

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 31

ORDINANCE NO. 95 35

AN ORDINANCE AMENDING SECTION 25-95C (HAWI-KAPAAU ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) TO VILLAGE COMMERCIAL (CV-10) AT PUEHUEHU, NORTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 5-4-07:3.

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

SECTION 1. Section 25-95C, 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 Puehuehu, North Kohala, Hawaii, shall be Village Commercial (CV-10):

Beginning at the Northeasterly corner of this parcel of land, being also the Northwesterly corner of an existing 30-Ft. Wide Roadway and being a point on the Southerly side of the Hawi-Niulii Road (F.A.S.P. No. 3-A (1)), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O NALE" being 12,373.29 feet North and 10,270.37 feet East running by azimuths measured clockwise from True South:

- 1. 15° 19' 101.61 feet along the Westerly side of the existing 30-Ft. Wide Roadway to a point;
2. 115° 31' 192.67 feet along Lot 2 of this subdivision and along the remainder of Grant 1544 to Makanoanoa, Maria and Kaneihalau to a 1/2 inch pipe (Found);

3. 195° 24' 101.58 feet along Lot 2 and along the remainder of Grant 1544 to Makanoanoa, Maria and Kaneihalau to a 1 inch pipe (Found);
4. 295° 31' 192.52 feet along the Southerly side of the Hawi-Niulii road (F.A.S.P. No. 3-A (1)) to the point of beginning and containing an area of 19,260 Square Feet.

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(s), its successors, or assigns shall be responsible for complying with all of the stated conditions of approval.
- B. Access to the subject property from the Hawi-Niulii Road (Akoni Pule Highway) shall meet with the approval of the State Department of Transportation.
- C. Should any unidentified sites or remains, such as artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings or wall be encountered, work in the affected area shall cease and the Planning Director immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Director when it finds that sufficient mitigative measures have been taken.

- 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.
- E. Should any of the conditions 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

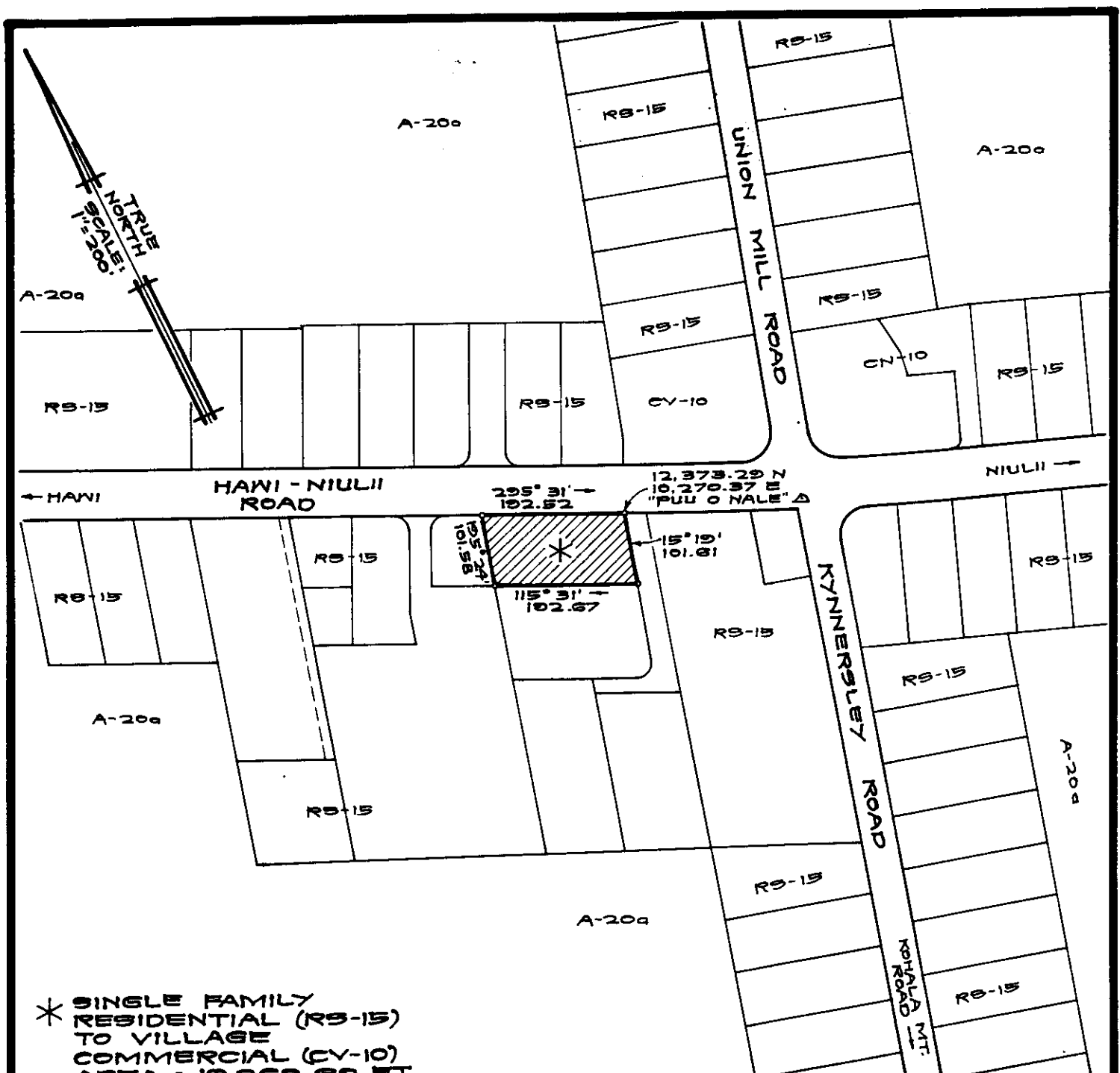
Date of Introduction: February 15, 1995
Date of 1st Reading: February 15, 1995
Date of 2nd Reading: March 1, 1995
Effective Date: March 7, 1995

