

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 84 71

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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-20) AT KOHANAIKI, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-3-07:34.

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 Kohanaiki, North Kona, Hawaii, shall be Single Family Residential (RS-20):

Beginning at a pipe at the southeast corner of this parcel of land and at the westerly side of Old Government Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Moanuihea" being 11,558.83 feet South and 8,058.97 feet West and running by azimuths measured clockwise from True South:

1. 91° 20' 188.30 feet along remainder of Grant 2030 to Kaiakoili to a pipe (found);
2. 168° 36' 30" 462.07 feet along remainder of Grant 2030 to Kaiakoili to nail in "+" cut in rock (found); Thence following along the middle of a

stonewall along Grant 2027 to Kameheu, in all its windings, the direct azimuth and distance being:

3. 269° 17' 42" 190.87 feet to a pipe in concete (found) at the westerly side of Old Government Road;
4. 342° 00' 13.96 feet along the westerly side of Old Government Road to a spike (found);
5. 342° 00' 9.15 feet along the westerly side of Old Government Road to a pipe;
6. 328° 35' 138.86 feet along the southwesterly side of Old Government Road to a pipe;
7. 342° 15' 14.79 feet along the westerly side of Old Government Road to a pipe on the westerly side of Hawaii Belt Road;
8. 82° 31' 42" 10.00 feet along a jog in the Hawaii Belt Road to a pipe; thence along the westerly side of Hawaii Belt Road along a curve to the right having a radius of 3,769.72 feet, the chord azimuth and distance being:
9. 354° 18' 36" 234.41 feet to a pipe;
10. 12° 28' 26.66 feet along a stonewall along the westerly side of Old Government Road to a pipe;
11. 3° 46' 30" 44.63 feet along a stonewall along the westerly side of Old Government Road to the point of beginning and containing an area of 2.276 Acres.

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

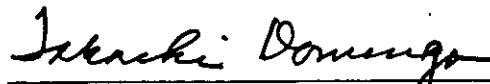
SECTION 2. This change in district classificaton is conditioned upon the following: (A) the zoning for the property shall be effective only after: (1) there are assurances satisfactory to the Departments of Water Supply and Planning, upon consultation with the State Department of Health, and the Division of Water and Land Development of the State Department of Land and Natural Resources, that a water source of sufficient quality and quantity has been established within two years from the effective date of this ordinance; provided that a maximum one-year extension to the two-year time limit may be granted by the Planning Director with reasonable and sufficient justification; and (2) an agreement, accompanied by an appropriate surety bond or other acceptable security, is executed with the Department of Water Supply for the actual development of a proven water source and its water transmission and distribution system within one year from the official date of compliance with condition A(1); provided that a one-year extension to the one-year time limit may be granted by the Planning Director with reasonable and sufficient justification; or (3) the Department of Water Supply issues a water commitment for the proposed development; (B) no subdivision of any portion

of the land shall occur unless and until condition A has been complied with; (C) the Planning Director shall be mandated to initiate action for the repeal of this ordinance if conditions A or B have not been complied with; (D) the petitioner, its assigns or successors, shall be responsible for complying with all conditions of approval; (E) subdivision plans shall be submitted within one year from the effective date of the zone change; (F) the construction of another single-family dwelling on one of the proposed lots shall commence within one year from the date of receipt of final subdivision approval and be completed within one year thereafter; (G) access to the proposed lots from the Hawaii Belt Road shall meet with the approval of the State Department of Transportation, Highways Division. Further, no direct access onto the lots from the Hawaii Belt Road shall be permitted; (H) a 10-foot wide "no vehicle access" planting screen easement shall be provided along the frontage of the Hawaii Belt Highway; (I) a drainage system in accordance with the requirements of the Department of Public Works shall be installed; and (J) all other applicable rules, regulations and requirements shall be complied with. Should any of the foregoing conditions not be met, rezoning of the property 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.

