

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 816

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 MULTIPLE FAMILY RESIDENTIAL (RM-1) TO OFFICE COMMERCIAL (CO-20) AT PONAHAWAI, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-3-12:1.

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(ggggg). The district classification of the following area situated at Ponehawai, South Hilo, Hawaii, shall be Office Commercial (CO-20):

Beginning at the West corner of this parcel of land on the Northeast side of Kapiolani Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 1,128.73 feet North and 2,780.49 feet East and running by azimuths measured clockwise from True South:

1. 240° 50' 201.33 feet to a point on the Southwest side of Loulu Lane;
2. 332° 13' 83.75 feet along the Southwest side of Loulu Lane;
3. 331° 50' 90.02 feet along the Southwest side of Loulu Lane;
4. 52° 30' 182.33 feet along the Northwest side of Ponehawai Street;
5. 145° 53' 200.91 feet along the Northeast side of Kapiolani Street to the point of beginning and containing an area of 35,747 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) the petitioner or its authorized representative, shall be responsible for complying with all of the stated conditions of approval; (B) plans shall be submitted and Final Plan Approval, in accordance with Article 22 of Chapter 8 (Zoning Code), Hawaii County Code, shall be secured from the

Planning Department within one (1) year from the effective date of the change of zone; (C) the proposed use shall be established within one (1) year from the date of receipt of Final Plan Approval; (D) that the proposed improvements shall be designed in keeping with the existing character of the immediate neighborhood; (E) that the sewage requirements of the appropriate governmental agencies shall be complied with; (F) that the 10-foot and 5-foot road widening strips along Kapiolani Street and Ponahawai Street, respectively, shall be delineated on the plans submitted for Plan Approval. No structural improvements, including parking, shall be allowed within these road widening strips. Further, the setbacks shall be taken from the future road widening strips. The required landscaping, however, may be allowed within these road widening strips; (G) that access(es) to the proposed development shall meet with the approval of the Department of Public Works; (H) that the "Permitted Uses" under the provisions of Chapter 8 (Zoning Code), Article 10, Section 3, G, in effect on the date of adoption, shall not be permitted without specific authority of the Planning Director; and (I) that all other applicable rules, regulations, and requirements 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:

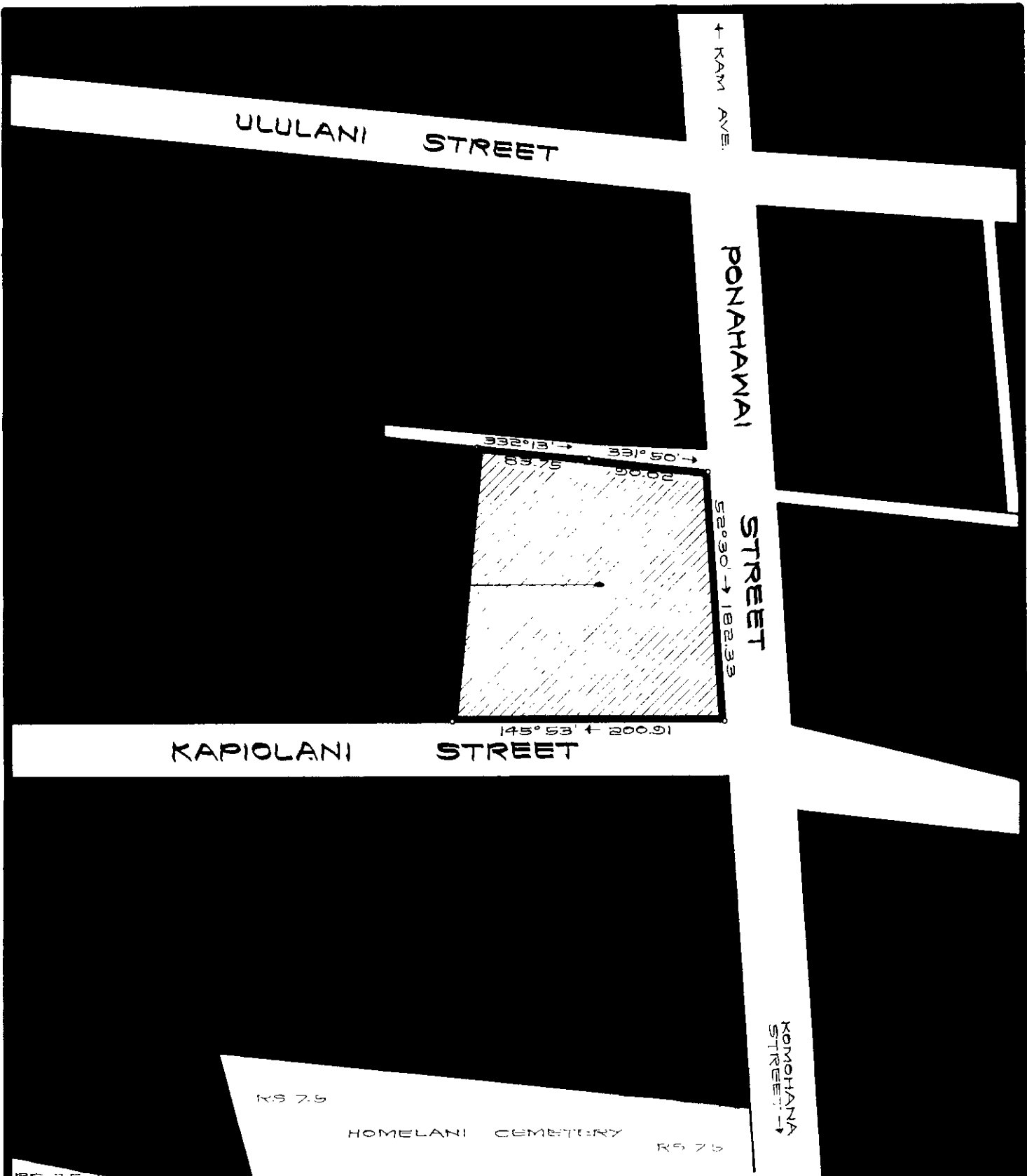
*Ishuh: Downing*  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: August 4, 1982

Date of Adoption: August 17, 1982

Effective Date: August 24, 1982



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. III 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 MULTIPLE FAMILY RESIDENTIAL (RM-1) TO OFFICE COMMERCIAL (CO-20) AT PONAHAWAI, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING : MAY 5, 1982  
 EFFECTIVE DATE : AUG. 24, 1982  
 ORDINANCE NUMBER : 816  
 PREPARED BY : PLANNING DEPARTMENT  
 COUNTY OF HAWAII

TMK : 2-3-12:1

JULY 2, 1982

EXHIBIT "A"

Hilo, Hawaii

Date: August 4, 1982

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		
	7	1	1

Kona, Hawaii

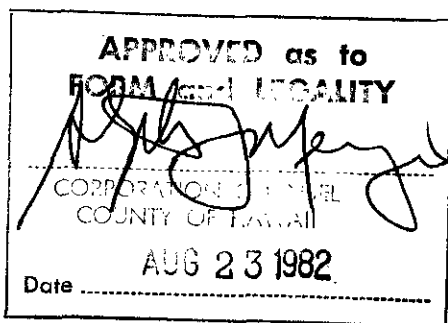
Date: August 17, 1982

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	1	0

Publication Date: \_\_\_\_\_

Publication Date: AUG 31 1982

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



*[Signature]*  
 Council Chairman

*[Signature]*  
 Dep. County Clerk

Approved/~~Disapproved~~ this 24<sup>th</sup> day of

August, 1982.

*[Signature]*  
 Mayor, County of Hawaii

Bill No. 874  
 Reference: PC-134  
 M.B. No. \_\_\_\_\_  
 Ord. No. 816