

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 874

AN ORDINANCE AMENDING SECTION 7.05 (THE KAILUA-HONALO URBAN ZONE MAP), ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM DOUBLE FAMILY RESIDENTIAL (RD-3.75) TO MULTIPLE FAMILY RESIDENTIAL (RM-2.5) AT HOLUALOA 1ST AND 2ND, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-6-17:19 & 79.

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

SECTION 1. Section 7.05, 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:

"7.05 (bb). The district classification of the following area situated at Holualoa 1st and 2nd, North Kona, Hawaii, shall be Multiple Family Residential (RM-2.5):

Beginning at a spike in concrete at the southeast corner of this parcel of land and on the east side of Alii Drive, the coordinates of said point of beginning referred to Government Survey Traingulation Station "KAHELO" being 3578.53 feet South and 2183.96 feet East, thence running by azimuths measured clockwise from True South:

- 1. 148° 08' 60.24 feet along the East side of Alii Drive to a nail;
- 2. 146° 09' 40.02 feet along the East side of Alii Drive to a spike in concrete;
- 3. 238° 08' 210.24 feet along Lots 27 and 4a (Portion of Lot 4) to a spike in concrete;
- 4. 328° 08' 100.24 feet along the West side of a 25-foot wide road to a spike in concrete;
- 5. 58° 08' 208.84 feet along Lot 61 C (Portion of Lot 61) to the point of beginning and containing an area of 20,962 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 his authorized representative shall be responsible for complying with all conditions of the change of zone; (B) plans for the project shall be submitted for Plan Approval within one year from the effective date of the change of zone ordinance; (C) construction shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter; (D) the eight units shall be offered for sale in compliance with the following: The petitioner shall provide housing opportunities for low and moderate income Hawaii residents by selling on a preferential basis, on its own or in cooperation with the County, the residential units to be developed on the subject property, to residents of the State of Hawaii of low and moderate family income as determined by the Housing Administrator from time to time. The preferential residential units shall be sold at prices not exceeding prices that enable such purchasers to qualify for and obtain state-assisted financing (i.e. Act 105 or Hula Mae) or federally-insured or assisted financing intended to encourage home ownership by low and moderate income families. The foregoing condition may be fully or partially released by the Housing Administrator as to all or any portion of the subject property upon adequate assurance of satisfaction of this condition by the petitioner; (E) all units shall have a recorded covenant prohibiting transient vacation rental or time

sharing of the units as defined by Chapter 514E, Hawaii Revised Statutes; (F) the two lots shall be consolidated prior to the issuance of a building permit for the proposed structure; (G) the requirements of the Department of Water Supply and the Department of Health shall be complied with; and (H) all other applicable rules, regulations, and requirements shall be complied with. Should any of the foregoing conditions not be met, the rezoning of the property 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.

