

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 294

ORDINANCE NO. 90 107

AN ORDINANCE REPEALING ORDINANCE NO. 855, WHICH AMENDED SECTION 7.03, CURRENTLY SECTION 25-88, (THE SOUTH KONA ZONE MAP), ARTICLE 2, CHAPTER 8, CURRENTLY ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE 1983, AS AMENDED, AND CHANGED THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-2a) AT KEEI 2ND, SOUTH KONA, HAWAII, COVERED BY TAX MAP KEY 8-3-10:05. UPON THE REPEAL OF ORDINANCE NO. 855, THE SUBJECT PROPERTY SHALL BE DESIGNATED BY THE DISTRICT CLASSIFICATION OF AGRICULTURAL (A-5a).

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

SECTION 1. Ordinance No. 855 which amended Section 7.03, currently Section 25-88 (The South Kona Zone Map), Article 2, Chapter 8, currently Article 3, Chapter 25 (Zoning Code) of the Hawaii County Code as amended is hereby repealed in its entirety.

[SECTION 1. Section 7.03, Article 2, Chapter 8 (Zoning Code), of the Hawaii County Code, as amended, is further amended to add a new subsection, to read as follows:

"7.03(gg). The district classification of the following area situated at Keei 2nd, South Kona, Hawaii, shall be Agricultural (A-2a):

Beginning at a 2" pipe in concrete marked 1925, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAE O KANONI" being 5,977.80 feet North and 12,057.91 feet East, and thence running by azimuths measured clockwise from True South:

- 1. 332° 58' 173.20 feet along the southwest side of the Keei Middle Road, to a pipe in concrete;

- 2. 90° 55' 30" 1,216.64 feet along remainder of R. P. 1663, L. C. Aw. 5524:5 to L. Konia to a pipe in concrete;
- 3. 181° 02' 153.00 feet along portion of B. P. Bishop Estate's Lot No. 121, to a pipe;
- 4. 270° 55' 45" 1,135.15 feet along lot owned by Kiyoshi Yoshizaki, along remainder of R. P. 1663, L. C. Aw. 5524:5 to L. Konia, to the point of beginning and containing an area of 4.1302 Acres.

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, successors, or assigns shall be responsible for complying with all of the stated conditions of approval;
- (B) that subdivision plans for tentative approval shall be submitted within one (1) year from the effective date of approval of the change of zone;
- (C) that within three (3) years from the effective date of the change of zone, fifty (50) percent of the lots to be rezoned shall be utilized for agricultural activity. For the purpose of this condition "agriculture" shall be defined as the cultivations of crops, including but not limited to flowers, vegetables, foliage, fruits, forage and timber; game propagation, raising of livestock, including but not limited to poultry, bees, fish or other

animal or aquatic life that are propagated for economic or personal use; and (D) 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. The property shall be reclassified back to its original Agricultural (5a) zoned district as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 3. Material to be deleted is bracketed.

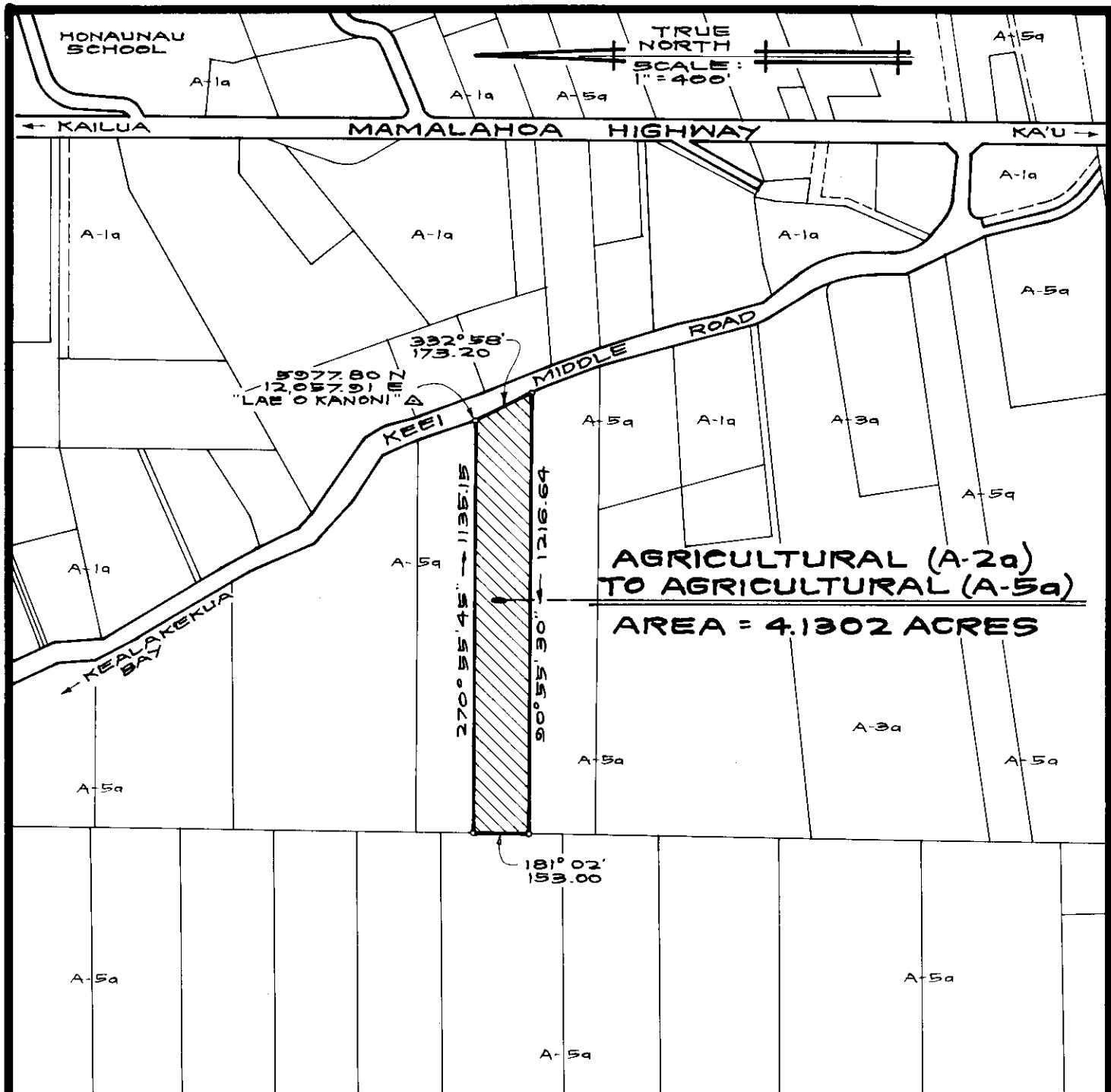
SECTION 4. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction:	August 15, 1990
Date of 1st Reading:	August 15, 1990
Date of 2nd Reading:	September 5, 1990
Effective Date:	September 14, 1990



AMENDMENT TO THE ZONING CODE

REPEAL OF ORDINANCE NO. 855, WHICH AMENDED SECTION 7.03, CURRENTLY SECTION 25-88, THE SOUTH KONA ZONE MAP, ARTICLE 2, CHAPTER 8, CURRENTLY ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, AND CHANGED THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO AGRICULTURAL (A-2a) AT KEEL 2ND, SOUTH KONA, HAWAII. UPON THE REPEAL OF ORDINANCE NO. 855, THE SUBJECT PROPERTY SHALL BE DESIGNATED BY THE DISTRICT CLASSIFICATION OF AGRICULTURAL (A-5a)

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII