RESOLUTION NO. 353 14

A RESOLUTION AUTHORIZING THE AMENDMENT OF CERTAIN ZONING CODE REQUIREMENTS FOR KAMAKOA NUI, THE WAIKOLOA EMPLOYEE HOUSING PROJECT, PURSUANT TO CHAPTER 46-15 OF THE HAWAI'I REVISED STATUTES.

WHEREAS, on September 7, 2006, the Hawai'i County Council adopted Resolution No. 439-06, which designated the Waikoloa Workforce Housing Project as an "Experimental and Demonstration Housing Project" as provided by Section 46-15, Hawai'i Revised Statutes (HRS); and

WHEREAS, Item 3.10 of the List of Preemptions provided in "Exhibit C" attached to Resolution No. 439-06 waived the requirements of Section 25-5-7 (Hawai'i County Code) pertaining to minimum yards; and

WHEREAS, on November 20, 2007, the Hawai'i County Council adopted Resolution No. 416-07, which amended the List of Preemptions provided in "Exhibit C" of Resolution No. 439-06; and

WHEREAS, Item 3.10 (waiving requirements for minimum yards) was amended to further reduce the requirements of Section 25-5-7 (Hawai'i County Code) and renumbered to Item 1.13; and

WHEREAS, the Housing Administrator of the Office of Housing and Community Development believes it is in the best interest of the County to amend Item 1.13 of "Exhibit C" attached to Resolution No. 416-07;

WHEREAS, as the project progresses it may be necessary to further amend the list of exemptions for future phases; now, therefore,

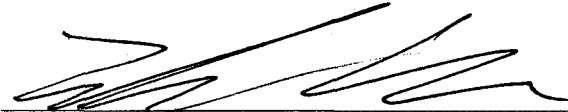
BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that Item 1.13 of "Exhibit C" attached to Resolution No. 416-07 is hereby amended as indicated in the attached "Exhibit A" (material to be repealed is bracketed and stricken; material to be added is underscored).

BE IT FURTHER RESOLVED that preemptions other than Item 1.13 as provided in "Exhibit C" attached to Resolution No. 416-07 shall remain in full force and effect.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to the Office of Housing and Community Development, Department of Public Works, and the Planning Department.

Dated at Hilo, Hawai'i, this 1st day of April, 2014.

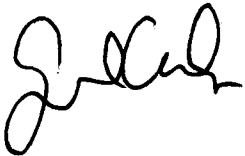
INTRODUCED BY:

 ^{B/R}
COUNCIL MEMBER, COUNTY OF HAWAI'I

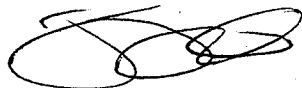
COUNTY COUNCIL
County of Hawai'i
Hilo, Hawai'i

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 April 1, 2014.

ATTEST:



COUNTY CLERK



CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
EOFF	X			
FORD	X			
ILAGAN	X			
KANUHA	X			
KERN	X			
ONISHI	X			
POINDEXTER	X			
WILLE	X			
YOSHIMOTO	X			
	9	0	0	0

Reference: C-765/Waived PC

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Exhibit A

1.13 Article 5, Division 1, Section 25-5-7 (Hawai'i County Code). Minimum yards.

Waiving the requirements of Section 25-5-7 pertaining to minimum yards.

The minimum yards in the Waikoloa Employee Housing Project shall be eight (8) feet for front and rear yards and five (5) feet for side yards, except for ~~[town home units, which shall have no side yard requirements.]~~ building sites gaining access from an alley, in which case the minimum yards shall be five (5) feet for the front yard facing the alley, ten (10) feet for the front yard facing the street, and five (5) feet for side yards. Town home units shall have no side yard requirements.