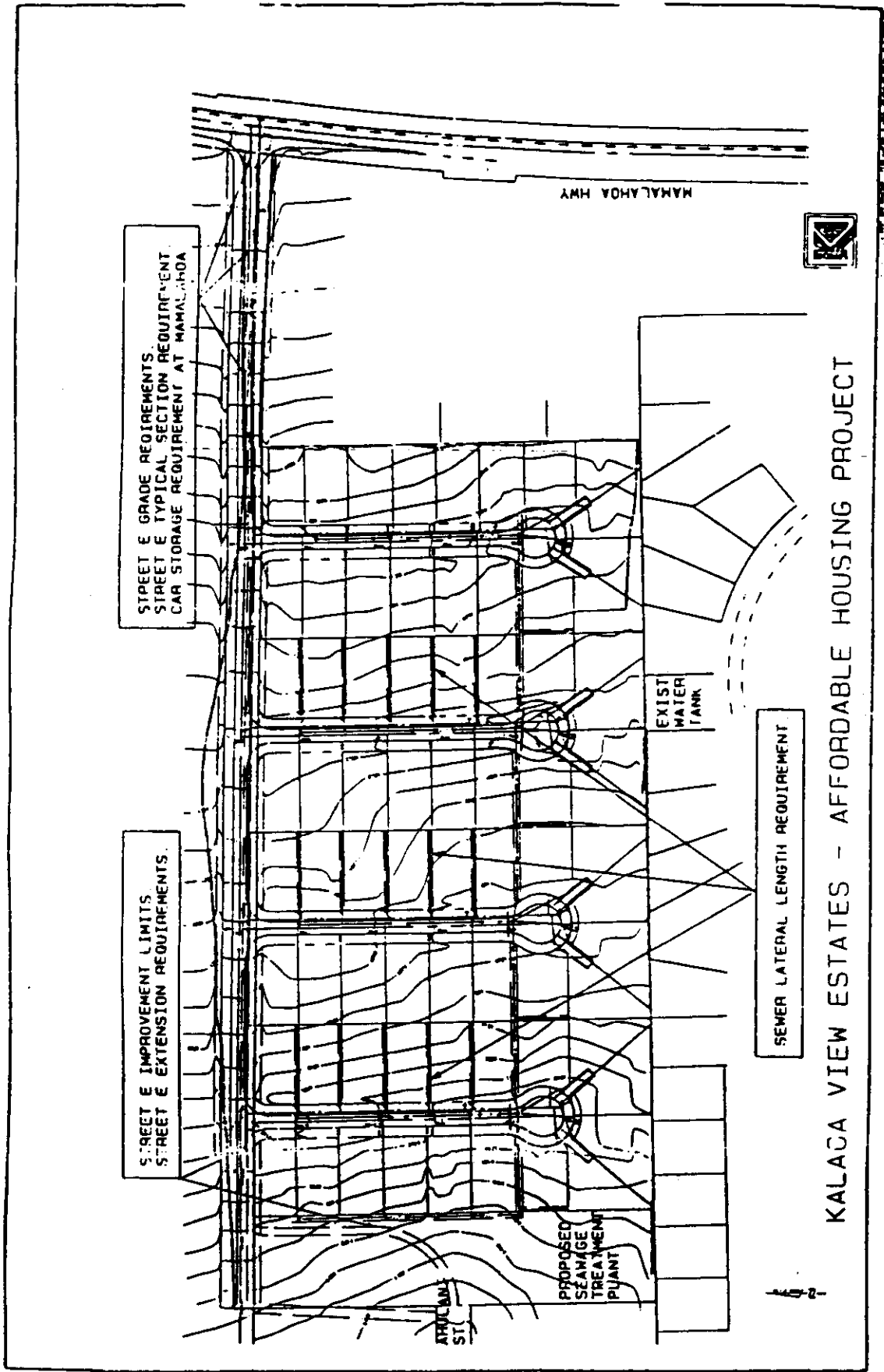
 

COUNTY CLERK CHAIRMAN & PRESIDING OFFICER

| | AYES | NOES | ABS | EX |
|---------------|------|------|-----|----|
| ARAKAKI | X | | | |
| BONK-ABRAMSON | X | | | |
| CHILDS | X | | | |
| DE LIMA | X | | | |
| DOMINGO | | | X | |
| HALE | X | | | |
| RATH | X | | | |
| ROSEHILL | X | | | |
| SCHUTTE | X | | | |
| | 8 | 0 | 1 | 0 |

