

SUPPLEMENT 10 (7-2010)

Insertion Guide

Hawai'i County Code 1983 (2005 Edition) Volumes 1 - 3

(Covering general ordinances effective through 06-30-10
and numbered through 10-71)

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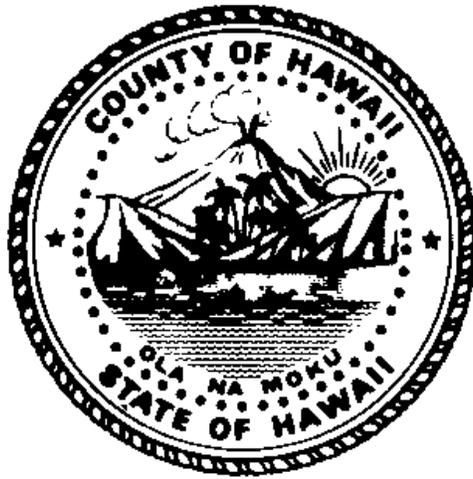
Supplement Insert Guide

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THE HAWAI‘I COUNTY CODE

1983 (2005 Edition, as amended)

Updated to include: **Supplement 10 (7-2010)**
Contains ordinances effective through: **06-30-10**



A CODIFICATION OF THE GENERAL ORDINANCES
OF THE COUNTY OF HAWAI‘I
STATE OF HAWAI‘I

Office of the County Clerk
County of Hawai‘i
25 Aupuni Street
Hilo, Hawai‘i 96720
(808) 961-8255

Volume 1

Chapter 14**GENERAL WELFARE****Article 1. Alcoholic Beverages.****Section 14-1. Intoxicating liquors prohibited in certain public places.**

- (a) No person shall drink, offer to drink, or display in public view in the following public areas or buildings located thereon, any intoxicating liquors, whether in a bottle, jug, container or otherwise:
- (1) Public highways and public rights-of-way, public sidewalks, public breakwaters and public seawalls, except seawalls in parks where drinking is not prohibited;
 - (2) Public school grounds and buildings;
 - (3) Public areas or buildings contiguous to all public school grounds and buildings, except as provided herein;
 - (4) Public parks, except parks enumerated in section 14-2, on which children's playground equipment, such as slides, jungle gyms, seesaws and swings are located;
 - (5) That certain portion of parcel 24 consisting of some twenty-seven thousand ninety-nine square feet, more or less, being a portion of the property designated upon the tax maps of the Third Taxation Division as Tax Map Key No. (3)1-5-2-24, and located in Pāhoa, District of Puna, County and State of Hawai'i;
 - (6) South Hilo:
 - (A) Ainaola Park;
 - (B) Clem Akina Park;
 - (C) Ahualani Park;
 - (D) All public areas, except Coconut Island, located on the Waiākea Peninsula, makai of Kamehameha Avenue-Kalaniana'ole Avenue from the Wailoa River estuary to the site of the former Reeds Bay Restaurant (TMK Nos. 2-1-06:11, 12, 19, and 20);
 - (E) Drag Strip, Hilo;
 - (F) Kalākaua Park;
 - (G) Kaūmana Caves;
 - (H) Keikiland;
 - (I) Lanakila Center;
 - (J) Lincoln Park;
 - (K) Lōkahi Park;
 - (L) Mo'oheau Park;
 - (M) Pana'ewa Park;
 - (N) Honoli'i Beach Park;
 - (O) Richardson Park and Center;
 - (P) Skeet and Trap Range;
 - (Q) Waiākea Recreation Center;
 - (R) Waiākea-Waena Playground;
 - (S) Waiolama Canal Archery/Jogging Area;
 - (T) Zoo, Pana'ewa Rainforest;
 - (U) All cemeteries;
 - (V) All swimming pools;
 - (W) All tennis courts (except Edith Kanakaole);

- (X) Bakers Beach;
- (Y) Hualani Park;
- (Z) Mohouli Park;
- (AA) Wai'olena and Wai'uli Beach Parks, portion located between the pavilions and the west end of the seawall beginning at a point four-tenths of a mile west of Leleiwi Street and extending three hundred twelve feet in the westerly direction.
- (7) North/South Kona:
 - (A) Kailua Playground;
 - (B) Ku'emanu Heiau;
 - (C) Kailua Park, except as provided in section 14-2(a)(2)(F);
 - (D) All swimming pools;
 - (E) All tennis courts;
 - (F) Higashihara Park;
 - (G) Hillcrest Park;
 - (H) Kona Scenic Park;
 - (I) La'aloa Bay Beach Park.
- (8) Ka'u:
 - (A) Pāhala School Ground;
 - (B) All swimming pools;
 - (C) All tennis courts.
- (9) Puna:
 - (A) Glenwood Park;
 - (B) Kalapana Playground;
 - (C) All swimming pools;
 - (D) All tennis courts.
- (10) North Hilo/Hāmākua:
 - (A) Laupāhoehoe Playground;
 - (B) All swimming pools;
 - (C) All tennis courts;
 - (D) Waipi'o Lookout.
- (11) North/South Kohala:
 - (A) Church Row;
 - (B) All swimming pools;
 - (C) All tennis courts;
 - (D) Waikoloa Highway Park;
 - (E) Spencer Beach Park.

(1975 C.C., c. 3, art. 2, sec. 6.02; Am. 1982, Ord. No. 810, sec. 1; Am. 1987, Ord. No. 87-70, sec. 1; Am. 1990, Ord. No. 90-104, sec. 1; Am. 1993, Ord. No. 93-7, sec. 1; Am. 1996, Ord. No. 96-54, sec. 1; Am. 2008, Ord. No. 08-7, sec. 3; Am. 2010, Ord. No. 10-5, sec. 1.)

Section 14-2. Areas requiring permits for intoxicating liquors between the hours of 10:00 a.m. and 10:00 p.m.

- (a) Permits shall allow drinking of intoxicating liquors only between the hours of 10:00 a.m. and 10:00 p.m.
 - (1) South Hilo:
 - (A) Bayfront Beach;
 - (B) Coconut Island;
 - (C) Hilo Armory;
 - (D) Ho'olulu Complex;
 - (E) Pōmaika'i Senior Center;
 - (F) Wainaku Gym;

- (G) Equestrian Center, Pana‘ewa;
 - (H) Hakalau Park;
 - (I) Honomū Park;
 - (J) Carvalho Park;
 - (K) Pepe‘ekeo Community Center;
 - (L) University Heights Park.
- (2) North/South Kona:
- (A) Hale Hālāwai;
 - (B) Hōnaunau Arena;
 - (C) Imin Center;
 - (D) Yano Hall;
 - (E) Greenwell Park;
 - (F) That area in the terminal at Kailua Park specifically designated by the director of parks and recreation;
 - (G) Old Kona Airport Park picnic pavilions and Events Pavilion excluding the runway and areas surrounding the runway, Pawai Bay, and the park area at the end of the runway;
 - (H) Kahalu‘u Beach Park;
 - (I) Magic Sands Beach Park, otherwise known as Disappearing Sands Beach Park or White Sands Beach Park;
 - (J) Pāhoehoe Beach Park.
- (3) Ka‘ū:
- (A) Nā‘ālehu Park;
 - (B) Pahala Community Center.
- (4) Puna:
- (A) Pāhoa Neighborhood Facility;
 - (B) Volcano Community Center;
 - (C) Kurtistown Park;
 - (D) Mt. View Park;
 - (E) Shipman Park;
 - (F) Isaac Kepo‘okalani Hale Beach Park.
- (5) North Hilo/Hāmākua:
- (A) Honoka‘a Rodeo Arena;
 - (B) Haina Park;
 - (C) Honoka‘a Park.
- (6) North/South Kohala:
- (A) Kamehameha Park;
 - (B) Kohala Senior Center;
 - (C) Waimea Park;
 - (D) Waimea Senior Center.

(1975 C.C., c. 3, art. 2, sec. 6.03; Am. 1982, Ord. No. 810, sec. 2; Am. 1987, Ord. No. 87-70, sec. 1; Am. 1990, Ord. No. 90-122, sec. 2; Am. 2008, Ord. No. 08-121, sec. 1; Am. 2009, Ord. No. 09-144, sec. 2; Am. 2010, Ord. No. 10-6, sec. 2.)

Section 14-2.1. Intoxicating liquors allowed between the hours of 6:00 p.m. and 10:00 p.m.

- (a) No person shall drink, offer to drink, or display in public view in the following public areas or buildings located thereon, any intoxicating liquors, whether in a bottle, jug, container or otherwise, except between the hours of 6:00 p.m. and 10:00 p.m.
- (1) South Hilo:
- (A) Ainako Park;
 - (B) Kaiwiki Park;

- (C) Kaūmana Park and Playground;
 - (D) Kaūmana Lani Park;
 - (E) Kula‘imano Park;
 - (F) Malama Park;
 - (G) Pāpa‘ikou Park;
 - (H) Waiākea-Uka Park;
 - (I) Wainaku Playground.
 - (2) North/South Kona:
 - (A) Reserved.
 - (3) Ka‘ū:
 - (A) Hawaiian Ocean View Park;
 - (B) Wai‘ōhinu Park.
 - (4) Puna:
 - (A) Hawaiian Beaches Park.
 - (5) North Hilo/Hāmākua:
 - (A) Āhualoa Park;
 - (B) Laupāhoehoe Senior Center;
 - (C) Pa‘auilo Park;
 - (D) Pāpa‘aloa Park.
 - (6) North/South Kohala:
 - (A) Waikoloa Village Park.
- (1987, Ord. No. 87-70, sec. 1.)

Section 14-2.2. Intoxicating liquors allowed between the hours of 10:00 a.m. and 10:00 p.m.

- (a) Persons may drink intoxicating liquors in the following public areas or buildings located thereon between the hours of 10:00 a.m. and 10:00 p.m.:
- (1) South Hilo:
 - (A) Carlsmith Park;
 - (B) Hilo Senior Center;
 - (C) James Kealoha Beach Park;
 - (D) Kolekole Beach Park;
 - (E) Wai‘olena and Wai‘uli Beach Parks, except a portion located between the pavilions and the west end of the seawall beginning at a point four-tenths of a mile west of Leleiwi Street and extending three hundred twelve feet in the westerly direction;
 - (F) Onekahakaha Beach Park.
 - (2) North/South Kona:
 - (A) Hōnaunau Boat Ramp;
 - (B) Ho‘okena Beach Park;
 - (C) Manini Point;
 - (D) Miloli‘i Beach Park;
 - (E) Nāpō‘opo‘o Beach Park;
 - (F) Oneo Park.
 - (3) Ka‘ū:
 - (A) Punalu‘u Beach Park;
 - (B) Whittington Beach Park.
 - (4) Puna:
 - (A) Harry K. Brown Park;

- (B) Kaimū Beach Park.
- (5) North Hilo/Hamakua:
 - (A) Kukuihaele Social Hall;
 - (B) Laupāhoehoe Beach Park;
 - (C) Waikaumalo Park.
- (6) North/South Kohala:
 - (A) Kapaʻa Beach Park;
 - (B) Kēōkea Beach Park;
 - (C) Māhukona Beach Park;
 - (D) Māhukona Boat Ramp.

(1987, Ord. No. 87-70, sec. 1; Am. 1990, Ord. No. 90-104, sec. 2; Am. 1990, Ord. No. 90-122, sec. 3; Am. 1996, Ord. No. 96-54, sec. 2; Am. 2008, Ord. No. 08-7, sec. 4; Am. 2009, Ord. No. 09-144, sec. 1; Am. 2010, Ord. No. 10-6, sec. 1.)

Section 14-3. Permit application.

- (a) Only persons twenty-one years of age or older who show satisfactory proof of their age and who comply with the requirements set forth in this section shall be entitled to a permit.
- (b) Any person desiring to obtain a permit, required by section 14-2, shall make application in writing to the chief of police or the chief's authorized representative. The application shall be signed by the applicant and the person who will be responsible for the conduct of all persons at the gathering or occasion, and shall include:
 - (1) The full name and address of the applicant, if an individual, and, if a firm, association, corporation or club, the full names and addresses of its principal officers.
 - (2) The full name and address of the person who will be responsible for the conduct of all persons at the occasion or gathering. Such person shall be of good moral character. The chief of police or the chief's authorized representative may, in the chief of police's or the chief's authorized representative's discretion, require proof of good moral character if they have good reason to doubt the moral character of the person. The proof shall be in the form of an affidavit signed by two or more responsible persons stating the duration and nature of their knowledge and acquaintance with the person and that the person is of good moral character.
 - (3) The place for which a permit is desired.
 - (4) The date and time for which a permit is desired. In no event shall the permit extend beyond 10:00 p.m.
 - (5) The nature of the occasion or gathering.
 - (6) The approximate number of persons to be in attendance.

(1975 C.C., c. 3, art. 2, sec. 6.04; Am. 1987, Ord. No. 87-70, sec. 1; Am. 1990, Ord. No. 90-122, sec. 4.)

Section 14-4. Permit conditions.

- (a) Permits shall be subject to all applicable laws and ordinances and to the following conditions which shall be set forth in the permit:
 - (1) No person who is intoxicated shall be permitted to be or remain upon the premises.
 - (2) No person shall intentionally destroy, damage or injure any property.
 - (3) No person shall dispose of any refuse, except in receptacles placed on the premises for that purpose.
 - (4) The responsible person shall be present at all times.

(1975 C.C., c. 3, art. 2, sec. 6.05.)

Section 14-5. Interpretation of article.

The provisions of this article shall not be construed to permit a person to sell intoxicating liquor by obtaining a special license or otherwise.

(1975 C.C., c. 3, art. 2, sec. 6.06.)

Section 14-6. Penalty.

Any person violating any provision of this article or any condition set forth in a permit issued under this article shall, upon conviction, be punished by a fine of not more than \$500.

(1975 C.C., c. 3, art. 2, sec. 6.07.)

Article 2. Firearms and Explosives.**Section 14-7. Definitions.**

(a) As used in this article, unless the context clearly requires otherwise:

- (1) “Agency” means organizations, public and private, whose operations are determined by the chief of police to require the use of one or more of the devices enumerated in section 14-9 to accomplish a proper purpose.
- (2) “Chief of police” means the chief of police of the County or the chief’s authorized subordinate.
- (3) “Devices” means a shell, cartridge, bomb, gun, or aerosol capable of emitting an obnoxious substance in gas, vapor, liquid, or solid form.
- (4) “Employee” means all officers, agents, and employees of an agency whether or not such officer, agent, or employee has been issued a permit.
- (5) “Gun” means revolvers, pistols, rifles, fountain pen guns, riot guns, shot guns, and cannons, portable or fixed, except those regularly manufactured, and used with firearm ammunition.
- (6) “Obnoxious substance” means a substance enumerated in section 14-8 or its derivative.
- (7) “Shell, cartridge, or bomb” means a shell, cartridge, or bomb capable of being discharged or exploded by the use of a percussion cap, fuse, electricity, or other means to cause or permit the release or emission of an obnoxious substance.

(1975, Ord. No. 156, sec. 1.)

Section 14-8. Possession and use of obnoxious substance prohibited.

- (a) No person shall use a shell, cartridge, bomb, gun, or other device capable of emitting any liquid, gaseous, or solid substance or any combination thereof, which is injurious to a person or property, or which is nauseous, sickening, irritating or offensive to any of the senses; to injure, molest, discomfort, discommode, or coerce another in the use or control of their person or property or engage in a “crime of violence” as defined in Hawai‘i Revised Statutes Title 37, which involves injury or threat of injury to the person or property of another.
- (b) No person shall possess, discharge, use, transport, sell, or offer to sell any shell, cartridge, bomb, gun, or other device capable of emitting chloroacetophenone (CN), orthochlorobenzylmalononitrile (CS), or their derivatives in any form.

(1975, Ord. No. 156, sec. 1; Am. 1995, Ord. No. 95-90, sec. 2.)

Section 14-9. Exceptions.

- (a) The chief of police and his subordinates may purchase, possess, discharge, use, and transport shells, cartridges, bombs, guns, and obnoxious substances in carrying out their duties.
- (b) Notwithstanding the prohibitions prescribed in subsections 14-8(a) and (b), private security officers who are employees of licensed private police or security agencies may purchase, possess, discharge, use, or transport shells, cartridges, bombs, guns, and other devices in carrying out their duties, subject however, to the conditions prescribed in sections 14-11 and 14-12.

Section 15-68.1. Parks and recreational facility schedule.**Parks**Hilo/Hāmākua

Afook-Chinen Civic Auditorium
 Āhualani Park
 ʻĀinakō Park
 ʻĀinaola Park
 Aunty Sally Kaleohano's Lū'au Hale
 Bakers Beach
 Carlsmith Beach Park
 Charles "Sparky" Kawamoto Swim Stadium
 Clem Akina Park
 East Hawai'i Cultural Center
 Edith Kanakaole Multi-purpose Stadium
 Francis F.C. Wong Stadium
 Frank M. Santos Park
 Gilbert Carvalho Park
 Haina Park
 Hakalau Veterans Park
 Hilo Armory
 Hilo Bayfront Soccerfields
 Hilo Bayfront Beach
 Hilo Drag Strip
 Hilo Municipal Golf Course
 Hilo Pōmaika'i Senior Center
 Hilo Skeet Range
 Honoka'a Park
 Honoka'a Rodeo Arena
 Honoka'a Swimming Pool
 Honoli'i Beach Park
 Honomū Park
 Ho'olulu Complex
 Hualani Park
 James Kealoha Beach Park
 Kaiwiki Park
 Kalākaua Park
 Kamanā Senior Center
 Kanakea Pond
 Kaūmana Caves
 Kaūmana Lani Park
 Keikiland Playground
 Kolekole Gulch Park
 Kūhiō Kalaniana'ole Park
 Kukuihaele Park
 Kula'imano Park
 Lālākea Pond Beach Park

Laupāhoehoe Point Beach Park
 Laupāhoehoe Senior Center
 Laupāhoehoe Swimming Pool
 Leleiwi Beach Park
 Liholiho Garden
 Lili‘uokalani Gardens
 Lincoln Park
 (1) Dr. Ruth E. Oda Playground
 Lōkahi Park
 Mālama Park
 Mohouli Park
 Mokuola Island
 Mo‘oheau Park
 NAS Swimming Pool
 Onekahakaha Beach Park
 (1) Uncle David K. Calles, Sr. Horseshoe Courts
 ‘Ō‘ōkala Park
 Pa‘auilo Park
 Pana‘ewa Equestrian Center
 Pana‘ewa Park
 Pana‘ewa Rainforest Zoo and Gardens
 Pāpa‘aloha Park
 Pepe‘ekeo Community Center
 Princess Abigail Wahīka‘ahu‘ula Kawanānakoā Center
 Reeds Bay Beach Park
 Richardson Ocean Park
 University Heights Park
 Waiākea Recreation Center
 Waiākea-Uka Park
 (1) Stanley Costales Waiākea-Uka Gym
 Waiākea Waena Park
 Waikaumalo Park
 Wainaku Gym
 Wainaku Playground
 Wai‘olena Beach Park
 Waipi‘o Community Park
 Waipi‘o Look Out
 Wai‘uli Beach Park
 Walter C.K. Victor Baseball Complex

Ka‘ū

Kahuku Park
 Na‘alehu Park
 Pāhala Ballfield
 Pāhala Community Center
 Pāhala Swimming Pool
 Pāhala Tennis and Basketball Courts
 Punalu‘u Black Sand Beach Park
 Waiohinu Park
 Whittington Beach Park

Kohala

Kamehameha Park
Kapa‘a Beach Park
Keōkea Beach Park
Lily Yoshimatsu Senior Center
Mahukona Beach Park
Mahukona Wharf
North Kohala Senior Center
North Kohala Veterans Field
Spencer Park at ‘Ōhai‘ula Beach
 (1) Samuel Mahuka Spencer Pavilion
Waikoloa Community Park
Waikoloa Neighborhood Park
Waimea Church Row Park
Waimea Park

Kona

Arthur C. Greenwell Park
Clarence Lum Won Park
Hale Hālāwai
Harold H. Higashihara Park
Hōnaunau Boat Ramp
Hōnaunau Rodeo Arena
Ho‘okena Beach Park
Kahalu‘u Beach Park
Kailua Park
Kailua Playground
Kekuaokalani Gymnasium
Kona Hillcrest Park
Kona Imin Center
Kona Waena Swimming Pool
Ku‘emanu Heiau
La‘aloa Bay Beach Park
Magic Sands Beach Park
Miloli‘i Beach Park
Nākamalei Playground
Old Kona Airport Park
Pāhoehoe Beach Park
Sgt. Rodney J. T. Yano Memorial Hall
Wai‘aha Beach Park
William Charles Lunalilo Playground

Puna

‘Āhalanui Park/Maunakea Pond
A.J. Watt Gym
Glenwood Park
Hawaiian Beaches Park

Isaac Kepo‘okalani Hale Beach Park
 Kahakai Park
 Kea‘au Community Center
 Kurtistown Park
 Mt. View Park
 Pāhoa Aquatic Center
 Pāhoa Neighborhood Facility
 Herbert Shipman Park
 Volcano Park

Cemeteries

Hilo/Hāmākua

‘Alae Cemetery
 Veterans Cemetery No. 1
 Veterans Cemetery No. 2
 Waiākea Uka Cemetery
 Kihalani Cemetery (Laupāhoehoe)
 Kainehe Cemetery (Kūka‘iau)
 Pa‘alaea Cemetery (Honoka‘a)
 Kukuihaele Cemetery

Ka‘ū

Na‘alehu Cemetery

North/South Kohala

Kahei Cemetery
 Waimea Cemetery

Kona

West Hawai‘i Veterans Cemetery-Pu‘u Ho‘omaha O Na Po‘e Koa O Hawai‘i Komohana
 Hienaloli Cemetery (Keōpū)
 (2000, Ord. No. 00-15, sec. 2; Ord. No. 00-66, sec. 2; Ord. No. 00-113, secs. 1 and 2; Am. 2002, Ord. No. 02-58, sec. 2; Am. 2003, Ord. No. 03-99, sec. 2; Ord. No. 03-135, sec. 2; Am. 2004, Ord. No. 04-79, sec. 2; Am. 2005, Ord. No. 05-40, sec. 2; Ord. No. 05-96, sec. 2; Am. 2006, Ord. No. 06-127, sec. 2; Ord. No. 06-149, sec. 3; Am. 2007, Ord. No. 07-22, sec. 4; Am. 2008, Ord. No. 08-7, sec. 5, Ord. No. 08-22, sec. 2; Ord. No. 08-35, sec. 2; Ord. No. 08-121, sec. 2; Ord. No. 08-142, sec. 2; Am. 2009, Ord. No. 09-32, sec. 3; Am. 2010, Ord. No. 10-11, sec. 3.)

Article 9. Farmers Markets.

Section 15-69. Intent.

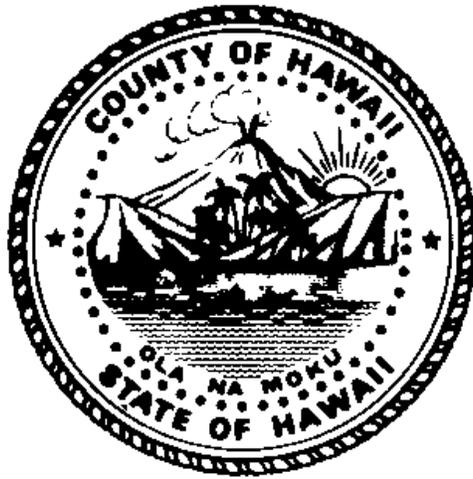
It is the intent of this article to allow for the establishment of farmers markets at various County parks and facilities. Farmers markets will offer the general public the opportunity to buy and sell homegrown and homemade products and wares.

(1993, Ord. No. 93-97, sec. 1.)

THE HAWAI‘I COUNTY CODE

1983 (2005 Edition, as amended)

Updated to include: **Supplement 10 (7-2010)**
Contains ordinances effective through: **06-30-10**



A CODIFICATION OF THE GENERAL ORDINANCES
OF THE COUNTY OF HAWAI‘I
STATE OF HAWAI‘I

Office of the County Clerk
County of Hawai‘i
25 Aupuni Street
Hilo, Hawai‘i 96720
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Volume 2

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- Section 24-130. Air-conditioning equipment defined.
- Section 24-131. Standards applicable.
- Section 24-132. Compliance required; sale and use.

Article 7. Operation of Vehicles.

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- Section 24-134. Procedure for entering stop intersections.
- Section 24-135. Speed, turn lane, passing, and other regulatory signs described.
- Section 24-136. Parking, bus stops, loading signs described.
- Section 24-137. Yield sign described; compliance.
- Section 24-138. Procedure for entering yield intersections.
- Section 24-139. Warning signs described.
- Section 24-140. Warning signs required for the protection of working men.
- Section 24-141. Warning signs required for livestock movement.
- Section 24-142. Signs required at through streets.
- Section 24-143. One-way streets designated.
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- Section 24-145. No-passing zones.
- Section 24-145.1. Traffic signal systems.

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- Section 24-147. Reasonable speed required.
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Division 3. Prohibited or Restricted Activities and Vehicles.

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- Section 24-156. Placing injurious substances on highway.
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- Section 24-159. Misuse of emblem prohibited.
- Section 24-160. Manner of operation of slow moving vehicles.

- Section 24-161. Litter defined.
- Section 24-162. Load to be properly secured.
- Section 24-163. Pick-up vehicles; equipment.
- Section 24-164. Tracking mud or other material on highway prohibited.
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- Section 24-166. Restricted use of highways by certain vehicles.
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- Section 24-181. Indemnification by owner; notice.
- Section 24-182. Bond requirements; insurance policy.
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- Section 24-184. Application of division.

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- Section 24-185. Bicycle operation; bike lanes; bike routes.
- Section 24-186. Parking bicycles without obstructing street or sidewalk.

Division 8. Mopeds.

- Section 24-186.1. Moped rules.

Division 9. Pedicabs.

- Section 24-186.2. Definition.
- Section 24-186.3. Use of pedicabs prohibited.
- Section 24-186.4. Penalty.

Section 24-149. Maximum speed limit.

(a) The following maximum speed limit shall be in effect except where a special speed limit has been enacted:

- (1) Ten miles per hour below the posted speed limit within construction zones.
- (2) Twenty miles per hour.

In any school zone, the beginning of which is demarcated by a school speed limit sign supplemented with a flashing speed limit sign beacon, and the end of which is demarcated by an end school zone or standard speed limit sign.

- (3) Twenty-five miles per hour.
 - (A) When passing a school site or the grounds thereof, which are contiguous to or located in close proximity to, the highway and posted with the standard "school" warning sign while children are going to be leaving the school during opening or closing hours. This speed limit shall also apply during school recesses when passing any school grounds which are not separated from the highway by a fence or other physical barrier capable of restraining a child, while the grounds within seventy-five feet of the highway are in use by a child, and the highway is posted with the standard "school" warning sign.
 - (B) During school days for a distance of up to one thousand feet on both sides of a crosswalk designated by the director of public works as a school crossing and posted with the standard "School Crossing."
 - (C) In a residential district, unless otherwise indicated.
 - (D) On all highways and streets unless otherwise specified by this chapter.
- (4) Thirty miles per hour.

In a business district.

(1975 C.C., c. 6, art. 8, sec. 4; Am. 1973, Ord. No. 4, sec. 1; Am. 1974, Ord. No. 35, sec. 4; Am. 1975, Ord. No. 143, sec. 2; Am. 1980, Ord. No. 551, sec. 2; Am. 1988, Ord. No. 88-143, sec. 1; Am. 1995, Ord. No. 95-25, sec. 4; Am. 1999, Ord. No. 99-65, sec. 4; Am. 2001, Ord. No. 01-108, sec. 1; Am. 2009, Ord. No. 09-135, sec. 2; Am. 2010, Ord. No. 10-47, sec. 1.)

Section 24-150. Speed limits.

Speed limits described in article 10, division 1, and article 11, division 1, shall be effective when appropriate signs giving notice thereof are erected.

(1975 C.C., c. 6, art. 8, sec. 5; Am. 1980, Ord. No. 551, sec. 2; Am. 1999, Ord. No. 99-65, sec. 5.)

Section 24-150.1 Maximum speed limits may be reduced in a residential or a business district.

(a) The director of public works is authorized to approve the reduction of maximum speed limits in residential and business districts in five mile per hour increments to a minimum of 15 miles per hour for any subdivision being developed under chapter 23 of the Hawai'i County Code. The director may reduce speed limits under this section when topographical, geometric and/or physical conditions result in limited sight-distances, vehicle operating restrictions and/or other engineering safety factors that warrant such a reduction.

(b) Speed limits set by the director of public works pursuant to this section may be further changed by the council by ordinance.

(2007, Ord. No. 07-59, sec. 2)

Section 24-151. Minimum speed regulations.

(a) No person shall drive a motor vehicle on a highway at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

- (b) When a speed limit is set at forty or more miles per hour, the driver of a vehicle proceeding on such highway shall not operate the driver’s vehicle at a speed less than fifteen miles per hour below the posted speed limit whenever practicable except when necessary for safe operation.
 - (c) No person shall drive a motor vehicle on a highway at a speed lower than the required minimum speed, if to do so would impede other vehicular traffic. Such person shall pull to the side of the highway wherever safe to do so and stop if necessary to allow other vehicles to pass the slow-moving vehicle.
- (1975 C.C., c. 6, art. 8, sec. 6; Am. 1974, Ord. No. 18, sec. 1; Am. 1980, Ord. No. 551, sec. 2.)

Division 3. Prohibited or Restricted Activities and Vehicles.

Section 24-152. Tampering with vehicles prohibited; exception.

- (a) No person shall, without the consent of the owner or person in charge of a vehicle, climb upon or into any vehicle with the intent to commit any injury thereto or with the intent to commit any crime, whether such vehicle be in motion or at rest.
 - (b) No person, without the consent of the owner or person in charge of a standing unattended vehicle, shall manipulate any of the levers, starting crank, brakes or other devices thereon.
 - (c) An operator of a motor vehicle may, however, release the brakes and move a standing unattended vehicle for the purpose of extricating the operator’s vehicle from a parking location.
 - (d) Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$250.
- (1975 C.C., c. 3, art. 7, sec. 2.)

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Section 24-163. Pick-up vehicles; equipment.

- (a) The provisions of section 24-162 shall not apply to any person who has provided for the pick-up of litter which may drop, sift, leak or otherwise escape from an uncontained vehicle. The pick-up must be accomplished during the time the uncontained vehicle is in transit or immediately thereafter by gleaners following the uncontained vehicle within a reasonable distance.
 - (b) All pick-up vehicles shall be equipped with four-way flashers which shall be in use while the vehicles are in operation, and all gleaners shall be required to wear orange reflectorized safety vests.
- (1975 C.C., c. 6, art. 11, sec. 2C.)

Section 24-164. Tracking mud or other material on highway prohibited.

No vehicle using the public highway shall track mud or dirt or other material onto the traveled portion of the highway in quantities as will constitute a hazard, or obscure the painted pavement markings thereon. In the event that mud or dirt is unavoidably tracked onto the highway, it shall be the duty of the operator of the offending vehicle to have the mud or dirt removed immediately.

(1975 C.C., c. 6, art. 11, sec. 3.)

Section 24-165. Dual-wheeled vehicles; operation.

Vehicles having two or more wheels on each end of an axle shall not be moved on any public highway when rocks or any foreign materials which might be hazardous to traffic are embedded between the wheels on the moving vehicles.

(1975 C.C., c. 6, art. 11, sec. 5.)

Section 24-166. Restricted use of highways by certain vehicles.

- (a) The use of certain streets by certain classes of vehicles may be restricted by ordinance, and appropriate sign shall be posted giving notice thereof.
 - (b) The vehicles designated in schedule 41, section 24-293, are precluded from the use of the streets designated in that schedule when appropriate signs giving notice thereof are erected.
- (1975 C.C., c. 6, art. 11, sec. 6.)

Section 24-167. Towed vehicles and trailers.

- (a) When one vehicle is towing another, the drawbar or other connection shall be equipped with an additional safety chain or chains (stay chain or cable) adequate to hold such vehicle to the towing vehicle in the event of tow bar or other connection and/or coupling failure. Each chain or cable and its accompanying coupling and mounting devices shall have an ultimate strength equal to at least the gross weight of the vehicle.
 - (b) No person shall operate a train of vehicles when any trailer, semi-trailer, or other vehicle being towed whips or swerves from side to side dangerously or unreasonably or fails to follow substantially in the path of the towing vehicle.
 - (c) Every trailer or towed vehicle to be operated upon a public highway shall, in addition to a tow bar, be equipped with a safety chain or chains (stay chain or cable) adequate to hold such vehicle to the towing vehicle in the event of tow bar and/or coupling failure. Each chain or cable and its accompanying coupling and mounting devices shall have an ultimate strength equal to at least the gross weight of the trailer.
 - (d) This section shall not apply to trailers or towed vehicles with a gross vehicle weight rating over 10,000 lbs equipped with full airbrakes that meet the Federal Motor Vehicle Safety Standards.
- (1975 C.C., c. 6, art. 11, sec. 7; Am. 2010, Ord. No. 10-13, sec. 2.)

Section 24-167.1. Use of mobile electronic devices while operating a vehicle.

(a) As used in this section, unless the context clearly requires otherwise:

“Emergency responders” include fire fighters, emergency medical service technicians, mobile intensive care technicians, civil defense workers, police officers, and federal and state law enforcement officers.

“Mobile electronic device” means any hand-held or other portable electronic equipment capable of providing wireless and/or data communication between two or more persons or of providing amusement, including but not limited to a cellular phone, text messaging device, paging device, personal digital assistant, laptop computer, video game, or digital photographic device, but does not include any audio equipment or any equipment installed in a motor vehicle for the purpose of providing navigation, emergency assistance to the operator of the motor vehicle, or video entertainment to the passengers in the rear seats of the motor vehicle.

“Operate a motor vehicle” means to drive or assume actual physical control of a vehicle upon a public way, street, road, or highway.

“Use or using” means holding a mobile electronic device while operating a motor vehicle.

- (b) It shall be a violation under this section to operate a motor vehicle while using a mobile electronic device, unless used with a hands-free device. Any person convicted of violating this subsection shall be subject to a maximum fine of \$150.
- (c) Whoever operates any vehicle while using a mobile electronic device, unless used with a hands-free device, in a manner as to cause a collision with, or injury or damage to, as the case may be, any person, vehicle, or other property shall be fined not more than \$500.
- (d) The use of a mobile electronic device for the sole purpose of making a “911” emergency communication shall be an affirmative defense to this ordinance.
- (e) The following persons shall be exempt from the provisions of subsections (b) and (c):
- (1) Emergency responders using a mobile electronic device while in the performance and scope of their official duties;
 - (2) Drivers using two-way radios while in the performance and scope of their work-related duties; and
 - (3) Drivers holding a valid amateur radio operator license issued by the federal communications commission and using half-duplex two-way radio.

(2009, Ord. No. 09-82, sec. 1.)

Division 4. Turns.**Section 24-168. U-turns restricted; manner of.**

- (a) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction (make a U-turn) upon any street in the business district, or at any intersection where traffic is controlled by traffic signal lights during the hours between 6:00 a.m. to midnight of each day. However, when official signs or markings are installed giving notice thereof, U-turns shall be allowed in areas designated by an ordinance of the council.
- (b) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without interfering with other traffic.
- (c) The driver of any vehicle shall not turn so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet.
- (d) The areas designated in schedule 21, section 24-273, are U-turn areas when appropriate signs giving notice thereof are erected.
- (e) The areas designated in schedule 22, section 24-274 are prohibited U-turn areas when appropriate signs giving notice thereof are erected.

(1975 C.C., c. 6, art. 6, secs. 1A, 1B and 1C.)

Section 24-169. Prohibited turns.

- (a) When official signs are posted, giving notice thereof, no driver of a vehicle shall make a left or right turn. The chief of police may place signs of a temporary nature during peak traffic hours at any intersection or driveway the chief may deem to be congested.
 - (b) The locations designated in schedule 19, section 24-271 are prohibited left turn areas.
 - (c) The locations designated in schedule 20, section 24-272 are prohibited right turn areas.
- (1975 C.C., c. 6, art. 6, sec. 2.)

Section 24-170. Right or left turns only.

- (a) When official traffic signs are posted, giving notice thereof, the driver of any vehicle shall be restricted to making only right or left turns, as indicated, and may only turn in a direction permitted by the sign, or proceed straight ahead.
 - (b) The chief of police may place signs of a temporary nature during peak traffic hours at any intersection or driveway the chief may deem to be congested.
 - (c) The locations designated in schedule 17, section 24-269, are areas restricted to right turns only.
 - (d) The locations designated in schedule 18, section 24-270, are areas restricted to left turns only.
- (1978, Ord. No. 347, sec. 1.)

Section 24-171. Turn right anytime with caution in intersections.

- (a) When official turn right anytime with caution signs are erected at any intersection, the driver of a vehicle may make a right turn without coming to a stop, so long as the turn is made with proper care to avoid an accident.
 - (b) The intersections described in schedule 16, section 24-268, are designated as “Turn Right at Anytime with Caution” intersections when appropriate signs giving notice thereof are erected.
- (1975 C.C., c. 6, art. 7, sec. 7.)

Section 24-172. Cutting corners.

No person shall operate or drive any vehicle on or across any sidewalk area or through any driveway, parking lot or any business entrance for the purpose of making right or left turns from one street into another by avoiding intersections or as a means of travelling from one street to another; provided, however, that this section shall not prohibit the use of such driveway, parking lot or business entrance for such purposes when such use is incidental to business to be transacted on the premises.

(1982, Ord. No. 754, sec. 1.)

Division 5. Emergency Vehicles and School Buses, Right-of-Way.**Section 24-173. Authorized emergency and special hazard vehicles.**

- (a) The driver of an authorized emergency vehicle, when responding to an emergency call, when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions stated in this section.
- (b) The driver of an authorized emergency vehicle may:
 - (1) Park or stand, irrespective of the provisions of this chapter;
 - (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

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HAWAI'I COUNTY CODE

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- (3) Nā‘ālehu Subdivision, Fourth Series, in Nā‘ālehu, Ka‘u:
 - (A) Maia Street, from Niu Road to Pohā Street.
 - (B) Niu Road, from Pohā Street to Māmalahoa Highway.
 - (C) Pohā Street, from Niu Road to Maia Street.
- (4) Pāhala Village, Ka‘ū:
 - (A) Hala Street.
 - (B) Hapu Street.
 - (C) Hau Street.
 - (D) Hīnano Street.
 - (E) Huapala Street.
 - (F) Pīkake Street.
 - (G) Ilima Street.
 - (H) Kamani Street from Pīkake Street to a point approximately two hundred fifty feet east of Koali Street.
 - (I) Kaumahana Street.
 - (J) Kou Street.
 - (K) Lehua Street.
 - (L) Maile Street from Kamani Street to the Pāhala Community Clubhouse.
 - (M) ‘Ōhia Street.
 - (N) Pakalana Street.
 - (O) Puahala Street.
 - (P) Pumeli Street.
- (e) Kohala
 - (1) Paniolo Avenue, from Waikoloa Road to Paniolo Place.
 - (2) Puakō Beach Road, from a point five hundred feet makai of the Rubbish Dump Road southerly to its terminus.
- (f) Kona
 - (1) Hualālai Road, North Kona, from Ali‘i Drive to the Old Māmalahoa Highway.
 - (2) Kealakaa Street.
 - (3) Keanalehu Drive.
 - (4) Keauhou Bay Resort area, North Kona:
 - (A) ‘Ehukai Street.
 - (B) Hōlua Road.
 - (C) Kamehameha III Road, makai of Ali‘i Drive.
 - (D) Unnamed south access road (Access Road B) from Ali‘i Drive into the Keauhou Bay area.
 - (E) The cul-de-sac street off Kamehameha III Road in Area 5.
 - (5) Konawaena School Road, from Māmalahoa Highway to the school.
 - (6) Kuakini Highway, beginning at a point four hundred feet south of Hualālai Road to its terminus at the Old Kona Airport.
 - (7) Māmalahoa Highway, from the terminus of the State Highway in Honalo to a point five thousand one hundred feet in the southerly direction.
 - (8) Manawale‘a Street.
 - (9) Miloli‘i Access Road, from State Highway Route 11 to a point four miles in the westerly direction.
 - (10) Nāpō‘opo‘o Road.
 - (11) Palani Road, from Queen Ka‘ahumanu Highway to Kuakini Highway.
- (g) Puna
 - (1) Ainaloa Boulevard, from Highway 130 to Stardust Drive.
 - (2) Alaula Street.
 - (3) ‘Ale Road.

- (4) Ali‘i ‘Ānela Street.
- (5) Ali‘i Kāne Street, from Hawai‘i Belt Road to a point 0.6 miles in the southerly direction.
- (6) Ali‘i Koa Street.
- (7) Anuheha Street.
- (8) Huina Road, beginning at a point 0.8 mile west of Volcano Highway and extending 1.6 miles to Luhi Road.
- (9) Hāpu‘u Road, from Nānāwale Boulevard to Maui Road.
- (10) Haunani Road, Old Volcano Highway to its terminus.
- (11) Kēhau Road, from Nānāwale Boulevard to Maui Road.
- (12) Kōloa Maoli Road.
- (13) Kukui Camp Road, from the Hawai‘i Belt Road to its terminus.
- (14) Moho Road
- (15) Mokuna Street.
- (16) North Ala Road, Route 11 to Huina Road.
- (17) North Glenwood Road, from Route 11 to a point 2.2 miles in the westerly direction.
- (18) North Kulani Road, Route 11 to Pacific Paradise Gardens Subdivision.
- (19) Old Volcano Highway, in Volcano Village.
- (20) Old Volcano Road.
- (21) Old Volcano Road in Kea‘au Village, from its intersection with Highway 11, approximately 0.2 mile north of Mile Post 8, and extending in a northerly direction to its intersection with Kea‘au Loop Road, in the vicinity of Mile Post 7.
- (22) ‘Opihikao-Kamā‘ili Road, between points 1.1 and 2.8 miles makai of Route 130.
- (23) ‘Opihikao-Kamā‘ili Road, between a point 3 miles makai of Route 130 and Route 137.
- (24) Pa Ali‘i Street.
- (25) Pāhoa Road, from a point 0.75 miles Pāhoa of Kahakai Boulevard to the Kapoho-Pāhoa-Kalapana Road junction.
- (26) Pāhoa Solid Waste Disposal Road, known as the Pāhoa By Pass Road, for its entire length.
- (27) Pohoiki Road, between a point 1.55 miles makai of Route 132 and Route 137.
- (28) South Kopua Road.
- (29) South Kūlani Road.
- (30) Wright Road, in Volcano Village.

(1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. No. 96-145, sec. 2; Am. 1997, Ord. No. 97-2, sec. 2; Ord. No. 97-76, sec. 1; Ord. No. 97-94, sec. 1; Ord. No. 97-97, sec. 1; Am. 1998, Ord. No. 98-131, secs. 1, 2; Am. 1999, Ord. No. 99-65, secs. 7, 8; Ord. No. 99-85, sec. 2; Ord. No. 99-135, sec. 2; Am. 2000, Ord. No. 00-39, sec. 1; Am. 2001, Ord. No. 01-62, sec. 2; Ord. No. 01-96, sec. 2; Am. 2008, Ord. No. 08-63, sec. 2; Am. 2009, Ord. No. 09-24, sec. 1; Ord. No. 09-61, sec. 1; Ord. No. 09-95, sec. 1; Ord. No. 09-98, sec. 1; Ord. No. 09-99, sec. 1; Ord. No. 09-130, sec. 2; Ord. No. 09-134, sec. 2; Am. 2010, Ord. No. 10-39, sec. 1; Ord. No. 10-40, sec. 1; Ord. No. 10-41, sec. 1.)

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- (7) Kahaopea Street, Ohuohu Street intersection, all approaches.
 - (8) Kalanikoa Street, Kuawa Street intersection, all approaches.
 - (9) Entering Kamokuna Street from Laehala Street.
 - (10) Entering Kamokuna Street from the unnamed road which passes through James Kealoha Park.
 - (11) Keliipio Place, at Lihikai Street.
 - (12) Entering Keōkea Loop Road from Apapane Road.
 - (13) Komohana Street, Kawaihā Street intersection, all approaches.
 - (14) Kūkūau Street, both approaches to Kapi‘olani Street.
 - (15) Kūkūau Street, both approaches to Kino‘ole Street.
 - (16) Kūkūau Street, both approaches to Komohana Street.
 - (17) Kūkūau Street, both approaches to Mohouli Street.
 - (18) Kūkūau Street, both approaches to Ululani Street.
 - (19) Entering Laimana Street from ‘Alae Street.
 - (20) Entering Lanihuli Street from Lei Street.
 - (21) The unnamed roadway into the pier and lighthouse, at Lihikai Street.
 - (22) Entering Manulele Street from Oliana Street.
 - (23) Entering Mikokoī Street from Awela Street.
 - (24) Ohuohu Street, Ho‘ohua Street intersection, all approaches.
 - (25) Entering Pōhaku Street from Kūkila Street.
 - (26) Entering Ponahawai Street from Punahoa Street.
 - (27) Pua Avenue, Desha Avenue intersection, all approaches.
 - (28) Haili Street, Kapi‘olani Street intersection, all approaches.
- (d) Ka‘ū
- (e) Kohala
- (1) Hi‘iaka Street, southwest approach to Hale Ali‘i Street and ‘Āinahua Alanui Street.
 - (2) Entering Hōkū‘ula Road from Lindsey Road.
 - (3) Entering Kamoā Road from Serrao Road.
 - (4) Entering Kamuela-Kawaihā Road from Kawaihā Park Road at Kohala.
 - (5) At the Puako-Kawaihā-Rockefeller junction, entering the Hāpuna Bay Access Road (Hawai‘i Project No. G-3257-01-60) at South Kohala, from the Old Puakō-Kawaihā Road, moving in the Kawaihā direction, except on right turn movement when such movement may be made with care to avoid collision.
- (f) Kona
- (1) Entering the intersection of Ali‘i Drive and Hualālai Road from both approaches of Ali‘i Drive and the mauka approach of Hualālai Road.
 - (2) Konalani Street into Ala Keanawai at Kailua-Kona.
 - (3) Kuakini Highway, Kaiwi Street intersection, all approaches, except the right-turn lane on Kuakini Highway northbound approach to Kaiwi Street which shall be a yield condition.
 - (4) Kuakini Highway, Makala Boulevard intersection, all approaches.
 - (5) Entering the intersection of Palani Road and Ali‘i Drive from the northern approach of Ali‘i Drive (from the direction of Kailua Wharf).
 - (6) Entering the intersection of Palani Road and Kuakini Highway from both approaches of Kuakini Highway and the makai approach of Palani Road.
 - (7) Pualani Street/Wikolia Street intersection, all approaches.
 - (8) Middle Ke‘ei Road, Painted Church Road intersection, all approaches.
 - (9) Ali‘i Drive, Kaleiopapa Street intersection, all approaches.
 - (10) Ali‘i Drive, Lunapule Road intersection, all approaches.
 - (11) Ali‘i Drive, Royal Poinciana Drive intersection, all approaches.
 - (12) Kaiwi Street, Luhia Street intersection, all approaches.
- (g) Puna
- (1) Entering Ali‘i Papa Street from Huaka‘i Street.
 - (2) Entering Anuheā Street from Ali‘i Papa Street.

- (3) Entering Anuheha Street from Anuheha Place.
 - (4) Entering Anuheha Street from Puolani Street.
 - (5) Entering Anuheha Street from Wohi Place.
 - (6) Entering the Kahakai Boulevard-Pūnāwai Street intersection from the northeastern leg of Kahakai Boulevard and from Pūnāwai Street, the southwestern leg of the intersection.
 - (7) Kalapana to Honolulu Landing Beach Road entering Kapoho to Kapoho Lighthouse Road (ER8(8)).
 - (8) The westerly leg, Kalapana towards Pāhoa lane, of the Pāhoa-Kalapana Road at the triangular intersection between the Kapoho-Kalapana Coastal Road and Pāhoa-Kalapana Road.
 - (9) Kaniahiku Houselots:
 - (A) Entering Halelo Place from Mako Way.
 - (B) Entering Halelo Place from Naele Road.
 - (10) Kaniahiku Subdivision:
 - (A) Entering Kaulani Road from Kaulalau Road.
 - (B) Entering Kaulalau Road from Pū'āla'a Road.
 - (11) Entering Ka'ohē Homestead Road from Cemetery Road.
 - (12) Entering the Kapoho-Kalapana Coastal Road from the eastern leg of the Pāhoa-Kalapana Road at the triangular intersection between the Kapoho-Kalapana Coastal Road and the Pāhoa-Kalapana Road.
 - (13) Kapoho Lighthouse Road (portion of ER8(1)), entering the Kalapana to Honolulu Landing Beach Road.
 - (14) Entering Kea'au Loop from Ha'a Street. When posted, drivers of vehicles shall stop at the intersection of Ha'a Street and Kea'au Loop.
 - (15) Entering the Kurtistown Homestead Road (Post Office Road) intersection from the 13-Mile Road (Filipino Graveyard Road) in Kurtistown, Puna, Hawai'i.
 - (16) Nānāwale Boulevard, Kēhau Road intersection, all approaches.
 - (17) Entering 'Ōla'a New Tract Road from Peck Road.
- (1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. No. 96-145, sec 3; Am. 1999, Ord. No. 99-65, secs. 9, 10; Am. 2000, Ord. No. 00-38, sec. 1; Ord. No. 00-49, sec. 1; Ord. No. 00-71, sec. 1; Am. 2001, Ord. No. 01-85, sec. 1; Ord. No. 01-96, sec. 3; Am. 2002, Ord. No. 02-46, sec. 1; Ord. No. 02-47, secs. 1 and 2; Ord. No. 02-55, sec. 1; Am. 2006, Ord. No. 06-131, sec. 1; Am. 2008, Ord. No. 08-44, sec. 1; Ord. No. 08-61, sec. 1; Ord. No. 08-62, secs. 1 & 2; Ord. No. 08-122, sec. 1; Am. 2009, Ord. No 09-31, sec. 1; Ord. No. 09-120, sec. 2; Ord. No. 09-136, sec. 2.)

Section 24-265. Schedule 13. Yield locations.

When properly sign posted, vehicles shall yield right-of-way at the following locations:

- (a) Hāmākua
 - (1) Ka'āpahu Road, east approach to Kalōpā Gulch Bridge, No. 44-7, eight hundred thirty-five feet northwest of Ho'o Kahua Road.
 - (2) Ka'āpahu Road, east approach to Kalōpā Gulch Bridge No. 44-7, one thousand two hundred twenty-seven feet northwest of Ho'o Kahua Road.
 - (3) Old Māmalahoa Highway, southbound approach to Bridge No. 47-1.
 - (4) Old Māmalahoa Highway, westbound approach to Bridge No. 47-2.
 - (5) Old Māmalahoa Highway, eastbound approach to Bridge No. 47-3.
 - (6) Old Māmalahoa Highway, westbound approach to bridge adjacent to parcels 4-7-7:4, 4-7-7:19, and 4-7-7:90.
 - (7) Old Māmalahoa Highway, westbound approach to bridge adjacent to parcels 4-7-7:8 and 4-7-7:9.

- (8) Pōhākea Homestead Road, makai bound at the narrow bridge (bridge number 43-5), located 1.6 miles west of State Highway 19.
- (b) North Hilo
- (1) Kihalani Homestead Road, mauka bound lane; the right turn from Old Māmalahoa Highway.
- (c) South Hilo
- (1) Akolea Road, southbound approach to bridge adjacent to parcels identified by Tax Map Key Numbers (3) 2-5-006:130, 2-5-047:002, 2-5-056:041, and 2-5-056:043.
- (2) Haihai Street, westbound, the right-turn lane to Ainaola Drive.
- (3) Kāhoa Street, northwest approach to Bridge No. 26-5.
- (4) Kīlauea Avenue, north bound, at Bridge No. 22-7, approaching Haihai Street.
- (5) Waiānuenu Avenue, westbound, the through lane intersecting the extension of Lele Street near Carvalho Park.
- (6) Kaʻiulani Street at southbound approach to Bridge No. 23-3.
- (d) Kaʻū
- (e) Kohala
- (1) Kaʻauhuhu Homestead Road, southbound approach to bridge crossing North Kohala Ditch adjacent to parcels identified by TMK Nos. (3) 5-5-002:007, 013, 054 and 125.
- (2) Route 19, northwest bound, the right turn lane to Lindsey Road.
- (f) Kona
- (1) Kuakini Highway, northbound, the right-turn lane to Kaiwi Street.
- (g) Puna
- (1) Huina Road, eastbound approach at the Luhi Road intersection.
- (2) Mahiʻai Road, northeast approach at the Amaumau Road intersection.
- (2000, Ord. No. 00-87, sec. 2; Ord. No. 00-130, sec. 1; Am. 2001, Ord. 01-85, sec. 2; Am. 2002, Ord. No. 02-87, sec. 1; Am. 2003, Ord. No. 03-53, sec. 1; Am. 2004, Ord. No. 04-125, sec. 1; Am. 2007, Ord. No. 07-118, sec. 1; Am. 2008, Ord. No. 08-45, sec. 1; Ord. No. 08-132, sec. 1; Am. 2009, Ord. No. 09-97, sec. 1; Ord. No. 09-109, sec. 2; Ord. No. 09-136, sec. 3; Am. 2010, Ord. No. 10-18, sec. 2.)

Section 24-266. Schedule 14. Through streets.

When properly sign posted, the following streets or portions of streets are designated as through streets:

- (a) Hāmākua
- (1) Ilima Street.
- (2) Lehua Street, from Māmane Street to Pakalana Street.
- (3) Maile Street.
- (4) ʻŌhiʻa Street, except at Māmane Street.
- (5) Pakalana Street, from Māmane Street to the Hawaiʻi Belt Road.
- (6) Pīkake Street.
- (b) North Hilo
- (1) Kīlau Homestead Road in Laupāhoehoe.
- (c) South Hilo
- (1) Akea Street, except at Kaunaloa and Haihai Streets.
- (2) Ainako Avenue, from Kaūmana Drive to Waiānuenu Avenue.
- (3) Ainaola Drive, from Kawailani to its end in a westerly direction.
- (4) Alohalani Drive, except at Haihai Street and Kaunaloa Street.
- (5) ʻAmauulu Road, from Wainaku Avenue to its end.
- (6) Andrews Avenue.
- (7) Baker Avenue, Kalanianaʻole Street to its southern terminus, except at Desha Avenue.

- (8) Banyan Drive, except at Lihiwai Street and Kamehameha Avenue.
- (9) Bishop Street, from Kamehameha Avenue to Waiolama Canal.
- (10) Haihai Street, from Kino'ole Street to the Ainaola Drive.
- (11) Haili Street, from Kino'ole Street to Hāla'i Street.
- (12) Hāla'i Street, from Hāla'i Hill to Waiānuenu Avenue, except at Haili Street from a southerly (Puna) direction and at Punahale Street from a northerly (Hāmākua) direction.
- (13) Hale Nani Street, from Kapi'olani Street westerly to its end.
- (14) Heahea Street, from Ainaola Drive to its southern terminus.
- (15) Hema Street, except at Kapi'olani Street.
- (16) Hīnano Street, except at Pi'ilani, Kekūanaō'a and Lanikāula Streets.
- (17) Hōkū Street, from Kīlauea Avenue to Kino'ole Street.
- (18) Holomua Street, from Kāwili Street to Maka'ala Street.
- (19) Hookano Street, from Kupulau Road to Ho'olaule'a Street.
- (20) Hualālai Street, from Kīlauea Avenue to Kino'ole Street.
- (21) Ioana Street, from Wilder Road to its eastern terminus.
- (22) 'Iolani Street.

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- (23) Ipuka Street.
- (24) Ka'akepa Street, from Pepe'ekeo Street to its mauka terminus except at the Hawai'i Belt Road.
- (25) Kahaopea Street, except at Kino'ole, Kīlauea and Kanoielehua Streets.
- (26) Kainehe Street, from Kamehameha Avenue to Aalapuna Street.
- (27) Ka'iulani Street, from Waiānuenu Avenue to its end.
- (28) Kaiwiki Road, from Māmalahoa Highway to its end.
- (29) Kalaniana'ole Street, from Kamehameha Avenue to its end.
- (30) Kalanikoa Street, from Lanikāula Street to Pi'ilani Street, except at Kekūanaō'a Street.
- (31) Kamehameha Avenue, from Wailuku Drive to Kalaniana'ole Street, except entering intersection with Waiānuenu Avenue from a northerly (Pu'u'eo) direction.
- (32) Kapaka Street, except at Haihai Street.
- (33) Kapi'olani Street, from Ponahawai Street to its end in a southeasterly direction.
- (34) Ka'uhane Avenue.
- (35) Kaūmana Drive, from Hilo Country Club Road to Waiānuenu Avenue.
- (36) Kaunaloa Street.
- (37) Kawailani Street, from Kino'ole Street to its end in the mauka direction, except at Komohana Street.
- (38) Kāwili Street, from Kanoielehua Avenue to Kīlauea Avenue, except at Manono Street.
- (39) Keawe Street, from Pu'u'eo Street to Kīlauea Avenue, except at Wailuku Drive.
- (40) Kekūanaō'a Street, from Kīlauea Avenue to Kanoielehua Avenue.
- (41) Keo Street, from Wilder Road to its eastern terminus.
- (42) Kīlauea Avenue, from Haili Street to Haihai Street, except at Mamo Street.
- (43) Kilikina Street, from Ainako Avenue to its terminus.
- (44) Kilohana Street, from Kamehameha Avenue to Banyan Drive.
- (45) Kino'ole Street, from Waiānuenu Avenue to Haihai Street.
- (46) Komohana Street, from Kawailani Street to Waiānuenu Avenue.
- (47) Kūkūau Street, from Kīlauea Avenue to its southern terminus, except at Kino'ole Street, Ululani Street, Kapi'olani Street, Komohana Street, and Mohouli Street.
- (48) Kula'imano Road, from the Old Māmalahoa Highway to its mauka terminus except at the Hawai'i Belt Road.
- (49) Kumula Street, from the west intersection with Kulala Street and looping with Kulala Street, except at the Kula'imano Homestead Road.
- (50) Kumula Street, except at Ka'akepa Street and at the mauka intersection with Kulala Street.
- (51) Lahaina Street, except at Ainako Avenue and Kaūmana Drive.
- (52) Lama Street, except at its intersection with the Hawai'i Belt Road.
- (53) Lanikāula Street, from Kīlauea Avenue to Kanoielehua Avenue, except at Manono Street.
- (54) Laukapu Street, except at Kekūanaō'a and Lanikāula Streets.
- (55) Loloa Drive, from Hawai'i Belt Road westerly to its end.
- (56) Maka'ala Street, from Kāwili Street to Kanoielehua Avenue.
- (57) Makahana Street, from Kula'imano Road to Pepe'ekeo Street.
- (58) Makalika Street, except at its intersection with the Hawai'i Belt Road.
- (59) Mamo Street, from Kamehameha Avenue to Kino'ole Street, except at Keawe Street.
- (60) Manono Street, from Kamehameha Avenue to Kāwili Street, except at Kekūanaō'a Street and Lanikāula Street.
- (61) Mikioi Street, except at Paipai and No'eau Streets.
- (62) Mililani Street, except at Kekūanaō'a Street, Lanikāula Street, and Pi'ilani Street.
- (63) Mohouli Street, from Kīlauea Avenue to Kaūmana Drive, except at Kino'ole Street, and Komohana Street.
- (64) Nēnē Street.

- (2) Māmalahoa Highway in 'O'ōkala, on the Hilo side of the Kukui Village Road.
- (3) Māmalahoa Highway in Kihalani, on the Hilo side at the entrance to St. Anthony's Catholic Church.
- (4) Māmalahoa Highway, on the Hilo side of the Milo Village Road.
- (c) South Hilo
 - (1) Desha Avenue, at the front entrance to the Keaukaha School.
 - (2) Ha'aheo School Road, in front of the Ha'aheo School Garage.
 - (3) Kamana Street, four hundred thirty-five feet southwest of Kino'ole Street.
 - (4) Kamehameha Avenue, midway between Kalākaua Street and Haili Street.
 - (5) Kamehameha Avenue, eight hundred forty feet east of Ponahawai Street.
 - (6) Kapi'olani Street, one hundred ninety feet Hāmākua of Haili Street.
 - (7) Kaūmana Drive, in front of the Kaūmana School.
 - (8) Kaūmana Drive, mauka of the Waiānuenue Avenue intersection.
 - (9) Kīlauea Avenue, in front of the Hilo Hongwanji Temple.
 - (10) Kino'ole Street, in front of the Waiākeawaena School.
 - (11) Māmalahoa Highway, in front of the Hakalau School Gym and entrance.
 - (12) Māmalahoa Highway, in front of the Honomū School.
 - (13) Māmalahoa Highway, in front of Kalaniana'ole School.
 - (14) Māmalahoa Highway in Pāpa'ikou on the Hilo side of the driveway to Pāpa'ikou Park.
 - (15) Manono Street, in front of the Civic Auditorium.
 - (16) Mohouli Street, at Kapi'olani School.
 - (17) Ohuohu Street, seven hundred twenty feet north of Puainako Street.
 - (18) Old Māmalahoa Highway, in Pāpa'ikou, approximately four hundred feet north of the Kalaniana'ole School ingress driveway.
 - (19) Pua Avenue, on the mauka side entrance to the Keaukaha School.
 - (20) Pua Street, in front of the Church of Jesus Christ of Latter-Day Saints.
 - (21) Ululani Street, between St. Joseph's High School and St. Joseph's Elementary School.
 - (22) Waiānuenue Avenue, in front of the Hilo High School.
 - (23) Waiānuenue Avenue, mauka of the Kaūmana Drive intersection.
 - (24) Waiānuenue Avenue, in front of the Pi'ihonua School.
 - (25) Waiānuenue Avenue, in front of Pi'ihonua Store.
 - (26) Waiānuenue Avenue, fronting the new parking lot for Hilo Hospital.
- (d) Ka'u
 - (1) Old Government Road through Pāhala (Pāhala Loop Road), makai of Ka'u Meat Market.
- (e) Kohala
 - (1) Honomaka'u Road, three hundred thirty-five feet north of Akoni Pule Highway.
 - (2) Honomaka'u Road at Kohala High and Elementary School, in the vicinity of the Agriculture Building.
 - (3) Lindsey Road in front of the Parker School.
 - (4) Mamālahoa Highway, two hundred twenty-five feet Honoka'a of the Kamuela to Hāwī Road intersection.
 - (5) Māmalahoa Highway, at the intersection of Kamuela to Hāwī Road from the restaurant corner to the Kamuela Police Station corner.
 - (6) Māmalahoa Highway, in front of the entrance to the Waimea School.
- (f) Kona
 - (1) Ali'i Drive, at Kailua-Kona, fronting the Kona Inn property.
 - (2) Ali'i Drive, five hundred eighty-five feet south of Mākole'ā Street.
 - (3) Ali'i Drive, in front of the Kona Ali'i Condominium.
 - (4) Ali'i Drive in Kailua-Kona, eight hundred seventy feet southeast of Royal Poinciana Drive.

