

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 701

AN ORDINANCE AMENDING SECTION 7.29 (THE CITY OF HILO ZONE MAP), ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM RESORT-HOTEL-SAFETY (V-S-.75) TO GENERAL COMMERCIAL (CG-7.5) AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-2-30:PORTION OF 3.

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

SECTION 1. Section 7.29, 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:

"7.29 (mmmm). The district classification of the following area situated at Waiakea, South Hilo, Hawaii, shall be General Commercial (CG-7.5):

Beginning at a point at the east corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 1,407.15 feet South and 8,300.36 feet East and running by azimuths measured clockwise from True South:

- | | | |
|----|----------------|---|
| 1. | 36° 00' | 83.90 feet along Lot 4-A-2-B,
Land Court Application 1109; |
| 2. | 81° 48' | 68.27 feet along Lot 4-A-2-B,
Land Court Application 1109; |
| 3. | 46° 28' 30" | 91.24 feet along Lot 4-A-2-B,
Land Court Application 1109;
thence along Lot 3, Land
Court Application 1109, for
the next nine (9) courses,
the direct azimuths and
distances between points
being: |
| 4. | 155° 37' | 58.92 feet; thence along a curve
to the left having a radius
of 494.50 feet, the chord
azimuth and distance being: |
| 5. | 147° 10' 52.5" | 145.08 feet; thence along a curve
to the left having a radius
of 230.00 feet, the chord
azimuth and distance being: |
| 6. | 133° 37' 56" | 41.00 feet; |

7.	45°	23'	09"	40.43 feet; thence along a curve to the right having a radius of 10.00 feet, the chord azimuth and distance being:
8.	86°	31'	27"	13.16 feet;
9.	127°	39'	45"	237.89 feet;
10.	90°	11'	45"	36.00 feet; thence along a curve to the left having a radius of 496.00 feet, the chord azimuth and distance being:
11.	355°	50'	22.5"	75.35 feet; thence along a curve to the right having a radius of 14.00 feet, the chord azimuth and distance being:
12.	41°	42'	53:	21.52 feet; thence along Lot 3, Land Court Application 1109 and remainder of Grant 10074 to Waiakea Mill Company, along a curve to the left having a radius of 280.00 feet, the chord azimuth and distance being:
13.	85°	20'	08"	64.47 feet; thence along remainder of Grant 10074 to Waiakea Mill Company for the next four (4) courses, the direct azimuths and distances between points being:
14.	348°	43'	40"	52.00 feet;
15.	66°	17'		34.00 feet;
16.	156°	17'		20.00 feet;
17.	66°	17'		108.83 feet;
18.	156°	17'		303.07 feet along Lots 6 and 13-F, Grant 4777 to T. Clive Davies;
19.	132°	27'		27.60 feet along Lot 13-F, Grant 4777 to T. Clive Davies;
20.	213°	37'		219.90 feet along Waiakea Fish Pond;
21.	151°	45'		33.13 feet along Waiakea Fish Pond; thence along a water-course along remainder of Lot 4-A-2-A, Land Court Application 1109 for the next thirteen (13) courses, the direct azimuths and distances between points being:

22.	231°	00'	22.93 feet;
23.	242°	32'	28.00 feet;
24.	254°	15'	41.90 feet;
25.	304°	00'	26.80 feet;
26.	342°	05'	113.00 feet;
27.	278°	33'	150.80 feet;
28.	297°	40'	76.00 feet;
29.	314°	37' 30"	173.39 feet;
30.	314°	51'	58.00 feet;
31.	339°	00'	34.00 feet;
32.	307°	43'	76.00 feet;
33.	299°	02'	81.65 feet;
34.	294°	00'	117.00 feet;
35.	303°	23' 40"	57.90 feet along remainder of Lot 4-A-2-A, Land Court Application 1109 to the point of beginning and containing an area of 225,285 Square Feet or 5.172 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, Kilauea Volcano House, Ltd., shall be responsible for complying with all of the stated conditions of approval; (B) that prior to converting any of the hotel buildings for commercial uses, plans shall be submitted for Plan Approval review in accordance with Chapter 8 (Zoning Code), Hawaii County Code. The additional parking stalls required for the conversion shall also be included on the plans; and (C) that all other applicable rules, regulations, and requirements, including those of the Department of Public Works relative to surface water runoff,

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:

