

## COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 858

AN ORDINANCE AMENDING SECTION 7.24 (THE KA'U DISTRICT ZONE MAP), ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO RESORT-HOTEL (V-1.5) AT PUNALUU, KA'U, HAWAII, COVERED BY TAX MAP KEY 9-6-01:1.

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

SECTION 1. Section 7.24, 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:

"7.24 ( h ). The district classification of the following area situated at Punaluu, Ka'u, Hawaii, shall be Resort-Hotel (V-1.5):

Beginning at a 1-1/2 inch pipe in concrete marked "52", at the Southwest corner of this parcel of land, being also the Northwest corner of Royal Patent 6734, Land Commission Award 2564, Apana 2 to Nakahuna, the coordinates of which referred to Government Survey Triangulation Station "HILL" (PUEHU) being 1,548.25 feet South and 3,097.46 feet East and running by azimuths measured clockwise from True South:

1. 210° 48' 167.30 feet along Lot 9-B of Royal Patent 6885, Land Commission Award 7715, Apana 15 to Lota Kamehameha to a 1-1/2 inch pipe in concrete marked "51";
2. 293° 04' 296.00 feet along Lot 9-B of Royal Patent 6885, Land Commission Award 7715, Apana 15 to Lota Kamehameha to a 1-1/2 inch pipe in concrete marked "50";
3. 12° 11' 176.42 feet along Lot 9-B and remainder of Royal Patent 6885, Land Commission Award 7715, Apana 15 to Lota Kamehameha to a 1-1/2 inch pipe in concrete marked "49";
4. 114° 17' 351.90 feet along Royal Patent 6734, Land Commission Award 2564, Apana 2 to Nakahuna to the point of beginning and containing an area of 1.260 acres, more or less.

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 or authorized representative shall be responsible for complying with all of the stated conditions of approval; (B) that a master plan including a development timetable for the development of the subject area shall be submitted to the Planning Department within one (1) year from the effective date of the change of zone; (C) that plans for "Plan Approval" for the existing and new facilities are to be submitted within one (1) year from the effective date of the change of zone; (D) that construction of proposed facilities shall commence within one (1) year from the effective date of final "Plan Approval" and be completed within two (2) years thereafter; (E) that an archaeological reconnaissance survey shall be conducted and the report filed with the Planning Department and the State Department of Land and Natural Resources, Historic Sites Section. This report shall be submitted simultaneously or prior to any submittals for "plan approval;" (F) that should any unanticipated archaeological or historic features be uncovered during land preparation activities, work shall immediately cease and the Planning Department notified. Work shall not resume until clearance is obtained from the Planning Department; (G) that the method of sewage disposal shall meet with the approval of the appropriate governmental agencies; (H) that consolidation maps of the subject property with the adjacent parcel (TMK: 9-6-01:13) be submitted prior to and/or in conjunction with the submittal of plans for plan approval; and (I) that all other State, and County rules, regulations and requirements must 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. 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:

  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: March 2, 1983  
Date of Adoption: March 16, 1983  
Effective Date: March 23, 1983



## AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 8 TO SECTION 7.24 (THE KA'U DISTRICT ZONE MAP) ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO RESORT-HOTEL (V-1.5) AT PUNALUU, KA'U, HAWAII.

DATE OF PUBLIC HEARING : OCT. 14, 1982  
EFFECTIVE DATE : MARCH 23, 1983  
ORDINANCE NUMBER : 856  
PREPARED BY : PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK : 9-6-01:1

NOV. 9, 1982

EXHIBIT "A"

Hilo, Hawaii  
Date: March 2, 1983

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	0	2

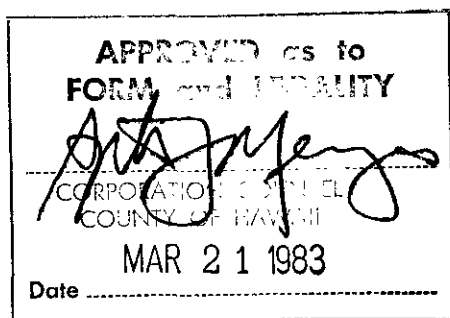
Publication Date: \_\_\_\_\_

Hilo, Hawaii  
Date: March 17, 1983

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
	6	0	3

Publication Date: APR 5 1983

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 23<sup>rd</sup> day of  
March, 1983

*[Signature]*  
Mayor, County of Hawaii

Bill No. 907  
Reference: C-188/C-1036  
M.B. No. \_\_\_\_\_  
Ord. No. 856