- (5) Ali'i Drive in Kailua-Kona, forty feet north from the Islander Inn driveway.
 - (6) Ali'i Drive in Kailua-Kona, one hundred seventy feet north of Sarona Road, fronting Moku'aikaua Church.
 - (7) Ali'i Drive in Kailua-Kona, one thousand three hundred five feet southeast of Royal Poinciana Drive.
 - (8) Ali'i Drive in Kailua-Kona, three hundred fifty feet south of Hualālai Road, at the south entrance to St. Michael's Church.
 - (9) Ali'i Drive, in the vicinity of the Likana Lane intersection.
 - (10) Ali'i Drive, in the vicinity of the Palani Road intersection.
 - (11) Hōlualoa-Kailua Road, in front of the Kailua School.
 - (12) Konawaena School Road, at the entrance to the Episcopal Christ Church and Waipu'ilani School.
 - (13) Konawaena School Road, in front of Waipu'ilani School.
 - (14) Konawaena School Road, on the Ka'ū side of the Konawaena School.
 - (15) Kuakini Highway, Palani of Hualālai Road.
 - (16) Māmalahoa Highway, in front of the 'Alae School.
 - (17) Māmalahoa Highway, in front of the Aloha Theater.
 - (18) Māmalahoa Highway, in Hōlualoa, Kona, at the following locations:
 - (A) Hōlualoa Post Office.
 - (B) Hōlualoa School.
 - (C) Kona Arts Center.
 - (19) Māmalahoa Highway in the vicinity of Ben Franklin Store in Kainaliu, Kona.
 - (20) Māmalahoa Highway, in front of the Honokāhau School.
 - (21) Māmalahoa Highway, in front of the Kalaoa School.
 - (22) Māmalahoa Highway, in front of the Kona Civic Center in Captain Cook.
 - (23) Māmalahoa Highway, in front of the Kona Theater.
 - (24) Palani Road in the vicinity of Kealakehe School.
- (g) Puna
- (1) Haunani Road, in front of the Keākealani School.
 - (2) Ka'ohē Homestead Road, in Pāhoa, fronting the new Pāhoa School cafeteria.
 - (3) Ka'ohē Homestead Road, in Pāhoa, in front of Pāhoa School gymnasium.
 - (4) Kea'au-Pāhoa Road, three hundred fifty-five feet northwest of Ka'ohē Homestead Road.
 - (5) Māmalahoa Highway, in 'Ōla'a, in front of the Kea'au Store.
 - (6) Māmalahoa Highway in 'Ōla'a, on the Volcano side of 'Ōla'a Ball Park (Japanese New Camp) road.
 - (7) 'Ōla'a to Kapoho Road, in Pāhoa, between Morita Store and the Pāhoa Post Office.
 - (8) 'Ōla'a to Kapoho Road, in Pāhoa, at the old Railroad right-of-way.
 - (9) 'Ōla'a to Pāhoa Road, in front of the Shiigi Store at Pāhoa Village.
- (1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-5, sec. 1; Am. 1999, Ord. No. 99-98, sec. 2; Ord. No. 99-162, secs. 1, 2; Am. 2000, Ord. No. 00-79, secs. 1-3; Am. 2003, Ord. No. 03-133, sec. 1; Ord. No. 03-138, sec. 2; Am. 2009, Ord. No. 09-9, sec. 1; Ord. No. 09-10, sec. 1; Am. 2010, Ord. No. 10-7, sec. 2.)

Section 24-277. Schedule 25. Safety zones.

When appropriate signs or markings are provided, safety zones shall be located on the following streets or portions of streets:

- (a) Hāmākua
- (1) On the makai side of Māmalahoa Highway, from the Pa'auilo Garage to the Pa'auilo School Road.
 - (2) On the mauka side of Māmalahoa Highway, from the Pa'auilo School Road to the Hawai'i Belt Road, Project DF-019-2(5).
 - (3) On the Waipi'o side of Pakalana Street from Māmane Street to Kukui Street.

- (5) Lehua Street, Hilo side from Māmane Street to the Catholic Church.
 - (6) Lehua Street, Waipio side, beginning from Māmane Street and ending one hundred seventy feet in the mauka direction.
 - (7) Māmalahoa Highway, mauka side, from the Pa‘auilo School Road to the Hawai‘i Belt Road (Project DF-019-2(5)) in Pa‘auilo.
 - (8) Pakalana Street, Waipio side, from Māmane Street to a distance of one hundred feet mauka of Kukui Street.
 - (9) Plumeria Street, Waipio side, in Honoka‘a.
- (b) North Hilo
- (1) On Puualaoa Subdivision Road from the Belt Highway for a distance of approximately two hundred twenty feet.
- (c) South Hilo
- (1) Ainako Avenue, Hāmākua side, between Kaūmana Drive and the Ernest B. de Silva School entrance.
 - (2) Alenaio Drive, makai side.
 - (3) Anderton Camp Roadway, Hilo side, for its entire length.
 - (4) ‘Ānela Street, mauka side, between Kawailani Street and Puainako Street.
 - (5) Aupuni Street, both sides, for a distance of two hundred feet from its intersection with Kīlauea Avenue.
 - (6) Aupuni Street, makai side, for a distance of one hundred feet on each side of the intersection of Aupuni Street with the County Building road.
 - (7) Aupuni Street, mauka-Hāmākua (Kaiko'o Mall) side, from the driveway located four hundred fifty feet north of the intersection with Kīlauea Avenue and extending five hundred feet around the curve to the driveway across from the State Building.
 - (8) Aupuni Street, southwest side, from a point two hundred forty feet southeast of Pauahi Street and extending sixty-six feet in the southeasterly direction.
 - (9) Banyan Drive, east side, beginning at a point six hundred twenty-seven feet north of Kamehameha Avenue and extending three hundred thirty-four feet in the northerly direction.
 - (10) Banyan Drive, Hāmākua side, from its intersection with Kamehameha Avenue northerly for a distance of three hundred forty feet.
 - (11) Banyan Drive, Puna side, from its intersection with Kamehameha Avenue northerly for a distance of four hundred fifteen feet.
 - (12) Banyan Drive, southeast side, beginning at a point five hundred forty-one feet east of Lihiwai Street and extending three hundred ninety-nine feet in the northeasterly direction.
 - (13) Banyan Drive, west side, beginning at Kalaniana‘ole Street and extending three hundred sixty feet in the northerly direction.
 - (14) Banyan Drive, west side, beginning at a point six hundred eighty-eight feet south of Lili‘uokalani Park Perimeter Road and extending three hundred ninety feet in the westerly direction.
 - (15) Barenaba Street, Puna side, from Derby Lane to Kīlauea Avenue.
 - (16) Furneaux Lane, Hāmākua side, between Keawe Street and Kīlauea Avenue.
 - (17) Haihai Street, Hamakua side, between the entrance and exit of the Hilo Municipal Golf Course.
 - (18) Haili Street, Hāmākua side, from Kapi‘olani Street for a distance of eighty-five feet in the mauka direction.
 - (19) Haili Street, Hāmākua side, between Kino‘ole Street and Kapi‘olani Street.
 - (20) Haili Street, Puna side, from Kapi‘olani Street for a distance of one hundred ten feet in the makai direction.

- (21) Haili Street, Puna side, from Kapi'olani Street for a distance of one hundred feet in the mauka direction.
- (22) Hālaulani Place, Puna side.
- (23) Hale Street, makai side, for its entire length.
- (24) Hale Street, mauka side, from Kahema Street and extending eighty-five feet towards Waiānuenu Avenue.
- (25) Hawai'i Belt Road connecting road in Pāpa'ikou, Puna side, connecting road from Hawai'i Belt Road to Old Māmalahoa Highway.
- (26) Hilo Bus Terminal at Mo'ohau Park, mauka side, between the two driveways and along the Puna and makai side of the terminal.
- (27) Hilo Civic Auditorium Complex, along the roadways of the complex, except where parking stalls are provided.
- (28) Hilo High School, Hāmākua side lane within the unloading area off Waiānuenu Avenue.
- (29) Hina Street, both sides, beginning at its dead end and extending eighty-five feet in the northeasterly direction.
- (30) Hōkū Street, Hāmākua side, from Kīlauea Avenue to the first driveway.
- (31) Hōkū Street, Puna side.
- (32) Honu Street.
- (33) Hualālai Street, Hāmākua side, beginning at Kīlauea Avenue and extending two hundred twenty-three feet in the mauka direction.
- (34) Hualālai Street, Puna side, Pana'ewa Street to Kīlauea Avenue.
- (35) Hualālai Street, northwest side, beginning at a point nine hundred twenty feet southwest of Kīlauea Avenue and extending three hundred sixty-seven feet in the southwesterly direction.
- (36) Hualālai Street, southwest side, beginning at a point three hundred fifty-three feet northeast of Ululani Street and extending three hundred seventy-two feet in the northeasterly direction.
- (37) 'Iliahi Street, Hāmākua side, from Pu'u'eo Street to Wainaku Avenue.
- (38) South 'Iwa'iwa Street.
- (39) Kahaoi Road, both sides, from Laehala Street to its terminus.
- (40) Kahema Street, both sides, starting at Hale Street and extending eighty-five feet in the mauka direction.
- (41) Kahoa Road, mauka side, from the Maile Stream Bridge for a distance of one thousand one hundred feet in the Hilo direction.
- (42) Ka'iulani Street, both sides, beginning from Wailuku Drive and extending nine hundred feet in the mauka direction.
- (43) Ka'iulani Street, makai side, from Waiānuenu Avenue to Wailuku Drive.
- (44) Kaiwiki Road, Hāmākua side, in Kaiwiki Camp.
- (45) Kaiwiki Road, Hāmākua side, at Wainaku Camp 2 from the gym road intersection to a point approximately one thousand fifty feet makai.
- (46) Kaiwiki Road, Puna side, at Wainaku Camp 2 from the gym road intersection to a point approximately one hundred forty feet makai.
- (47) Kalaniana'ole Street, north side, from a point five hundred eighty feet west of Oeoe Street and extending five hundred seventy-one feet in the westerly direction.
- (48) Kalaniana'ole Street, south side, from Kamehameha Avenue to a point sixty-three feet west of the Seaside Restaurant driveway.
- (49) Kalaniana'ole Street, north side, from a point five hundred eighteen feet east of Banyan Way extending five hundred eighty-one feet in the westerly direction.

- (50) Kalaniana'ole Street, south side, from a point eighty-three feet east of the Seaside Restaurant driveway to Leleiwi Street.
- (51) Kalaniana'ole Street, north side, from a point eight hundred ninety-one feet west of Onekahakaha Beach Road and extending seven hundred forty-five feet in the westerly direction.
- (52) Kalaniana'ole Street, north side, from a point fifty-seven feet east of Leleiwi Street and extending five hundred feet in the westerly direction.
- (53) Kalaniana'ole Street, north side, from a point three hundred fifteen feet west of Uwau Street and extending four hundred ninety-three feet in the westerly direction.
- (54) Kamehameha Avenue, north side from the State right-of-way, a point .3 mile west of Manono Street, to a point seven hundred thirty-eight feet west of Pauahi Street.
- (55) Kamehameha Avenue, mauka side, from Ponahawai Street for a distance of one hundred sixty feet in the Hāmākua direction.
- (56) Kamehameha Avenue, south side, from Ponahawai Street to the State right-of-way, a point one thousand six hundred feet east of Pauahi Street.
- (57) Kamehameha Avenue, mauka side, from a point seventy feet northwest of Shipman Street to Wailuku Drive.
- (58) Kanoa Street, Puna side, between Pu'u'eo Street and the Bayfront Highway.
- (59) Kapi'olani Street, makai side, Ponahawai Street to Haili Street.
- (60) Kapi'olani Street, makai side, Haili Street to Waiānuenu Avenue except between the hours of 5:00 a.m. and 1:00 p.m. on Sundays.
- (61) Kapi'olani Street, mauka side, from Haili Street and extending towards Waiānuenu Avenue for a distance of one hundred thirty-five feet.
- (62) Kapi'olani Street, mauka side, from a point one hundred thirty-five feet south of Ponahawai Street and proceeding in a southerly direction on Kapi'olani Street to its intersection with Kūkūau Street.
- (63) Kapi'olani Street, northeast side, beginning at Kāwili Street and extending one thousand one hundred thirty feet in the northwesterly direction.
- (64) Kapi'olani Street, southwest side, between Kāwili Street and Lanikāula Street.
- (65) Kauila Street, Hāmākua side, from Pu'u'eo Street to Wainaku Avenue.
- (66) Kaūmana Drive, from Waiānuenu Avenue to Ainako Avenue.
- (67) Kaūmana Drive, east side, from 'I'iwipōlena Street to Ainako Avenue.
- (68) Kaūmana Drive, Puna side, from the entrance to Kaūmana School to a point approximately four hundred feet mauka of Laua'e Road, a distance of approximately four thousand five hundred fifty feet.
- (69) Kawaihānui Street, Puna side, from Kīlauea Avenue to Komohana Street.
- (70) Kāwili Street, from Puainako Street to Kīlauea Avenue.
- (71) Kāwili Street, Hāmākua side, from ninety feet mauka of the T-intersection with Manono Street southward for a distance of one hundred twenty feet.
- (72) Kāwili Street, Puna side, from ninety feet mauka of the T-intersection with Manono Street southward for a distance of two hundred fifty feet.
- (73) Kāwili Street, north side, beginning at Hīnano Street and extending one hundred thirty feet in the easterly direction.
- (74) Kea'ā Street, Puna side, from the makai side of the Waiākea Fire Station and extending sixty feet in the makai direction.
- (75) Kekūanaō'a Street, from Mililani Street to Hīnano Street.
- (76) Kekūanaō'a Street, north side, beginning at a point two hundred fifteen feet west of the private roadway opposite Honu Street and extending four hundred sixty-seven feet in the westerly direction to Kīlauea Avenue.
- (77) Kekūanaō'a Street, south side, beginning at Kīlauea Avenue and extending two hundred fourteen feet in the easterly direction.

- (78) Kīlauea Avenue, makai side, from Kawailani Street for a distance of five hundred feet in the Puna direction.
- (79) Kīlauea Avenue, makai side, from East Ohea Street to Kūkūau Street.
- (80) Kīlauea Avenue, west side, from a point two hundred twenty feet south of Barenaba Lane to West Ohea Street.
- (81) Kīlauea Avenue, mauka side, from Kūkūau Street to a point six hundred sixty feet Puna of Hualālai Street.
- (82) Kīlauea Avenue, mauka side, from Kawailani Street for a distance of one hundred sixty feet in the Puna direction.
- (83) Kino'ole Street, one hundred twenty-five feet on the Puna side and two hundred twenty-five feet on the Hāmākua side of Hilo Lanes road exit.
- (84) Kino'ole Street, between Olonā Street and Lono Street.
- (85) Kino'ole Street, makai side, from Haihai Street to the Puna boundary of Waiākeawaena School.
- (86) Kino'ole Street, makai side, from a point four hundred thirty-one feet southeast of Haili Street and extending one hundred feet to Mamo Street.
- (87) Kino'ole Street, makai side, beginning at Hōkū Street and extending seven hundred five feet in the Hāmākua direction.
- (88) Kino'ole Street, makai side, beginning from Kūkūau Street and extending sixty-five feet in the Hāmākua direction.
- (89) Kino'ole Street, makai side, from a point one hundred eighty-eight feet south of Mohouli Street to a point seventy-one feet north of Mohouli Street.
- (90) Kino'ole Street, makai side, from Mohouli Street and extending for a distance of one hundred thirty feet in the Hāmākua direction.
- (91) Kino'ole Street, makai side, from a point three hundred thirty-seven feet north of the Puna boundary of Waiākeawaena School to a point one hundred feet north of Kawailani Street.
- (92) Kino'ole Street, mauka side, beginning at a point four hundred sixty-five feet Hāmākua of Hualālai Street and extending four hundred ten feet in the Hāmākua direction.
- (93) Kino'ole Street, mauka side, from Kawailani Street to a point seven hundred twenty-five feet in the Puna direction.
- (94) Kino'ole Street, mauka side, beginning at a point seven hundred forty-one feet Puna of Kūkūau Street and extending seven hundred five feet in the Puna direction.
- (95) Kino'ole Street, mauka side, from Wailoa Street and extending in the Hāmākua direction for one hundred sixty-seven feet.
- (96) Kohola Street, Hāmākua side.
- (97) Kole Street.
- (98) Kūkūau Street, Hāmākua side, between Kino'ole Street and Kapi'olani Street.
- (99) Kūkūau Street, Puna side, from a point two hundred twenty-five feet mauka of Kīlauea Avenue to Ululani Street.
- (100) Lanakila Homes area, except where parking spaces are designated or special parking areas are provided.
- (101) Lanikāula Street, both sides, beginning at a point five hundred three feet east of Kalili Street and extending nine hundred sixty-seven feet in the easterly direction.
- (102) Lanikāula Street, both sides, from Kīlauea Avenue easterly for a distance of one hundred fifty feet.
- (103) Lanikāula Street, Hāmākua side, beginning at the driveway to the Church of the Holy Cross and extending one hundred ten feet in the makai direction.
- (104) Lanikāula Street, Puna side, beginning at Kapi'olani Street and extending one hundred seventy-five feet towards Ululani Street

- (42) Māmalahoa Highway, makai side, beginning at the south prolongation of Kīloa Road and extending one hundred twenty feet in the northerly direction.
 - (43) Manawale‘a Street, both sides.
 - (44) Melelina Street, on the makai side between Nani Kailua Drive and Aloha Kona Drive.
 - (45) Nahenahe Loop, mauka side, beginning at St. Paul Road and extending for one hundred sixty feet in the northerly direction.
 - (46) Nāpō‘opo‘o Beach Road, on the makai side, beginning at the Nāpō‘opo‘o Road intersection and extending to the northern terminus.
 - (47) Nāpō‘opo‘o Beach Road, on the mauka side, beginning at the Nāpō‘opo‘o Road intersection and extending three hundred thirty feet in the northerly direction.
 - (48) An old government lane in Kailua-Kona, located between the Kama‘āina Lodge and the Ocean View Inn.
 - (49) Onipa‘a Street, Le‘ale‘a Street to Kealakehe School parking lot.
 - (50) Palani Road, north side, from a point fifty feet mauka of the Kailua Rubbish Dump Road to a point fifty feet makai of the Kailua Rubbish Dump Road.
 - (51) Sarona Road in Kailua-Kona, both sides.
- (g) Puna
- (1) Hale Pule Loop, from its northernmost intersection with the Volcano Highway to its intersection with Hale Kula Road.
 - (2) Mauka side of the government road in front of Harry K. Brown Park in Kalapana, from the entrance to the parking lot to six hundred feet in the Volcano direction.
 - (3) On the roadway on the ‘Ōla‘a to Kapoho Road from the ‘Ōla‘a boundary of Pāhoa Park to a point four hundred feet on the ‘Ōla‘a side of the Pāhoa Garage.
 - (4) Ka‘ū side of roadway in the vicinity of the old Nakamura Store in Kapoho on both sides of curve of Pāhoa-Kumukahi Lighthouse Road for a distance of eight hundred twenty feet west from a point approximately one thousand one hundred fifty feet northwest of Project marker F.A.P. No. S-4132 and ER-8.
 - (5) Kalapana Beach Road, from the Kapoho-Pāhoa-Kaimū intersection for a distance of two hundred forty feet in the Kapoho direction.
 - (6) Kalapana/Kapoho Beach Road, on the mauka side directly across from Puala‘a Beach Park for a total distance of four hundred thirty feet.
 - (7) Kamā‘ili Road, Kalapana side, from a point five hundred feet mauka of the truck runway ramp to a point three hundred feet makai of the truck runway ramp.
 - (8) Ka‘ohe Homestead Road, east side, from the athletic field driveway and extending southerly to an area just past the County of Hawai‘i Deep Well Site, a distance of one thousand two hundred twenty feet.
 - (9) Ka‘ohe Homestead Road, west side, from the Pāhoa Road to and including the Pāhoa School gym.
 - (10) Kauhale Street, on the west side, beginning at Pāhoa Road and extending two hundred twelve feet in the southerly direction.
 - (11) Kea‘au Civic Center Road, Puna (makai) side.
 - (12) Kea‘au-Pāhoa Road, north side, from Ka‘ohe Homestead Road and extending five hundred fifteen feet to the Sacred Hearts Church driveway.
 - (13) Māmalahoa Highway in Kea‘au, from the Kea‘au Store for a distance of one thousand feet in the volcano direction.
 - (14) Mauka side between Pāhoa town and the school.

