

# COUNTY OF HAWAII STATE OF HAWAII

Bill No. 81  
(Draft 3)

## ORDINANCE NO. 85 81

AN ORDINANCE AMENDING SECTION 25-90 (KAILUA-HONALO URBAN ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-7.5) TO VILLAGE COMMERCIAL (CV-7.5) AT LEHUULA 2ND, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-9-07:64 AND 70.

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

SECTION 1. Section 25-90, 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 Lehuula 2nd, North Kona, Hawaii, shall be Village Commercial (CV-7.5):

Beginning at the east corner of this parcel of land, being the northeast corner of a portion of R.P. 7534, L.C. Aw. 8559:B to Wm. C. Lunalilo and on the southwesterly side of Mamalahoa Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU-O-HAU" being 8,020.18 feet North and 8,830.52 feet East, thence running by azimuths measured clockwise from True South:

1. 63° 32' 76.60 feet along a portion of R.P. 7534, L.C. Aw. 8559:B to Wm. C. Lunalilo;
2. 66° 48' 98.72 feet along a portion of R.P. 7534, L.C. Aw. 8559:B to Wm. C. Lunalilo;
3. 157° 12' 174.08 feet along Lot 4-B;

4. Thence along Lot 4-B on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: 203° 42' 45" 29.02 feet;
5. 250° 13' 30" 135.34 feet along Lot 4-B;
6. Thence along Lot 4-B on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being: 293° 42' 45" 27.53 feet;
7. 337° 12' 161.35 feet along Mamalahoa Highway to the point of beginning and containing an area of 32,926 Square Feet or 0.7559 Acre.

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 petitioners, successors or their assigns shall be responsible for complying with all of the stated conditions of approval; (B) plans for the proposed development shall be submitted for Plan Approval within one year from the effective date of the zone change; (C) construction of the proposed improvements shall commence within one year from the date of receipt of final plan approval and be completed within two years thereafter; (D) a drainage system shall be installed in accordance with the requirements of the Department of Public Works; (E) no direct access to the proposed development from Mamalahoa Highway shall be allowed. Access shall be from the 20-foot wide private roadway;

(F) curbs, gutters and sidewalks shall be provided along the length of Mamalahoa Highway meeting with the requirements and standards of the Department of Public Works. These improvements may be deferred either until an improvement district is authorized for curbs, gutters and sidewalks (whereupon the property owner shall automatically participate) or when the adjoining properties on the southern or northern boundaries on Mamalahoa Highway are required to install curbs, gutters and sidewalks. These improvements would then go in concurrently with the adjoining property. A bond and agreement for these improvements, which shall be determined by the Department of Public Works with the concurrence and approval of the Planning Director and Corporation Counsel shall be submitted to the Planning Department prior to receipt of Final Plan Approval; (G) at the request of the petitioner, the use of the property shall be restricted to uses related to nursery propagation and botanical garden; retail sales for nursery and related items; and ancillary office and maintenance uses; 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 zoning designation will be initiated.

SECTION 3. In the event that any portion of the ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

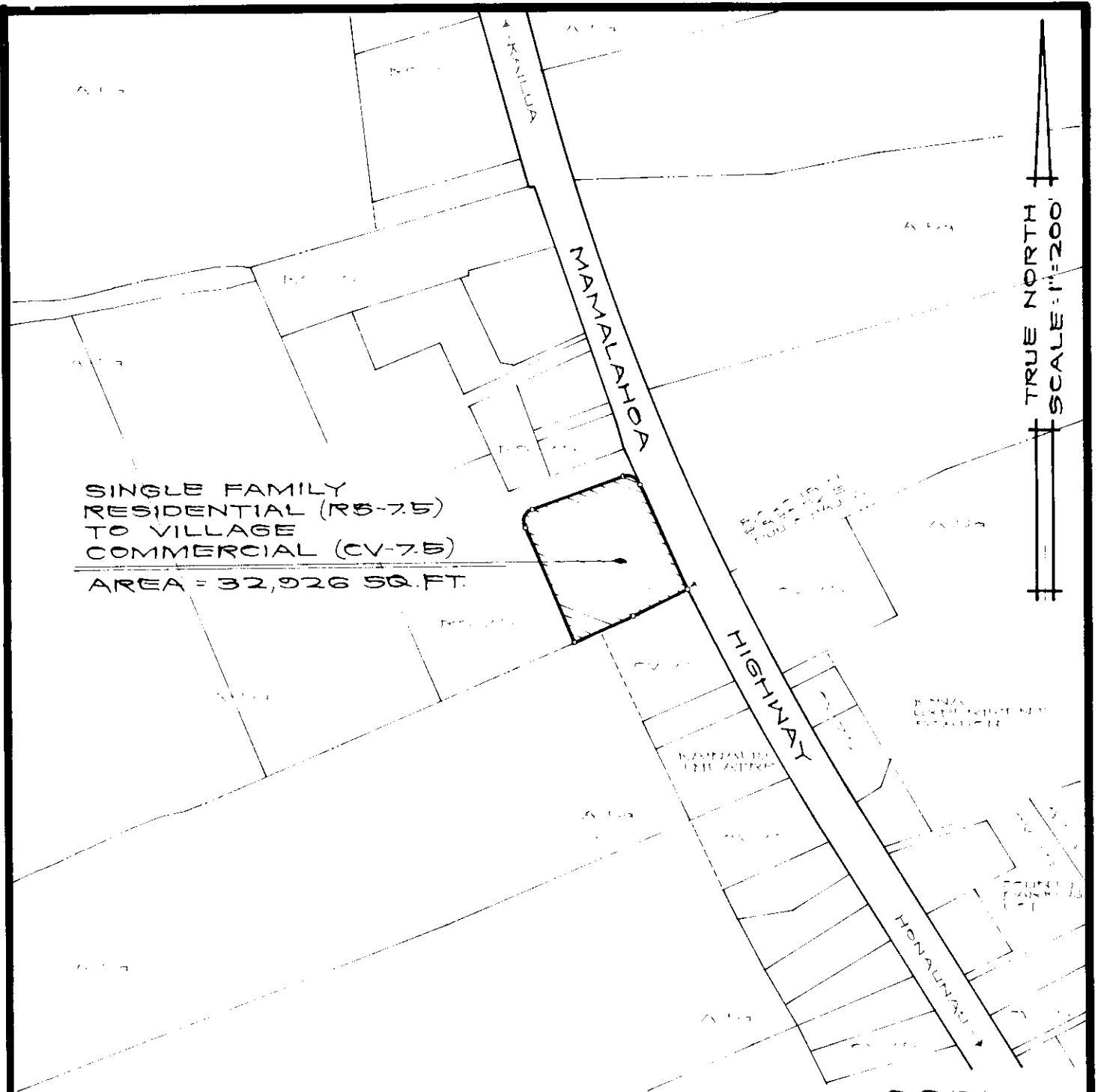
SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 18, 1985  
Date of 1st Reading: September 18, 1985  
Date of 2nd Reading: October 16, 1985  
Effective Date: October 22, 1985



**AMENDMENT TO THE ZONING CODE**

AMENDING SECTION 25-90 (KAILUA-HONALO URBAN ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-7.5) TO VILLAGE COMMERCIAL (CV-7.5) AT LEHUULA 2ND, NORTH KONA, HAWAII.

PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 7-9-07:64 & 70

MAY 31, 1985

EXHIBIT "A"