

COUNTY OF HAWAII STATE OF HAWAII

Bill No. 328

ORDINANCE NO. 87 35

AN ORDINANCE AMENDING SECTION 25-88 (SOUTH KONA ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM MULTIPLE FAMILY RESIDENTIAL (RM-1.5) TO VILLAGE COMMERCIAL (CV-10) AT KEEKEE 1ST, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-1-12:55.

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

SECTION 1. Section 25-88, 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 Keekee 1st, South Kona, Hawaii, shall be Village Commercial (CV-10):

Beginning at a spike at the northeast corner of this parcel of land, the coordinates of which referred to Government Survey Triangulation Station "PUU OHAU" being 1,579.60 feet North and 11,170.19 feet East and running by azimuths measured clockwise from True South:

- 1. 9° 56' 14.90 feet along the the westerly side of Hawaii Belt Road to a pipe in concrete;

Thence along same on a curve to the left with a radius of 2,322.01 feet, the chord azimuth and distance being:

- 2. 9° 22' 37" 45.10 feet to a pipe in concrete;
- 3. 90° 09' 30" 166.76 feet along Grant 2963 to Kapule, to a pipe in concrete;
- 4. 188° 56' 88.32 feet along the easterly side of Analipo Place to a pipe in concrete;

5. 279° 56' 165.45 feet along Lots 3-B-1 and 3-A of Land Court Application 1609 to the point of beginning and containing an area of 12,233 Square Feet.

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 applicant, successors or assigns shall be responsible for complying with all of the conditions of approval; (B) plans for the development of the property shall be submitted for Plan Approval review within one year from the effective date of the zone change; (C) construction shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter; (D) access to the property shall be from the Mamalahoa Highway. No access shall be permitted from Analipo Place unless it is improved from the subject property to Mamalahoa Highway, in accordance with commercial standards which includes a 60-foot right-of-way with curbs, gutters, and sidewalks; (E) 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; (F) a drainage system shall be installed in accordance with the requirements of the Department of Public Works; (G) the method of sewage disposal shall meet with the requirements of the appropriate governmental agencies; and (H) 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 conditions not be met or substantially complied with in a timely fashion, the Director may initiate rezoning of the property to its original or more appropriate designation.

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.

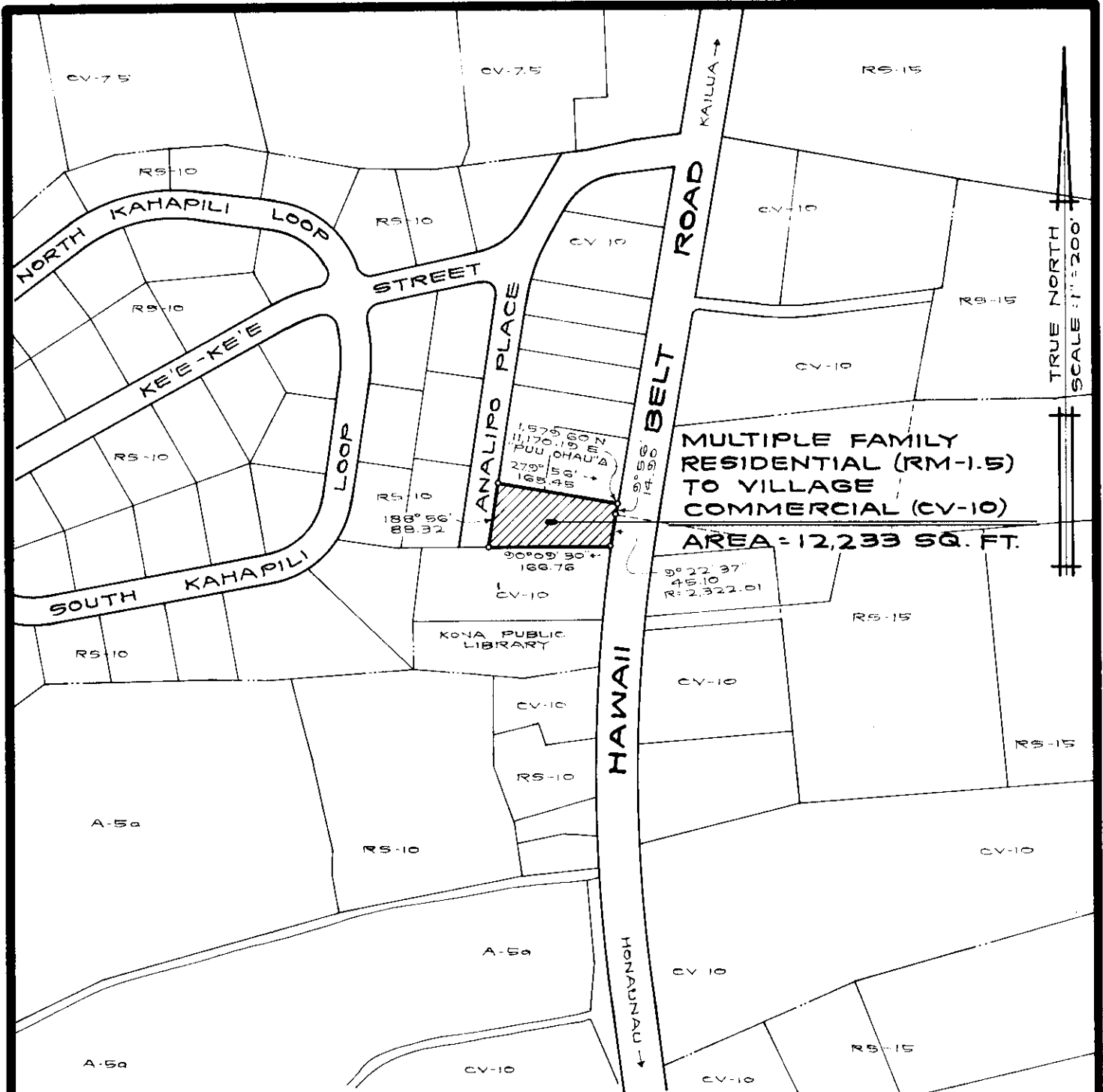
SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: March 4, 1987
Date of 1st Reading: March 4, 1987
Date of 2nd Reading: March 20, 1987
Effective Date: April 1, 1987



AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-88 (SOUTH KONA ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM MULTIPLE FAMILY RESIDENTIAL (RM-1.5) TO VILLAGE COMMERCIAL (CV-10) AT KEEKEE 1ST, SOUTH KONA, HAWAII.

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 8-1-12:55

JAN. 19, 1987

EXHIBIT "A"