- (15) Old Volcano Road, in Kea'au Village, both sides, beginning at a point eighty-two feet northeast of Pili Mua Street and extending nine hundred sixty feet in the northeasterly direction.
- (16) Route 130, east side, beginning at Kahakai Boulevard and extending three hundred fifty feet in the southerly direction toward Pāhoa Village.

(1996, Ord. No. 96-163, sec. 2; Am. 1996, Ord. No. 96-155, sec. 1; Am. 1997, Ord. No. 97-25, sec. 1; Ord. No. 97-28, secs. 1 and 2; Ord. No. 97-58, sec. 1; Ord. No. 97-109, sec. 1; Ord. No. 97-110, sec. 1; Ord. No. 97-123, sec. 1; Ord. No. 97-129, secs. 1 and 2; Am. 1998, Ord. No. 98-31, secs. 1, 2, 3; Ord. No. 98-40, sec. 2; Ord. No. 98-62, sec. 1; Ord. No. 98-73, secs. 1, 2; Ord. No. 98-74, secs. 2, 3, 4 and 5; Ord. No. 98-85, sec. 2; Ord. No. 98-89, secs. 1, 2; Am. 1999, Ord. No. 99-62, sec. 1; Ord. No. 99-84, sec. 3; Ord. No. 99-90, sec. 1; Ord. No. 99-92, secs. 1, 2; Ord. No. 99-128, sec. 1; Ord. No. 99-134, secs. 1--5; Am. 2000, Ord. No. 00-12, sec. 1; Ord. No. 00-29, secs. 1 and 2; Ord. No. 00-79, sec. 4; Ord. No. 00-80, sec. 1; Ord. No. 00-129, sec. 1; Ord. No. 00-130, sec. 2; Am. 2001, Ord. No. 01-8, sec. 1; Ord. No. 01-9, sec. 3; Ord. No. 01-119, sec. 3; Am. 2002, Ord. No. 02-91, sec. 1; Am. 2004, Ord. No. 04-25, secs. 1 and 2; Am. 2008, Ord. No. 08-174, sec. 1; Am. 2009, Ord. No. 09-22, sec. 1; Ord. No. 09-61, sec. 2, Ord. No. 09-145, sec. 2; Am. 2010, Ord. No. 10-3, sec. 2.)

Section 24-281. Schedule 29. Parking prohibited during certain hours on certain streets; tow-away zone.

When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle between the hours specified herein upon any of the streets or parts of streets as follows:

- (a) Hāmākua
- (b) North Hilo
 - (1) Old Māmalahoa Highway, mauka side, at Pāpa'aloa, beginning at a point two hundred thirty-three feet on the Hilo side of Kaiwilahilahi Bridge for a distance of one hundred fifty-four feet in the Hilo direction from 7:00 a.m. to 5:00 p.m.
- (c) South Hilo
 - (1) 'Alae Street, both sides, from Laimana Street to Hāla'i Street between the hours of 7:15 a.m. to 8:00 a.m. and 2:30 p.m. to 3:30 p.m. on school days.
 - (2) Banyan Drive, east side, beginning at a point nine hundred forty feet east northeast of Lihikai Street and extending five hundred seventy-one feet in the northeasterly direction between the hours of 11:00 p.m. and 5:00 a.m.
 - (3) Banyan Drive, makai side, 9:00 a.m. to 11:00 a.m. on Tuesdays.
 - (4) Banyan Drive, mauka side, 9:00 a.m. to 11:00 a.m. on Thursdays.
 - (5) Banyan Drive, north side, beginning at a point one thousand seventy-eight feet southwest of Lili'uokalani Park Perimeter Road to Lihikai Street between the hours of 11:00 p.m. and 5:00 a.m.
 - (6) Banyan Drive, south side, beginning at Lihikai Street and extending five hundred forty-one feet in the easterly direction between the hours of 11:00 p.m. and 5:00 a.m.
 - (7) Banyan Drive, west side, beginning at a point seven-tenths mile Puna of Lihikai Street and extending seven hundred eighty feet in the southerly direction towards Kamehameha Avenue between the hours of 11:00 p.m. and 5:00 a.m.
 - (8) Banyan Drive, west side, beginning at a point one hundred three feet south of Lili'uokalani Park Perimeter Road and extending five hundred eighty-five feet in the southerly direction between the hours of 11:00 p.m. and 5:00 a.m.
 - (9) Haili Street, Puna side, between Kino'ole Street and Ululani Street from 7:15 a.m. to 8:00 a.m. on school days.
 - (10) Hualālai Street, Puna side, between Ululani Street and the makai side of the St. Joseph School Cafeteria from 7:15 a.m. to 8:00 a.m. on school days; 1:45 p.m. to 2:30 p.m. on Mondays, Tuesdays, Thursdays and Fridays when school is in session; and 12:45 p.m. to 1:30 p.m. on Wednesdays when school is in session.

- (11) Kahoa Street, east side, from a point four hundred twenty-five feet north of Nahala Street and extending five hundred ninety-five feet north from 10:00 p.m. to 5:00 a.m.
- (12) Kalaniana'ole Street, south side, from a point sixty-three feet west of the Seaside Restaurant driveway and extending one hundred fifty-eight feet in the easterly direction except between the hours of 5:00 p.m. and 10:00 p.m.
- (13) Kalili Street, from a point one hundred forty-four feet south of Noe Street and extending four hundred forty-three feet in the southerly direction from 11:00 p.m. to 6:00 a.m.
- (14) Kīlauea Avenue, Hāmākua-mauka side, adjacent to the Hilo Hongwanji Temple driveway between the hours of 2:00 p.m. and 5:30 p.m. from Mondays to Fridays and 7:30 a.m. to 12:00 noon on Sundays.
- (15) Lihikai Street, east side, Banyan Drive to Lili'uokalani Park Perimeter Road between the hours of 11:00 p.m. and 5:00 a.m.
- (16) Lili'uokalani Park Perimeter Road, beginning at a point seven hundred twenty-five feet west of Banyan Drive to Lihikai Street between the hours of 11:00 p.m. and 5:00 a.m.
- (17) Mohouli Street, Pu'u'eo side, in front of the children's shelter area for a distance of seventy-five feet mauka of the old driveway into Kapi'olani School from 7:15 a.m. to 8:00 a.m. on school days; 1:45 p.m. to 2:30 p.m. on Mondays, Tuesdays, Thursdays and Fridays when school is in session; and 12:45 p.m. to 1:30 p.m. on Wednesdays when school is in session.
- (18) Mohouli Street, on the Puna side, those three metered stalls mauka of Kīlauea Avenue between 7:00 a.m. and 8:00 a.m. on school days.
- (19) 'Ōhai Street, 4:00 a.m. to 6:00 a.m. on Mondays.
- (20) Pi'ihonua Road, both sides, beginning at the northern terminus of Bridge 25-2 to the southern terminus of Bridge 25-1, between the hours of 6:00 p.m. and 6:00 a.m.
- (21) Pūnāwai Street, between 7:00 a.m. and 8:00 a.m. except Saturdays, Sundays and public holidays.
- (22) Pu'u'eo Street, 4:00 a.m. to 6:00 a.m. on Mondays.
- (23) Waiānuenue Avenue, Hāmākua side, from two hundred forty feet makai of Laimana Street to Kapi'olani Street, between the hours of 7:15 a.m. and 8:00 a.m. on school days.
- (24) Waiānuenue Avenue, Hāmākua side, fronting the Hilo Methodist Church, from 7:00 a.m. to 6:00 p.m. except on Saturdays, Sundays, and holidays.
- (25) Waiānuenue Avenue, north side, from Pūnāwai Street to Hāla'i Street, from 7:15 a.m. to 8:15 a.m. on school days and from 4:00 p.m. to 5:00 p.m. except on Saturdays, Sundays and public holidays.
- (26) Waiānuenue Avenue, Puna side, one stall mauka of the Hilo Union School-Annex crosswalk, from 7:15 a.m. to 8:00 a.m. on school days; 1:45 p.m. to 2:30 p.m. on Mondays, Tuesdays, Thursdays and Fridays when school is in session; and 12:45 p.m. to 1:30 p.m. on Wednesdays when school is in session.
- (27) Waiānuenue Avenue, Puna side, from four hundred five feet makai of Laimana Street and extending one hundred fifty-eight feet towards Kapi'olani Street between the hours of 7:15 a.m. and 5:30 p.m. on school days.
- (28) Waiānuenue Avenue, Puna side, from one hundred feet makai of Laimana Street and extending one hundred sixty-four feet in the makai direction between the hours of 7:15 a.m. and 8:00 a.m. on school days.
- (29) Derby Street, between the hours of 7:00 p.m. to 7:00 a.m.
- (30) Wilson Street, between the hours of 7:00 p.m. to 7:00 a.m.
- (d) Ka'ū
- (e) Kohala
- (f) Kona
 - (1) Alapa Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (2) Eho Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (3) Kaiwi Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.

- (4) Kaleiopapa Street, mauka side, beginning at a point four hundred ten feet north of 'Ehukai Street and extending four hundred ten feet in the northerly direction, at all times, except between 4:00 p.m. to 9:00 p.m. on Tuesdays and Fridays.
 - (5) Kamanu Street, Kaloko Light Industrial Subdivision, from 10:00 p.m. to 5:00 a.m.
 - (6) Kanalani Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (7) Kauhola Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (8) Keanalehu Drive, 8:00 a.m. to 3 p.m. on school days.
 - (9) Lawehana Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (10) Luhia Street, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (11) Maiau Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (12) Olowalu Street, Kaloko Light Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (13) Pawai Place, Kona Industrial Subdivision, from 2:00 a.m. to 5:00 a.m.
 - (14) Puohulihuli Street, 8:00 a.m. to 3:00 p.m. on school days.
- (g) Puna
- (1) 'Ōla'a to Kapoho Road in Pāhoa, mauka side, in front of the Pāhoa YBA Building, from 2:00 p.m. to 5:30 p.m. on school days except that on Wednesdays when school is in session, no parking shall be allowed from 1:00 p.m. to 5:30 p.m.

The chief of police is authorized to remove, or cause to be removed at the owner's expense, any vehicle left unattended or parked in violation of this section or posted signs.

(1996, Ord. No. 96-163, sec. 2; Am. 1997, Ord. No. 97-57, sec. 1; Ord. No. 97-70, sec. 1; Ord. No. 97-85, sec. 1; Ord. No. 97-129, sec. 3; Am. 1998, Ord. No. 98-32, sec. 1; Ord. No. 98-85, sec. 3; Ord. No. 98-89, sec. 3; Am. 1999, Ord. No. 99-8, sec. 1; Ord. No. 99-14, secs. 1, 2; Am. 2000, Ord. No. 00-10, sec. 1; Ord. No. 00-12, sec. 2; Ord. No. 00-27, sec. 1; Am. 2001, Ord. No. 01-7, sec. 1; Am. 2003, Ord. No. 03-168, secs. 1 and 2; Am. 2006, Ord. No. 06-167, sec. 1; Am. 2009, Ord. No. 09-146, sec. 2; Am. 2010, Ord. No. 10-3, sec. 3.)

Section 24-282.1. Schedule 30.1. 15 minute parking areas.

When signs are erected giving notice thereof, vehicle parking on the following streets and portions of streets is limited to fifteen minutes:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
 - (1) Kīlauea Avenue, mauka side, from a point sixty-four feet Puna of Wilson Street to a point one hundred three feet in the Puna direction, from 7:00 a.m. to 12:00 noon.
- (d) Ka'u
- (e) Kohala
- (f) Kona
- (g) Puna
 - (1) Pāhoa Village Road, south side, from a point three hundred twenty-six feet west of Kauhale Street to a point one hundred seventeen feet in the easterly direction.

(1999, Ord. No. 99-127, sec. 1; Am. 2009, Ord. No. 09-121, sec. 2.)

Section 24-282.2. Schedule 30.2. 36 minute parking areas.

When signs are erected giving notice thereof, vehicle parking on the following streets and portions of streets is limited to thirty-six minutes:

- (a) Hāmākua
- (b) North Hilo
- (c) South Hilo
- (d) Ka'u
- (e) Kohala
- (f) Kona
- (g) Puna

(1996, Ord. No. 96-163, sec. 2; Am. 1999, Ord. No. 99-127, sec. 2.)

Article 3. Establishment of Zoning Districts.

- Section 25-3-1. Designation of districts.
- Section 25-3-2. Designation of special districts.
- Section 25-3-3. Method and effect of establishment of districts.
- Section 25-3-4. Establishment of building lines, future width lines and plan lines for future streets.
- Section 25-3-5. Application of district regulations.
- Section 25-3-6. Rules for interpretation of district boundaries.
- Section 25-3-7. District classification of streets.
- Section 25-3-8. Legal effect of establishment of building lines, future width lines, and plan line.

Article 4. General Development Regulations.

Division 1. Use Regulations.

- Section 25-4-1. Existing buildings.
- Section 25-4-2. Conditions for construction of buildings designed for human occupancy.
- Section 25-4-3. Establishment of permitted uses.
- Section 25-4-4. Uses prohibited.
- Section 25-4-5. Uses authorized by other permits.
- Section 25-4-6. Use of streets.
- Section 25-4-7. Bed and breakfast establishments.
- Section 25-4-8. Temporary real estate offices and model homes.
- Section 25-4-9. Guest houses.
- Section 25-4-10. Mobile dwellings.
- Section 25-4-11. Power lines, utility substations, public buildings.
- Section 25-4-12. Telecommunication antennas or towers.
- Section 25-4-13. Home occupations.
- Section 25-4-14. Flag lots.
- Section 25-4-15. Agricultural tourism.

Division 2. Heights.

- Section 25-4-20. Height; general rules.
- Section 25-4-21. Basements and underground structures.
- Section 25-4-22. Exemptions from height limitations.
- Section 25-4-23. Accessory structure height limitations.

Division 3. Street Frontage, Lot Areas and Widths.

- Section 25-4-30. Minimum street frontage.
- Section 25-4-31. Minimum building site area; minimum average width.
- Section 25-4-32. Reduction of building site below minimum area.
- Section 25-4-33. Effect of delinquent tax sale; recordation of land.
- Section 25-4-34. Waiver of minimum building site area for utilities.

Division 4. Yards and Open Space.

- Section 25-4-40. General requirements for yards and open space.
- Section 25-4-41. Triangular or irregular building sites.
- Section 25-4-42. Corner building sites.
- Section 25-4-43. Fences and accessory structures.
- Section 25-4-44. Permitted projections into yards and open spaces.
- Section 25-4-45. Projection of porte-cocheres.
- Section 25-4-46. Projection of pools.
- Section 25-4-47. Minimum distance between main buildings on same building site.

Division 5. Off-Street Parking and Loading.

- Section 25-4-50. Off-street parking and loading: purpose.
- Section 25-4-51. Required number of parking spaces.
- Section 25-4-52. Method of determining number of parking spaces.
- Section 25-4-53. Minimum dimensions of parking spaces.
- Section 25-4-54. Standards and improvements to off-street parking spaces.
- Section 25-4-55. Parking for persons with disabilities.
- Section 25-4-56. Off-street loading requirements.
- Section 25-4-57. Method of determining number of loading spaces.
- Section 25-4-58. Dimension of loading spaces.
- Section 25-4-59. Location and improvement of loading spaces.
- Section 25-4-59.1. Director determination of parking and loading requirements.
- Section 25-4-59.2. Exceptions to the off-street parking and loading requirements.
- Section 25-4-59.3. Landscaping and screening for parking lots and loading spaces.

Division 6. Nonconforming Uses and Buildings.

- Section 25-4-60. Nonconforming buildings; maintenance and repair.
- Section 25-4-61. Continuance of nonconforming uses of land and buildings.
- Section 25-4-62. Abandonment of nonconforming use.
- Section 25-4-63. Destruction of building with nonconforming use.
- Section 25-4-64. Maintenance of building with nonconforming use.
- Section 25-4-65. Expansion of nonconforming use; changes to building with nonconforming use.
- Section 25-4-65.1. Exceptions to nonconforming use and building provisions.

Division 7. De Minimis Structure Position Discrepancy.

- Section 25-4-66. Procedure for recognizing a de minimis structure position discrepancy.
- Section 25-4-67. Review by director.
- Section 25-4-68. Grounds for approval or denial.
- Section 25-4-69. Recognition of de minimis structure position discrepancy.
- Section 25-4-70. Disclosure.
- Section 25-4-71. Appeals.

ZONING

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Article 2. Administration and Enforcement.**Division 1. General Administration.****Section 25-2-1. Duties of county officers.**

- (a) The building official shall enforce any provisions of this chapter relative to building construction and occupancy.
- (b) The director shall enforce all other provisions of this chapter pertaining to land use.
- (c) All law enforcement officers of the County shall enforce all the provisions of this chapter. (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-2. Issuance of permits or licenses in conformance with chapter.

All departments, officials, and public employees authorized to issue permits or licenses shall conform to the provisions of this chapter and no permit or license for any use, building, or other purpose shall be issued where the license or permit would be in conflict with the provisions of this chapter. Any permit or license, if issued in conflict with the provisions of this chapter, shall be void. (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-3. Review and acceptance of applications.

- (a) Any application filed with the director or the commission, pursuant to this chapter, including but not limited to a zoning amendment, variance, use permit, plan approval, ohana dwelling permit, planned unit development permit, or cluster plan development permit, shall be reviewed by the director for completeness within fifteen days from the date that the application was filed by the applicant. An application may be filed with the director or the commission either by hand or mail delivery to the Hilo or Kona department.
- (b) All applications shall be accompanied by a certification of clearance from the director of finance that the real property taxes and all other fees relating to the subject parcel or parcels have been paid, and that there are no outstanding delinquencies. Any application not accompanied by such certification of clearance will be deemed defective.
- (c) During the fifteen-day period, the director shall either determine that the application is complete and accept the application as of the date that the application was filed by the applicant or shall determine that the application is defective.
- (d) If the director determines that the application is defective, the application shall be returned to the applicant together with a deficiency notice, to be postmarked within the fifteen-day review period, which lists the information missing from the application.
- (e) Any application that is rejected as defective may be refiled together with a copy of the deficiency notice and the required additional information. The resubmitted application shall be accepted as complete as of the date of resubmission, provided that all required additional information has been submitted.
- (f) If the director fails to act upon any application within the fifteen-day period, the application shall be deemed complete and shall be considered accepted as of the date that the application was filed.
- (g) The director shall publish, on a semi-monthly basis, a list of all applications accepted under this section in at least two newspapers of general circulation in the County. Such list shall include the name of the property owner, tax map key number(s) of the property, the land area, and street address, if available. (1996, Ord. No. 96-160, sec. 2; Am. 1998, Ord. No. 98-29, sec. 1; Ord. No. 98-26, sec. 1; Ord. No. 96-160, ratified and amended April 6, 1999.)

Section 25-2-4. Notice to property owners and lessees of record of pending application.

- (a) Whenever any application under this chapter requires notice to owners and lessees of record interests of the surrounding properties:
- (1) Such notice shall be served to the owners and lessees of record of all lots of which any portion is within three hundred feet of any point along the perimeter boundary of the building site affected by the application if the building site is located within the state land use urban or rural district;
 - (2) For applications other than those requesting a change of zoning district classification, such notice shall be served on the owners and lessees of record of all lots of which any portion is within five hundred feet of any point along the perimeter boundary of the building site affected by the application if the building site is located within the state land use agricultural district, except that if the surrounding lots are located within either the state land use urban or rural district, notice shall be served on the owners and lessees of record of all lots of which any portion is within three hundred feet of the building site; or
 - (3) For applications requesting a change of zoning district classification, such notice shall be served on the owners and lessees of record of all lots of which any portion is within one thousand feet of any point along the perimeter boundary of the building site affected by the application or the two contiguous lots in all directions, whichever distance is greater, if the building site is located within the state land use agricultural district or the County zoned agricultural district. For those adjoining properties located within either the state land use urban or rural district, notice shall be served on the owners and lessees of record of all lots of which any portion is within three hundred feet of the building site.
- (b) The applicant shall first serve notice of the filing of the application on the surrounding owners and lessees within ten days after the director or commission has officially acknowledged receipt of the application, and shall again serve notice of the application and of any proposed action or public hearing on the surrounding owners and lessees, within ten days after receiving notice from the director or the commission of the date of the proposed action or hearing. The second notice shall be served not less than ten days prior to the date of the proposed action or hearing.
- (c) In determining the names and addresses of the affected owners and lessees of record, as required by this section, the applicant shall utilize the data available from the real property tax office; provided, that where the director has received written notice of additional or subsequent owners or lessees of record and has so informed the applicant, the applicant shall also provide the required notice to such persons. The applicant shall also provide notice to such other owners and lessees of record when the applicant otherwise has actual knowledge of such other owners or lessees of record.
- (d) The notice to the affected property owners and lessees shall include the following information:
- (1) The name of the applicant;
 - (2) The precise location of the property involved;
 - (3) The nature of the application and the proposed use of the property;
 - (4) The date on which the application was filed with the director or the commission; and
 - (5) If the notice is for any proposed administrative action by the director or for any public hearing to be held by the commission, the date on which the administrative action by the director will be taken on the application or the date on which a public hearing will be held to consider the application.
- (e) Prior to the director's proposed administrative action or prior to the commission's public hearing, the applicant shall submit to the director or the commission, as appropriate, proof of service or of good faith efforts to serve notice of the application on the designated property owners and lessees. Such proof may consist of certified mail receipts, affidavits, declarations, or the like. The failure of a property owner or lessee to receive written notice, as provided in this section, shall not invalidate any action by the director or proceeding by the commission, provided that good faith efforts were made by the applicant to serve notice on the affected property owner or lessee.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2010, Ord. No. 10-52, sec. 2.)

