

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 123

ORDINANCE NO. 86 12

AN ORDINANCE AMENDING SECTION 25-96 (HAMAKUA DISTRICT ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-20a) AT WAIKOEKOE, HAMAKUA, HAWAII, COVERED BY TAX MAP KEY 4-7-07:48.

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

SECTION 1. Section 25-96, 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 Waikoekoe, Hamakua, Hawaii, shall be Agricultural (A-20a):

Beginning at a pipe at the Northwesterly corner of this parcel of land, being also a point on the Southerly side of Mamalahoa Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA EAST BASE" being 7,387.76 feet North and 11,933.25 feet East and running by azimuths measured clockwise from True South:

- 1. 267° 21' 300.78 feet along the Southerly side of Mamalahoa Highway to a pipe;

Thence, following along the Southerly side of Mamalahoa Highway on a curve to the left with a radius of 1,805.00 feet, the chord azimuth and distance being:

- 2. 265° 24' 122.84 feet to a pipe;
- 3. 263° 27' 158.31 feet along the Southerly side of Mamalahoa Highway to a pipe;

Thence, following along the Southerly side of Mamalahoa Highway on a curve to the left with a radius of 6,690.00 feet, the chord azimuth and distance being:

4. 262° 55' 45" 121.63 feet to a pipe;
5. 262° 24' 30" 111.74 feet along the Southerly side of Mamalahoa Highway to a pipe;

Thence, following along the Southerly side of Mamalahoa Highway on a curve to the left with a radius of 3,255.00 feet, the chord azimuth and distance being:

6. 260° 59' 161.89 feet to a pipe;
7. 259° 33' 30" 1,607.67 feet along the Southerly side of Mamalahoa Highway to a pipe;
8. 350° 14' 30" 2,002.80 feet along the remainder of Land Commission Award 8559-B, Apana 2 to William C. Lunalilo to a pipe;
9. 118° 44' 3,298.16 feet along the Northeasterly side of 40-foot wide Homestead Road Right-of-Way to the point of beginning and containing an area of 57.597 Acres.

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, its successors or assigns, shall be responsible for complying with all of the stated conditions of approval; (B) subdivision plans shall be submitted within one year from the effective date of the change of zone. Final subdivision plan shall be submitted

within one year from the effective date of the tentative subdivision approval; (C) the requirements of the Department of Water Supply shall be complied with; (D) restrictive deed covenants for both parcels shall be submitted to the Planning Department for review and approval prior to its submittal to the Bureau of Conveyances for recordation with final subdivision plat maps. These covenants shall require active agricultural activities to ensure the land is productively used. These restrictive covenants are encumbrances running with the land, and shall be binding on all parties and persons claiming under them until such time that the land is rezoned to a more appropriate zoning designation; and, (E) all other applicable rules, regulations and requirements be complied with. The Planning Director may administratively grant extensions to the foregoing time conditions. Further, should any of the foregoing conditions not be met or substantially complied with in a timely fashion, the Planning Director may initiate rezoning of the property to its original or more appropriate designation.

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

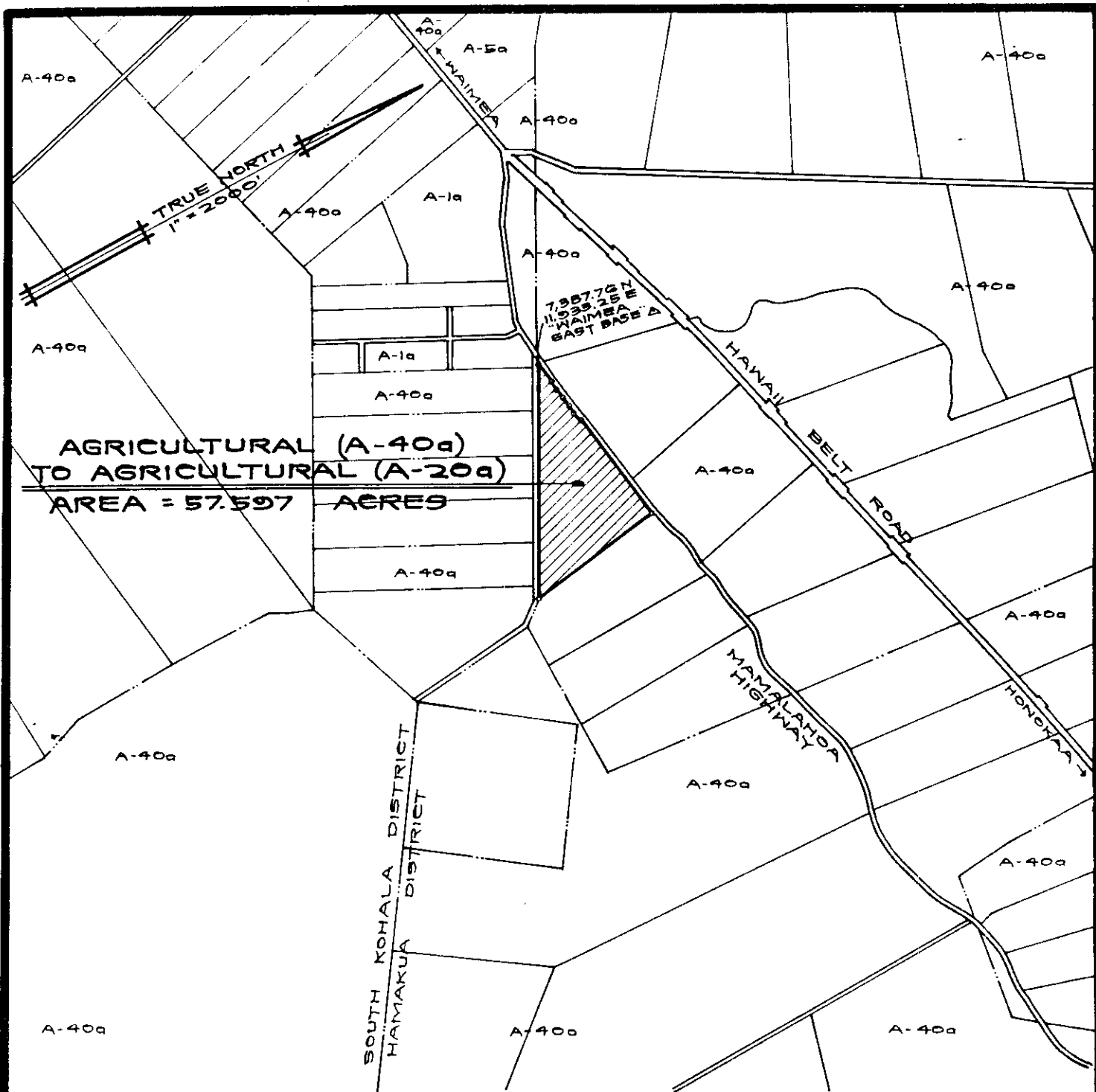
SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction:	February 5, 1986
Date of 1st Reading:	February 5, 1986
Date of 2nd Reading:	February 19, 1986
Effective Date:	February 24, 1986



**AGRICULTURAL (A-40a)  
TO AGRICULTURAL (A-20a)  
AREA = 57.597 ACRES**

## AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-96 (HAMAKUA DISTRICT ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-40a) TO AGRICULTURAL (A-20a) AT WAIKOEKOE, HAMAKUA, HAWAII.

PREPARED BY : PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK : 4-7-07 : 48

DEC. 9, 1985

EXHIBIT "A"