

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 723

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-10) TO NEIGHBORHOOD COMMERCIAL (CN-10) AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-2-41:PORTION OF 75.

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 (pppp). The district classification of the following area situated at Waiakea, South Hilo, Hawaii, shall be Neighborhood Commercial (CN-10):

Beginning at a pipe in concrete at the southeast corner of this parcel of land and on the westerly side of Lot 3-A, Block 602 of Waiakea Homestead Houselots, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 11,403.60 feet south and 9,707.30 feet east and running by azimuths measured clockwise from True South:

1. 85° 40' 112.86 feet along Lot 2, Block 602 of Waiakea Homestead Houselots;
2. 175° 40' 83.51 feet in Lot 4-C;
3. 265° 40' 112.86 feet along Lot 4-B to a pipe in concrete;
4. 355° 40' 83.51 feet along Lot 3-A to the point of beginning and containing an area of 9,425 square feet or 0.2164 acre.

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, Beretania Properties, Inc., shall be responsible for complying with all of the stated

conditions of approval; (B) that plans shall be submitted and Final Plan Approval, in accordance with Chapter 8 (Zoning Code), Hawaii County Code, secured by the Planning Department for the proposed development within one (1) year from the effective date of the change of zone; (C) that construction commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter; (D) that access to the property shall meet with the approval of the Department of Public Works; (E) that the proposed improvements shall be designed in keeping with the existing character of the immediate neighborhood; (F) that the General Plan density guidelines of a maximum of 24 percent ground cover and 28 percent paved parking area, and a minimum of 48 percent landscaping/open space shall be complied with; (G) that the sewage requirements of the appropriate governmental agencies shall be complied with; (H) that all water runoff generated by the proposed development shall be disposed of [on-site] by a drainage system acceptable to the Department of Public Works; and (I) 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 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 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 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: October 7, 1981

Date of Adoption: October 28, 1981

Effective Date: November 4, 1981



Hilo, Hawaii  
Date: October 7, 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

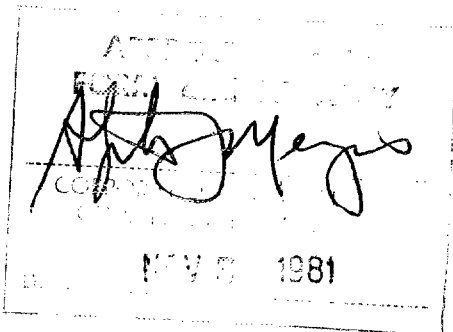
Publication Date: OCT 13 1981

Hilo, Hawaii  
Date: October 28, 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: \_\_\_\_\_

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



Harold Yamashiro  
Council Chairman

R. B. Legaspi  
County Clerk

Approved/Disapproved this 4<sup>th</sup> day of November, 1981.

Alan Theberge  
Mayor, County of Hawaii

**AMENDED**  
Bill No. 779 (REVISED)  
Reference: C-470/PC-59  
M.B. No. \_\_\_\_\_  
Ord. No. 723