Reference C-136.01

RESOLUTION NO. 25 93 (DRAFT 2)



KALACA VIEW ESTATES - AFFORDABLE HOUSING PROJECT

"Exhibit A"

Pursuant to Chapter 201E-210, Hawaii Revised Statutes, the following exemptions from code requirements and standards, as established by Public Works, are requested as follows:

1. Standards as Established by Public Works: Extend Road "E" with improvements to the subdivision's west boundary.

Preemption Requested: Extend Road "E" with improvements to the east boundary of Lot 72, where it will connect to Road "D," approximately 240 feet east of the subdivision's west boundary.

2. Standards as Established by Public Works: Provide an interconnecting through road (minimum 50-ft. right-of-way) from the extension of proposed Road "E" to the existing Ahulani Street.

Preemption Requested: An emergency access roadway will be constructed to provide an interconnection from the west end of the extension of proposed Road "E" to Ahulani Street. The access road will be provided with emergency breakdown gates at each end to prevent through traffic but permit emergency vehicular access. The road will have a 12-ft. pavement width and slopes conforming to (or as close as possible to) Fire Department and Sewer Division standards.

3. Standards as Established by Public Works: For a minor street with a 50-ft. right-of-way, the County Public Works Department, Engineering Division, requires a typical paved road section consisting of two 10-ft. traffic lanes, two 6-ft. shoulders, and two 9-ft. roadside swales.

Preemption Requested: A road section that is non-conforming to the standard as delineated in the subdivision code is proposed from the Mamalahoa Highway intersection west along Road "E" for approximately 250-ft. in lieu of a 25-ft. grading on adjacent property. The proposed section will provide the typical two 10-ft. traffic lanes with two 6-ft. combined paved shoulder and roadside swale sections. The remaining 9-ft. on either side of the 50-ft. right-of-way will contain a 1 1/2:1 sloped road embankment.

4. Subdivision Code: A grade of a street shall be a reasonable minimum but in no case be less than one-half of 1 percent (1%) and shall not exceed 7 percent (7%) on major arterials, 8 percent (8%) on secondary arterials, 10 percent (10%) on collector streets, or 12 percent (12%) on any other streets. Vertical and horizontal curves shall be so designed as to give non-passing distance visibility in conformance with the minimum requirement for a minor street of 300 ft. and a design speed of 30 m.p.h.

Provisional Preemption Requested: Contingent upon approval from the DPW, [Proposed] proposed Road "E" will have grades that vary from 12 percent (12%) to [22] 19.7 percent ([22] 19.7%). The design speed shall be a minimum of 20 m.p.h., which equates to a minimum horizontal curve of 180 ft. All other roadways (A, B, C, and D) shall follow the standards of the "Hawaii Statewide Uniform Design Manual for Streets and Highways," including street grades and minimum curve radii.

5. Subdivision Code: The slope approaching (within 100-ft. of the intersection) Mamalahoa Highway, along Road "E," should not exceed 10 percent (10%).

Preemption Requested: The slope approaching (within 100-ft. of the intersection) Mamalahoa Highway along Road "E" is an average of 7.8 percent (7.8%). Sections within 100-ft. of the intersection exceed 10 percent (10%).

6. Subdivision Code: The slope at the intersection (a minimum of 2 to 3 car storage lengths) should be kept below 3 percent (3%).

Preemption Requested: The average slope for two car stacking (a minimum of 2 to 3 car storage lengths) is approximately 4 percent (4%).