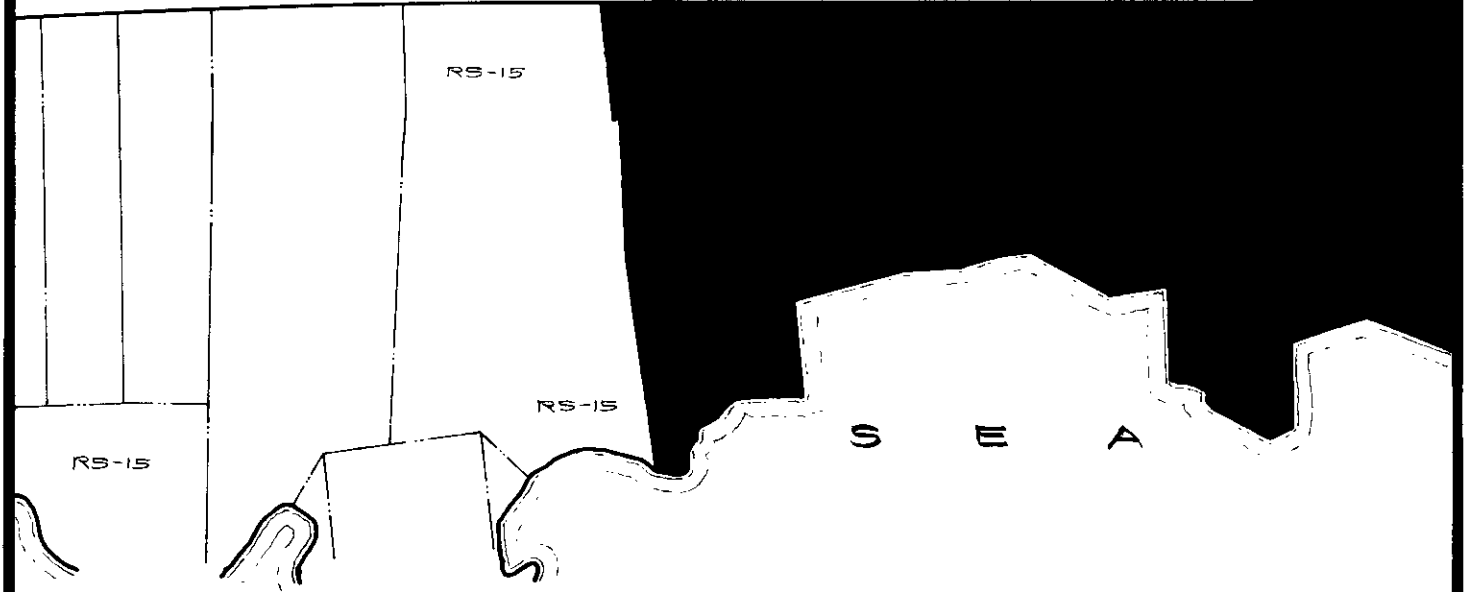
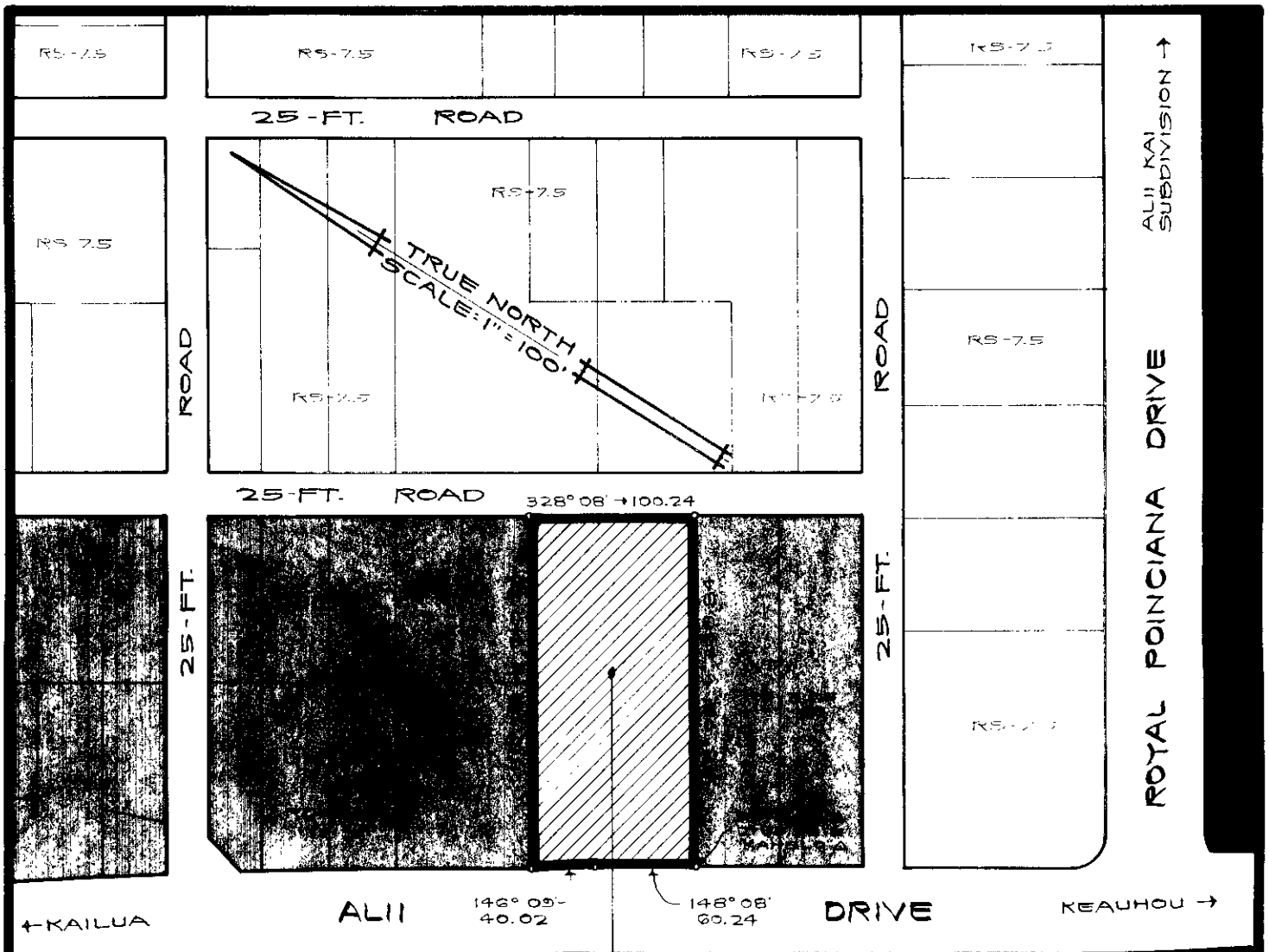
SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: April 6, 1983
Date of Adoption: April 20, 1983
Effective Date: April 26, 1983



AMENDMENT TO THE ZONING CODE

AMENDMENT NO.27 TO SECTION 7.05 (THE KAILUA-HONALO URBAN ZONE MAP) ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM DOUBLE FAMILY RESIDENTIAL (RD-3.75) TO MULTIPLE FAMILY RESIDENTIAL (RM-2.5) AT HOLUALOA 1ST & 2ND, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING : MARCH 2, 1983
 EFFECTIVE DATE : APRIL 26, 1983
 ORDINANCE NUMBER : 874
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK : 7-6-17 : 19 & 79

MARCH 3, 1983

EXHIBIT "A"

Hilo, Hawaii
 Date: April 6, 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: April 20, 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
	5	0	4

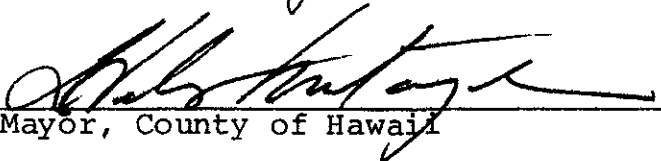
Publication Date: MAY 6 1983

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

APPROVED as to FORM and LEGALITY

 CORPORATION COUNSEL
 COUNTY OF HAWAII
 Date APR 22 1983


 ACT. Council Chairman

 County Clerk

Approved/~~Disapproved~~ this 26th day of April, 1983.


 Mayor, County of Hawaii

Bill No. 950
 Reference: PC-217
 M.B. No. _____
 Ord. No. 874