

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. - 434

AN ORDINANCE AMENDING SECTION 7.04 THE KAILUA URBAN ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM RESORT-HOTEL (V-1.25) TO VILLAGE COMMERCIAL (CV-7.5) AT HIENALOLI 2ND, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-08:23.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAII:

SECTION 1. Section 7.04, Article 2, Chapter 8 (Zoning Code) of the Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.04 (p ). The district classification of the following area situated at Hienaloli 2nd, North Kona, Hawaii, shall be Village Commercial (CV-7.5):

Beginning at a spike (found) at the Southwesterly corner of this parcel of land, being also the Northwesterly corner of a portion of Land Commission Award 387, Section 2, Part 4, No. 1, to the American Board of Commissioners for Foreign Missions (Tax Map Key: 7-5-08: Parcel 21) and on the Easterly side of Kuakini Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA (NORTH MERIDIAN)" being 2,043.23 feet South and 1,601.94 feet East and running by azimuths measured clockwise from True South:

1. 151<sup>0</sup> 59' 370.06 feet along the Easterly side Kuakini Highway to a 1/2 inch pipe in concrete (set);
2. 258<sup>0</sup> 27' 245.02 feet along Parcel 9 of the Keopu Channel, along the remainder of R. P. 7716, Apana 5 to R. Keelikolani to a 1/2 inch pipe (set);
3. 294<sup>0</sup> 40' 45" 350.39 feet along the mauka edge of stonewall, along the Southwesterly side of Hualalai Road to a 1/2 inch pipe in concrete (set);
4. 340<sup>0</sup> 35' 24.89 feet along the mauka edge of stonewall, along the Westerly side of Hualalai Road to a 1/2 inch pipe in concrete (set);

5. 344<sup>o</sup> 02' 45.37 feet along the mauka edge of stonewall, along the Westerly side of Hualalai Road to a spike in concrete (set);
6. 352<sup>o</sup> 47' 30" 123.14 feet along the mauka edge of stonewall, along the Westerly side of Hualalai Road to a 3/4 inch pipe (found);
7. 87<sup>o</sup> 38' 183.94 feet along Land Commission Award 387, Section 2, Part 4, No. 1 to the American Board of Commissioners for Foreign Missions to a 1/2 inch pipe (set);
8. 83<sup>o</sup> 34' 71.25 feet along Land Commission Award 387, Section 2, Part 4, No. 1 to the American Board of Commissioners for Foreign Missions to a 1/2 inch pipe in concrete (set);
9. 78<sup>o</sup> 40' 105.11 feet along Land Commission Award 387, Section 2, Part 4, No. 1 to the American Board of Commissioners for Foreign Missions to a 1/2 inch pipe in concrete (set);
10. 86<sup>o</sup> 25' 63.30 feet along Land Commission Award 387, Section 2, Part 4, No. 1 to the American Board of Commissioners for Foreign Missions to the point of beginning and containing an area of 3.389 Acres.

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

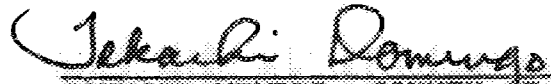
"This ordinance shall take effect forthwith upon the conditions that (A) plans for the proposed development shall be submitted for Plan Approval within one (1) year from the effective date of approval of the change of zone; (B) construction of the proposed development shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter; (C) access to the proposed development shall meet with the approval of the District Engineer of the State Department of Transportation, Land Transportation Facilities Division and the Chief Engineer of the County Department of Public Works; (D) the rules, regulations and requirement of the Department of Water Supply shall be complied

with; (E) the method of sewage disposal shall meet the rules, regulations and requirements of the State Department of Health and the County Department of Public Works; (F) should any archaeological or historical sites or remains be found during land preparation activities, the Planning Department shall be immediately notified. Said sites or remains shall not be disturbed until a review and clearance has been obtained from the Planning Department; (G) all other applicable rules, regulations and requirements shall be complied with. Should any of the foregoing conditions not be met, rezoning of the subject area to its original or a more appropriate zoning designation may be initiated."

