

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 83 54

AN ORDINANCE AMENDING SECTION 25-87 (NORTH KONA ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO NEIGHBORHOOD COMMERCIAL (CN-20) AT KALAOA 5TH, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-3-05:27.

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

SECTION 1. Section 25-87, Article 3, Chapter 25 (Zoning Code) of the Hawaii County Code, is amended to change the district classification of property described hereinafter as follows:

The district classification of the following area situated at Kalaoa 5th, North Kona, Hawaii, shall be Neighborhood Commercial (CN-20):

Beginning at a pipe in concrete at the southeast corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "MOANUIAHEA" being 8,356.30 feet South and 8,174.40 feet West, and thence running by azimuths measured clockwise from true South:

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|----|------|-----|-----|--------|---|
| 1. | 98° | 12' | 48" | 219.13 | feet along remainder of Grant 2972 to Kaapau and Kama, to a pipe in concrete; |
| 2. | 186° | 46' | | 199.65 | feet along the easterly side of Hawaii Belt Road, F. A. P. No. F 10 (5), to a pipe in concrete; |
| 3. | 276° | 50' | | 149.00 | feet along remainder of Grant 2972 to Kaapau and Kama, to a spike in concrete; |
| 4. | 347° | 54' | | 216.65 | feet along the westerly side of the old Government Road to the point of beginning and containing an area of 0.852 Acre. |

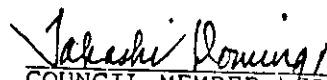
All as outlined in red on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2. This change in district classification is conditioned upon the following: (A) The petitioner, successors, or its assign shall be responsible for complying with all of the stated conditions of approval of the zone change; (B) Plans for the proposed improvements shall be submitted to the Planning Department for plan approval within one year from the effective date of approval of the zone change; (C) The proposed uses shall be established within two years from the date of receipt of final plan approval; (D) The number of access points shall meet with the approval of the State Department of Transportation, Highways Division; (E) A left-turn storage lane shall be provided within the Hawaii Belt Road right-of-way meeting with the approval of the State Department of Transportation, Highways Division, prior to the establishment of any uses that would increase the required parking above the presently required 29 parking stalls. Other improvements may be provided in addition to or in lieu of the above mentioned left-turn storage lane at the discretion of the Department of Transportation, Highways Division; (F) A drainage system in accordance with the requirements of the Department of Public Works shall be installed; and (G) All other applicable rules, regulations, and requirements, including those of the Department of Water Supply and the State Department of Health, 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 3. In the event that any portion of the 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: November 16, 1983
Date of 1st Reading: November 16, 1983
Date of 2nd Reading: December 6, 1983
Effective Date: December 12, 1983