Section 25-2-5. Public hearing notices.

- (a) Unless otherwise provided, whenever published notice is required under this chapter prior to any commission public hearing, the commission shall publish notice of the hearing in at least two newspapers of general circulation in the County, at least ten days prior to the date of the public hearing, unless a longer time period is required by either statute or Charter provision, in which case, the notice period provided by statute or Charter provision shall apply. The notice shall specify the time, date and place of the hearing, its purpose and a description of the property, if any, involved.
- (b) The commission may publish consolidated notices of any public hearings to be held on the same date; provided that the consolidated notices state specific information regarding the time, date and place, the purpose and a description of the property involved in each matter.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-6. Waiting period after denial of application.

Unless otherwise provided in this chapter, whenever an application for an amendment to this chapter, or for a variance from this chapter, or for any other permit authorized under this chapter has been denied, no new application for the same relief, action or use covering all or any portion of the property involved in the original application shall be accepted by the director or the commission for a period of one year from the effective date of the final denial of the original application; provided, however, that upon a showing of a substantial change of circumstances, the director or commission may permit the filing of a new application prior to the expiration of the one-year period. Nothing contained in this section shall prevent the council or the director from initiating any proceedings at any time under this chapter.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-7. Utilization of approvals within two years.

Whenever any permit or approval issued under this chapter, not otherwise conditioned, except for any amendment of this chapter reclassifying a zoning district, has not been utilized within a period of two years from the date of the written permit or approval, the director shall initiate proceedings to invalidate the permit or approval. The proceeding to invalidate the permit or approval shall require written notice to the owner or person who has been issued the permit or approval prior to either the director or the commission taking action to invalidate the permit or approval. In the event that an appeal is filed regarding any permit or approval issued under this chapter, the two-year period provided for under this section shall not commence to run until a final decision is rendered in the appeal.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-8. Effect of changing districts on prior approvals.

Every administrative action for any given building site becomes void upon the changing of the district within which the building site lies unless the action is for the approval of an existing nonconforming use or structure, or such administrative action deals with a regulation which is precisely the same under the regulations of the new district or unless the administrative action is taken with full knowledge of a proposed or impending change of district, in which case the approval of such administrative action shall state that the action is equally acceptable under the existing and proposed or impending specified new district.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-9. Applications including lesser actions; concurrent applications.

- (a) An application for any administrative action, meaning any action requiring approval of only the director and not the commission, may include a request for a lesser action without payment of any additional filing fee provided that any notice of any required hearing shall contain information relating to the total requested or contemplated action.

Section 25-2-53. Notice of action on variance application.

- (a) Upon acceptance of a variance application, the director shall fix a date for the director's action on the application. Within ten days after receiving notice of such date, the applicant shall serve notice of the application on surrounding owners and lessees of record, as provided by section 25-2-4. The applicant shall also serve notice on owners and lessees of record of interests in other properties which the director may find to be directly affected by the variance sought. Except for setback variances, the applicant shall also post a sign for public notification on the property as provided by section 25-2-12.
- (b) The director shall publish notice of the date of the proposed decision by the director and the date by which written comments must be received by the director in at least two newspapers of general circulation in the County, at least ten days prior to the date of the director's proposed decision.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2005, Ord. No. 05-136, sec. 4.)

Section 25-2-54. Actions by director on variance.

- (a) The director shall, within sixty days after acceptance of a variance application, deny the application or approve it subject to conditions.
- (b) The conditions imposed by the director shall bear a reasonable relationship to the variance granted. All actions shall contain a statement of the factual findings supporting the decision.
- (c) If the director fails to act within the prescribed period, the application shall be considered as having been denied, and the director shall immediately inform the applicant of such denial.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-55. Reserved.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 1999, Ord. No. 99-112, sec. 5.)

Section 25-2-56. Reserved.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 1999, Ord. No. 99-112, sec. 7.)

Section 25-2-57. Reserved.

(1996, Ord. No. 96-160, sec. 2, ratified April 6, 1999; repealed Ord. No. 99-112, sec. 8.)

Section 25-2-58. Appeals.

- (a) If the director denies a variance application, such decision is final except, that, within thirty days after the date of the written decision, the applicant may appeal such action to the board of appeals, pursuant to the rules of practice and procedure of the board of appeals.
- (b) Any person aggrieved by the decision of the director in the issuance of a variance decision may appeal the director's action to the board of appeals, in accordance with this chapter, within thirty days after the date of the director's written decision.
(1999, Ord. No. 99-112, sec. 6.)

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Division 6. Use Permits.**Section 25-2-60. Purpose.**

Use permits are permits for certain permitted uses in zoning districts which require special attention to insure that the uses will neither unduly burden public agencies to provide public services nor cause substantial adverse impacts upon the surrounding community.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-61. Applicability; use permit required.

- (a) The following uses shall be permitted within designated County zoning districts only if a use permit is obtained for the use from the commission:
- (1) Bed and breakfast establishments in RS districts.
 - (2) Crematoriums in all districts.
 - (3) Churches, temples and synagogues, including meeting facilities for churches, temples, synagogues and other such institutions, in RS, RD, RM, RA, FA and A districts; provided that a minimum building site area of ten thousand square feet is required within the RS, RD, RM, and RA districts.
 - (4) Day care centers in RS, RD, RM, RA, FA and A districts, provided that a minimum building site area of ten thousand square feet shall be required within the RS, RD, RM, and RA districts.
 - (5) Golf courses and related golf course uses including golf driving ranges, golf maintenance buildings, and golf club houses in the RS, RD, RM, RCX, RA, FA, A, V, CG, CV, and O districts.
 - (6) Group living facilities that exceed the criteria in subsection 25-1-5(b), paragraph (b) of the definition of "group living facility" in the RS, RD, RM, RCX, RA, FA, A, CN, CG, CV, and V districts.
 - (7) Hospitals, sanitariums, old age, convalescent, nursing and rest homes, and other similar uses devoted to the care or treatment of the aged, the sick, or the infirm in the RS, RD, RM, RCX, RA, FA, A, and V districts, provided that a minimum building site area of ten thousand square feet shall be required within the RS, RD, RM, RCX and RA districts.
 - (8) Major outdoor amusement and recreation facilities in RS, RD, RM, RCX, RA, A, CN, CG, CV, MCX, ML, MG and O districts.
 - (9) Mortuaries in RS, RD, RM, RCX, RA, FA and A districts.
 - (10) Schools in RS, RD, RM, RA, FA and A districts, provided that a minimum building site area of ten thousand square feet shall be required within the RS, RD, RM, and RA districts.
 - (11) Telecommunication antennas and towers in RS, RD, RM, RCX, RA, FA, A and IA districts.
 - (12) Yacht harbors and boating facilities in the RS, RD, RM, RCX, RA, V, CG, CV, MCX, ML, MG and O districts.
 - (13) Wind energy facilities in the O district; provided that the property is within the state land use agricultural district.
 - (14) Other unusual and reasonable uses which are not specifically permitted in any zoning district with the approval of the director and the concurrence of the council by resolution.
- (b) Any use which received an approval as a conditionally permitted use prior to September 25, 1984, or which received prior approval through the use permit process, is considered a legal use of the affected parcel and may be expanded or enlarged without obtaining another use permit, provided such expansion, enlargement or addition is in full compliance with this chapter and the applicable district regulations.
- (c) A use permit shall not be required for any use described in subsection (a) above, if a special permit is obtained for that use, pursuant to section 205-6, Hawai'i Revised Statutes.

(1996, Ord. No. 96-160, sec. 2; ratified and amended April 6, 1999; Am. 2007, Ord. No. 07-55, sec. 2; Am. 2008, Ord. No. 08-2, sec. 2; Am. 2010, Ord. No. 10-17, sec. 2.)

Section 25-2-62. Application for use permit; requirements.

- (a) An application for a use permit shall be made to the commission, in accordance with its rules, on a form prescribed by the commission.

- (4) Temporary real estate offices and model homes, as permitted under section 25-4-8.
 - (5) Utility substations, as authorized under section 25-4-11.
 - (d) Plan approval shall be required in the RA and FA district prior to the construction or installation of any new structure or development, or of any addition to an existing structure or development which is to be used for minor agricultural products processing.
 - (e) Plan approval shall be required in the A district prior to the development of any trailer park or major agricultural products processing facility. The director shall determine whether an agricultural products processing facility shall be considered major or minor at the time of building permit review, or earlier at the applicant's request.
 - (f) Plan approval may be required as a condition of approval of any use permit, variance, or other action relating to a specific use, in which case the use or development so conditioned may not be established until plan approval has been secured.
 - (g) Plan approval shall be required for the establishment of any agricultural tourism activity, as permitted under section 25-4-15(b).
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999, Am. 2005, Ord. No. 05-155, sec. 2; Am. 2007, Ord. No. 07-56, sec. 3; Am. 2008, Ord. No. 08-155, sec. 3; Am. 2009, Ord. No. 09-16, sec. 2.)

Section 25-2-72. Application for plan approval; requirements.

An application for plan approval shall be on a form approved for such purpose by the director and shall be accompanied by:

- (1) A site plan, drawn to scale and fully dimensioned indicating clearly the following information:
 - (A) The location and dimension of the building site;
 - (B) The location, size, height, and use of all existing and proposed structures;
 - (C) All yards and open spaces;
 - (D) Location, height, and material of all fences and walls;
 - (E) The standard of improvement and location, number, and size of parking spaces, arrangement and on-site circulation of all off-street parking and loading facilities including points of access thereto from adjoining streets;
 - (F) The location, general nature, and type, and protection or shielding devices of all exterior lighting;
 - (G) All proposed landscaping and planting; and
 - (H) All proposed street dedication and improvement if any.
 - (2) Any other information required by rules adopted by the director in accordance with chapter 91, Hawai'i Revised Statutes.
 - (3) A site drainage plan [under section 27-20] approved by the director of public works, where plan approval is required under section 25-2-71(a), (c)(2) and (c)(5), (d), (e), or (f). The site drainage plan shall comply with section 27-20(a) and (b) and section 27-24, and shall include a storm water disposal system to contain runoff caused by the proposed development, within the site boundaries, up to the expected one-hour, ten year storm event, as shown in the department of public works "Storm Drainage Standards," dated October 1970, or any approved revision, unless those standards specify a greater recurrence interval. The amount of expected runoff shall be calculated according to the department of public works "Storm Drainage Standards," dated October 1970, or any approved revision, or by any nationally-recognized method meeting with the approval of the director of public works. Runoff calculations shall include the effects of all improvements. Storm water shall be disposed into drywells, infiltration basins, or other approved infiltration methods. The development shall not alter the general drainage pattern above or below the development.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999, Am. 2007, Ord. No. 07-56, sec.3.)

Section 25-2-73. Reserved.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2000, Ord. No. 00-152, sec. 2.)

Section 25-2-74. Plan approval application requirements for telecommunication antennas.

In addition to the application requirements for plan approval contained in section 25-2-72, an application for plan approval for a telecommunication antenna or tower shall contain the following information:

- (1) A plot plan showing the location of the proposed antenna or tower;
- (2) Building plans for the tower, certified by a licensed structural engineer, verifying that the tower, together with the initial antennas and other equipment proposed to be installed thereon, will have a hard survivability for sustained winds of one hundred miles per hour;
- (3) A statement from the Federal Aviation Administration that the application has not been found to be a hazard to air navigation; and
- (4) A statement from the Federal Communications Commission that the application complies with the regulations of the Commission or a statement that no such compliance is necessary.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-2-75. Plan approval application requirements for agricultural tourism.

In addition to the application requirements for plan approval contained in section 25-2-72, an application for plan approval for agricultural tourism operations shall include sufficient information to ensure the following provisions are met:

- (1) A statement whether the operation will allow visits by buses;
- (2) Adequate off street parking, loading/unloading, and turn-around space to accommodate all specified tour transportation modes, including buses, if they are allowed, shall be provided and shown on the site plan;
- (3) The subject property must have an existing legal access to a public highway, which may be via a private road or easement, and new driveways shall meet applicable county or state standards;
- (4) New and existing facilities to be utilized principally for the agricultural tourism activity shall be clearly indicated on the plot plan and shall not exceed one thousand square feet in total area, not including parking and vehicular accesses; and
- (5) Proof, acceptable to the director, of income from agricultural activities and/or agricultural products processing, or investment, as required under section 25-4-15(d)(1).

(2008, Ord. No. 08-155, sec. 4.)

Section 25-2-76. Action on plan approval application.

- (a) The director may issue plan approval subject to conditions or changes in the proposal which, in the director's opinion, are necessary to carry out and further the purposes of this chapter and the considerations contained in section 25-2-77.
- (b) The director may only issue plan approval for a bed and breakfast establishment if the proposed use meets all of the conditions contained in sections 25-2-77 and 25-4-7.
- (c) The director may only issue plan approval for a telecommunication antenna or tower if the proposed use meets all of the conditions contained in sections 25-2-77 and 25-4-12, and if the applicant provides all verification required under section 25-2-74.
- (d) The director may only issue plan approval for a temporary model home or real estate office if the proposed use meets all of the conditions in section 25-2-77 and 25-4-8.

Section 25-4-10. Mobile dwellings.

All mobile dwellings shall conform to the County building code (chapter 5 of this Code), and the Public Health Housing Code (chapter 2 of the State public health regulations), except:

- (1) When parked in a licensed mobile home park; or
- (2) When occupied for dwelling or sleeping purposes outside of a licensed mobile home park for less than thirty days in any one location.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-4-11. Power lines, utility substations, public buildings.

- (a) Communication, transmission, and power lines of public and private utilities and governmental agencies are permitted uses within any district.
- (b) Any substation used by a public or private utility for the purpose of furnishing telephone, gas, electricity, water, sewer, radio, or television shall be a permitted use in any district provided that the use is not hazardous or dangerous to the surrounding area and the director has issued plan approval for such use.
- (c) Public uses, structures and buildings and community buildings are permitted uses in any district, provided that the director has issued plan approval for such use.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2006, Ord. No. 06-86, sec. 2.)

Section 25-4-12. Telecommunication antennas or towers.

- (a) A telecommunication antenna or tower shall be permitted in the V, CN, CG, CV, MCX, ML, MG, O, and CDH districts; provided that the antenna, tower, and its use are not hazardous or dangerous to the surrounding area and the director has issued plan approval for such use. A telecommunication antenna or tower may be permitted in the RS, RD, RM, RCX, RA, FA, A and IA districts if a use permit is obtained for such use. Where there is an existing telecommunication tower, co-location of additional antenna or equipment will be permitted provided the director has issued plan approval for such use.
- (b) The minimum setbacks for a telecommunication antenna and tower are as follows:
 - (1) Freestanding antennas and towers shall be set back from every property line a minimum of one foot for every five feet of antenna or tower height.
 - (2) Telecommunication antennas and towers supported by guy wires shall be set back from every property line a minimum of one foot for every one foot of antenna or tower height.
- (c) The tower, together with the initial antennas or other equipment proposed to be installed thereon, shall have a hard survivability for sustained winds of at least one hundred miles per hour.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2010, Ord. No. 10-17, sec. 3.)

Section 25-4-13. Home occupations.

- (a) A home occupation shall be permitted as incidental and subordinate to the use of a dwelling in any district in which a dwelling is located, provided that the home occupation does not change the character and external appearance of the dwelling.
- (b) All home occupations shall comply with the following standards:
 - (1) The home occupation shall be conducted either entirely within the dwelling or, if outside the dwelling, the activity shall be screened from public view.
 - (2) No exterior signs, symbols, displays or advertisements relating to the home occupation shall be displayed, nor shall any interior signs be visible from the public view.
 - (3) Any materials, supplies or products relating to the home occupation which are stored outside of the dwelling or other fully enclosed building shall be screened from the public view.
 - (4) Articles sold on the premises shall be limited to those produced by the home occupation, or to instructional materials pertinent to the home occupation, or to services provided by the home occupation.

- (5) Only one employee shall be permitted in addition to household members under the home occupation.
 - (6) A minimum of one parking space shall be provided on the building site in addition to parking required for the dwelling use or other permitted uses if the home occupation involves customer or client visits or meetings. The director may require additional parking spaces where the director finds that such additional parking spaces may be reasonably necessary to avoid off-site or inappropriate parking locations. Any resident of a multiple-family dwelling may fulfill the parking requirement by the use of guest parking with the written approval of the building owner, manager or condominium association.
- (c) A person desiring to engage in a home occupation that involves any of the following activities, shall file with the director, a declaration in the form designated by the director, verifying that the home occupation will comply with all of the conditions contained in subsection (b) and will not involve any of the activities listed under subsection (e):
- (1) Frequent customer or client visits;
 - (2) Frequent deliveries or pickups;
 - (3) Storage of materials, supplies or products related to the home occupation outside of the dwelling or other fully enclosed building;
 - (4) Activities conducted outside of the dwelling; or
 - (5) Group instruction.
- (d) A special permit shall be obtained for any home occupation on a building site that is situated within either the State land use rural or agricultural district.
- (e) The following activities shall not be permitted as home occupations:
- (1) Contractor storage yards, including without limitation, the storage, use, repair or fabrication of equipment designed or intended for use in land excavation or in the construction of buildings or other structures or other similar heavy equipment.
 - (2) Repair, fabrication or painting of automobiles or other motorized vehicles, except those owned by household members and which are not sold or made available for sale within one year of such activity regarding any particular vehicle.
 - (3) Care, treatment or boarding of animals in exchange for money, goods, services or other consideration.
 - (4) Any activities and uses which are only permitted in industrial districts.
- (f) Any home occupation existing as of December 7, 1996, which involves any of the activities listed under subsection (c) may continue as a nonconforming use until September 30, 1997, at which time any such continued use without the filing of a declaration, as provided under subsection (c) shall be considered illegal under this chapter. Prior to September 30, 1997, any person may file a declaration for any home occupation existing as of December 7, 1996, which involves any of the activities listed under subsection (c), and upon the filing of such declaration, the use shall be considered a permitted use. (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-4-14. Flag lots.

A flag lot shall be permitted when sufficient street frontage is not available for more than one building site, provided the following conditions are met:

- (1) The access drive connecting the building site with the street shall have a minimum width of fifteen feet.
- (2) The access drive shall be the sole access for only one building site, unless dual access is approved by the director after consultation with the director of public works.

Section 25-5-44. Minimum building site area.

The minimum building site area in the RCX district shall be seven thousand five hundred square feet. (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-45. Minimum building site average width.

Each building site in the RCX district shall have a minimum average width of sixty feet. (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-46. Minimum yards.

Minimum yards in the RCX district shall be as follows:

- (1) Front and rear yards: twenty feet; and
 - (2) Side yards, eight feet for a one-story building, plus an additional two feet for each additional story.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-47. Landscaping.

Landscaping shall be provided on a minimum of twenty percent of the total land area of any building site in the RCX district, except for lots containing only one single-family dwelling and accessory buildings. Parking areas shall not be included within the area required for landscaping on any building site. (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2005, Ord. No. 05-155, sec. 6.)

Section 25-5-48. Commercial use restrictions.

- (a) Where commercial uses are integrated with residential uses in the RCX district, pedestrian access to the dwelling shall be independent from other uses and shall be designed to enhance privacy for residents.
 - (b) No floor of any building in the RCX district shall be used for both dwelling and commercial purposes.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-49. Other regulations.

- (a) There may be more than one main building on any building site in the RCX district.
 - (b) Distance between main buildings on the same building site in the RCX district shall be at least fifteen feet.
 - (c) Plan approval shall be required for all new buildings and additions to existing buildings in the RCX district, except for construction of one single-family dwelling and any accessory buildings per lot.
 - (d) Exceptions to the regulations for the RCX district regarding heights, building site areas, building site average widths and yards, may be approved by the director within a planned unit development.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2005, Ord. No. 05-155, sec. 7.)

