

COUNTY OF HAWAII STATE OF HAWAII



Bill No. 643

ORDINANCE NO. 88 176

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 SINGLE FAMILY RESIDENTIAL (RS-10) TO OFFICE COMMERCIAL (CO-20) AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-2-21:26.

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 Waiakea, South Hilo, Hawaii, shall be Office Commercial (CO-20):

Beginning at a pipe at the East corner of this lot the North corner of Lot 1, Block 63, and on the West side of Kinoole Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 2,142.61 feet South and 5,735.05 feet East, as shown on Government Survey Registered Map No. 2705 and running by true azimuths:

1. 58° 10' 237.00 feet along North side of Lot 1;
2. 148° 10' 81.00 feet along Cane Lot No. 2;
3. 238° 10' 237.00 feet along Lot 3, Block 63;
4. 328° 10' 81.00 feet along West side of Kinoole Street to the point of beginning and containing an area of 19,197 square feet, 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 applicant, successors or assigns shall comply with all of the stated conditions of approval; (B) plans for the conversion of the existing building for office use, including parking and landscaping, shall be submitted for Plan Approval within one year from the effective date of the change of zone; (C) the proposed use shall be established within one year from the receipt of final plan approval; (D) the access(es) from Kinoole Street shall meet with the approval of the Department of Public Works; (E) a drainage system shall be installed in accordance with the requirements of the Department of Public Works; (F) all other applicable laws, rules, regulations and requirements be complied with; (G) should the council adopt a Unified Impact Fees ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein may, at the developer's election, be satisfied by performance in accordance with the requirements of the Unified Impact Fees Ordinance; (H) an annual progress report shall be submitted to the Planning Director prior to the anniversary date of the effective date of the zone change. The report shall address the status of the development and the compliance

with the conditions of approval. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required; and (I) an initial extension of time for the performance of conditions within the ordinance may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicants, successors or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the change of zone; and 4) 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 5) 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 the ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

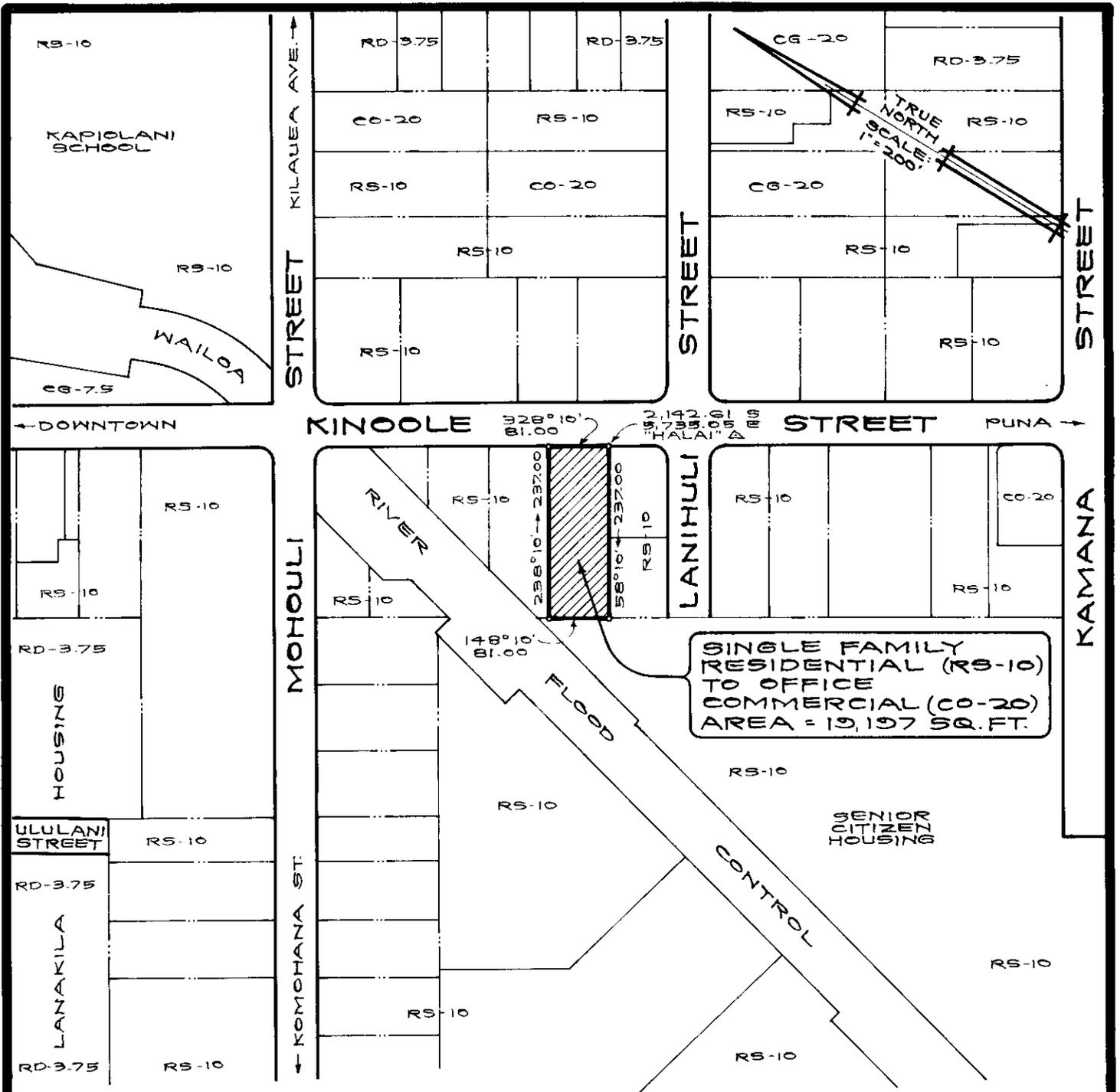
SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction:	November 2, 1988
Date of 1st Reading:	November 2, 1988
Date of 2nd Reading:	November 16, 1988
Effective Date:	November 25, 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 SINGLE FAMILY RESIDENTIAL (RS-10) TO OFFICE COMMERCIAL (CO-20) AT WAIAKEA, SOUTH HILO, HAWAII.

PREPARED BY : PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK : 2-2-21 : 26

AUG. 10, 1988