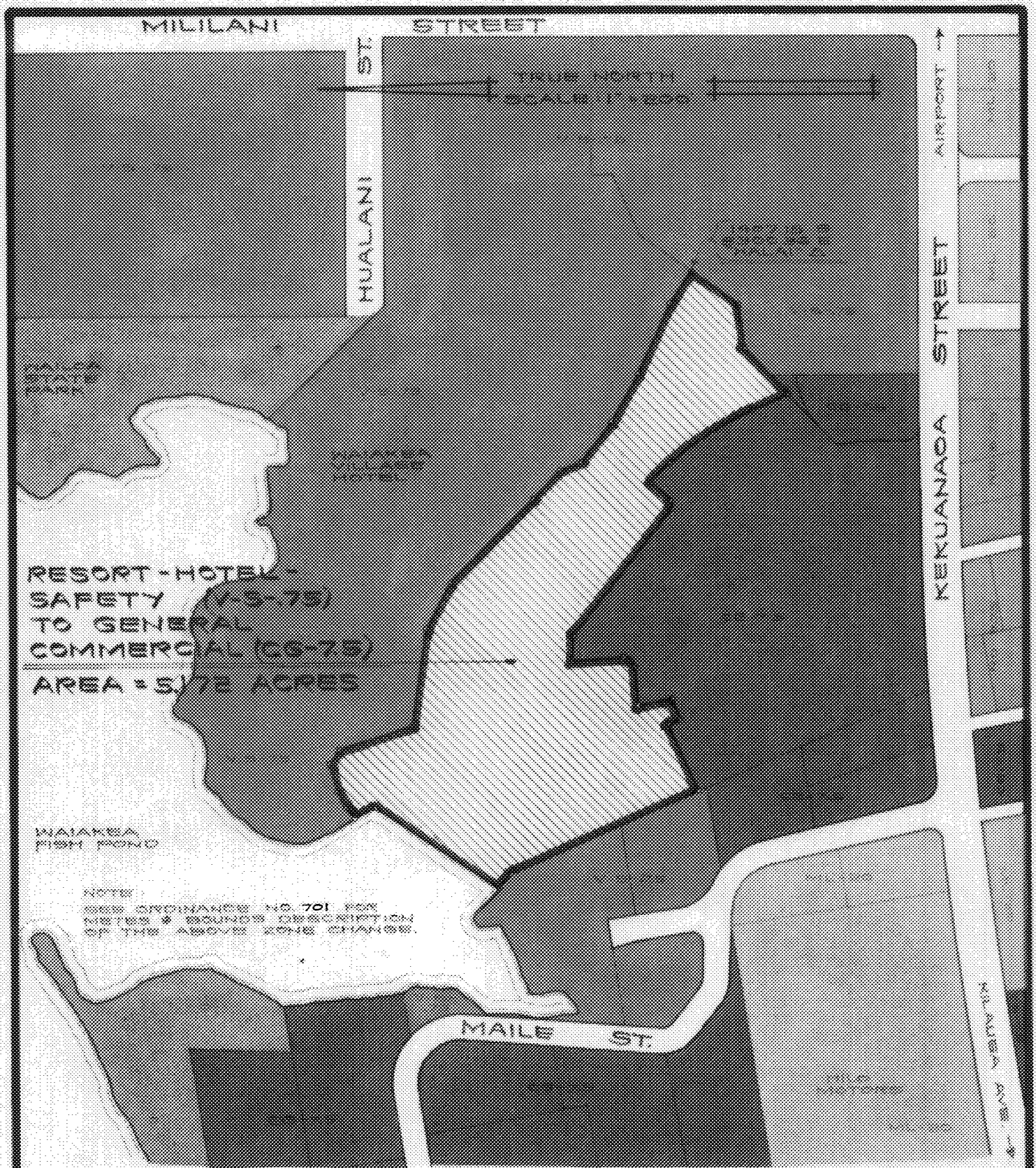

COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: July 22, 1981

Date of Adoption: August 5, 1981

Effective Date: August 10, 1981



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 91 TO SECTION 7.29 (THE CITY OF HILO ZONE MAP) ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM RESORT - HOTEL - SAFETY (V-S-75) TO GENERAL COMMERCIAL (CG-7.5) AT WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING: JUNE 2, 1981
 EFFECTIVE DATE: AUG. 10, 1981
 ORDINANCE NUMBER: 701
 PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK: 2-2-30:3 (POR)

JUNE 2, 1981

EXHIBIT "A"

Hilo, Hawaii
Date: July 22, 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		
	8	0	1

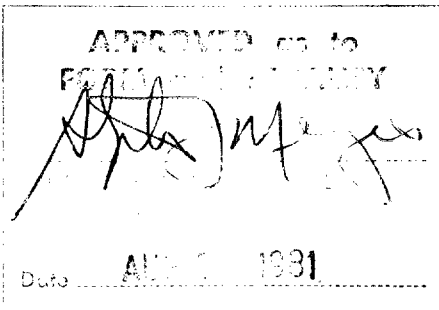
Publication Date: JUL 27 1981

Hilo, Hawaii
Date: August 5, 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		
	8	0	1

Publication Date: AUG 16 1981

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



[Signature]
Council Chairman

[Signature]
County Clerk

Approved/Disapproved this 10th day of
August, 1981.

[Signature]
Mayor, County of Hawaii

Bill No. 747
Reference: C-363/PC-42
M.B. No. _____
Ord. No. 701