Division 5. RA, Residential and Agricultural Districts.**Section 25-5-50. Purpose and applicability.**

The RA (residential and agricultural) district provides for activities or uses characterized by low density residential lots in rural areas where “city-like” concentrations of people, structures, streets, and urban level of services are absent, and where small farms are intermixed with low density residential lots. The RA district is intended to be only within areas designated as being in the State land use rural or urban districts. (1996, Ord. No. 96-160, sec. 2; ratified and amended April 6, 1999.)

Section 25-5-51. Designation of RA districts.

Each RA (residential and agricultural) district shall be designated on the zoning map by the symbol "RA" followed by a number and the lower case letter "a" which indicates the required or minimum number of acres for each building site. For example RA-1a means a residential agricultural district with a minimum building site area of one acre.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-52. Permitted uses.

- (a) The following uses shall be permitted in the RA district:
- (1) Adult day care homes.
 - (2) Agricultural products processing, minor, provided that the site or buildings used for such processing, shall be located at least seventy-five feet from any street bounding the building site.
 - (3) Agricultural tourism as permitted under section 25-4-15.
 - (4) Animal hospitals.
 - (5) Aquaculture.
 - (6) Botanical gardens, nurseries and greenhouses, seed farms, plant experimental stations, arboretums, floriculture, and similar uses dealing with the growing of plants.
 - (7) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - (8) Crop production.
 - (9) Dwelling, single-family, one per building site.
 - (10) Family child care homes.
 - (11) Group living facilities.
 - (12) Kennels, provided that the building site is a minimum of five acres in area and the structures are located at least one hundred feet away from any lot line.
 - (13) Livestock production (excluding pigs), provided that:
 - (A) The requirements of the department of health are met;
 - (B) Approval of the director is obtained; and
 - (C) Any feed or water area, salt lick, corral, run, barn, shed, stable, house, hutch, or other enclosure for the keeping of any permitted animal shall be located at least seventy-five feet from any lot line.
 - (14) Parks, playgrounds, tennis courts, swimming pools, and other similar open area recreational facilities.
 - (15) Public uses and structures, as permitted under section 25-4-11.
 - (16) Roadside stands for the sale of agricultural products grown on the premises.
 - (17) Stables, commercial or boarding, provided that the building site is a minimum of five acres in area and the structures are located at least one hundred feet away from any lot line.
 - (18) Utility substations, as permitted under section 25-4-11.
 - (19) Veterinary establishments.
- (b) The following uses may be permitted in the RA district, provided that a use permit is issued for each use:
- (1) Golf courses and related golf course uses, including golf driving ranges, golf maintenance buildings and golf club houses; and
 - (2) Telecommunication antennas and towers.
- (c) The following uses may be permitted in the RA district, provided that if a building site is located within the State land use rural district, the following uses may be permitted if a special permit is obtained for such use:
- (1) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (2) Community buildings, as permitted under section 25-4-11.
 - (3) Country clubs, tennis clubs and other similar recreational facilities which include buildings or indoor recreational features.

- (4) Drive-in theaters.
 - (5) Guest ranches.
 - (6) Home occupations, as permitted under section 25-4-13.
 - (7) Lodges.
 - (8) Meeting facilities.
 - (9) Model homes, as permitted under section 25-4-8.
 - (10) Temporary real estate offices, as permitted under section 25-4-8.
 - (11) Uses, other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai'i Revised Statutes.
- (d) The following uses may be permitted in the RA district, provided that either a use permit is issued for each use if the building site is within the State land use urban district or a special permit is issued for each use if the building site is within the State land use rural district:
- (1) Crematoriums.
 - (2) Churches, temples and synagogues.
 - (3) Day care centers.
 - (4) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - (5) Major outdoor amusement and recreation facilities, includes stadiums, sports arenas, and other similar open air recreational uses.
 - (6) Mortuaries.
 - (7) Schools.
 - (8) Yacht harbors and boating facilities.
- (e) Buildings and uses accessory to the uses permitted in this section shall also be permitted in the RA district.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2008, Ord. No. 08-155, sec. 11; Am. 2010, Ord. No. 10-17, sec. 4.)

Section 25-5-53. Height limit.

The height limit in the RA district shall be thirty-five feet.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-54. Minimum building site area.

The minimum building site area in the RA district shall be one-half acre. RA districts having larger areas may be designated in increments of one-half acre up to a recommended maximum of three acres. The recommended maximum does not specify an absolute upper limit for any building site in the RA district.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-55. Minimum building site average width.

Each building site in the RA district shall have a minimum average width of one hundred feet for the first one-half acre of required area, plus twenty feet for each additional one-half acre of required area; provided that no building site shall be required to have an average width greater than three hundred feet.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-56. Minimum yards.

Minimum yards in the RA district shall be as follows:

- (1) Front and rear yards, twenty-five feet; and
- (2) Side yards, fifteen feet.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-57. Other regulations.

- (a) If any legal building site in the RA district has an area less than one-half acre, then the yard and height requirements for the building site shall be the same as the yard requirements for the RS district.
 - (b) Plan approval shall be required prior to the construction or installation of any new structure or development, or of any addition to an existing structure or development which is used for minor agricultural products processing.
 - (c) An ohana dwelling may be located on any building site in the RA district, as permitted under article 6, division 3 of this chapter.
 - (d) Exceptions to the regulations for the RA district regarding heights, building site areas, building site average widths and yards, may be approved by the director within a planned unit development pursuant to article 6, division 1 of this chapter.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Division 6. FA, Family Agricultural Districts.**Section 25-5-60. Purpose and applicability.**

The FA (family agricultural) district provides for a blend of small-scale agricultural operations associated with residential activities and which may be characterized by farm estates, small acreage farms, or subsistence lots. The FA district is intended to be in areas designated as being within the State land use agricultural district, where public services and infrastructure are appropriate to support the very low density residential needs of a rural community and where substantial number of parcels are less than five acres in size, and where a mix of uses will not conflict with or be detrimental to existing agricultural uses in the surrounding area.

In addition, this district is intended to be primarily comprised of agricultural lands less than five acres in area, which are not classified as A or B lands under the land study bureau's master productivity rating, or classified as prime, unique, or other important agricultural lands. Provided, that this district may include lands so classified if the lands are situated within an urban expansion or other urban designation under the general plan land use pattern allocation guide (LUPAG) map.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-61. Designation of FA districts.

Each FA (family agricultural) district shall be designated on the zoning map by the symbol "FA" followed by a number and the lower case letter "a" which indicates the required number of acres for each building site. For example, FA-1a means a family agricultural district with a minimum building site area of one acre.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-62. Permitted uses.

- (a) The following uses shall be permitted in FA districts:
 - (1) Agricultural products processing, minor, provided that the area or buildings used for such processing, shall be located at least seventy-five feet from any street.
 - (2) Agricultural tourism as permitted under section 25-4-15.
 - (3) Animal hospitals.
 - (4) Aquaculture.
 - (5) Botanical gardens, nurseries and greenhouses, seed farms, plant experimental stations, arboretums, floriculture, and similar uses dealing with the growing of plants.
 - (6) Campgrounds, parks, playgrounds, tennis courts, swimming pools, and other similar open area recreational facilities, where none of the recreational features are entirely enclosed in a building.

- (7) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - (8) Crop production.
 - (9) Dwelling, single-family, as permitted under chapter 205, Hawai'i Revised Statutes and as permitted under section 25-5-67(b).
 - (10) Farm dwellings, as permitted under section 25-5-67(b) and (c).
 - (11) Game and fish propagation.
 - (12) Group living facilities.
 - (13) Kennels.
 - (14) Livestock, grazing; provided that any feed or water area, salt lick, corral, run, barn, shed, stable, house, hutch, or other enclosure for the keeping of any permitted animals shall be located at least seventy-five feet from any lot line.
 - (15) Public uses and structures, necessary for agricultural practices.
 - (16) Retention, restoration, rehabilitation, or improvement of buildings or sites of historic or scenic interest.
 - (17) Riding academies, and rental or boarding stables.
 - (18) Roadside stands for the sale of agricultural products grown on the premises.
 - (19) Utility substations, as permitted under section 25-4-11.
 - (20) Vehicle and equipment storage areas that are directly accessory to aquaculture, crop production, game and fish propagation, and livestock grazing.
 - (21) Veterinary establishments.
- (b) The following uses may be permitted in the FA district, provided that a use permit is issued for each use:
- (1) Golf courses and related golf course uses, including golf driving ranges, golf maintenance buildings and golf club houses.
 - (2) Telecommunication antennas and towers.
- (c) The following uses may be permitted in the FA district, provided that a special permit is obtained for such use if the building site is located within the State land use agricultural district:
- (1) Adult day care homes.
 - (2) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (3) Community buildings, as permitted under section 25-4-11.
 - (4) Family child care homes.
 - (5) Home occupations, as permitted under section 25-4-13.
 - (6) Meeting facilities.
 - (7) Model homes, as permitted under section 25-4-8.
 - (8) Public uses and structures, other than those necessary for agricultural practices, as provided under section 25-4-11.
 - (9) Temporary real estate offices, as permitted under section 25-4-8.
 - (10) Uses, other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai'i Revised Statutes.
- (d) The following uses may be permitted in the FA district, provided that a use permit is issued for each use if the building site is outside of the State land use agricultural district or a special permit is issued for each use if the building site is within the State land use agricultural district:
- (1) Churches, temples and synagogues.
 - (2) Day care centers.
 - (3) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - (4) Major outdoor amusement and recreation facilities, includes stadiums, sports arenas, and other similar open air recreational uses.

- (5) Mortuaries.
 - (6) Schools.
 - (e) Buildings and uses accessory to the uses permitted in this section shall also be permitted in the FA district.
- (1996, Ord. No. 96-160, sec. 2; ratified and amended April 6, 1999; Am. 2008, Ord. No. 08-155, sec. 12; Am. 2010, Ord. No. 10-17, sec. 5.)

Section 25-5-63. Height limits.

The height limit in FA districts shall be thirty-five feet for any residential structure, including any single-family dwelling or farm dwelling, and forty-five feet for all other structures.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-64. Minimum building site area.

The minimum building site area in the FA district shall be one acre. Other FA districts having larger areas may be designated in increments of one acre up to a recommended maximum of five acres.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-65. Minimum building site average width.

Each building site in the FA district must have a minimum average width of one hundred twenty feet for the initial one acre of required area plus twenty feet for each additional acre of required area; provided that no building site shall be required to have an average width greater than three hundred feet.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-66. Minimum yards.

- (a) Except as otherwise provided in this section, the minimum yards in the FA district shall be thirty feet for front and rear yards and twenty feet for side yards.
 - (b) In the FA district, accessory buildings and enclosures (other than fences under eight feet high) for the shelter and confinement of any livestock shall be at least thirty feet from the side and rear property lines.
 - (c) Appropriate additional setbacks from adjacent residential zoned lands may be required by the director for those facilities and uses which may include more frequently used machinery and equipment in order to minimize potential lighting, odor, vector and air and water quality impacts.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-67. Other regulations.

- (a) If any legal building site in an FA district has an area of less than one acre, then the yard and height requirements for the building site shall be the same as the yard and height requirements in the RA district.
- (b) One single-family dwelling or one farm dwelling shall be permitted on any building site in the FA district. A farm dwelling is a single-family dwelling located on or used in connection with a farm or if the agricultural activity provides income to the family occupying the dwelling.
- (c) Additional farm dwellings may be permitted in the FA district only upon the following conditions:
 - (1) A farm dwelling agreement for each additional farm dwelling, on a form prepared by the director, shall be executed between the owner of the building site, any lessee having a lease on the building site with a term exceeding one year from the date of the farm dwelling agreement, and the County. The agreement shall require the dwelling to be used for farm-related purposes.
 - (2) The applicant shall submit an agricultural development and use program, farm plan or other evidence of the applicant's continual agricultural productivity or farming operation within the County to the director. Such plan shall also show how the farm dwelling will be utilized for farm-related purposes.

- (d) An ohana dwelling may be located on any building site in the FA district, as permitted under article 6, division 3 of this chapter.
 - (e) Exceptions to the regulations for the FA district regarding heights, building site areas, building site average widths and yards, may be approved by the director within a planned unit development.
 - (f) Plan approval shall be required prior to the construction or installation of any new structure or development, or of any addition to an existing structure or development which is used for minor agricultural products processing.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Division 7. A, Agricultural Districts.

Section 25-5-70. Purpose and applicability.

The A (agricultural) district provides for agricultural and very low density agriculturally-based residential use, encompassing rural areas of good to marginal agricultural and grazing land, forest land, game habitats, and areas where urbanization is not found to be appropriate.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-71. Designation of A districts.

Each A (agricultural) district shall be designated on the zoning map by the symbol "A" followed by a number together with the lower case letter "a" which indicates the required or minimum number of acres for each building site. For example, A-10a means an agricultural district with a minimum building site area of ten acres.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-72. Permitted uses.

- (a) The following uses shall be permitted in the A district:
 - (1) Agricultural parks.
 - (2) Agricultural products processing, major and minor.
 - (3) Agricultural tourism as permitted under section 25-4-15.
 - (4) Animal hospitals.
 - (5) Aquaculture.
 - (6) Botanical gardens, nurseries and greenhouses, seed farms, plant experimental stations, arboretums, floriculture, and similar uses dealing with the growing of plants.
 - (7) Campgrounds, parks, playgrounds, tennis courts, swimming pools, and other similar open area recreational facilities, where none of the recreational features are entirely enclosed in a building.
 - (8) Cemeteries and mausoleums, as permitted under chapter 6, article 1 of this Code.
 - (9) Crop production.
 - (10) Dwelling, single-family, as permitted under chapter 205, Hawai'i Revised Statutes and as permitted under section 25-5-77(b).
 - (11) Farm dwellings, as permitted under section 25-5-77(b) and (c).
 - (12) Fertilizer yards utilizing only manure and soil, for commercial use.
 - (13) Forestry.
 - (14) Game and fish propagation.
 - (15) Group living facilities.
 - (16) Kennels.
 - (17) Livestock production, provided that piggeries, apiaries, and pen feeding of livestock shall only be located on sites approved by the State department of health and the director, and must be located no closer than one thousand feet away from any major public street or from any other zoning district.

- (18) Public uses and structures which are necessary for agricultural practices.
 - (19) Retention, restoration, rehabilitation, or improvement of building or sites of historic or scenic interest.
 - (20) Riding academies, and rental or boarding stables.
 - (21) Roadside stands for the sale of agricultural products grown on the premises.
 - (22) Utility substations, as permitted under section 25-4-11.
 - (23) Vehicle and equipment storage areas that are directly accessory to aquaculture, crop production, game and fish propagation, livestock grazing and livestock production.
 - (24) Veterinary establishments.
 - (25) Wind energy facilities.
- (b) The following uses may be permitted in the A district, provided that a use permit is issued for each use:
- (1) Golf courses and related golf course uses, including golf course driving ranges, golf maintenance buildings and golf club houses.
 - (2) Telecommunication antennas and towers.
- (c) The following uses may be permitted in the A district, provided that a special permit is obtained for such use if the building site is located within the State land use agricultural district:
- (1) Adult day care homes.
 - (2) Airfields, heliports, and private landing strips.
 - (3) Bed and breakfast establishments, as permitted under section 25-4-7.
 - (4) Community buildings, as permitted under section 25-4-11.
 - (5) Excavation or removal of natural building material or minerals, for commercial use.
 - (6) Family child care homes.
 - (7) Guest ranches.
 - (8) Home occupations, as permitted under section 25-4-13.
 - (9) Lodges.
 - (10) Meeting facilities.
 - (11) Model homes, as permitted under section 25-4-8.
 - (12) Public dumps.
 - (13) Public uses and structures, other than those necessary for agricultural practices, as provided under section 25-4-11.
 - (14) Temporary real estate offices, as permitted under section 25-4-8.
 - (15) Trailer parks with density of three thousand five hundred square feet of land area per trailer, provided that plan approval is secured prior to commencing such use.
 - (16) Uses, other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai‘i Revised Statutes.
- (d) The following uses may be permitted in the A district, provided that a use permit is issued for each use if the building site is outside of the State land use agricultural district or a special permit is issued for each use if the building site is within the State land use agricultural district:
- (1) Crematoriums.
 - (2) Churches, temples and synagogues.
 - (3) Day care centers.
 - (4) Hospitals, sanitariums, old age, convalescent, nursing and rest homes.
 - (5) Major outdoor amusement and recreation facilities.
 - (6) Mortuaries.
 - (7) Schools.

- (e) Buildings and uses accessory to the uses permitted in this section shall also be permitted in the A district.
 - (f) No building site shall be established after December 1, 1996 which shall in any way restrict or limit aquaculture, horticulture, production of crops, keeping of livestock, game and fish propagation, or the processing, sale or other commercial use of the products of such uses.
- (1996, Ord. No. 96-160, sec. 2; ratified and amended April 6, 1999; Am. 2008, Ord. No. 08-155, sec. 13; Am. 2010, Ord. No. 10-17, sec. 6.)

Section 25-5-73. Height limit.

The height limit in the A district shall be thirty-five feet for any residential structure, including any single-family dwelling, or farm dwelling, and forty-five feet for all other structures. The director may, however, permit by plan approval, any nonresidential agricultural structures to be constructed to a height of one hundred feet, if the director determines that the additional height above the forty-five foot height limit is necessary.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-74. Minimum building site area.

The minimum building site area in the A district shall be five acres.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-75. Minimum building site average width.

Each building site in the A district shall have a minimum average width of two hundred feet for the first five acres of required area plus twenty feet for each additional acre of required area. Provided that no building site shall be required to have an average width greater than one thousand feet.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-76. Minimum yards.

- (a) Except as otherwise provided in this section, the minimum yards in the A district shall be thirty feet for front and rear yards, and twenty feet for side yards.
- (b) For accessory uses such as shade cloth structures used in controlling the amount of sunlight in the raising of plants and flowers, rear, side and front yards in the A district shall be at least ten feet, except where the A district shares common boundaries with urban zones and main government roads.
- (c) For accessory uses such as plastic roofed and shade cloth wooden or metal framed structures used in controlling the amount of sunlight, rainfall, wind and other elements of nature in the raising of fruits, vegetables and similar agricultural products, rear, side and front yards shall be at least ten feet except where:
 - (1) Exterior walls of any type other than shade cloth are added to the wooden or metal framed structure;
 - (2) The specific use allowed is abandoned; and
 - (3) The A district shares common boundaries with urban zones and main government roads.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 1999, Ord. No. 99-110, sec. 1.)

Section 25-5-77. Other regulations.

- (a) If any legal building site in the A district has an area of less than five acres, then the yard, minimum building site average width and height requirements for the building site shall be the same as the yard and height requirements in the FA district.
- (b) One single-family dwelling or one farm dwelling shall be permitted on any building site in the A district. A farm dwelling is a single-family dwelling that is located on or used in connection with a farm or if the agricultural activity provides income to the family occupying the dwelling.

- (c) Additional farm dwellings may be permitted in the A district only upon the following conditions:
- (1) A farm dwelling agreement for each additional farm dwelling, on a form prepared by the director, shall be executed between the owner of the building site, any lessee having a lease on the building site with a term exceeding one year from the date of the farm dwelling agreement, and the County. The agreement shall require the dwelling to be used for farm-related purposes.
 - (2) The applicant shall submit an agricultural development and use program, farm plan or other evidence of the applicant's continual agricultural productivity or farming operation within the County to the director. Such plan shall also show how the farm dwelling will be utilized for farm-related purposes.
- (d) An ohana dwelling may be located on any building site in the A district, as permitted under article 6, division 3 of this chapter.
- (e) Exceptions to the regulations for the A district regarding heights, building site areas, building site average widths and yards, may be approved by the director within a planned unit development.
(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Division 8. IA, Intensive Agricultural Districts.

Section 25-5-80. Purpose and applicability.

The IA (intensive agricultural) district provides for the preservation of important agricultural lands as provided for in the general plan and characterized by a mix of small and large scale commercial farms and other agricultural operations which may include residential use in the form of farm dwellings closely tied to intensive agricultural use. The lands in the IA district are those lands which have the soil, quality, growing season, and moisture supply needed to sustain high yields of crops generally or of specific crops of statewide or local importance when managed according to modern farming methods. All IA districts shall be located within the State land use agricultural or conservation district.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-81. Designation of IA districts.

The IA (intensive agricultural) district shall be designated by the symbol "IA" followed by a number together with the lower case letter "a" which indicates the required or minimum number of acres for each building site.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-82. Permitted uses.

