

COUNTY OF HAWAII STATE OF HAWAII

Bill No. 448

ORDINANCE NO. 88 3

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-1a) AND MULTIPLE FAMILY RESIDENTIAL (RM-4) TO NEIGHBORHOOD COMMERCIAL (CN-10) AT PUNAHOA 1ST AND 2ND AND PONAHAHAWAI, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-3-35:16 (PORTION).

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 properties described hereinafter as follows:

The district classification of the following area situated at Punahoa 2nd, South Hilo, Hawaii, shall be Neighborhood Commercial (CN-10):

Parcel 1

Beginning at the northwest corner of this parcel of land and on the northeast side of Komohana Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 1.43 feet North and 605.00 feet West and running by azimuths measured clockwise from True South:

- 1. 237° 49' 246.89 feet along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions;

2. 327° 49' 192.65 feet along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions;
3. Thence along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions, along a curve to the left having a radius of 45.00 feet, the chord azimuth and distance being:
37° 45' 25.5" 30.87 feet;
4. Thence along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions, along a curve to the right having a radius of 45.00 feet, the chord azimuth and distance being:
37° 45' 25.5" 27.44 feet;
5. 57° 49' 158.72 feet along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions;
6. Thence along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions, along a curve to the right having a radius of 20.00 feet, the chord azimuth and distance being:
102° 11' 27" 27.97 feet;

7. Thence along Komohana Street, along a curve to the left having a radius of 2,040.00 feet, the chord azimuth and distance being: 143° 50' 45" 193.56 feet to the point of beginning and containing an area of 1.148 Acres. (Refer to Parcel 1 as shown on Exhibit "A")

The district classification of the following area situated at Punahoa 1st and 2nd and Ponahawai, South Hilo, Hawaii, shall be Neighborhood Commercial (CN-10):

Parcel 2

Beginning at the southwest corner of this parcel of land and on the northeast side of Komohana Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 519.16 feet South and 299.95 feet West and running by azimuths measured clockwise from True South:

1. Following along Komohana Street, along a curve to the left having a radius of 2,040.00 feet, the chord azimuth and distance being: 152° 21' 01" 411.27 feet;
2. Thence along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions, along a curve to the left having a radius of 20.00 feet, the chord azimuth and distance being: 282° 11' 27" 27.97 feet;
3. 237° 49' 158.72 feet along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions;

4. Thence along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions, along a curve to the left having a radius of 40.00 feet, the chord azimuth and distance being:
217° 45' 25.5" 27.44 feet;
5. Thence along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions, along a curve to the right having a radius of 45.00 feet, the chord azimuth and distance being:
262° 52' 00.5" 81.68 feet;
6. 238' 02' 10" 69.26 feet along the remainder of R.P. 5707, L.C. Aw. 463 to Kuihelani for E. Kahakumakaliua and the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions;
7. 304° 21' 230.00 feet along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions;
8. 275° 30' 76.00 feet along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions;

9. 31° 45' 146.89 feet along the remainder of R.P. on Confirmation 1946, Number 1 to D.B. Lyman, L.C. Aw. 387, Part 4, Section 1 to American Board of Commissioners for Foreign Missions and along the remainder of Grant 252 to B. Pitman;
10. 345° 40' 163.55 feet along the remainder of Grant 252 to B. Pitman;
11. 75° 40' 367.60 feet along the remainder of Grant 252 to B. Pitman to the point of beginning and containing an area of 4.180 Acres. (Refer to Parcel 2 as shown on Exhibit "A")

All as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2. These changes in district classification are 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 two years from the effective date of the zone change; (C) a minimum 30-foot wide roadway easement between the subject property and the medical complex (Ka Waena Lapa'au) to the south and a drainage system meeting with the requirements of the Department of Public Works shall be installed in conjunction with the subdivision approval process; (D) the method of sewage disposal shall meet with the requirements of the State Department of Health and/or

County Department of Public Works; (E) a minimum 4-foot wide asphalt-concrete curb for pedestrian use shall be provided along the makai side of Komohana Street between the entrance to the subject property and Punahale Street; (F) all other applicable rules, regulations and requirements, except as may be herein modified, shall be complied with; and (G) an extension of time for the performance of conditions within an 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. 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.

