

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 706

AN ORDINANCE AMENDING SECTION 7.22 (THE PAHOA ZONE MAP), ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) TO VILLAGE COMMERCIAL (CV-10) AT WAIAKAHIULA, PUNA, HAWAII, COVERED BY TAX MAP KEY 1-5-13:35.

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

SECTION 1. Section 7.22, 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:

"7.22 (i). The district classification of the following area situated at Waiakahiula, Puna, Hawaii, shall be Village Commercial (CV-10):

Beginning at a point at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PAHOA" being 2817.29 feet South and 2560.02 feet East and running by azimuths measured clockwise from True South:

1. 47° 42' 37.02 feet along Lot 24;
2. 53° 19' 30" 171.87 feet along Lot 24;
3. 143° 19' 30" 99.77 feet along Lot 33 to a point on the Southeasterly side of a 20-Foot Road;
4. 213° 07' 30" 166.97 feet along the Southeasterly side of a 20-Foot Road;
5. 278° 57' 30" 104.75 feet along the Southerly side of a 20-Foot Road;
6. 338° 23' 81.73 feet along Lot 23 to the point of beginning and containing an area of 27,958 Square Feet.

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, John Bellman, shall be responsible for complying with all of the stated conditions of approval; (B) that parcels 35, 36 and 51 of TMK 1-5-13 shall be consolidated within six (6) months from the effective date of the change of zone; (C) that plans shall be submitted and final plan approval secured within one (1) year from the date of receipt of the consolidation plan; (D) that construction shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter; (E) that the method of sewage disposal shall meet with the requirements of the State Department of Health; (F) that there shall be only one vehicular access servicing the existing and proposed development, meeting with the approval of the Department of Public Works. Said access shall be situated on the east or Kapoho-side of the subject property; (G) that the entire width of the 20-foot wide private roadway shall be paved from the Pahoia Village Road, except as may be modified by condition F, to the westernmost access point of the proposed development. Further, a 3-foot wide section of the private roadway fronting the subject property, including parcels 36 and 51 of TMK 1-5-13, shall be striped for a pedestrian walkway; (H) that drywell sumps shall be provided on-site meeting with the approval of the Department of Public Works; (I) that a minimum 4-foot high fence between the proposed and existing developments and the adjacent properties to the east, be constructed and completed prior to the issuance of occupancy permit for the

proposed development; and (J) that all other applicable rules, regulations, and requirements, including those of the Fire Department and Department of Water Supply, 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.