SECTION 2. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

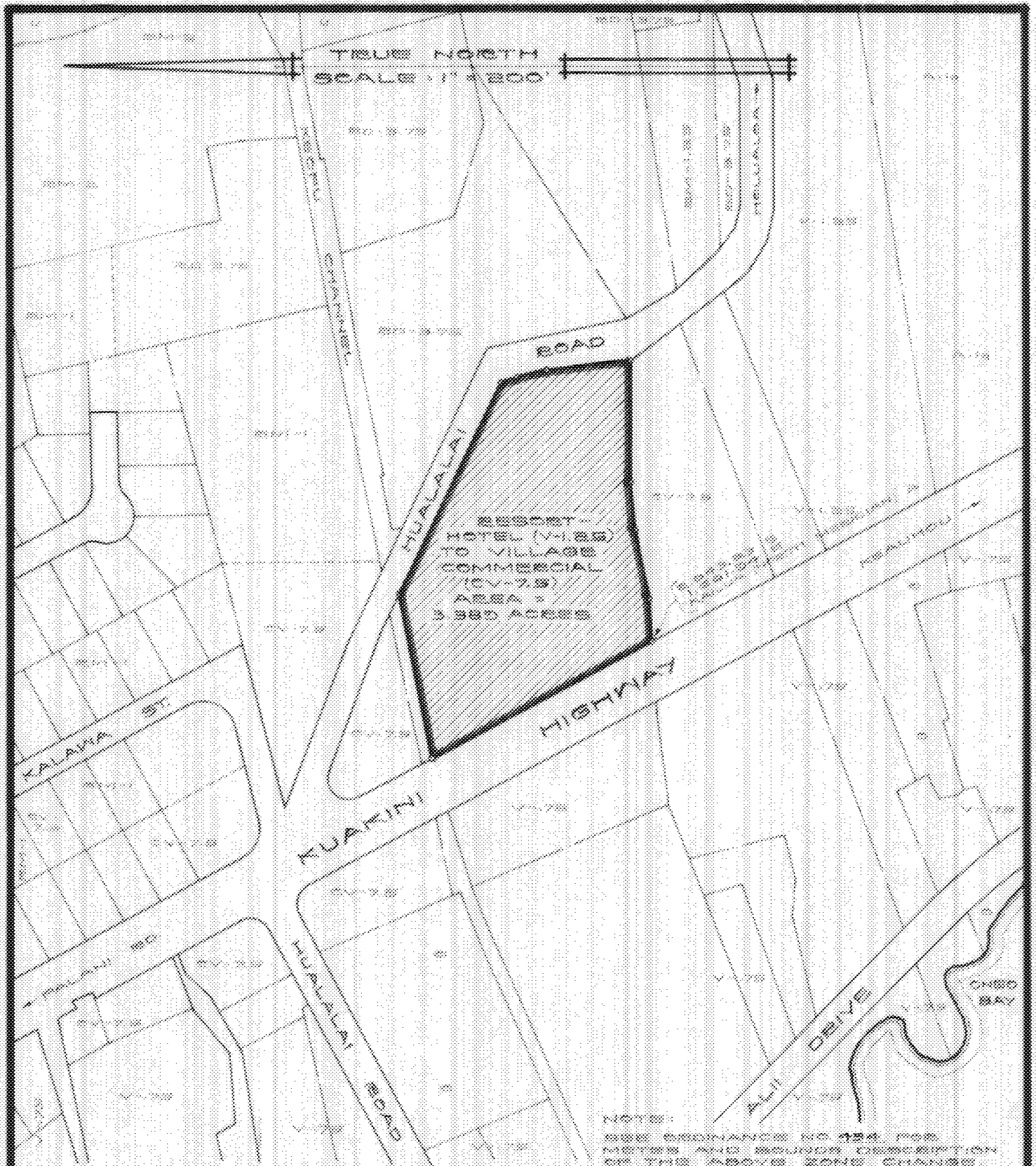
  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: April 4, 1979

Date of Adoption: April 18, 1979

Effective Date: April 24, 1979



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO 18 TO SECTION 7.04, THE KAILUA URBAN ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM RESORT-HOTEL (V-125) TO VILLAGE COMMERCIAL (CV-7.5) AT HIENALOLI END, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING: FEB. 22, 1970  
 EFFECTIVE DATE: APRIL 24, 1970  
 ORDINANCE NUMBER: 434  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII

Hilo, Hawaii  
 Date: April 4, 1979

FIRST READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo			X
Fujil	X		
Garcia	X		
Kawahara			X
Lai	X		
Sameshima	X		
Tajiri	X		
Chr. Yamashiro	X		
	7	0	2

Publication Date: APR 10 1979

Hilo, Hawaii  
 Date: April 18, 1979

SECOND & FINAL READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo	X		
Fujil	X		
Garcia	X		
Kawahara			X
Lai	X		
Sameshima	X		
Tajiri	X		
Chr. Yamashiro	X		
	8	0	1

Publication Date: MAY 3 1979

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

DEPUTY  
 Date APR 20 1979

*Paul K. Yamashiro*  
 Council Chairman

*R. B. Legaspi*  
 County Clerk

Approved/Disapproved this 24<sup>th</sup> day of April, 1979

*Hubert H. Hahaione*  
 Mayor, County of Hawaii

Bill No. 467  
 Reference: C-1086/PC-83  
 M.B. No. \_\_\_\_\_  
 Ord. No. 434