

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 79

ORDINANCE NO. 93 61

AN ORDINANCE AMENDING SECTION 25-103(PUNA DISTRICT ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO AGRICULTURAL (A-1a) AT WAIAKAHIULA, PUNA, HAWAII, COVERED BY TAX MAP KEY 1-5-67:PORTION OF 35.

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

SECTION 1. Section 25-103, 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 Waiakahiula, Puna, Hawaii, shall be Agricultural (A-1a):

Beginning at the Northerly corner of this parcel of land, being the Easterly corner of Lot 4 of Block 36 on File Plan 691 along the Southwesterly side of Moana Street. The coordinates of said point of beginning referred to Government Survey Triangulation Station "Kapoho" being 18,789.28 feet North and 21,837.17 feet West, thence running by azimuths measured clockwise from True South:

1. 313° 54' 30" 270.00 feet along the Southwesterly side of Moana Street;
2. Thence along a curve to the right with a radius of 10.00 feet with the chord azimuth and distance being 358° 54' 30" 14.14 feet;
3. 43° 54' 30" 324.00 feet along the Westerly side of North Puni Makai Street;

4. Thence along a curve to the right with a radius of 10.00 feet with the chord azimuth and distance being 88° 54' 30" 14.14 feet;
5. 133° 54' 30" 270.00 feet along the Northerly side of the proposed road lot (40.00 feet wide);
6. 223° 54' 30" 344.00 feet along Lots 3 and 4 of Block 36 on File Plan 691 to the point of beginning and containing an area of 2.210 acres.

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 be responsible for complying with all of the stated conditions of approval; (B) comply with the conditions of approval of the accompanying Use Permit; (C) comply with all other applicable laws, rules, regulations and requirements; (D) 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 shall be credited towards the requirements of the Unified Impact Fees Ordinance; and (E) should any of the conditions within this ordinance not be met or substantially complied with in a timely fashion, the Director shall 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: June 2, 1993
Date of 1st Reading: June 2, 1993
Date of 2nd Reading: June 16, 1993
Effective Date: June 18, 1993

APPROVED AS TO FORM AND LEGALITY:



DEPUTY CORPORATION COUNSEL

DATED: MAY - 3 1993