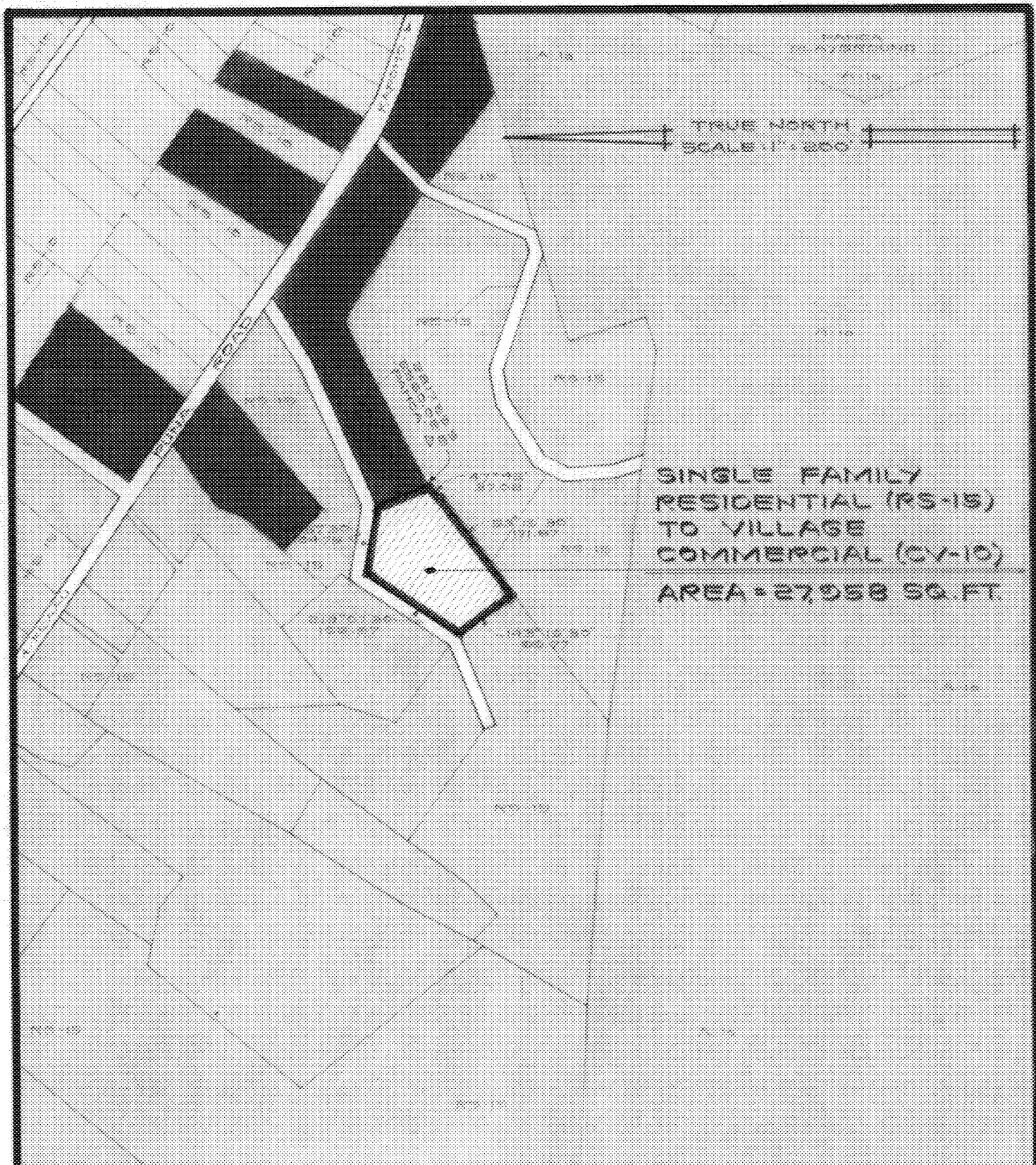
SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: August 5, 1981
Date of Adoption: August 19, 1981
Effective Date: August 31, 1981



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 9 TO SECTION 7.22 (THE PAHOA ZONE MAP) ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) TO VILLAGE COMMERCIAL (CV-10) AT WAIAKAHIULA, PUNA, HAWAII.

DATE OF PUBLIC HEARING : JUNE 9, 1981
EFFECTIVE DATE : AUG. 31, 1981
ORDINANCE NUMBER : 706
PREPARED BY : PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK : 1-5-13 : 35

JUNE 22, 1981

EXHIBIT "A"

Hilo, Hawaii
Date: August 5, 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		
	9	0	0

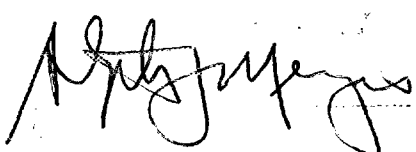
Publication Date: AUG 11, 1981

Hilo, Hawaii
Date: August 19, 1981

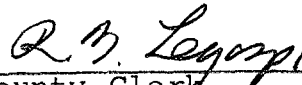
SECOND & FINAL READING			
	AYES	NOES	A/E
Dahlberg			X
De Luz	X		
Domingo	X		
Fujii	X		
Hale	X		
Kawahara	X		
Lai	X		
Schutte	X		
Chr. Yamashiro	X		
	8	0	1

Publication Date: SEP 8 1981

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


AUG 31 1981
Date


Council Chairman


County Clerk

Approved/~~Disapproved~~ this 31st day of

August, 1981.


Mayor, County of Hawaii

Bill No. 752

Reference: C-388/PC-48

M.B. No. _____

Ord. No. 706