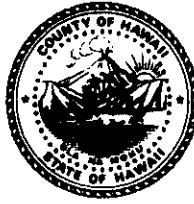


COUNTY OF HAWAII



STATE OF HAWAII

BILL NO. 222

Draft 2

ORDINANCE NO. 66 57

AN ORDINANCE REPEALING ORDINANCE NO. 487 WHICH AMENDED SECTION 7.29, THE CITY OF HILO ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, AND CHANGED THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT PONAHAHAWAI, SOUTH HILO, HAWAII, COVERED BY TAX MAP KEY: 2-3-36:PORTION 18 AND 2-3-37:6. UPON THE REPEAL OF ORDINANCE NO. 487, THE DISTRICT CLASSIFICATION OF THE SUBJECT AREA SHALL BE AGRICULTURAL (A-1a).

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

SECTION 1. Ordinance No. 487, which amended Section 7.29 of Ordinance No. 63 (Zoning Ordinance), Revised Ordinances of the County of Hawaii 1967, as amended, is hereby repealed in its entirety:

~~[SECTION 1. Section 7.29 of Ordinance No. 63 (Zoning Ordinance), Revised Ordinances of the County of Hawaii 1967, as amended, is hereby further amended by adding thereto the following subsection:~~

~~“7.29 (i). The district classification of the following area situated at Ponahawai, South Hilo, Hawaii, shall be Single Family Residential (RS-7.5):~~

~~Beginning at a point at the north corner of this parcel of land and on the southeasterly side of Ponahawai Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station “Halai” being 186.37 feet north and 1972.96 feet east, and running by azimuths measured clockwise from true south:~~

- ~~1. 325° 53' 713.82 feet along the remainder of Grant 252 to B. Pitman to a point in the middle of Alenaio Stream;~~
- ~~2. 85° 40' 15.29 feet along the middle of Alenaio Stream; thence following along the middle of Alenaio Stream for the next forty nine courses;~~

3. $42^{\circ} 10'$ 100.00 feet;
 4. $29^{\circ} 24' 38''$ 61.25 feet;
 5. $16^{\circ} 55' 05''$ 74.55 feet;
 6. $14^{\circ} 29'$ 209.70 feet;
 7. $354^{\circ} 30'$ 72.00 feet;
 8. $51^{\circ} 24'$ 49.50 feet;
 9. $66^{\circ} 12'$ 63.10 feet;
 10. $125^{\circ} 01'$ 33.48 feet;
 11. $76^{\circ} 32'$ 64.94 feet;
 12. $88^{\circ} 10'$ 48.00 feet;
 13. $102^{\circ} 21' 51''$ 26.48 feet;
 14. $73^{\circ} 17' 16''$ 60.88 feet;
 15. $115^{\circ} 25' 02''$ 66.02 feet;
 16. $87^{\circ} 55' 46''$ 83.31 feet;
 17. $75^{\circ} 42' 18''$ 113.42 feet;
 18. $83^{\circ} 34' 36''$ 40.73 feet;
 19. $51^{\circ} 14' 31''$ 46.97 feet;
 20. $29^{\circ} 17' 18''$ 87.73 feet;
 21. $358^{\circ} 48' 30''$ 13.10 feet;
 22. $358^{\circ} 10' 30''$ 42.30 feet;
 23. $340^{\circ} 55' 26''$ 41.76 feet;
 24. $359^{\circ} 13' 07''$ 75.00 feet;
 25. $341^{\circ} 56' 33''$ 63.38 feet;

26. $327^{\circ} 18' 23''$ 21.20 feet;
 27. $18^{\circ} 56'$ 17.75 feet;
 28. $59^{\circ} 15'$ 34.43 feet;
 29. $67^{\circ} 28' 30''$ 23.63 feet;
 30. $46^{\circ} 07'$ 14.87 feet;
 31. $56^{\circ} 12'$ 90.20 feet;
 32. $62^{\circ} 19'$ 144.25 feet;
 33. $44^{\circ} 07' 37''$ 61.88 feet;
 34. $68^{\circ} 05' 55''$ 33.30 feet;
 35. $19^{\circ} 22' 12''$ 36.52 feet;
 36. $69^{\circ} 15' 03''$ 70.78 feet;
 37. $88^{\circ} 06' 43''$ 47.03 feet;
 38. $49^{\circ} 22' 28''$ 35.51 feet;
 39. $68^{\circ} 08' 40''$ 18.79 feet;
 40. $99^{\circ} 10'$ 50.20 feet;
 41. $62^{\circ} 05'$ 49.86 feet;
 42. $74^{\circ} 04'$ 49.99 feet;
 43. $97^{\circ} 40'$ 26.57 feet;
 44. $59^{\circ} 55'$ 29.50 feet;
 45. $84^{\circ} 14' 52''$ 65.50 feet;
 46. $55^{\circ} 15' 30''$ 123.08 feet;
 47. $86^{\circ} 10' 32''$ 72.32 feet;
 48. $43^{\circ} 18'$ 133.74 feet;

