

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 713

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 MULTIPLE FAMILY RESIDENTIAL (RM-3) AT PUA'A 1ST, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-10:6.

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(ccc). The district classification of the following area situated at Pua'a 1st, North Kona, Hawaii, shall be Multiple Family Residential (RM-3):

Beginning at a pipe in concrete marked "29" at the Southwest corner of this lot, the Southeast corner of Lot 4-B on the Pua'a 2 boundary, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAHELO" being 4606.57 feet North and 29.02 feet West and running thence by azimuths measured clockwise from True South:

1. 166° 38' 00" 421.96 feet along Lot 4-B, along stonewall to a pipe in concrete marked "28";
2. 263° 33' 50" 1237.79 feet along Ld. Ct. App. 1874 (amended) to a pipe in concrete marked "31," passing over a pipe in concrete marked "71" at 1233.04 feet;

Thence along the Southwesterly side of Hualalai Road along stonewall, the direct azimuth and distance to a pipe in concrete marked "33" being:

3. 292° 18' 00" 758.53 feet;
4. 78° 33' 00" 1255.65 feet along Pua'a 2, to a pipe in concrete marked "30";
5. 88° 50' 00" 604.00 feet along same to the point of beginning and containing an area of 15.4 acres, more or less.

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 petitioners, Donald E. Kraemer, Inc. and John Ellbogen, shall be responsible for complying with all of the stated conditions of approval; (B) that the Planned Development Permit (PDP) shall not become effective until the change of zone application is approved; (C) that only 180 units may be constructed based on the water commitment given by the Department of Water Supply. The additional 42 units may be constructed as soon as additional water is made available; (D) that plans for the entire development shall be submitted for the proposed development and Final Plan Approval, in accordance with Chapter 8 (Zoning Code), Hawaii County Code, shall be secured from the Planning Department within one (1) year from the effective date of approval of the change of zone; (E) that construction of the 180 units shall commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter; (F) that the method of sewage disposal shall meet with the approval of the appropriate governmental agencies; (G) that the location of the driveways shall meet with the approval of the Department of Public Works; (H) that the Great Wall of

Kuakini, situated on the makai property line, shall not be disturbed. Further, should any unanticipated archaeological or historic features be uncovered during land preparation activities, work shall cease immediately and the Planning Department shall be notified. Work shall not resume until clearance has been obtained from the Planning Department; (I) that a 5-foot wide strip along Hualalai Road shall be set aside for future road widening purposes. No structural improvements, including parking, shall be allowed within this 5-foot wide strip. Further, the minimum setback shall be taken from this future road widening line; (J) that all water runoff generated by the proposed improvements shall be disposed on-site by a drainage system acceptable to the Department of Public Works; (K) that no time sharing units shall be allowed; and (L) that all other applicable rules, regulations and requirements, including those of the Fire Department, be complied with. Should any of the foregoing conditions not be met, rezoning of the area to its initial 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. 55 TO SECTION 702 (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 MULTIPLE FAMILY RESIDENTIAL (RM-3) AT PUA'A 1ST, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING : JUNE 25, 1981
 EFFECTIVE DATE : AUG. 31, 1981
 ORDINANCE NUMBER : 713
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

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		
	8	0	1

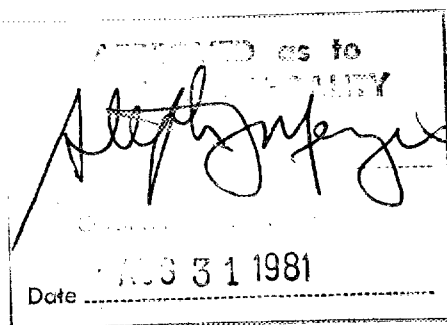
Publication Date: AUG 11, 1981


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.




Council Chairman


County Clerk

Approved/~~Disapproved~~ this 31st day of August, 1981.


Mayor, County of Hawaii

Bill No. 760
Reference: C-402/PC-49
M.B. No. _____
Ord. No. 713