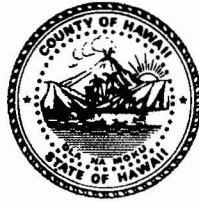


COUNTY OF HAWAI'I



STATE OF HAWAI'I

BILL NO. 242

ORDINANCE NO. 1004

AN ORDINANCE AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM PROJECT DISTRICT TO PROJECT DISTRICT AT PONAHAWAI, SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY: 2-3-037:001, 2-3-044:019, AND 2-3-049:053.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:

SECTION 1. Section 25-8-33, Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), is amended to change the district classification of property described hereinafter as follows:

The district classification of the following area situated at Ponehawai, South Hilo, Hawai'i, shall be Project District:

Beginning at the north corner of this parcel, also being the east corner of Lot 2 on the southwest side of Komohana Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 109.52 feet North and 797.67 feet West and running by azimuths measured clockwise from True South:

Following along Komohana Street for the next twenty-two (22) courses, the azimuths and distances between points being:

- | | | | |
|----|--|--------|-------|
| 1. | 320° 40' | 42.10 | feet; |
| 2. | 50° 40' | 10.00 | feet; |
| 3. | 320° 40' | 146.28 | feet; |
| 4. | 50° 40' | 5.00 | feet; |
| 5. | Thence along a curve to the right having a radius of 1945.00 feet, the chord azimuth and distance being: | | |

- 322° 51' 30" 148.76 feet;
6. 235° 03' 10.00 feet;
 7. Thence along a curve to the right having a radius of 1955.00 feet, the chord azimuth and distance being:
326° 50' 30" 122.25 feet;
 8. 238° 38' 5.00 feet;
 9. Thence along a curve to the right having a radius of 1960.00 feet, the chord azimuth and distance being:
336° 09' 512.79 feet;
 10. 73° 40' 10.00 feet;
 11. Thence along a curve to the right having a radius of 1950.00 feet, the chord azimuth and distance being:
344° 40' 68.06 feet;
 12. 345° 40' 455.47 feet;
 13. 255° 40' 10.00 feet;
 14. 345° 40' 73.40 feet;
 15. 54° 00' 11.48 feet;
 16. 10° 30' 18.00 feet;
 17. 333° 00' 83.14 feet;
 18. 345° 40' 248.93 feet;
 19. Thence along a curve to the left having a radius of 3040.00 feet, the chord azimuth and distance being:
342° 20' 353.52 feet;
 20. 69° 00' 5.00 feet;
 21. Thence along a curve to the left having a radius of 3045.00 feet, the chord azimuth and distance being:
336° 51' 56" 226.82 feet;

22. 83° 10' 67.64 feet;
23. Thence following along the middle of Alenaio Stream along Lot 14 of Sunrise Ridge Subdivision Unit 1-B, File Plan 1693, the direct azimuth and distance being:
44° 30' 155.00 feet;
24. 35° 17' 960.00 feet along Lots 15, 16, 20 and 21 of Sunrise Ridge Subdivision Unit 1-B and Lots 27 to 20, inclusive of Sunrise Ridge Subdivision Unit 2-B, File Plan 1693;
25. 59° 01' 27" 1633.86 feet along Government Land;
26. 65° 46' 26" 260.53 feet along Government Land;
- Thence along Mohouli Street Extension for the next nine (9) courses, the azimuths and distances between points being:
27. 119° 41' 199.44 feet;
28. 209° 41' 25.00 feet;
29. 119° 41' 930.00 feet;
30. 29° 41' 30.00 feet;
31. 119° 41' 170.00 feet;
32. 29° 41' 5.00 feet;
33. 119° 41' 250.00 feet;
34. 29° 41' 5.00 feet;
35. 119° 41' 540.00 feet;
36. 209° 41' 210.35 feet along Lots 75 to 78, inclusive of Kaumana Gardens Subdivision Unit 2 (File Plan 935);