APPROVED AS TO FORM AND LEGALITY:



DEPUTY CORPORATION COUNSEL

DATED: 3/3/95



* SINGLE FAMILY
 RESIDENTIAL (RS-15)
 TO VILLAGE
 COMMERCIAL (CV-10)
 AREA = 19,260 SQ. FT.

AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-95 C (HAWI-KAPAAU ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (RS-15) TO VILLAGE COMMERCIAL (CV-10) AT PUEHUEHU, NORTH KOHALA, HAWAII.

PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

TMK = 5-4-07 : 3

NOV. 25, 1994

EXHIBIT "A"

(CRAIG M. WHITE)

OFFICE OF THE COUNTY CLERK

County of Hawaii

Hilo, Hawaii

1995 MAR 7 PM 3 49

Introduced By: Keola Childs
 Date Introduced: February 15, 1995
 First Reading: February 15, 1995
 Published: N/A

REMARKS:


ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Arakaki	X			
Bonk-Abramson	X			
Childs	X			
De Lima	X			
Domingo	X			
Osorio	X			
Rath	X			
Ray	X			
Smith	X			
	9	0	0	0

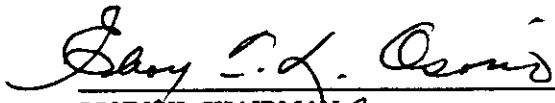

Second Reading: March 1, 1995
 To Mayor: March 2, 1995
 Returned: March 7, 1995
 Effective: March 7, 1995
 Published: March 15, 1995

REMARKS:

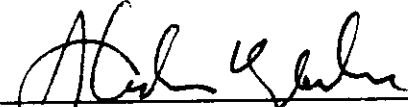
ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Arakaki	X			
Bonk-Abramson	X			
Childs	X			
De Lima	X			
Domingo			X	
Osorio	X			
Rath	X			
Ray	X			
Smith	X			
	8	0	1	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council and published as indicated above.

APPROVED as to
 FORM and LEGALITY

 CORPORATION COUNSEL
 COUNTY OF HAWAII
 Date MAR 7 1995


 COUNCIL CHAIRMAN

 COUNTY CLERK

Approved/Disapproved this 7 day
 of March, 1995


 MAYOR, COUNTY OF HAWAII

Bill No.: 31
 Reference: C-155/PC-21
 Ord. No.: 95 35