

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 84 54

AN ORDINANCE AMENDING SECTION 25-91 (NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNPLANNED (U) TO MULTIPLE FAMILY RESIDENTIAL (RM-4.0) AT WAIKA, NORTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 5-9-01:6.

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

SECTION 1. Section 25-91, 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 Waika, North Kohala, Hawaii, shall be Multiple Family Residential (RM-4.0):

Beginning at an iron pin at the East corner of this parcel of land on the Southwesterly side of Kawaihae-Mahukona Road, the coordinates of which referred to Government Survey Triangulation Station "PUU PILI" being 18,874.89 feet South and 28,728.40 feet West and running by azimuths measured clockwise from True South:

1. 47° 02' 30" 903.00 feet along Hawaiian Homes Land at Kawaihae 1st to the shoreline and passing over a "+" cut in rock at 891.84 feet;

thence along the shoreline for the next twelve (12) courses, the direct azimuths and

distances between points
along said shoreline
being:

2.	140°	46'	248.00 feet;
3.	55°	25'	229.00 feet;
4.	201°	43'	161.00 feet;
5.	147°	32'	73.00 feet;
6.	34°	38'	150.00 feet;
7.	199°	33'	158.00 feet;
8.	142°	10'	209.00 feet;
9.	67°	50'	190.00 feet;
10.	133°	35'	215.00 feet;
11.	213°	20'	168.00 feet;
12.	131°	00'	295.00 feet;
13.	90°	30'	111.00 feet, thence;
14.	220°	20'	215.23 feet along Lot 5 of Land Court Consolidation 129 to an iron pin;
15.	203°	10'	1,055.29 feet along Lot 5 of Land Court Consolidation 129 to a 3/4" pipe;
16.	322°	00' 30.5"	50.00 feet along the Southwesterly side of Kawaihae-Mahukona Road to an iron pin;
17.	322°	00' 30.5"	700.00 feet along the Southwesterly side of Kawaihae-Mahukona Road;
18.	52°	00' 30.5"	10.00 feet along the Southwesterly side of Kawaihae-Mahukona Road;

19. 322° 00' 30.5" 800.00 feet along the Southwesterly side of Kawaihae-Mahukona Road;
20. 232° 00' 30.5" 20.00 feet along the Southwesterly side of Kawaihae-Mahukona Road;
21. 322° 00' 30.5" 315.80 feet along the Southwesterly side of Kawaihae-Mahukona Road to the point of beginning and containing an area of 38.249 Acres, more or less.

All as shown 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 assigns shall comply with the stated conditions of approval; (B) plans for plan approval shall be submitted for the proposed development within one (1) year from the effective date of the accompanying Special Management Area (SMA) Use Permit; (C) construction shall commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter; (D) the method of sewage disposal shall meet with the approval of the appropriate governmental agencies; (E) drainage system(s) in accordance with the requirements of the Department of Public Works shall be installed; (F) access(es) to the property from Akoni Pule Highway shall meet with the approval of the State Department of

Transportation, Highways Division. Further, the main access to the property shall be fully channelized with left turn storage lanes, deceleration lane and an acceleration lane. Such improvements shall be constructed prior to issuance of an occupancy permit for the condominium units; (G) should any unanticipated archaeological or historic features be uncovered during land preparation activities, work shall cease immediately and the Planning Department shall be notified. Work shall not resume until clearance has been obtained from the Planning Department; and (H) 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 3. In the event that any portion of the ordinance is declared invalid, such invalidity shall not affect 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:	August 22, 1984
Date of 1st Reading:	August 22, 1984
Date of 2nd Reading:	August 29, 1984
Effective Date:	September 5, 1984