37.	254°	30'	368.44	feet along Lots 56-A, 56-B and 3 of Crescent City Heights Subdivision;
38.	324°	40'	50.00	feet along Liko Lehua Street;
39.	234°	40'	18.63	feet along Liko Lehua Street;
40.	324°	40'	363.00	feet along Lot 57;
41.	234°	40'	398.55	feet along Lots 57, D and C;
42.	144°	40'	262.53	feet along Lots C, B and A;
43.	254°	30'	981.48	feet along Lots 35 to 47, inclusive and Lot 50 of Crescent City Heights Subdivision;
44.	136°	15'	200.00	feet along Lots 50 and 49 of Crescent City Heights Subdivision;
45.	226°	15'	50.00	feet along Wiliwili Street;
46.	136°	15'	5.98	feet along Wiliwili Street;
47.	226°	15'	325.00	feet along Roadway Lot and Lot 4;
48.	136°	15'	371.76	feet along Lots 4, 60-E and 59-E;
49.	236°	50'	289.92	feet along Lots 14, 15, 16 and 17;
50.	316°	15'	65.70	feet along Omao Street;
51.	226°	15'	50.00	feet along Omao Street;
52.	243°	20'	146.46	feet along Lot 26;
53.	136°	15'	525.97	feet along Lots 26, 25, 23, 21 and 19;
54.	243°	20'	1324.47	feet along Lot 15, Hualilili Street, Lots 18 and 20, Malanai Street Lots 16 and 18, Spring Street, Lots 15 and 16, Hoomana Street and Lot 16;
55.	153°	14' 30"	100.63	feet along Lot 16;

56.	136° 15'	120.00	feet along Lots 15 and 14;
57.	226° 15'	125.00	feet along Lot 17;
58.	136° 15'	60.00	feet along Lot 17;
59.	226° 15'	165.00	feet along Waipuna Place and Lot 10;
60.	316° 15'	5.00	feet along Lot 11;
61.	232° 49'	135.25	feet along Lots 11 and 12;
62.	322° 49'	5.00	feet along Lot 1;
63.	232° 49'	184.44	feet along Lots 1 and 2 to the point of beginning and containing an area of 171.504 acres.

All as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2. In accordance with Section 25-2-44, Hawai'i County Code 1983 (2005 Edition), the County Council finds the following conditions are:

Necessary to prevent circumstances which may be adverse to the public health, safety and welfare; or

- (1) Reasonably conceived to fulfill needs directly emanating from the land use proposed with respect to:
 - (A) Protection of the public from the potentially deleterious effects of the proposed use, or
 - (B) Fulfillment of the need for public service demands created by the proposed use.

A. The applicant(s), successors or assigns shall be responsible for complying with all of the stated conditions of approval.

- B. This project area shall be called the Wailani Project District.
- C. The Wailani Project District shall consist of not more than 172 acres for single-family and multiple-family residential, senior housing, medical office campus, commercial center, business park, open space and recreational uses, and ancillary related improvements.
- D. The maximum number of single family and multiple-family residential units allowed shall be 518 units, which includes a maximum of 333 senior housing units. The density for multiple-family residential uses shall not exceed 35 units per acre.
- E. The maximum square footage of the medical office campus, commercial center, and business park uses shall be 480,000 square feet. No single commercial business may contain more than 45,000 square feet in gross floor area.
- F. The minimum lot size for single-family residential units shall be 7,500 square feet.
- G. A minimum of 26 acres shall be used for open space and recreational uses, which includes a minimum of 7 acres for active recreational use.
- H. The uses disclosed in the application, as listed below, and those required as conditions to this Ordinance will be allowed in the Wailani Project District. The provision of other uses not listed will require an amendment to this Project District Ordinance.
 - 1. All uses allowed as a matter of right in the RS, RM, and CN zoned districts.
 - 2. All uses allowed as a matter of right in the CV zoned district, except for hotels, manufacturing, warehousing, and light-industrial uses.

