

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 249

ORDINANCE NO. 90 61

AN ORDINANCE AMENDING SECTION 25-94 (KAMUELA ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, RELATING TO THE MODIFICATION OF CONDITIONS B AND C OF ORDINANCE NO. 85 32, WHICH RECLASSIFIED 2.583 ACRES OF LAND FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT WAIMEA HOMESTEADS, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-5-04:21.

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

SECTION 1. Ordinance No. 85 32 is amended as follows:

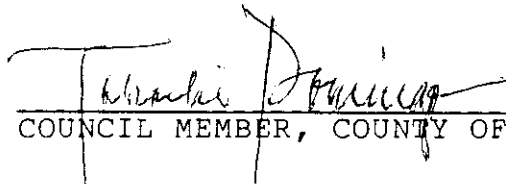
"SECTION 2. This change in district classification is conditioned upon the following: (A) the petitioner, its successors or assigns, shall be responsible for complying with all of the stated conditions of approval; (B) [plans for Plan Approval, including an overall site development plan and a drainage study, shall be submitted to the Planning Department within one year from the effective date of the change of zone. No development on the property shall occur until Final Plan Approval is secured;] secure Final Subdivision Approval within one year from the effective date of this amendment. Deed covenants restricting development on areas which exceed 30% slope shall be submitted to the Planning Department for review and approval prior to final subdivision approval. Written assurance for implementation of Condition D shall be submitted to the Planning Department prior to final subdivision approval;

[(C) construction of the project shall commence within one year from the date of Final Plan Approval and shall be completed within two years thereafter;] ([D]C) a drainage system as required by the Department of Public Works shall be installed; ([E]D) development of the property shall be restricted to areas of less than 30% slopes; ([F]E) should an improvement district or similar arrangements be initiated for Spencer Road, the property owner shall automatically participate in such an arrangement; ([G]F) the requirements of the Department of Water Supply shall be complied with; and ([H]G) all other applicable rules, regulations and requirements shall be complied with. Should any of the foregoing conditions not be met, rezoning of the area to its original or more appropriate zoning designation may be initiated."

SECTION 2. Material to be deleted is bracketed. New material is underscored.

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.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: May 2, 1990
Date of 1st Reading: May 2, 1990
Date of 2nd Reading: May 16, 1990
Effective Date: May 27, 1990