- (a) The following uses shall be permitted in the IA district:
- (1) Agricultural parks.
 - (2) Agricultural products processing, major and minor.
 - (3) Agricultural tourism as permitted under section 25-4-15.
 - (4) Aquaculture.
 - (5) Cemeteries, as permitted under chapter 6, article 1 of this Code.
 - (6) Crop production.
 - (7) Farm dwellings, as permitted under sections 25-5-87(b) and (c).
 - (8) Forestry.
 - (9) Livestock production, provided that piggeries, apiaries and pen feeding of livestock shall not be closer than one thousand feet to any major road or to any district other than the A district on building sites approved by the State department of health and the director.
 - (10) Public uses and structures which are necessary for agricultural practices.

- (11) Utility substations, as permitted under section 25-4-11.
- (b) The following uses may be permitted in the IA district, provided that a use permit is obtained for such use:
- (1) Telecommunication antennas and towers.
- (c) The following uses may be permitted in the IA districts, provided that a special permit is obtained for such use:
- (1) Crematoriums.
 - (2) Churches.
 - (3) Community buildings as permitted under section 25-4-11.
 - (4) Day care centers.
 - (5) Hospitals.
 - (6) Public uses and structures, other than those necessary for agricultural purposes, as permitted under section 25-4-11.
 - (7) Uses other than those specifically listed in this section, which meet the standards for a special permit under chapter 205, Hawai'i Revised Statutes.
- (d) In IA districts in areas with over thirty percent slope, in gullies, and where rough terrain discourages intensive agricultural uses, the director may approve any other uses which are permitted in the RA, FA, or A districts.
- (e) Buildings and uses accessory to the uses permitted in this section shall also be permitted in the IA district.
- (f) No building site shall be established in the IA district which shall in any way restrict or limit the uses permitted under this section.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 2008, Ord. No. 08-155, sec. 14; Am. 2010, Ord. No. 10-17, sec. 7.)

Section 25-5-83. Height limit.

The height limit in the IA district shall be thirty-five feet for any residential structure, including any farm dwelling, and forty-five feet for all other structures. The director may, however, permit by plan approval, any nonresidential agricultural structures to be constructed to a height of one hundred feet, if the director determines that the additional height above the forty-five foot height limit is necessary.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-84. Minimum building site area.

The minimum building site area in the IA district shall be five acres.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-85. Minimum building site average width.

Each building site in the IA district shall have a minimum average width of two hundred feet for the first five acres of required area, plus twenty feet for each additional acre of required area. Provided that no building site shall be required to have an average width greater than one thousand feet.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-86. Minimum yards.

- (a) Except as otherwise provided in this section, the minimum yards required in the IA district shall be thirty feet for front and rear yards, and twenty feet for side yards.
- (b) For accessory uses such as shade cloth structures used in controlling the amount of sunlight in the raising of plants and flowers, rear, side and front yards in the IA district shall be at least ten feet, except where the IA district shares common boundaries with urban zones and main government roads.

- (c) For accessory uses such as plastic roofed and shade cloth wooden or metal framed structures used in controlling the amount of sunlight, rainfall, wind and other elements of nature in the raising of fruits, vegetables and similar agricultural products, rear, side and front yards shall be at least ten feet except where:
- (1) Exterior walls of any type other than shade cloth are added to the wooden or metal framed structure;
 - (2) The specific use allowed is abandoned; and
 - (3) The IA district shares common boundaries with urban zones and main government roads.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999; Am. 1999, Ord. No. 99-110, sec. 2.)

Section 25-5-87. Other regulations.

- (a) If any building site in the IA district has an area of less than five acres, then the minimum yards shall be the same as the yards in an FA district having an area requirement nearest to that of the subject building site in the IA district.
- (b) One farm dwelling shall be permitted on any building site in the IA district, if it is located on or used in connection with a farm or if the agricultural activity provides income to the family occupying the dwelling. In the case where agricultural activity has not been established, a farm dwelling agreement shall be entered into with the County to insure that agricultural activity will be established by the applicant within three years from the date that the building permit for the farm dwelling is issued.
- (c) Additional farm dwellings may be permitted in the IA district only upon the following conditions:
- (1) A farm dwelling agreement for each additional farm dwelling, on a form prepared by the director, shall be executed between the owner of the building site, any lessee having a lease on the building site with a term exceeding one year from the date of the farm dwelling agreement, and the County. The agreement shall require the dwelling to be used for farm-related purposes.
 - (2) The applicant shall submit an agricultural development and use program, farm plan or other evidence of the applicant's continual agricultural productivity or farming operation within the County to the director. Such plan shall also show how the farm dwelling will be utilized for farm-related purposes.
- (d) Exceptions to the regulations for the IA district regarding heights, building site areas, building site average widths and yards, may be approved by the director within a planned unit development.
- (1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Division 9. V, Resort-Hotel Districts.

Section 25-5-90. Purpose and applicability.

The V (resort-hotel) district applies to areas to accommodate the needs and desires of visitors, tourists and transient guests. It applies to specific areas where public roads and public utilities are available or where suitable alternate private facilities are assured. It may apply to a single isolated hotel or resort with or without a commercial mall or shopping section.

(1996, Ord. No. 96-160, sec. 2; ratified April 6, 1999.)

Section 25-5-91. Designation and density of V districts.

- (a) Each V (resort-hotel) district shall be designated on the zoning map by the symbol "V" followed by a number which indicates the required land area, in thousands of square feet, for each dwelling unit or for each separate rentable unit in the case of hotels, resorts, inns, lodges, motels, motor hotels, motor lodges, or other similar rentable units.

ZONING MAP No. 7.03 – (South Kona)

§ 25-8-4

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(1)	282	12-15-1969	Keeki 2nd, South Kona	8-3-13:13	A-5a	A-1a	7.03(a)
(2)	290	12-15-1969	Keeki 2nd, South Kona	8-3-10:50	A-5a	A-1a	7.03(b)
(3)	374	2-25-1971	Onouli 2nd, South Kona	8-1-18:9 and 10	A-5a	A-1a	7.03(c)
(4)	382	3-15-1971	Kilooa 1 and 2 and Waipunaula, South Kona	8-2-01:1	A-1a	CV-10	7.03(d)
(5)	421	8-31-1971	Keopuka, South Kona	8-1-15:Por. 27	RS-10	CV-10	7.03(e)
(6)	422	8-31-1971	Kalamakumu, South Kona	8-2-09:11	A-1a	RS-7.5	7.03(f)
(7)	440	1-11-1972	Kilooa 1 and 2, South Kona	8-2-01:71	A-1a	CV-10	7.03(g)
(8)	484	7-18-1972	Keopuka, South Kona	8-1-07:17	A-5a	RS-10	7.03(h)
(9)	485	7-18-1972	Kilooa 1 and 2 and Waipunaula, South Kona	8-2-03:Por. 12	A-1a	CN-7.5	7.03(i)
(10)	508	8-15-1972	Kealia 2nd, South Kona	8-6-02:33	A-20a	A-1a	7.03(k) Repealed by Ord. 117, 5-13-1975
(11)	511	8-28-1972	Kealakekua, South Kona	8-2-02:1, 3-8, Por. 11, 12-17, 23-30, 43	A-1a, A-5a	RS-10, CN-7.5	7.03(j-1 to j-4)
(12)	566	3-12-1973	Halekii, South Kona	8-1-03:35, 43, 44, 46 and Por. 47	A-5a	CV-7.5, RM-2 RS-10	7.03(l-1 to l-3)

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(16)	92-103	9-11-1992	Kapa‘au, North Kohala	5-4-05:Por. 58	RS-15	CV-10	
(17)	95-35	3-7-1995	Pūhūehu, North Kohala	5-4-07:3	RS-15	CV-10	
(18)	97-3	1-20-1997	Kapa‘au, North Kohala	5-4-05:88	(Amends Ord. 92-103) (Effective Date 9-11-91)		
(19)	98-36	4-23-1998	Hana‘ula, North Kohala	5-4-06:21 and 36	A-20a, RS-15	RS-10	
(20)	98-93	9-16-1998	Pūhūehu, North Kohala	5-4-7:Por. 2	RS-15	CV-10	
(21)	08-139	10-7-2008	Pūhūehu and Kapu‘a, North Kohala	5-4-008:Por. 002	A-20a	RS-15	
(22)	10-23	4-7-2010	Ka‘auhuhu, North Kohala	5-5-010:025	RS-15	CV-10	

ZONING MAP (Hala'ula-Niuli'i)

§ 25-8-10

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(1)	285	12-15-1969	Pueke, North Kohala	5-3-07:Por. 01	A-20a	RS-15	7.06(c)
(2)	109	5-2-1975	Pueke, North Kohala	5-3-10:50	RS-15	CN-10	7.08(c)
(3)	87-75	7-13-1987	Makapala, North Kohala	5-2-09:30	RS-15	CV-10	
(4)	89-156	12-11-1989	Makapala, North Kohala	5-2-09:30	(Amends Ord. 87-75) (Effective Date 7-13-1987)		

Para-Graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(16)	90-145	11-30-1990	Olaa, Puna	8-8-04:99	A-20a	A-5a	
(17)	91-110	10-24-1991	Halekamahina, Puna	1-4-73:2	O	A-5a	
(18)	91-135	12-27-1991	Olaa, Puna	1-7-05:12	A-20a	A-1a	
(19)	92-87	7-22-1992	Keaau, Puna	1-6-146:1-54, 1-6-3:78, 92 and Por. 90 (formerly 1-6-3:78 and Por. 7)	(Amends Ord. 86-85) (Effective Date 8-19-1986)		
(20)	92-123	11-20-1992	Olaa, Puna	1-7-17:3	A-20a	A-1a	
(21)	93-61	6-18-1993	Waiakahiula, Puna	1-5-67:Por. 35	O	A-1a	
(22)	95-57	4-26-1995	Pohoiki and Keahialaka, Puna	1-3-08:24, 29, and 31	A-1a	A-5a, A-3a	
(23)	95-98	8-23-1995	Keaau, Puna	1-6-03:10	A-20a	A-1a	
(24)	97-65	5-14-1997	Olaa, Puna	1-7-17:3	(Amends Ord. 92-123) (Effective 11-20-92)		
(25)	97-67	5-14-1997	Keaau, Puna	1-6-03:5	A-20a	ML-20, FA-3a	
(26)	98-60	7-2-1998	Keaau, Puna	1-6-141:10	A-20a	FA-1a	
(27)	98-61	7-2-1998	Keaau, Puna	1-6-03:Por. 5	ML-20	MCX-20	
(28)	99-53	5-4-1999	Keaau, Puna	1-6-3:93	A-20a	MG-10a	
(29)	99-83	7-16-1999	Halekamahina, Puna	1-4-73:18	O, A-1a	FA-2a	
(30)	01-41	5-1-2001	Kapoho, Halekamahina, Puna	1-4-73:27	O, A-1a	FA-2a	

Para-Graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(31)	02-23	2-28-2002	Kea'au, Puna	1-6-03:Por. of 7	A-20a	MCX-20	
(32)	03-24	2-20-2003	Kapoho and Halekamahina, Puna	1-4-73:3	O and A-1a	A-5a	
(33)	03-134	10-16-2003	Olaa, Puna	1-7-17:3	(Amends Ord. 97-65) (Effective date 5-14-97)		
(34)	04-2	1-7-2004	Kea'au, Puna	1-6-3:99	A-20a	ML-20 and A-5a	
(35)	04-21	2-25-2004	Kea'au, Puna	1-6-141:001	A-20a	A-5a	
(36)	05-26	2-18-2005	Kapoho, Puna	1-4-73:1	O	FA-2a	
(37)	09-52	5-11-2009	Kea'au, Puna	1-6-003:018 and 023	A-20a	ML-1a	
(38)	10-20	3-18-2010	Kea'au, Puna	1-6-141:024	A-5a	FA-2a	
(39)	10-43	5-20-2010	Kea'au, Puna	1-6-152:018	A-20a	ML-20	

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(331)	07-136	10-10-2007	Waiākea, South Hilo	2-2-036:090	RS-10	MCX-20	
(332)	07-137	10-10-2007	Ponahawai, South Hilo	2-3-037:009	A-1a	CN-20	
(333)	07-166	11-2-2007	Waiākea, South Hilo	2-3-37:15	A-1a	RM-5.5	
(334)	08-6	1-23-2008	Waiākea, South Hilo	2-2-034:084	RS-10	CN-20	
(335)	08-20	3-10-2008	Waiākea, South Hilo	2-2-036:025 and 026	RS-10	CN-10	
(336)	08-36	4-11-2008	Waiākea, South Hilo	2-4-14:42	RS-15	RS-10	
(337)	08-39	4-11-2008	Waiākea, South Hilo	2-2-040:121	RS-10	CN-20	
(338)	08-65	5-08-2008	Waiākea, South Hilo	2-4-010:031	RS-15	RS-10	
(339)	08-72	5-20-2008	Waiākea, South Hilo	2-2-48:93 and Por. 13	(Amends Ord. 95-55) (Effective date 4-26-1995)		
(340)	08-96	6-30-2008	Waiākea, South Hilo	2-2-35:47	(Amends Ord. 07-40) (Effective date 4-4-2007)		
(341)	08-115	9-10-2008	Kūkūāu 1 st , South Hilo	2-4-8:Pors. 14 and 26	(Amends Ord. 93-36) (Effective date 4-23-1993)		
(342)	09-18	2-18-2009	Waiākea, South Hilo	2-4-001:116	RS-10	RM-1.5	

Para-graph	Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	1975 C.C.
(343)	09-44	4-23-2009	Waiākea, South Hilo	2-2-034:036	RS-10	CN-10	
(344)	09-45	4-23-2009	Waiākea, South Hilo	2-2-034:088	RS-10	CN-10	
(345)	09-60	5-22-2009	Waiākea, South Hilo	2-2-034:084 (Formerly 2-2-34:85 and 93)	(Amends Ord. 00-31) (Effective Date 4-13-2000)		
(346)	09-89	7-22-2009	Waiākea, South Hilo	2-2-035:001 and 103	RS-10	MCX-20	
(347)	09-90	7-22-2009	Waiākea, South Hilo	2-2-050:043	RS-10	MCX-20	
(348)	09-91	7-22-2009	Waiākea, South Hilo	2-2-035:006	RS-10	MCX-20	
(349)	09-104	9-23-2009	Waiākea, South Hilo	2-2-035:017	RS-10	MCX-20	
(350)	09-114	9-23-2009	Waiākea, South Hilo	2-2-020:007	(Amends Ord. 01-34) (Effective Date 4-4-2001)		
(351)	09-117	9-23-2009	Waiākea, South Hilo	2-2-025:011	RS-10	CG-10	
(352)	09-138	11-4-2009	Waiākea, South Hilo	2-2-035:034	RS-10	MCX-20	
(353)	09-149	12-3-2009	Waiākea, South Hilo	2-4-031:008	A-3a	FA-1a	
(354)	09-166	12-30-09	Waiākea, South Hilo	2-2-022:008	RS-10	CG-20	
(355)	09-167	12-30-09	Waiākea, South Hilo	2-2-032:024	ML-20	MCX-20	
(356)	10-19	3-18-2010	Ponahawai, South Hilo	2-3-037:019	A-1a	CN-20	
(357)	10-27	4-7-2010	Waiākea, South Hilo	2-2-025:022	RS-10	CN-20	

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Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	Code §
09-49	5-11-09	Hienaloli 4th and 5th, North Kona	7-5-10:Por. of 13 (Formerly 7-5-23:63)	Amends Ord. 06-137 that amends Ord. 95-118 that amended Ord. 92-36	Amends Ord. 06-137 that amends Ord. 95-118 that amended Ord. 92-36	25-8-3
09-50	5-11-09	Hienaloli 5th and 6th, North Kona	7-5-10: Por. of 13 (Formerly 7-5-23:64 and 67)	Amends Ord. 06-138 that amends Ord. 90-010 that amended Ord. 86-49	Amends Ord. 06-138 that amends Ord. 90-010 that amended Ord. 86-49	25-8-5
09-52	5-11-09	Kea'au, Puna	1-6-003:018 and 023	A-20a	ML-1a	25-8-22
09-60	5-22-09	Waiākea, South Hilo	2-2-034:084 (Formerly 2-2-034:085 and 093)	Amends Ord. 00-31	Amends Ord. 00-31	25-8-33
09-89	7-22-09	Waiākea, South Hilo	2-2-035:001 and 103	RS-10	M CX-20	25-8-33
09-90	7-22-09	Waiākea, South Hilo	2-2-050:043	RS-10	M CX-20	25-8-33
09-91	7-22-09	Waiākea, South Hilo	2-2-035:006	RS-10	M CX-20	25-8-33
09-94	9-2-09	Kea'au, Puna	1-7-016:028	RS-20	RS-15	25-8-24
09-103	9-23-09	Honokōhau 2 nd , North Kona	7-4-06:038	Amends Ord. 98-8	Amends Ord. 98-8	25-8-3
09-104	9-23-09	Waiākea, South Hilo	2-2-035:017	RS-10	M CX-20	25-8-33
09-114	9-23-09	Waiākea, South Hilo	2-2-020:007	Amends Ord. 01-34	Amends Ord. 01-34	25-8-33
09-117	9-23-09	Waiākea, South Hilo	2-2-025:011	RS-10	CG-10	25-8-33

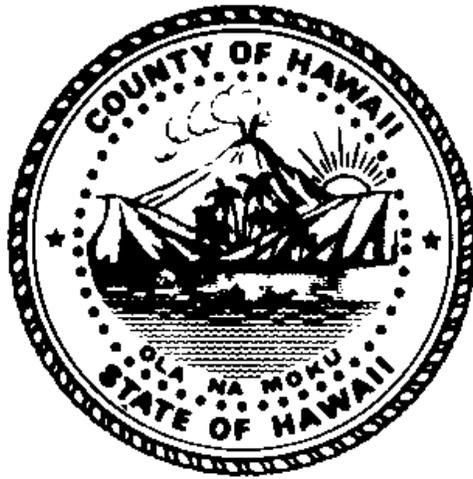
Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	Code §
09-129	10-20-09	Kahuā and Waikā, North Kohala	5-9-005:004 and 005	A-20a	FA-3a	25-8-7
09-131	11-4-09	Kau, North Kona	7-2-005:001	PD	MCX-20	25-8-3
09-132	11-4-09	Kau, North Kona	7-2-005:001	Amends Ord. 06-105		25-8-3
09-138	11-4-09	Waiākea, South Hilo	2-2-035:034	RS-10	MCX-20	25-8-33
09-149	12-3-09	Waiākea, South Hilo	2-4-031:008	A-3a	FA-1a	25-8-33
09-159	12-30-09	Keauhou, North Kona	7-8-010:101	A-5a	RM-30	25-8-3
09-166	12-30-09	Waiākea, South Hilo	2-2-022:008	RS-10	CG-20	25-8-33
09-167	12-30-09	Waiākea, South Hilo	2-2-032:024	ML-20	MCX-20	25-8-33
09-168	12-30-09	Nānāwale Homesteads, Puna	1-5-014:007	Amends Ord. 92-70		25-8-26
10-2	2-1-10	Kahului 2 nd , North Kona	7-5-017:042	A-5a	RS-10	25-8-3
10-19	3-18-10	Ponahawai, South Hilo	2-3-037:019	A-1a	CN-20	25-8-33
10-20	3-18-10	Kea'au, Puna	1-6-141:024	A-5a	FA-2a	25-8-22

Ord. No.	Effective Date	General Location	TMK of Parcel Affected	Original Zoning	Final Zoning	Code §
10-23	4-7-10	Ka'auhuhu, North Kohala	5-5-010:025	RS-15	CV-10	25-8-9
10-27	4-7-10	Waiākea, South Hilo	2-2-025:022	RS-10	CN-20	25-8-33
10-32	5-10-10	Kūkūau 1 st , South Hilo	2-4-02:048, 053 & 080	RS-7.5 & RM-1	RM-1.5	25-8-33
10-43	5-20-10	Kea'au, Puna	1-6-152:018	A-20a	ML-20	25-8-22
10-44	5-20-10	Ponahawai, South Hilo	2-3-037:014	A-1a	CN-20	25-8-33
10-45	5-20-10	Ponahawai, South Hilo	2-3-037:006	A-1a	CN-20	25-8-33
10-64	6-18-10	Ponahawai, South Hilo	2-3-037:001, 2-3-044:19, and 2-3-049:053	Project District	Project District	Project District 25-8-33
10-65	6-18-10	South Hilo	2-3-044:019, 2-3-049:053 and 2-3-037:001	Repeals Ord. No. 04-144		25-8-33

THE HAWAI‘I COUNTY CODE

1983 (2005 Edition, as amended)

Updated to include: **Supplement 10 (7-2010)**
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A CODIFICATION OF THE GENERAL ORDINANCES
OF THE COUNTY OF HAWAI‘I
STATE OF HAWAI‘I

Office of the County Clerk
County of Hawai‘i
25 Aupuni Street
Hilo, Hawai‘i 96720
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Volume 3

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09-162	12-30-09	Operating budget	--
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09-166	12-30-09	City of Hilo Zone Map	ZA
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10-11	2-18-10	Add “Lālākea Pond Beach Park” to the Parks and Recreational facilities schedule	15-68.1
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