3. Open space and recreational uses, including ball fields, linear parks, pedestrian paths and bikeways.
 4. Infrastructure improvements.
- I. A detailed Master Plan of the Project District, which includes the location and number of residential lots and units, commercial uses, open space and recreational areas, pedestrian pathways and bikeways, landscaping, roadways, parking, and other related improvements on the property, shall be submitted to the Planning Director within two (2) years from the effective date of the Project District Ordinance or prior to submission of plans for plan approval or subdivision approval, whichever occurs first.
 - J. The applicant shall provide a detailed water master plan showing the water system improvements needed for each phase of the development. The plan shall meet with the approval of the Department of Water Supply and shall be submitted to the Planning Director within two (2) years from the effective date of the Project District Ordinance or prior to submission of plans for plan approval or residential or non-bulk lot subdivision approval, whichever occurs first. A bulk lot refers to a lot created for the purpose of enabling its subsequent development pursuant to the approved master plan.
 - K. Before a water commitment for the development can be effected, the applicant shall enter into a Water Development Agreement with the Water Board, pursuant to Rule 5 of the Department of Water Supply's rules and regulations. The Agreement will establish, but not be limited to, the scope of water system improvements required to serve the development, allocation of water to the development, duration of water commitments, timeline for completion of improvements, and payment of applicable facilities charges. The applicant shall also construct all water system improvements as required by the Department of Water Supply through its standards. These improvements may include but not be limited to additional source, transmission, storage and booster pump facilities.

L. Construction of approximately 100,000 square feet of the proposed medical office park and approximately 100,000 square feet of the commercial center shall commence within five (5) years of the effective date of the Project District Ordinance. Construction of an extension of Ponahawai Street from Komohana Street to Mohouli Street and related intersection improvements shall commence within five (5) years of the effective date of the Project District Ordinance, and shall be completed within ten (10) years of the effective date of the Project District Ordinance. Completion of construction may be assured by a sufficient surety bond, meeting with the approval of the County of Hawai'i. Final Plan Approval shall be secured in accordance with the requirements of the Chapter 25 (Zoning Code), Hawai'i County Code, prior to the commencement of construction of the stated uses.

M. The following design standards shall apply:

1. Landscaping for the development shall comply with the Zoning Code and Planning Department's Rule No. 17, Landscaping Requirements.
2. The height limit for structures within the project shall not exceed the following:
 - a. Single-Family Residential Development: thirty five (35) feet.
 - b. Multiple-Family Residential Development (including Senior Housing): forty five (45) feet, provided approval is granted by the Planning Director as part of the approval of the site plan in accordance with Section 25-6-46, Chapter 25 (Zoning Code), Hawai'i County Code.
 - c. Medical Office Campus, Commercial Center, and Business Park Development: forty (40) feet, provided approval is granted by the Planning Director as part of the approval of the site plan in accordance with Section 25-6-46, Chapter 25 (Zoning Code), Hawai'i County Code.

3. The minimum yards (setback) shall be as follows:
 - a. Single-Family Residential Development:
 - (1) On a building site with an area of 7,500 square feet to and including 9,999 square feet:
 - (a) Front and rear yards: 15 feet; and
 - (b) Side yards: 8 feet.
 - (2) On a building site with an area of 10,000 square feet to and including 19,999 square feet:
 - (a) Front and rear yards: 20 feet; and
 - (b) Side yards: 10 feet.
 - (3) On a building site with an area of 20,000 square feet or more:
 - (a) Front and rear yards: 25 feet; and
 - (b) Side yards: 15 feet.
 - b. Multiple-Family Residential Development:
 - (1) Front and rear yards: 20 feet; and
 - (2) Side yards: 8 feet for a one-story building, plus an additional 2 feet for each additional story.
 - c. Medical Office Campus, Commercial Center, and Business Park Development:
 - (1) Front and rear yards: 15 feet; and
 - (2) Side yards: none, except where the side yard adjoins the side yard of a building site used for purposes allowed in RS or RM zones, the yard setback appropriate for the RS or RM district shall be used.
4. The minimum off-street parking and loading space requirements of Chapter 25, Hawai'i County Code shall be complied with. The American Disabilities Act (ADA) requirements shall also be complied with.

