

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 716

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 SINGLE FAMILY RESIDENTIAL (RS-15) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT PONAHAHAWAI, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-5-06:PORTION OF 61.

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 (nnnn). The district classification of the following area situated at Ponehawai, South Hilo, Hawaii, shall be Single Family Residential (RS-10):

Beginning at an iron pin at the East corner of this parcel of land, being also the South corner of Lot 25 of File Plan 1169, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 7,745.32 feet South and 5,225.29 feet West, and running by azimuths measured clockwise from True South:

- | | | |
|----|-------------|--|
| 1. | 52° 32' 50" | 424.29 feet along Government Land; |
| 2. | 52° 53' 20" | 496.71 feet along Government Land; |
| 3. | 113° 27' | 72.00 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 4. | 87° 54' | 124.50 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 5. | 52° 53' 20" | 99.34 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 6. | 143° 42' | 122.90 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 7. | 129° 10' | 76.00 feet along remainder of Tax Map Parcel 2-5-06:61; |

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|-----|------|-----|-----|--|
| 8. | 115° | 12' | 30" | 340.00 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 9. | 113° | 04' | | 176.00 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 10. | 87° | 56' | | 101.90 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 11. | 73° | 18' | | 43.73 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 12. | 205° | 12' | 30" | 103.98 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 13. | 115° | 12' | 30" | 50.00 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 14. | 25° | 12' | 30" | 104.72 feet along remainder of Tax Map Parcel 2-5-06:61; |
| 15. | 164° | 45' | | 65.24 feet along remainder of Tax Map Parcel 2-5-06:61; |
| | | | | Thence on a curve to the left with a radius of 60.00 feet, the chord azimuth and distance being: |
| 16. | 138° | 30' | | 53.08 feet along remainder of Tax Map Parcel 2-5-06:61; |
| | | | | Thence on a curve to the right with a radius of 150.00 feet, the chord azimuth and distance being: |
| 17. | 139° | 27' | 30" | 137.17 feet along remainder of Tax Map Parcel 2-5-06:61; |
| | | | | Thence on a curve to the left with a radius of 30.00 feet, the chord azimuth and distance being: |

18. 131° 15' 34.77 feet along remainder of Tax Map Parcel 2-5-06:61;
Thence on a curve to the right with a radius of 70.00 feet, the chord azimuth and distance being:
19. 130° 30' 79.63 feet along remainder of Tax Map Parcel 2-5-06:61;
Thence on a curve to the left with a radius of 60.00 feet, the chord azimuth and distance being:
20. 133° 07' 55" 63.65 feet along remainder of Tax Map Parcel 2-5-06:61 to the South side of John E. Gamalielson Subdivision;
21. 237° 38' 100.86 feet along John E. Gamalielson Subdivision;
22. 233° 21' 40" 418.90 feet along John E. Gamalielson Subdivision;
23. 222° 08' 134.00 feet along John E. Gamalielson Subdivision;
24. 132° 08' 185.00 feet along John E. Gamalielson Subdivision to the South side of Kaumana Drive;
25. 209° 00' 41.07 feet along the South side of Kaumana Drive;
26. 312° 08' 314.09 feet along Yamanouchi property;
27. 205° 12' 30" 200.00 feet along Yamanouchi property to the West side of Kaumana Heights Residence Lots Extension;
28. 295° 12' 30" 1,039.55 feet along the West side of Kaumana Heights Residence Lots Extension and R. H. Grant Subdivision (File Plan 1169);
29. 294° 19' 455.60 feet along R. H. Grant Subdivision to the point of beginning and containing an area of 1,306,855 Square Feet, or 30.001 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, Puna Shores, Inc., shall be responsible for complying with all of the stated conditions of approval; (B) that the area be zoned in two (2) increments. The first increment shall consist of a maximum of 18 contiguous acres; and the second, the remaining area. The effective date of zoning for the second increment shall be after development has occurred in the first increment. Development is defined as building permits issued for single family residential dwelling units and construction partially completed - partially completed in the sense of having roofs on a minimum of twenty-five (25) percent of the units for the entire 30.5[±] acres. In lieu of the actual construction of the dwellings, an agreement may be entered into with the Planning Department which would bond and assure the County that the dwellings will be constructed within a given period. Such agreement shall meet with the approval of the Corporation Counsel and the Planning Director. In doing so, development of the second increment may proceed prior to the actual construction of the dwellings in the first increment; (C) that a subdivision plan for the first increment shall be submitted and tentative approval secured within one (1) year from the effective date of the change of zone. Final subdivision approval for the first increment shall be secured within one (1) year from the date of receipt of tentative subdivision approval. All concerns, such as drainage, roadway and access requirements, shall be considered at the time of subdivision

review and approval; (D) that a hydrologic/drainage study be prepared and submitted with the subdivision plans for the first increment to the Planning Department and the Chief Engineer; (E) that curbs, gutters, and sidewalks be constructed within the proposed subdivision; (F) that all water runoff generated by the proposed development shall be disposed on site by a drainage system acceptable to the Department of Public Works; and [(F)] (G) 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 original or more appropriate zoning designation may be initiated.

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this ordinance, the brackets, bracketed material, and underscoring need not be included.