49. ~~68° 03' 25"~~ ~~81.96~~ feet;
50. ~~45° 27'~~ ~~218.70~~ feet;
51. ~~41° 42'~~ ~~145.99~~ feet to a point on the easterly side of Komohana Street; thence following along the easterly side of Komohana Street on a curve to the right having a radius of 2960.00 feet, the chord azimuth and distance being:
52. ~~160° 38' 26"~~ ~~518.65~~ feet;
53. ~~165° 40'~~ ~~232.89~~ feet along the easterly side of Komohana Street;
54. ~~190° 30'~~ ~~69.34~~ feet along the easterly side of Komohana Street;
55. ~~140° 00'~~ ~~67.23~~ feet along the northeasterly side of Komohana Street;
56. ~~165° 40'~~ ~~79.95~~ feet along the easterly side of Komohana Street; thence following along a curve to the right having a radius of 32.00 feet, the chord azimuth and distance being:
57. ~~210° 40'~~ ~~45.26~~ feet to a point on the southerly side of Ponahawai Street;
58. ~~255° 40'~~ ~~250.46~~ feet along the southerly side of Ponahawai Street; thence following along the southerly side of Ponahawai Street on a curve to the left having a radius of 1030.00 feet, the chord azimuth and distance being:
59. ~~244° 05'~~ ~~413.63~~ feet;
60. ~~232° 30'~~ ~~1819.20~~ feet along the southeasterly side of Ponahawai Street to the point of beginning and containing an area of 50.988 acres.

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

~~SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) the area be incrementally zoned in six (6) increments. The first three (3) increments~~

~~shall consist of sixty (60), forty (40), and forty (40) lots respectively. The final three (3) increments shall consist of forty (40), thirty (30), and remaining lots respectively. The effective date of zoning for the next increment shall be after development has occurred on the previous zoning increment. Development is defined as building permits issued for residential dwelling units and construction partially completed — partially completed in the sense of having at least roofs on them — on twenty five (25) per cent of the lots of the previous increment or increments; (B) approximately four (4) acres to be set aside and improved by the developer for active recreational uses; (C) the development of the lower portion of the subject area occur only after the present sugar cane crop has been harvested; and (D) the owner or lessee of the subject property submit a subdivision plan for preliminary approval of the first increment within one (1) year from the date of approval of the change of zoning. Should these conditions not be met, the Planning Commission shall reserve the right to initiate action to rezone the subject property to its former designation.~~

~~SECTION 3. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.~~

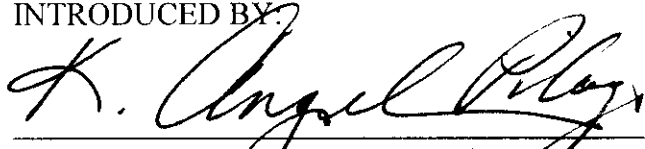
~~SECTION 4. This ordinance shall take effect upon its approval.]~~

SECTION 2. The subject area shall be reclassified back to its original Agricultural (A-1a) zoned district as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 3. Material to be repealed is bracketed and struck through.