- N. All project utilities shall be underground.
- O. The applicant shall conduct a sewer study in accordance with the then applicable wastewater system design standards prior to approval to connect to the County sewer system. Prior to the issuance of a Certificate of Occupancy, the applicant shall provide such sewer line or other facility improvements as the Director of the Department of Environmental Management may reasonably require, which the sewer study may indicate are advisable for mitigation of impacts of the development.
- P. The extension of Ponahawai Street from Komohana Street to Mohouli Street (referred to hereafter as the "Ponahawai Street extension") shall be a minimum right-of-way width of eighty (80) feet and built to County dedicable standards, including the provision of curbs, gutters, and sidewalks, and be built on an alignment meeting with the approval of the Department of Public Works in consultation with the Planning Director. Upon its completion, the roadway shall be dedicated, at no cost, to the County.
- Q. No lots shall have direct access from either Komohana Street or Mohouli Street, exclusive of permitted road lots. The location of any permitted road lots shall be determined by the Department of Public Works in consultation with the Planning Director. Further, no single family residential lots shall have direct access from the Ponahawai Street Extension and other proposed arterial streets.
- R. Unless otherwise specified by the Planning Director in consultation with the Department of Public Works, all streets within the project shall be constructed to dedicable standards, including the provision of concrete curbs, gutters and sidewalks.
- S. Only emergency vehicular access from the site to the existing side streets to the north (e.g Wiliwili Street, Malanai Street) shall be allowed. In that event, the applicant shall provide removable barriers (e.g. concrete posts) on these roadways at the property line to

prevent non-emergency vehicular access. Should the immediately affected existing neighborhood(s) desire to have the barriers permanently removed to allow for unrestricted vehicular access between the site and any existing side street to the north, the Planning Director, upon consultation with the Department of Public Works and immediately affected neighbors, may lift this restriction.

- T. Streetlights and traffic control devices, as may be required by the Traffic Division, Department of Public Works, shall be designed, purchased and installed by the applicant.
- U. Updated Traffic Impact Analysis Report(s) (TIAR) certified by a licensed engineer shall be submitted to the Planning Director for review and approval prior to receipt of Final Plan Approval for each phase of the development or Preliminary Subdivision Approval for each phase of the residential development and not bulk lot subdivision. All additional mitigation measures, including intersection and/or roadway improvements, called for in the updated TIAR shall be implemented prior to receipt of a Certificate of Occupancy or Final Subdivision Approval, as the case may be. In the case of the Final Subdivision Approval, completion of construction may be assured by a sufficient surety bond meeting with the approval of the County.
- V. Because of potential roadway noise, there shall be a minimum 70-foot setback from the Komohana Street right-of-way, and a 90-foot setback from the Mohouli Street right-of-way, for any residential structure.
- W. All development-generated runoff shall be disposed of on-site and shall not be directed toward any adjacent properties. A drainage study shall be prepared by a licensed civil engineer and submitted to the Department of Public Works for review and approval prior to issuance of Final Plan Approval or Final Subdivision Approval, whichever occurs first. Any recommended drainage improvements, if required, shall be constructed meeting with the approval of the Department of Public Works prior to receipt of a Certificate of

Occupancy for any structure or receipt of Final Subdivision Approval for a non-bulk lot subdivision. The applicant shall develop a program, meeting with the approval of the Department of Public Works, that maintains the two major floodways free of debris and obstructions, including trees that could be uprooted and clog the culverts during storms.

- X. Any construction within the Federal Emergency Management Agency (FEMA) designated flood zones shall conform to Chapter 27, Floodplain Management, of the Hawai'i County Code.

- Y. There shall be no construction of residential structures and related improvements or other substantial buildings, or subdivision roads (unless the roads are protected from flooding in a manner meeting with the approval of the Department of Public Works) within areas designated Zone "AE" or "A" on the Flood Insurance Rate Map (FIRM). Restrictive covenants in the deeds of all lots shall give notice of the terms of this rezoning condition. A copy of the proposed covenant(s) to be recorded with the State of Hawai'i Bureau of Conveyances shall be submitted to the Planning Director for review and approval prior to issuance of Final Subdivision Approval for a non-bulk lot subdivision. A copy of the recorded document shall be filed with the Planning Department upon its receipt from the Bureau of Conveyances. No residential lots may be created which lack a buildable area. As represented by the applicant, the main Alenaio Stream drainageway shall be kept as an open space area, except for drainage improvements which may be required pursuant to the drainage study, and park improvements, including bicycle and pedestrian paths.