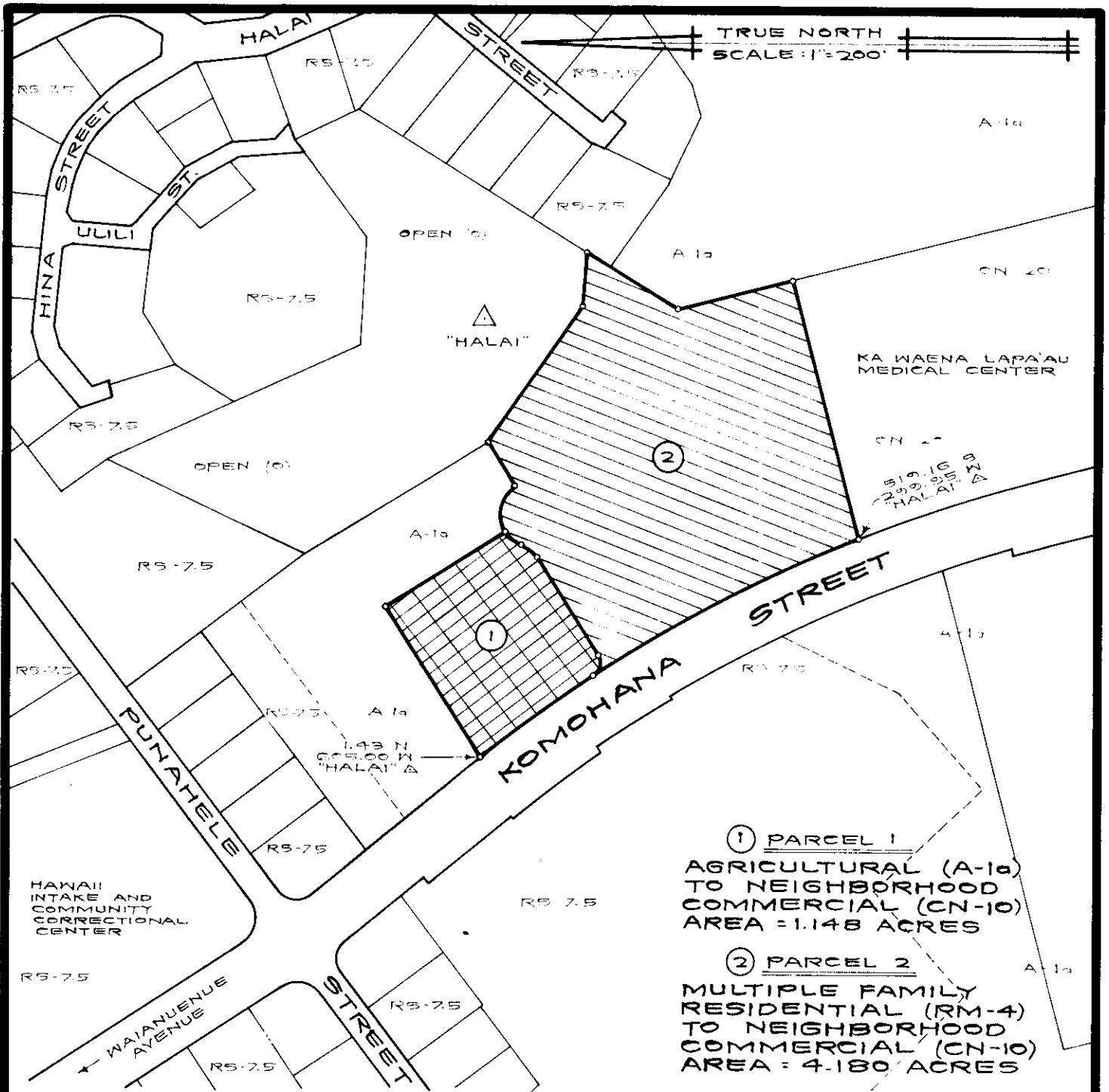
INTRODUCED BY:



COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction:	December 14, 1987
Date of 1st Reading:	December 14, 1987
Date of 2nd Reading:	January 6, 1988
Effective Date:	January 18, 1988



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-1a) AND MULTIPLE FAMILY RESIDENTIAL (RM-4) TO NEIGHBORHOOD COMMERCIAL (CN-10) AT PUNAHOA 1ST AND 2ND, AND PONAHAHAWAI, SOUTH HILO, HAWAII.

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK: 2-3-35:16 (PORTION)

OCT. 13, 1987

EXHIBIT "A"