

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 85 17

AN ORDINANCE AMENDING SECTION 25-89 (KAILUA URBAN ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, RELATING TO THE MODIFICATION OF A CONDITION TO THE DISTRICT CLASSIFICATION FROM MULTIPLE FAMILY RESIDENTIAL (RM-1) TO RESORT-HOTEL (V-2) AT PUA A 2ND, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-09:39.

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

SECTION 1. Section 25-89, Article 3, Chapter 25 (Zoning Code) of the Hawaii County Code, as amended, is amended to modify a condition to reclassification in Ordinance No. 790, effective May 24, 1982, to read as follows:

"25-89 (y). The district classification of the following area situated at Puaa 2nd, North Kona, Hawaii, shall be Resort-Hotel (V-2):

Beginning at a pipe in concrete at the northwest corner of this parcel of land, and on the easterly side of Walua Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 3,728.25 feet South and 1,795.06 feet East, and thence running by azimuths measured clockwise from True South:

1. 261° 52' 50" 250.00 feet along remainder of Lot 1, Apana 2, Grant 7489 to D. P. Waahila, to a pipe in concrete;
2. 330° 27' 100.00 feet along remainder of Lot 1, Apana 2, Grant 7489 to D. P. Waahila, to a pipe in concrete;

THIS WILL VERIFY THAT TWO-THIRDS OF THE MEMBERSHIP OF THE HAWAII COUNTY COUNCIL VOTED TO OVERRIDE THE MAYOR'S VETO ON BILL NO. 16 DRAFT 2.


COUNCIL CHAIRMAN

3. 81° 52' 50" 250.00 feet along remainder of Lot 1, Apana 2, Grant 7489 to D. P. Waahila, to a spike in concrete;
4. 150° 27' 100.00 feet along Walua Road, to the point of beginning and containing an area of 23,273 Square Feet.

SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the following conditions: (A) that the petitioner or its authorized representative shall be responsible for complying with all stated conditions of approval; (B) that the plans shall be submitted and Final Plan Approval secured in accordance with Article 22, Chapter 8 (Zoning Code) of the Hawaii County Code within one (1) year from the effective date of the change of zone; (C) that construction of the proposed development shall commence within one (1) year from the date of receipt of Final Plan Approval and shall be completed within two (2) years thereafter; (D) that a drainage system consistent with the standards of the Department of Public Works shall be installed; (E) that the frontage of the subject property shall be improved with curbs, gutters, and sidewalks and other related improvements meeting with the approval of the Chief Engineer [prior to the issuance of occupancy permit] by December 3, 1987 or when development occurs on either of the adjoining properties, or upon demand of the County Council, whichever occurs first; and (F) that all other applicable requirements, including the requirements of the Department of Water Supply, State Department of Health, and

the Department of Public Works shall be complied with. Should any of the foregoing conditions not be met, rezoning of the subject property to its original or more appropriate zoning designation may be initiated by the Planning Director."

SECTION 3. Material to be deleted is bracketed. New material is underscored.

SECTION 4. In the event that any portion of the ordinance is declared invalid, such invalidity shall not the affect other parts of this ordinance.

SECTION 5. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: February 8, 1985
Date of 1st Reading: February 8, 1985
Date of 2nd Reading: February 20, 1985
Effective Date: March 20, 1985