- Z. All earthwork activity, including grading and grubbing, shall conform to Chapter 10, Erosion and Sedimentation Control, of the Hawai'i County Code.

- AA. The applicant shall contact the U.S. Department of Army Corps of Engineers to identify whether a federal permit is required for any possible work involving the discharge of fill material into wetlands or Alenaio Stream.

- BB. The applicant shall contact the State Department of Health as to whether a National Pollutant Discharge Elimination System (NPDES) general or individual permit is required for this development.
- CC. The applicant shall comply with the State Department of Health's regulations and rules related to, but not limited to, Underground Injection Systems, Air Pollution, Food Establishment Sanitation, Water Quality, and Community Noise.
- DD. A Solid Waste Management Plan shall be prepared and submitted to the Department of Environmental Management for review and approval prior to the issuance of Final Plan Approval or Final Subdivision Approval for a non-bulk lot subdivision.
- EE. Pu'u Honu shall be preserved as a natural feature.
- FF. An archaeological inventory survey of TMK: 2-3-44:19, meeting with the approval of the Department of Land and Natural Resources - State Historic Preservation Division (DLNR-SHPD), shall be completed prior to any construction or land disturbance activity on this parcel. The survey shall include an assessment with further interviews (if needed) of Pu'u Honu as a traditional cultural property. If required by DLNR-SHPD, Pu'u Honu shall be designated as an historic property and assigned an SIHP number.
- GG. A archaeological mitigation plan addressing data collection at Site 14947 (and any additional sites that might be discovered) shall be completed and approved by DLNR-SHPD prior to any construction or land disturbance activity on TMK: 2-3-44:19.
- HH. An archaeological preservation plan addressing preservation of specified segments of Site 14947 (portion of Hilo Boarding School and Old Mission Ditch) and Pu'u Honu (and any additional sites that might be identified) shall be completed and approved prior to the implementation of interim preservation measures. Interim preservation measures shall be

in place prior to the initiation of any construction of land disturbing activities on TMK 2-3-44:19.

- II. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings or walls be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources – State Historic Preservation Division (DLNR-SHPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-SHPD when it is found that sufficient mitigation measures have been taken.

- JJ. To ensure that the Goals and Policies of the Housing Element of the General Plan are implemented, the applicant shall comply with the requirements of Chapter 11, Article 1, Hawai'i County Code, relating to Affordable Housing Policy. This requirement shall be approved by the Administrator of the Office of Housing and Community Development prior to receipt of a Certificate of Occupancy for the multiple family residential development or the occupancy of the first single-family dwelling, whichever occurs first.

- KK. The applicant, successors or assigns shall make its fair share contribution to mitigate the potential regional impacts of development of the properties with respect to parks and recreation, fire, police, solid waste disposal facilities and roads. The fair share contribution shall become due and payable prior to receipt of Final Subdivision Approval and /or Final Plan Approval. The fair share contribution for each lot shall be based on the actual number of residential units developed. The fair share contribution in a form of cash, land, facilities or any combination thereof shall be determined by the County Council. The fair share contribution may be adjusted annually beginning three years after the effective date of this ordinance, based on the percentage change in the Honolulu Consumer Price Index (HCPI). The fair share contribution shall have a maximum combined value of **\$7,738.48** per multiple family residential unit (**\$12,059.55** per single

family residential unit). The total amount shall be determined with the actual number of units according to the calculation and payment provisions set forth in this condition.

The fair share contribution per multiple family residential unit (single family residential unit) shall be allocated as follows:

1. **\$3,817.17** per multiple family residential unit (**\$5,815.33** per single family residential unit) to the County to support park and recreational improvements and facilities;
2. **\$120.64** per multiple family residential unit (**\$280.53** per single family residential unit) to the County to support police facilities;
3. **\$371.11** per multiple family residential unit (**\$554.09** per single family residential unit) to the County to support fire facilities;
4. **\$165.40** per multiple family residential unit (**\$242.59** per single family residential unit) to the County to support solid waste facilities; and
5. **\$3,264.15** per multiple family residential unit (**\$5,167.02** per single family residential unit) to the County to support road and traffic improvements.

