

COUNTY OF HAWAII STATE OF HAWAII

Bill No. 250

ORDINANCE NO. 86 122

AN ORDINANCE AMENDING SECTION 25-89 (KAILUA URBAN ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, RELATING TO THE MODIFICATION OF CERTAIN CONDITION OF ORDINANCE NO. 601 WHICH RECLASSIFIED CERTAIN LANDS FROM DOUBLE FAMILY RESIDENTIAL (RD-3.75) TO MULTIPLE FAMILY RESIDENTIAL (RM-2) AT HONUULA AND HIENALOLI FIRST, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-04:35 (FORMERLY PORTION OF PARCEL 2).

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, is amended to modify Section 2 of Ordinance No. 601 as follows:

"SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) if no governmental assistance for the low and moderate price market is available, the project shall be developed in three (3) increments. The total number of units shall be divided into increments of 27 units, 24 units, and 24 units respectively. Zoning for the second increment shall become effective only after substantial development has occurred on the first increment. Zoning for the third increment shall become effective only after substantial development has occurred on the second increment. In both instances, substantial development is defined as construction commenced on a minimum of 25 per cent of the units within the previous increment; (B) if governmental assistance

for the low and moderate price market is available, the project may be developed as a single project with no increments involved; (C) [whether governmental assistance is available or not, construction shall conform substantially to that as presented and construction shall commence within one (1) year of the date of approval of the change of zone] Construction of the proposed development shall commence within one year from the effective date of this amendment and be completed within two years thereafter; (D) the proposed development comply with the goals, policies, and standards for multiple residential developments as outlined in the General Plan document and comply with all other applicable regulations; and (E) the developer be responsible for providing and improving access off Lamaokaola Street. [Should any of the foregoing conditions not be met, rezoning to a more appropriate designation may be initiated.] The Planning Director may administratively grant extensions to the foregoing time conditions. Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate rezoning of the area to its original or more appropriate designation."

SECTION 2. Material to be deleted is bracketed. New material is underscored.

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:

Juanita Domingo
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: October 1, 1986
Date of 1st Reading: October 1, 1986
Date of 2nd Reading: October 15, 1986
Effective Date: October 21, 1986