

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 714

AN ORDINANCE AMENDING SECTION 7.04 (THE KAILUA URBAN 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 MULTIPLE FAMILY RESIDENTIAL (RM-2) AT PUA'A 3RD, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-18:28.

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

SECTION 1. Section 7.04, 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:

"7.04(w). The district classification of the following area situated at Pua'a 3rd, North Kona, Hawaii, shall be Multiple Family Residential (RM-2):

Beginning at the southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "NORTH MERIDIAN," being 4301.12 feet South and 3245.13 feet East, thence running by azimuths measured clockwise from True South:

1. 85° 01' 424.15 feet;
2. 151° 59' 246.34 feet along the easterly side of Kuakini Highway;
3. 256° 40' 30" 472.30 feet along Grant 4037, Apana 2 to J. Kaaeamoku;
4. 344° 48' 300.00 feet to the point of beginning and containing an area of 118,884 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, T & K Enterprises, 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 plans 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; (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 approval of the appropriate governmental agencies; (F) that the location of the driveway shall meet with the approval of the Department of Public Works and/or the State Department of Transportation, Highways Division; (G) that the Great Wall of Kuakini situated on the mauka 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; (H) 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; (I) that no time sharing units shall be allowed; and (J) that all other applicable rules, regulations, and requirements 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. The PDP may also be nullified by the Planning Commission."

SECTION 2. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other part 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

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

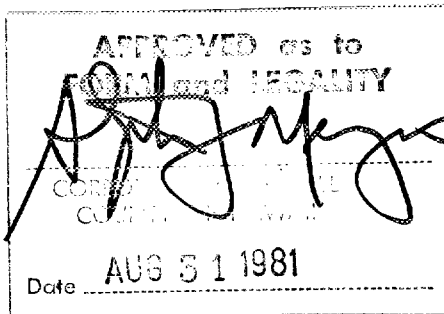
Publication Date: AUG 11, 1981

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.



[Signature]
Council Chairman

[Signature]
County Clerk

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

[Signature]
Mayor, County of Hawaii

Bill No. 761
Reference: C-403/PC-50
M.B. No. _____
Ord. No. 714