SECTION [2.] 3. 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.] 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

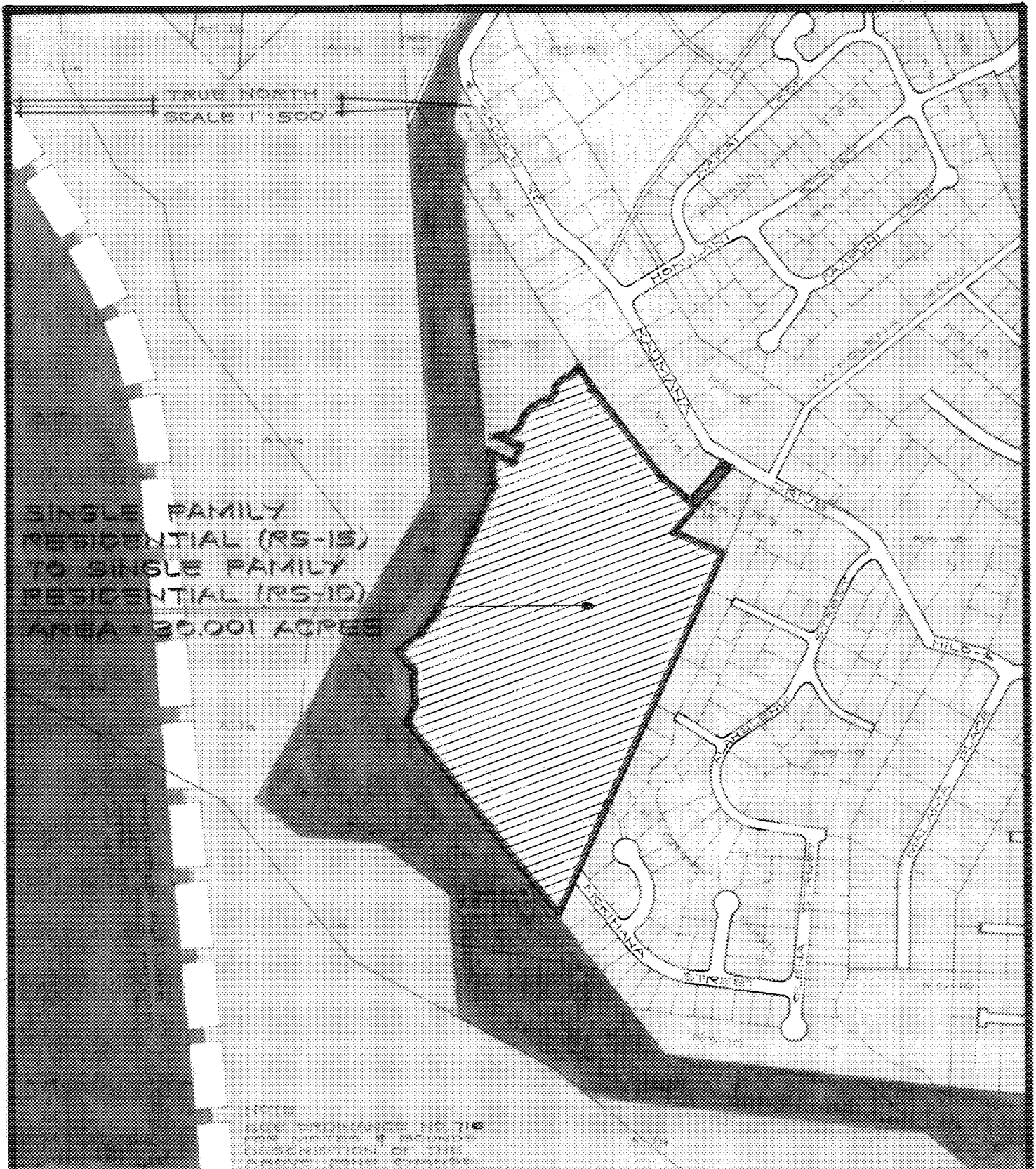

COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 2, 1981

Date of Adoption: September 16, 1981

Effective Date: September 21, 1981



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 92 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 SINGLE FAMILY RESIDENTIAL (RS-15) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT PONAHAHAWAI, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING : JUNE 9, 1981
EFFECTIVE DATE : SEPT. 21, 1981
ORDINANCE NUMBER : 716
PREPARED BY : PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 2-5-06: 61 (POR.)

JULY 23, 1981

EXHIBIT "A"

Hilo, Hawaii
Date: September 2, 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

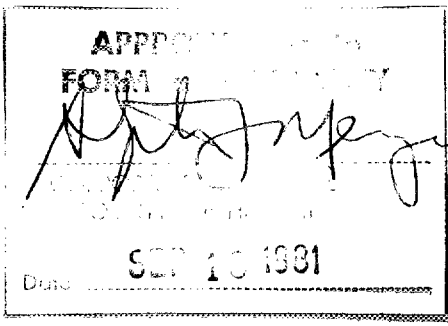
Publication Date: SEP 8 1981

Hilo, Hawaii
Date: September 16, 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: SEP 27 1981

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



High Council
Council Chairman

Yasuhiko Arakawa
DEP. County Clerk

Approved/Disapproved this 2/nd day of September, 1981.

Hubert H. Hironaka
Mayor, County of Hawaii

Bill No. 762
Reference: C-423/PC-52
M.B. No. _____
Ord. No. 716