

COUNTY OF HAWAII STATE OF HAWAII



Bill No. 414 (Draft 3)

ORDINANCE NO. 87 112

AN ORDINANCE AMENDING SECTION 25-114 (CITY OF HILO ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-1a) AT KAUMANA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-5-02:22.

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

SECTION 1. Section 25-114, 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 Kaumana, South Hilo, Hawaii, shall be Agricultural (A-1a):

Beginning at the west corner of this piece of land, and on the southwest side of Government Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Halai" being 12,534.20 feet south and 25,394.82 feet west, and running by true azimuths measured clockwise from south:

- 1. 286° 00' 88.78 feet along the southwest side of Government Road; Thence along a curve to the right with a radius of 1175.00 feet, the azimuth and distance of the chord being:

2.	297°	31'	15"	469.35	feet along the southwest side of Government Road;
					Thence along a curve to the left with a radius of 1309.74 feet, the azimuth and distance of the chord being:
3.	307°	41'	15"	61.90	feet along the southwest side of Government Road;
4.	306°	20'		239.36	feet along the southwest side of Government Road;
5.	309°	57'		217.90	feet along the southwest side of Government Road;
6.	308°	49'	30"	128.71	feet along the southwest side of Government road;
					Thence along a curve to the right with a radius of 385.00 feet, the azimuth and distance of the chord being:
7.	320°	14'	15"	152.36	feet along the southwest side of Government Road;
8.	331°	39'		115.66	feet along the southwest side of Government Road;
					Thence along a curve to the left with a radius of 875.00 feet, the azimuth and distance of the chord being:
9.	325°	46'	45"	179.00	feet along the southwest side of Government Road;

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|-----|--------------|---------|---|
| 10. | 319° 54' 30" | 147.21  | feet along the southwest side of Government Road;   |
| 11. | 126° 05' 30" | 1669.11 | feet along a portion of Lot 18 of Kaumana Homesteads and along Government Land to an ahu;                 |
| 12. | 175° 58'     | 138.24  | feet along Government Land to the point of beginning and containing an area of 6.215 acres, more or less. |

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 applicants, successors, or assigns shall comply with all of the stated conditions of approval; (B) subdivision plans shall be submitted to the Planning Department within one year from the effective date of the zone change. Final subdivision approval shall be secured within one year from the date of receipt of tentative subdivision approval; (C) single family dwellings shall be constructed on a minimum of two of the proposed lots within three years from the date of receipt of Final Subdivision Approval; (D) access to the proposed lots from Kaumana Drive shall meet with the approval of the Department of Public Works; and (E) all other applicable rules, regulations and requirements shall be complied with.

An initial extension of time for the performance of conditions within the ordinance may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the owners, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the change of zone; d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year); and (e) if the applicant should require an additional extension of time, the Planning Director shall submit the applicant's request to the County Council for appropriate action. 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 3. Should the Council adopt A Uniform Impact Fees Ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein may be satisfied by performance in accordance with the requirements of the Uniform Impact Fees Ordinance.

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

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

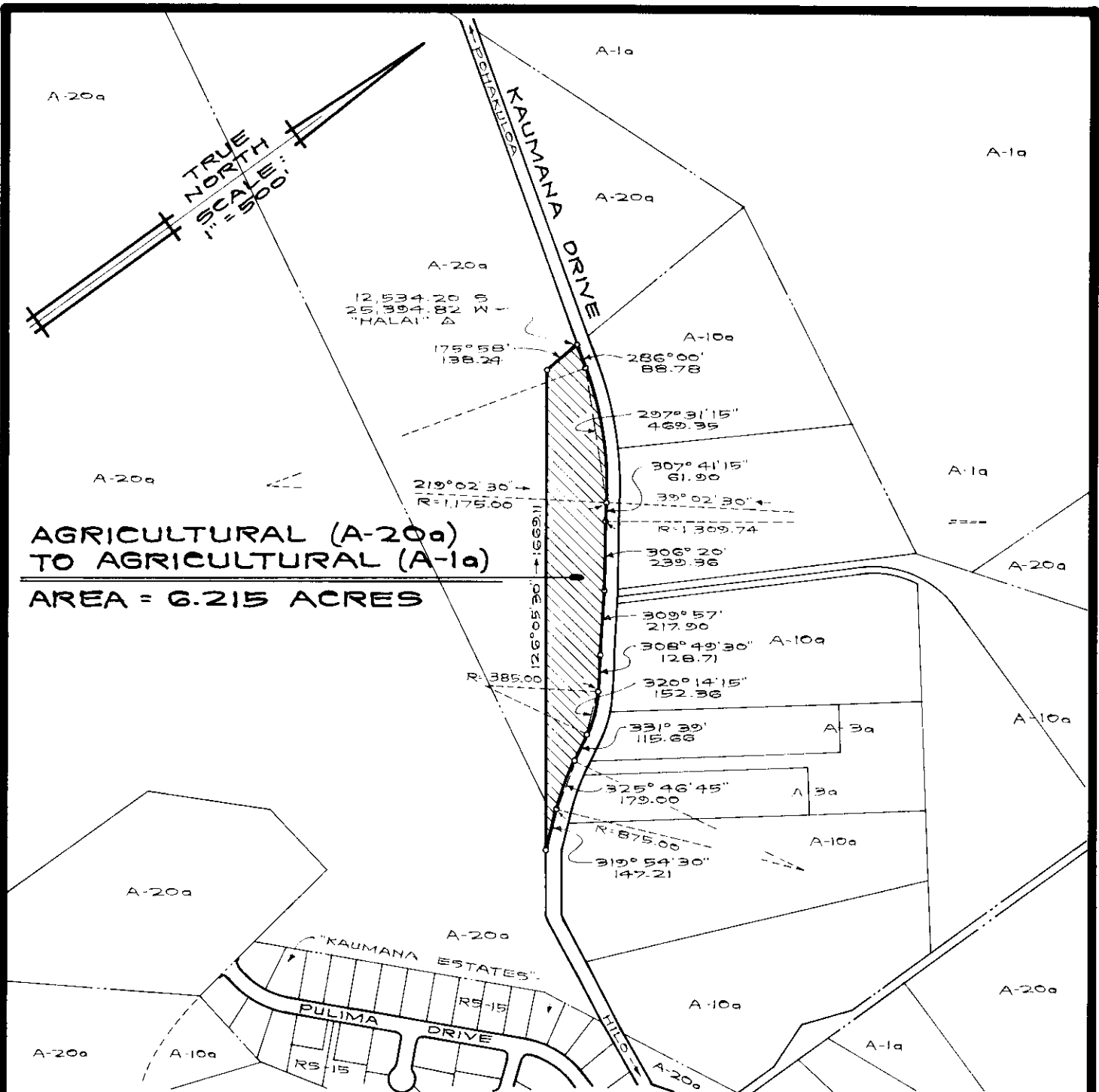
INTRODUCED BY:



COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: October 7, 1987  
Date of 1st Reading: October 7, 1987  
Date of 2nd Reading: October 21, 1987  
Effective Date: October 28, 1987



## AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-114 (CITY OF HILO ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-1a) AT KAUMANA, SOUTH HILO, HAWAII.

PREPARED BY: PLANNING DEPARTMENT  
COUNTY OF HAWAII

TMK: 2-5-02:22

JULY 10, 1987

EXHIBIT "A"