

COUNTY OF HAWAII STATE OF HAWAII



Bill No. 37

ORDINANCE NO. 89 44

AN ORDINANCE AMENDING SECTION 25-114 (CITY OF HILO ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, RELATING TO THE MODIFICATION OF CONDITION B AND THE ADDITION OF NEW CONDITIONS TO ORDINANCE NO. 733 WHICH RECLASSIFIED LAND FROM SINGLE FAMILY RESIDENTIAL - 15,000 SQUARE FOOT (RS-15) TO SINGLE FAMILY RESIDENTIAL - 10,000 SQUARE FOOT (RS-10) AT WAIAKEA, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY 2-4-11:166.

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

SECTION 1. Ordinance No. 733 is amended as follows:

*7.29 (rrrr). The district classification of the following area situated at Waiakea, South Hilo, Hawaii, shall be Single Family Residential (RS-10):

Beginning at the southwest corner of this parcel of land, being the northwest corner of Lot D-5, and on the east side of Kehaulani Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 13,057.63 feet South and 8,083.64 feet East, thence running by azimuths measured clockwise from True South:

- 1. 175° 40' 180.00 feet along the east side of Kehaulani Street;
2. 265° 40' 242.00 feet along a portion of Lot 712-A, Lot B and a 16-foot wide roadway Lot;
3. 355° 40' 180.00 feet along Lot 6, Lot 5, and Lot 4, all being portions of Lot 711-B, Grant 10,499;
4. 85° 40' 242.00 feet along Lot D-1 and Lot D-5 to the point of beginning and containing an area of 43,560 Square Feet or 1.000 Acre.

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

This subsection is conditioned upon the following:

- (A) that the petitioner, Archie Komae, shall be responsible for complying with all of the stated conditions of approval;
- (B) that subdivision plans shall be submitted and tentative approval secured within one (1) year from the effective date of the zone change. Final subdivision approval shall be secured within one (1) year [thereafter] from the effective date of this amendment;
- (C) that prior to issuance of final subdivision approval, a roadway improvement cash contribution shall be paid to the Finance Director of the County of Hawaii. The amount of said contribution shall be the approximate equivalent of the petitioner's share of a privately-initiated improvement district for Kehaulani Street, covering roadway, drainage, and related improvements, and shall be used for those purposes, as determined by the Chief Engineer. Further, should an Improvement District or similar arrangements be initiated for the improvement of Kehaulani Street, the landowners of the subject property shall automatically participate in such an arrangement. Should the individual share for the Improvement District exceed the amount originally contributed by the petitioner, then the petitioner shall contribute towards the difference;
- (D) that a single family dwelling, in addition to the existing dwelling, shall be constructed on one (1) of the

proposed lots within three (3) years from the date of receipt of final subdivision approval; (E) that all water runoff generated by the proposed development shall be disposed of by a drainage system acceptable to the Department of Public Works; [and] (F) 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; (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; and (H) that all other applicable rules, regulations, and requirements be complied with. Should any of the foregoing conditions not be met, rezoning of the area to its original or more appropriate designation may be initiated."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this ordinance, the brackets, bracketed material, and underscoring need not be included.

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.

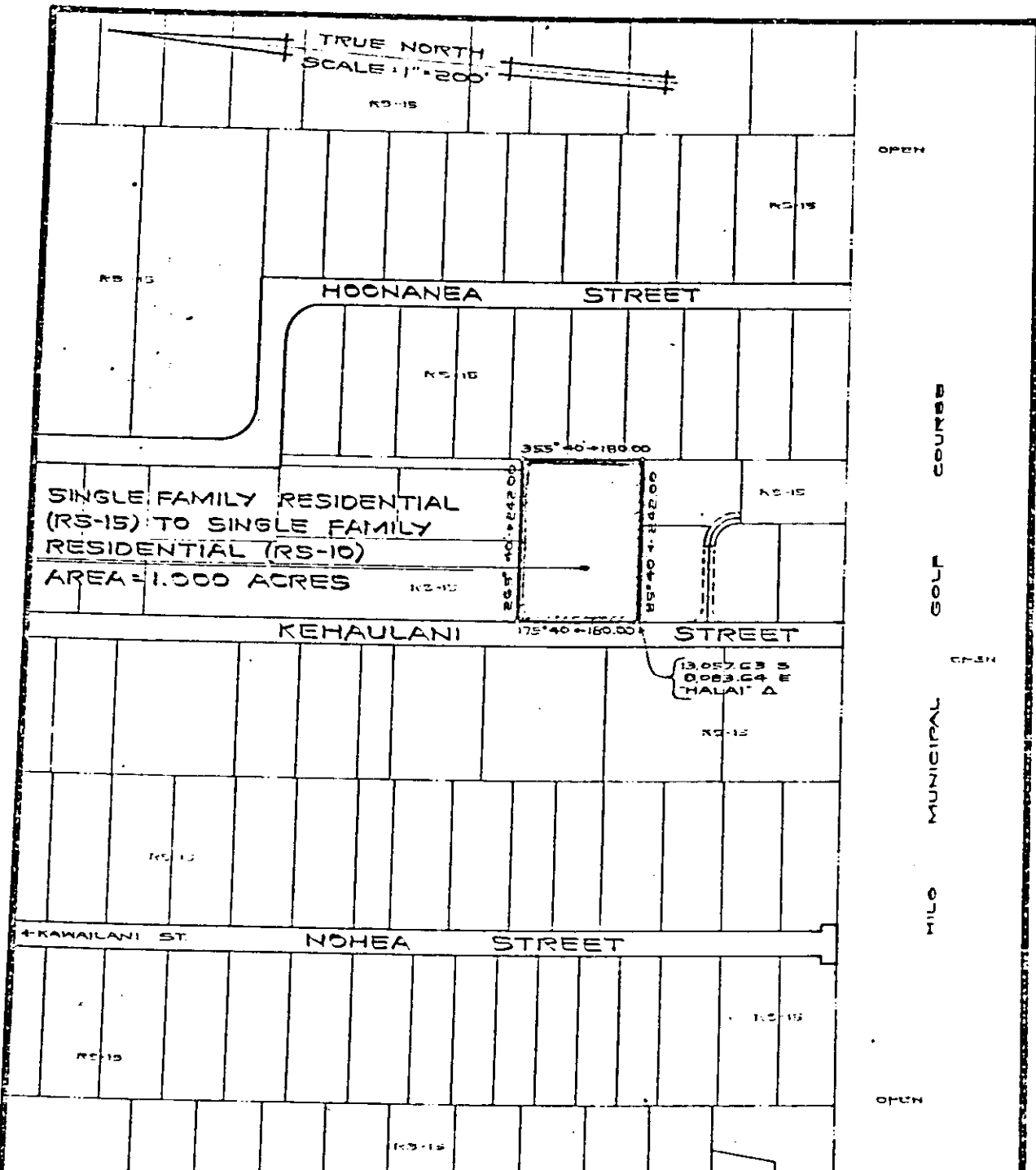
SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Tabachi Domingo
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: March 1, 1989
Date of 1st Reading: March 1, 1989
Date of 2nd Reading: March 15, 1989
Effective Date: March 21, 1989



AMENDMENT TO THE ZONING CODE

AMENDMENT NO. 96 TO SECTION 7.29 (THE CITY OF HILO ZONE MAP) ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIAKEA, SOUTH HILO, HAWAII.

DATE OF PUBLIC HEARING : JULY 9, 1981
 EFFECTIVE DATE : NOV. 17, 1981
 ORDINANCE NUMBER : 733
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK : 2-4-11-166

SEPT. 14, 1981

EXHIBIT "A"