In lieu of paying the fair share contribution, the applicant may contribute land and/or construct improvements/facilities related to parks and recreation, fire, police, solid waste disposal facilities and roads within the region impacted by the proposed development, subject to the review and recommendation of the Planning Director, upon consultation with the appropriate agencies and approval of the County Council. The construction and land costs associated with the Ponahawai Street extension and the recreational or park area(s) that are dedicated to the County as outlined in Conditions G and L shall be credited against the park and recreational and road and traffic fair share requirements.

- LL. Should the Council adopt a Unified Impact Fees Ordinance setting forth criteria for imposition of exactions or the assessment of impact fees, conditions included herein shall be credited towards the requirements of the Unified Impact Fees Ordinance.
- MM. Comply with all other applicable County, State and Federal laws, rules, regulations and requirements.
- NN. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of this Project District Ordinance. The report shall include, but not be limited to, the status of the development and the extent to which the conditions of approval are being satisfied. This condition shall remain in effect until all of the conditions of approval have been satisfied and the Planning Director acknowledges that further reports are not required.
- OO. An initial extension of time for the performance of conditions within the ordinance may be granted by the Planning Director upon the following circumstances:
- (1) The non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence.
 - (2) Granting of the time extension would not be contrary to the General Plan or Zoning Code.
 - (3) Granting of the time extension would not be contrary to the original reasons for the granting of the Project District.
 - (4) The time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

- (5) If the applicant should require an additional extension of time, the Planning Department shall submit the applicant's request to the County Council for appropriate action.

PP. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director may initiate rezoning of the subject area to its original or more appropriate 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.

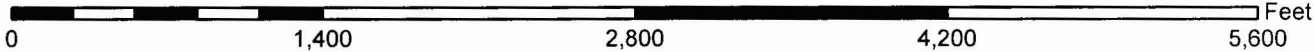
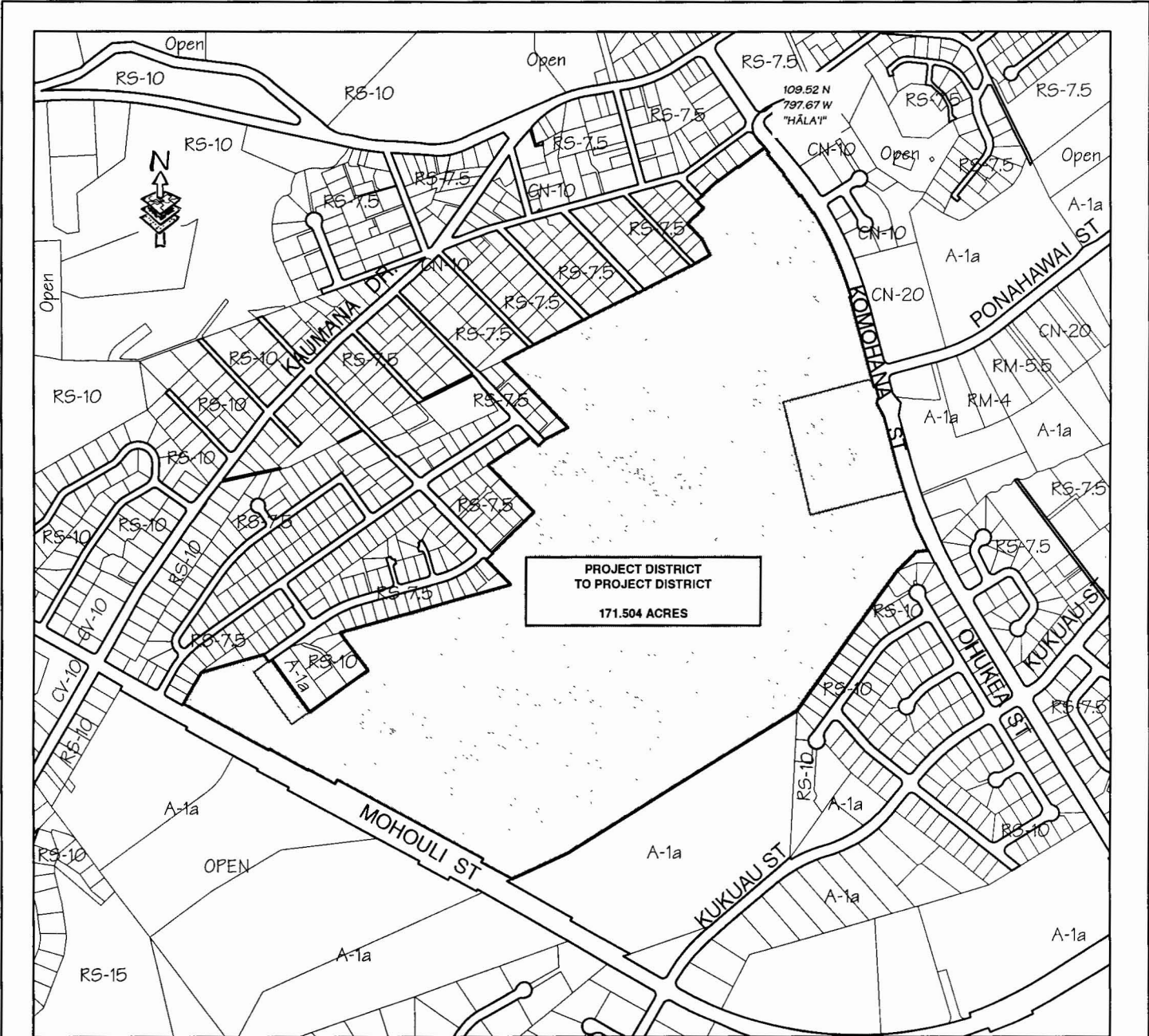
INTRODUCED BY:



