

BILL NO. 491

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 454

AN ORDINANCE AMENDING SECTION 7.09 THE KAMUELA ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO VILLAGE COMMERCIAL (CV-7.5) AT WAIKOLOA, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-7-02:PORTION OF 17.

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

SECTION 1. Section 7.09, Article 2, Chapter 8 (Zoning Code) of the Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.09 ( 1 ). The district classification of the following area situated at Waikoloa, South Kohala, Hawaii, shall be Village Commercial (CV-7.5):

Beginning at the Northwest corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "WEST BASE" being 3031.10 feet South and 1578.75 feet West and running by azimuths measured clockwise from true South:

- 1. 250° 05' 277.18 feet along remainder of R. P. 5671, L. C. Aw. 8521-B, Ap. 1 to G. D. Hueue;
- 2. 319° 18' 104.80 feet along remainder of R. P. 5671, L. C. Aw. 8521-B, Ap. 1 to G. D. Hueue;
- 3. 49° 18' 309.18 feet along remainder of R. P. 5671, L. C. Aw. 8521-B, Ap. 1 to G. D. Hueue;

thence along remainder of R. P. 5671, L. C. Aw. 8521-B, Ap. 1 to G. D. Hueue, on a curve to the left with a radius of 3040.00 feet, the chord azimuth and distance being:

4. 153<sup>0</sup> 05' 50" 209.19 feet to the point of beginning and containing an area of 1.027 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) the petitioner or its authorized representative shall submit plans to the Planning Department and receive final plan approval within one (1) year from the effective date of approval of the change of zone; (B) construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter; (C) an eighty (80) foot right-of-way for the future Lindsey Road Extension shall be set aside in accordance with the plans on file with the Department of Public Works. The right-of-way to be set aside shall be from the end of the existing roadway, to the northern corner of the subject area. The future right-of-way shall be determined on the plans to be submitted for plan approval, and all setbacks for the proposed facility shall be taken from the future right-of-way width line; and (D) all other applicable rules, regulations and requirements shall be complied with. Should any of the foregoing conditions not be met, rezoning of the area to its original or 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:

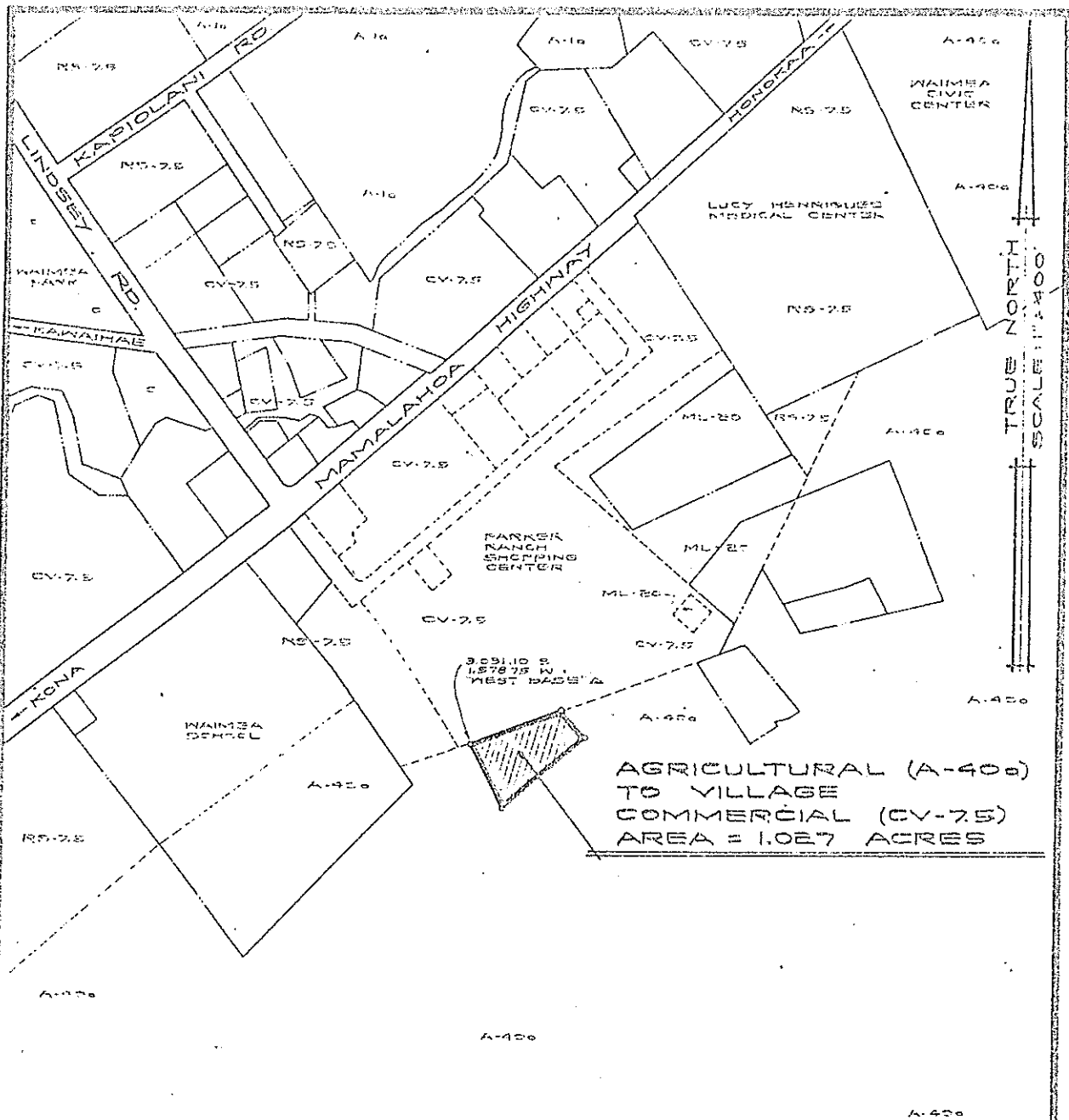
*Sabachi' Bonning*  
COUNCILMEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: June 20, 1979

Date of Adoption: July 5, 1979

Effective Date: July 16, 1979



NOTE:  
 SEE ORDINANCE NO. 254 FOR  
 METES AND BOUNDS DESCRIPTION  
 OF THE ABOVE ZONE CHANGE.

## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 12 TO SECTION 7.09, THE KAMUELA ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-400) TO VILLAGE COMMERCIAL (CV-7.5) AT WAIKOLOA, SOUTH KOHALA, HAWAII.

DATE OF PUBLIC HEARING: APRIL 25, 1979  
 EFFECTIVE DATE: JULY 16, 1979  
 ORDINANCE NUMBER: 254  
 PREPARED BY: PLANNING DEPARTMENT  
 COUNTY OF HAWAII