

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 684

AN ORDINANCE AMENDING SECTION 7.02 (THE NORTH KONA ZONE MAP), ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO GENERAL COMMERCIAL (CG-20) AT LANIHOU 2ND AND MOEAUOA 2ND, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-04:7.

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

SECTION 1. Section 7.02, Article 2, Chapter 8, (Zoning Code), of the Hawaii County Code, as amended, is further amended to add a new subsection, to read as follows:

"7.02 (bbb). The district classification of the following area situated at Lanihou 2nd and Moeauoa 2nd, North Kona, Hawaii, shall be General Commercial (CG-20):

Being Portions of Grant 2035 to J. L. Waiau and
Royal Patent 8126 Land Commission Award 9971,
Apana 27 to W. P. Leleiohoku
(Certificate of Boundaries No. 26)

Beginning at a 1/2 inch pipe in concrete at the Southwest corner of this parcel of land and on the Northerly side of Kuakini Highway, the direct azimuth and distance from a brass pin set in concrete at the centerline of Kuakini Highway being 176° 36' 40.94 feet and the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 610.05 feet South and 411.51 feet East and running by azimuths measured clockwise from True South:

1. 98° 53' 107.67 feet along the Northerly side of Kuakini Highway to a 1/2 inch pipe in concrete;
2. 218° 33' 98.88 feet along Lot 3 of Land Court Application 1787 to a "+" cut in pahoehoe (found);
3. 239° 03' 406.41 feet along Lot 3 of Land Court Application 1787 to a "+" cut in pahoehoe (found);
4. 162° 00' 881.76 feet along Land Court Application 1787, Grant 1854 to Ipunui and Grant 1861 Apana 2 to Ipunui and Grant 1861 to Kahiamoe to a spike in pahoehoe;

5. 225° 56' 112.70 feet along R. P. 7456, L. C. Aw. 8559-B, Apana 11 to Wm. C. Lunailo (Certificate of Boundaries No. 25) to a 1/2 inch pipe in concrete;
6. 237° 36' 146.00 feet along R. P. 7456, L. C. Aw. 8559-B, Apana 11 to Wm. C. Lunailo (Certificate of Boundaries No. 25) to a 1/2 inch pipe in concrete;
7. 237° 37' 390.49 feet along R. P. 7456, L. C. Aw. 8559-B, Apana 11 to Wm. C. Lunailo (Certificate of Boundaries No. 25) to a 1/2 inch pipe in concrete;
8. 295° 51' 1227.95 feet along the remainders of Grant 2035 to J. L. Waiiau and R. P. 8126, L. C. Aw. 9971, Apana 27 to W. P. Leleiohoku (Certificate of Boundaries No. 26) to a 1/2 inch pipe in concrete;
9. 59° 50' 1181.79 feet along L. C. Aw. 11216, Apana 39 to M. Kekauonohi to an "→" cut on stonewall with concrete nail;
10. 144° 24' 20" 63.92 feet along the remainder of R. P. 8126, L. C. Aw. 9971, Apana 27 to W. P. Leleiohoku (Certificate of Boundaries No. 26) to a 1/2 inch pipe in concrete;
11. 54° 14' 30" 390.06 feet along the remainder of R. P. 8126, L. C. Aw. 9971, Apana 27 to W. P. Leleiohoku (Certificate of Boundaries No. 26) to a 1/2 inch pipe in concrete;
12. 325° 59' 20" 53.81 feet along the remainder of R. P. 8126, L. C. Aw. 9971, Apana 27 to W. P. Leleiohoku (Certificate of Boundaries No. 26) to a "+" cut on set stone;
13. 59° 50' 358.43 feet along L. C. Aw. 11216, Apana 39 to M. Kekauonohi to the point of beginning and containing an area of 25.783 Acres.

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

This subsection is conditioned upon the following:

(A) that the petitioner, Lanihau Corporation, and/or Dillingham Corporation shall be responsible for complying with all of the stated conditions of approval; (B) that the conditions as outlined in Change of Zone Ordinance No. 566 (TMK: 7-5-04:10 and 28) be complied with and shall also be applicable to this request; (C) that plans for Phase I shall be submitted and final plan approval secured within one (1) year from the effective date of approval of the change of zone; (D) that construction of Phase I commence within one (1) year from the date of receipt of final plan approval and be completed within three (3) years thereafter; (E) that construction of Phase II commence within one (1) year from the date of completion of Phase I and be completed within three (3) years thereafter; (F) that accesses to the proposed development shall meet with the approval of the Department of Public Works, and the State Department of Transportation, Highways Division where applicable; (G) that improvements shall be made to Kuakini Highway as determined by the County Department of Public Works; (H) that Henry Street shall be improved with curbs, gutters and sidewalks in accordance with the requirements of the Department of Public Works; (I) that the method of sewage disposal shall meet with the approval of the appropriate County and State agencies; (J) that a detailed drainage study and proposed improvements shall be submitted at the time of plan approval to the Department of Public Works and Planning Department; (K) that the requirements of the Department of Water Supply shall be complied with; (L) that prior to any work being done on the archaeological

sites on the property, clearance must first be obtained from the Planning Department. Further, should any sites be uncovered during land preparation activity, work shall immediately cease and the Planning Department notified. Work shall not resume unless clearance is obtained from the Planning Department; and (M) that 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 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:

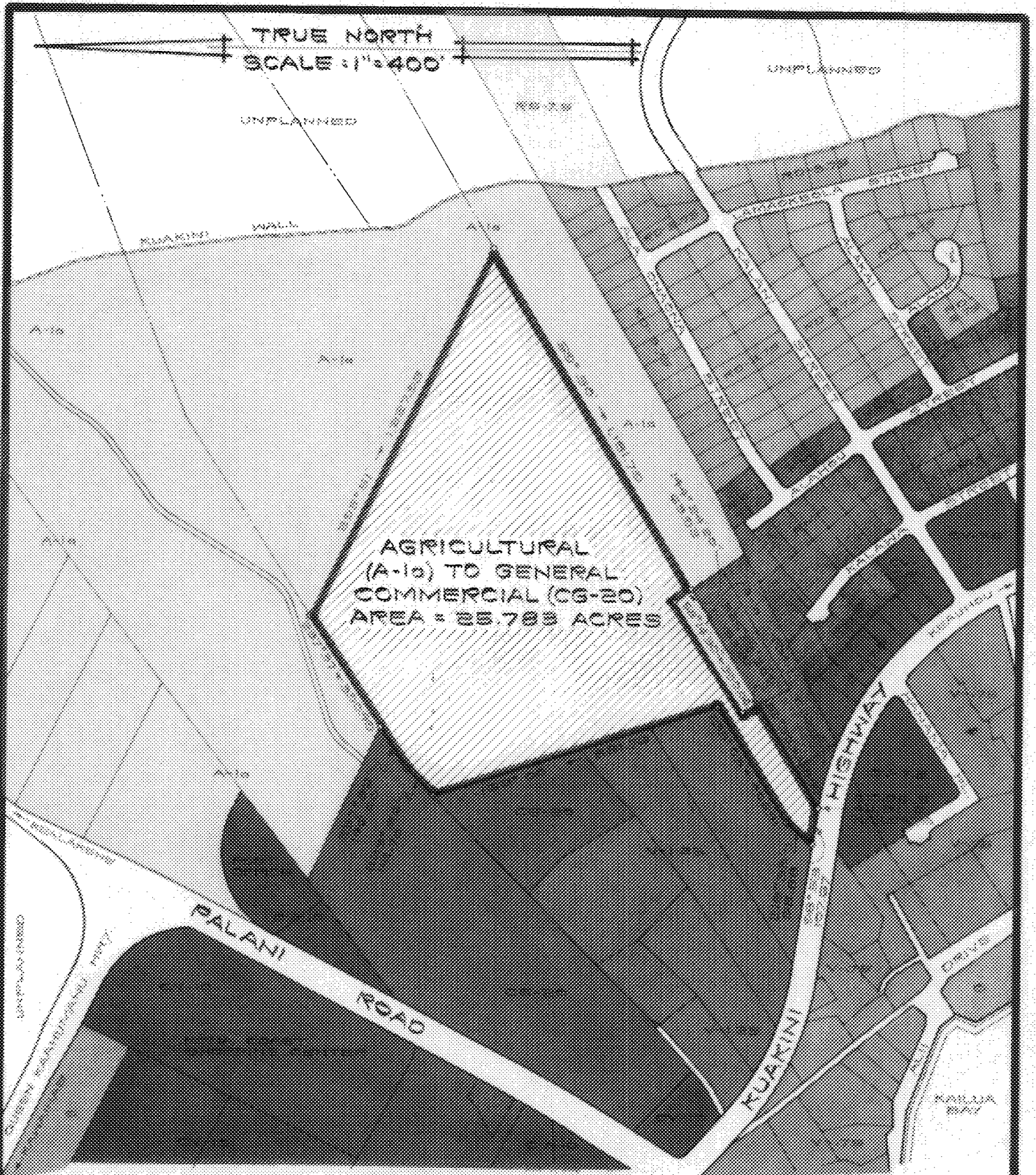

COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: March 18, 1981

Date of Adoption: April 1, 1981

Effective Date: April 10, 1981



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 54 TO SECTION 7.02 (THE NORTH KONA ZONE MAP) ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO GENERAL COMMERCIAL (CG-20) AT LANIHAU END AND MOBAUOA END, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING : FEB. 11, 1981
 EFFECTIVE DATE : APRIL 10, 1981
 ORDINANCE NUMBER : 684
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK : 7-5-04 : 7

JAN. 26, 1981

EXHIBIT "A"

Hilo, Hawaii
Date: March 18, 1981

FIRST READING			
	AYES	NOES	A/E
Dahlberg	X		
De Luz	X		
Domingo	X		
Fujii	X		
Hale	X		
Kawahara	X		
Lai	X		
Schutte	X		
Chr. Yamashiro	X		
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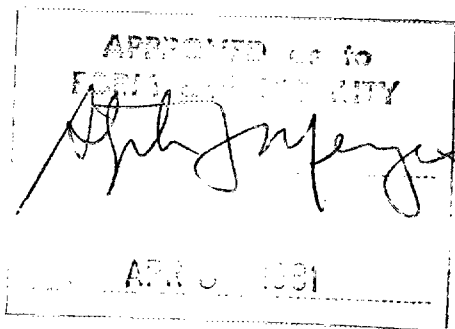
Publication Date: MAR 23 1981

Kailua-Kona, Hawaii
Date: April 1, 1981

SECOND & FINAL READING			
	AYES	NOES	A/E
Dahlberg	X		
De Luz	X		
Domingo	X		
Fujii	X		
Hale	X		
Kawahara	X		
Lai	X		
Schutte	X		
Chr. Yamashiro	X		
	9	0	0

Publication Date: APR 17 1981

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



Chris Yamashiro
Council Chairman

R. B. Lejorpi
County Clerk

Approved/~~Disapproved~~ this 10th day of
April, 1981.

Chris Yamashiro
Mayor, County of Hawaii

Bill No. 725
Reference: C-157/PC-21
M.B. No. _____
Ord. No. 684