COUNCIL MEMBER, COUNTY OF HAWAI'I

Hilo, Hawai'i
Date of Introduction: May 19, 2010
Date of 1st Reading: May 19, 2010
Date of 2nd Reading: June 8, 2010
Effective Date: June 18, 2010

REFERENCE: Comm. 798



AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP) ARTICLE 8,
CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION),
BY CHANGING THE DISTRICT CLASSIFICATION FROM
PROJECT DISTRICT TO PROJECT DISTRICT
AT PONAHAWAI, SOUTH HILO, HAWAI'I

MAP PREPARED BY:
COUNTY OF HAWAI'I, PLANNING DEPARTMENT

OFFICE OF THE COUNTY CLERK
 County of Hawai'i
Hilo, Hawai'i

RECEIVED
 2010 JUN 21 PM 9 03

Introduced By: Donald Ikeda
 Date Introduced: May 19, 2010
 First Reading: May 19, 2010
 Published: May 28, 2010

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Enriques	X			
Ford		X		
Greenwell	X			
Hoffmann		X		
Ikeda	X			
Naeole-Beason	X			
Onishi	X			
Yagong	X			
Yoshimoto	X			
	7	2	0	0

REMARKS: _____

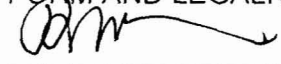
Second Reading: June 8, 2010
 To Mayor: June 17, 2010
 Returned: June 21, 2010
 Effective: June 18, 2010
 Published: June 26, 2010

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Enriques	X			
Ford		X		
Greenwell	X			
Hoffmann		X		
Ikeda	X			
Naeole-Beason	X			
Onishi	X			
Yagong	X			
Yoshimoto	X			
	7	2	0	0

REMARKS: _____

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

APPROVED AS TO
 FORM AND LEGALITY:



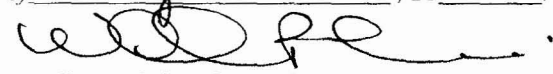
DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII

Date JUN 18 2010


 COUNCIL CHAIRMAN


 COUNTY CLERK

Bill No.: 242
 Reference: C-798/PC-82
 Ord No.: 10 64

Approved/Disapproved this 18th day
 of June, 2010

 MAYOR, COUNTY OF HAWAII