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

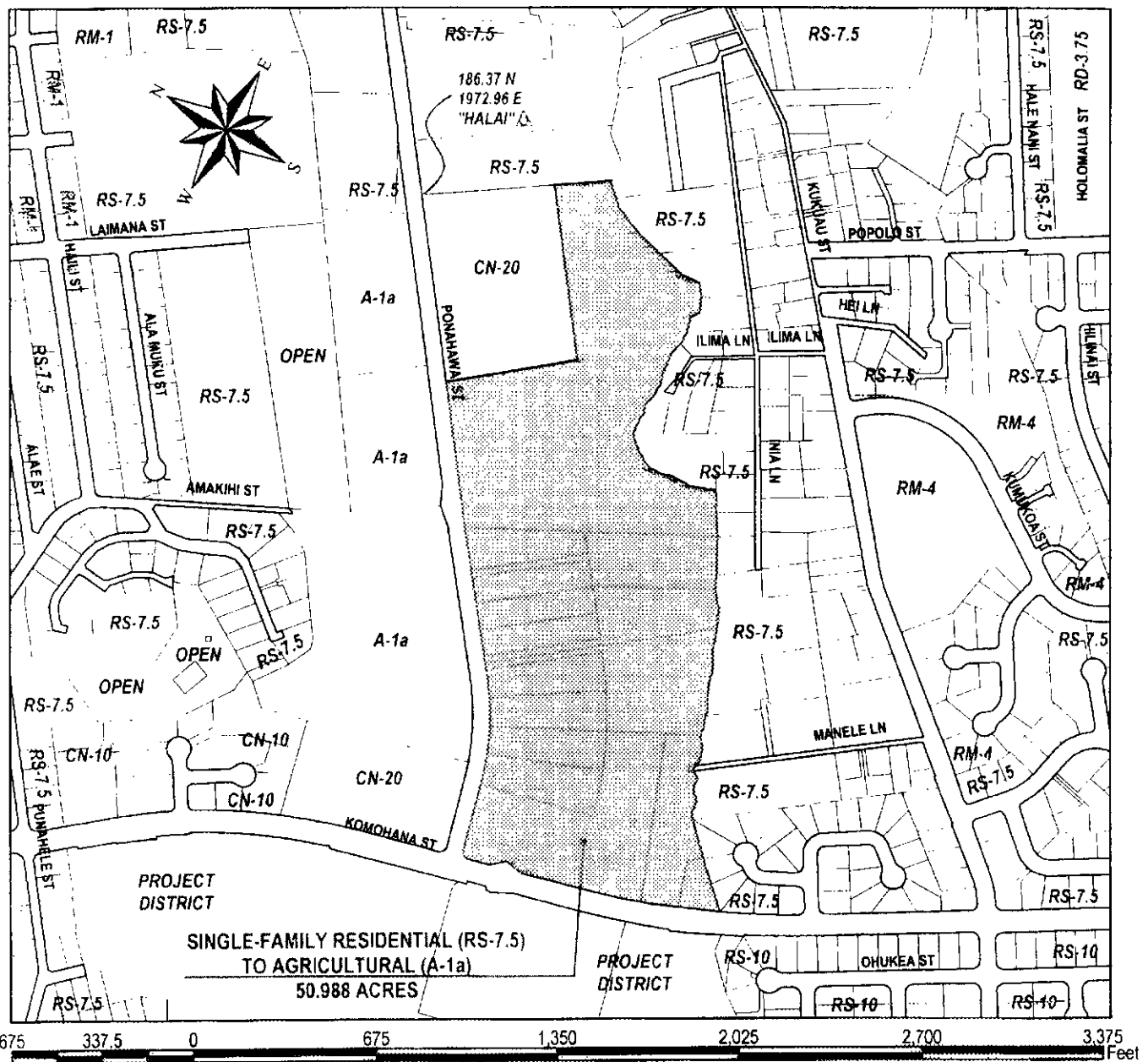
INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

_____, Hawaii

Date of Introduction: April 19, 2006
Date of 1st Reading: April 19, 2006
Date of 2nd Reading: May 2, 2006
Effective Date: May 12, 2006

REFERENCE: Comm. 681.2



AMENDMENT TO THE ZONING CODE

AN ORDINANCE REPEALING ORDINANCE NO. 487 WHICH AMENDED SECTION 7.29, THE CITY OF HILO ZONE MAP, ORDINANCE NO. 63 (ZONING ORDINANCE), REVISED ORDINANCES OF THE COUNTY OF HAWAII 1967, AS AMENDED, AND CHANGED THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-1a) TO SINGLE-FAMILY RESIDENTIAL (RS-7.5) AT PONAHAHAWAI, SOUTH HILO, HAWAII
UPON THE REPEAL OF ORDINANCE NO. 487, THE DISTRICT CLASSIFICATION OF SUBJECT AREA SHALL BE AGRICULTURAL (A-1a).

PREPARED BY: PLANNING DEPARTMENT
COUNTY OF HAWAII

OFFICE OF THE COUNTY CLERK

County of Hawai'i

Hilo, Hawai'i

(Draft 2)

Introduced By: K. Angel Pilago
 Date Introduced: April 19, 2006
 First Reading: April 19, 2006
 Published: N/A

REMARKS: _____

Second Reading: May 2, 2006
 To Mayor: May 5, 2006
 Returned: May 15, 2006
 Effective: May 12, 2006
 Published: May 23, 2006

REMARKS: _____

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Arakaki	X			
Higa	X			
Hoffmann	X			
Holschuh	X			
Ikeda	X			
Isbell	X			
Jacobson	X			
Pilago	X			
Safarik			X	
	8		1	

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Arakaki	X			
Higa	X			
Hoffmann	X			
Holschuh	X			
Ikeda	X			
Isbell	X			
Jacobson	X			
Pilago	X			
Safarik	X			
	9			

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

APPROVED AS TO
FORM AND LEGALITY:

Ang. D. Self
 DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII

Date MAY 11 2006

[Signature]
 COUNCIL CHAIRMAN

Christine R. Kline
 COUNTY CLERK

Bill No.: 222 (Draft 2)

Reference: C-681.2/PC-61

Ord No.: 06 57

Approved/Disapproved this 12th day

of May, 20 06
Harry Kim
 MAYOR, COUNTY OF HAWAII