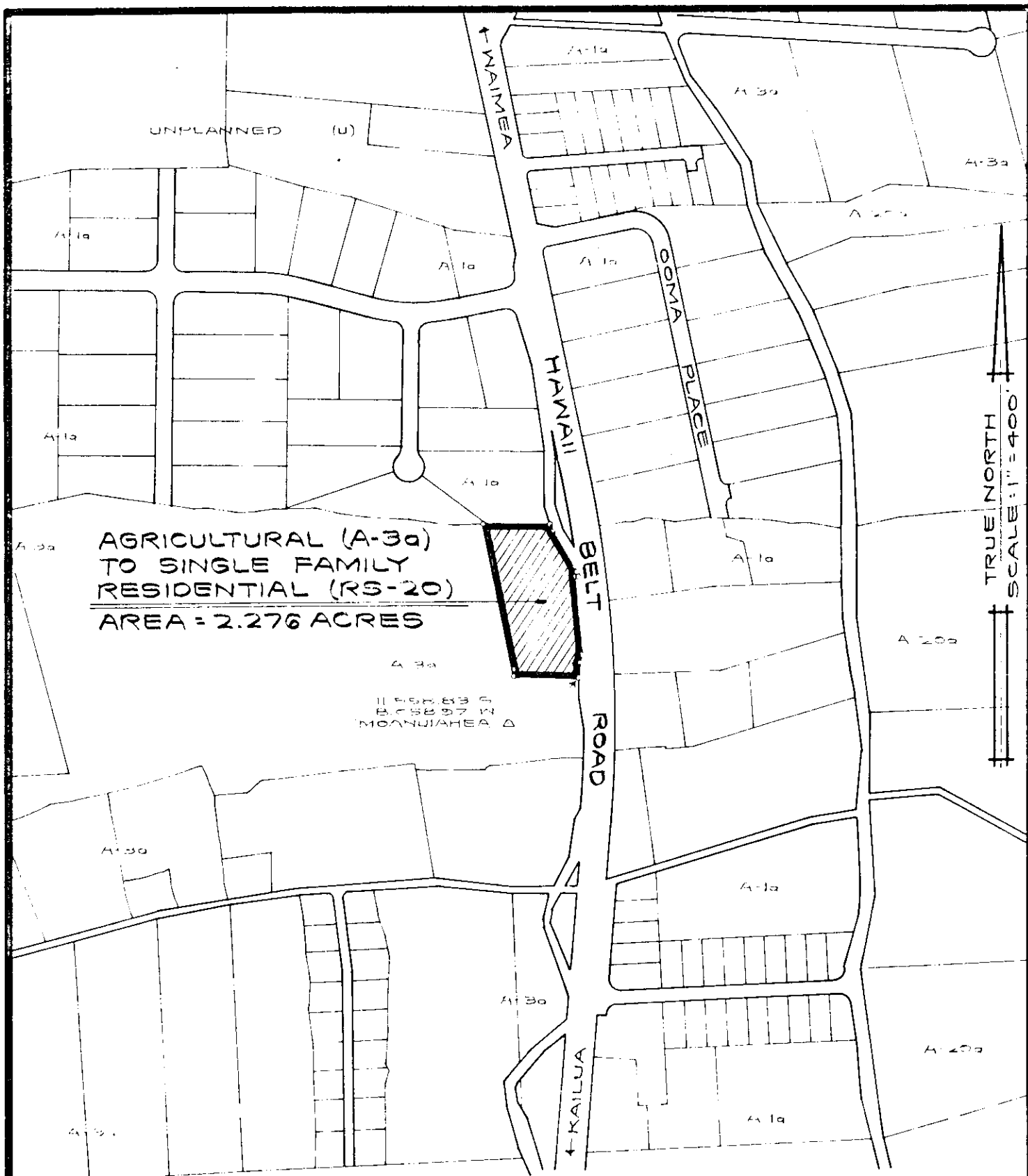
Introduced by:



COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction:	September 19, 1984
Date of 1st Reading:	September 19, 1984
Date of 2nd Reading:	October 3, 1984
Effective Date:	October 9, 1984



AMENDMENT TO THE ZONING CODE

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-3a) TO SINGLE FAMILY RESIDENTIAL (RS-20) AT KAILUA