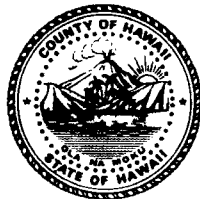


COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. **11 12** BILL NO. 6

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 SINGLE-FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) TO NEIGHBORHOOD COMMERCIAL – 20,000 SQUARE FEET (CN-20) AT WAIĀKEA, SOUTH HILO DISTRICT, HAWAI'I, COVERED BY TAX MAP KEY: 2-2-025:022.

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 Waiākea, South Hilo District, Hawai'i, shall be Neighborhood Commercial – 20,000 square feet (CN-20):

Beginning at the north corner of this parcel of land and the west corner of Grant 9391 to Herman N. Kamai, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 4124.22 feet South and 6686.43 feet East, thence running by azimuths measured clockwise from True South:

1. 328° 10' 172.00 feet along Grant 9391 to Herman N. Kamai;
2. 58° 10' 30.00 feet along the remainder of the Abandoned Railroad Right-of-Way (30.00 ft. wide);
3. 148° 10' 172.00 feet along Grant 8890 to Stanley Sims;
4. 238° 10' 30.00 feet along the remainder of the Abandoned Railroad Right-of-Way (30.00 ft. wide) to the point of beginning and containing an area of 5160 square feet.

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 condition is:

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 for Change of Zone Ordinance No. 10 27, or its amendments thereto.

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.

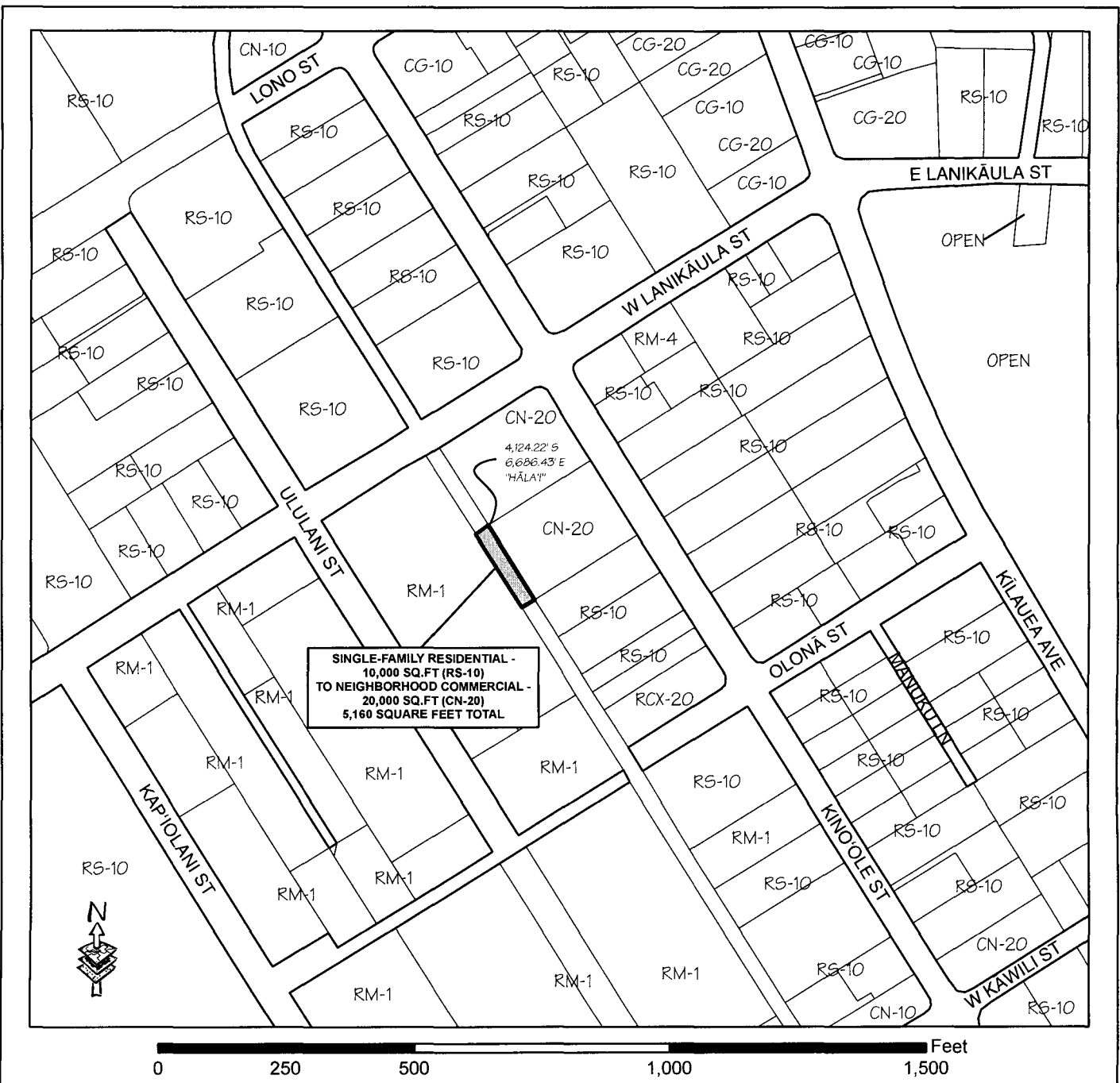
INTRODUCED BY:

  
COUNCIL MEMBER, COUNTY OF HAWAI'I

\_\_\_\_\_ Hilo \_\_\_\_\_, Hawai'i

Date of Introduction: January 20, 2011  
Date of 1st Reading: January 20, 2011  
Date of 2nd Reading: February 2, 2011  
Effective Date: February 23, 2011

REFERENCE: Comm. 27



# AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP) ARTICLE 8,  
 CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE 1983 (2005 EDITION),  
 BY CHANGING THE DISTRICT CLASSIFICATION FROM  
 SINGLE-FAMILY RESIDENTIAL - 10,000 SQ.FT (RS-10)  
 TO NEIGHBORHOOD COMMERCIAL - 20,000 SQ.FT (CN-20)  
 AT WAIĀKEA, SOUTH HILO, HAWAII

MAP PREPARED BY:  
 COUNTY OF HAWAII, PLANNING DEPARTMENT

TMK: (3)2-2-025:022

DATE: Sep 22, 2010

EXHIBIT "A"

Concept Construction, Inc.  
 Map: 1302

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

2011 FEB 23 PM 3:12

Introduced By: Pete Hoffmann  
 Date Introduced: January 20, 2011  
 First Reading: January 20, 2011  
 Published: N/A

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_


Second Reading: February 2, 2011  
 To Mayor: February 11, 2011  
 Returned: February 23, 2011  
 Effective: February 23, 2011  
 Published: March 4, 2011


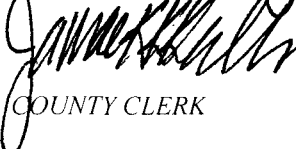
REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
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| ROLL CALL VOTE |      |      |     |    |
|----------------|------|------|-----|----|
|                | AYES | NOES | ABS | EX |
| Blas           | X    |      |     |    |
| Ford           | X    |      |     |    |
| Hoffmann       |      |      | X   |    |
| Ikeda          | X    |      |     |    |
| Onishi         |      |      | X   |    |
| Pilago         | X    |      |     |    |
| Smart          | X    |      |     |    |
| Yagong         | X    |      |     |    |
| Yoshimoto      | X    |      |     |    |
|                | 7    | 0    | 2   | 0  |

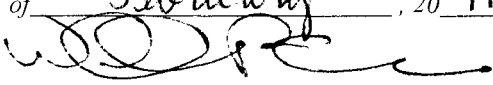
| ROLL CALL VOTE |      |      |     |    |
|----------------|------|------|-----|----|
|                | AYES | NOES | ABS | EX |
| Blas           | X    |      |     |    |
| Ford           | X    |      |     |    |
| Hoffmann       | X    |      |     |    |
| Ikeda          | X    |      |     |    |
| Onishi         | X    |      |     |    |
| Pilago         | X    |      |     |    |
| Smart          | X    |      |     |    |
| Yagong         |      |      | X   |    |
| Yoshimoto      | X    |      |     |    |
|                | 8    | 0    | 1   | 0  |

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 FEB 15 2011

  
 COUNCIL CHAIRPERSON  
  
 COUNTY CLERK

Bill No.: 6  
 Reference: C-27/PC-6  
 Ord No.: 11 12

Approved/Disapproved this 23rd day  
 of February, 20 11  
  
 MAYOR, COUNTY OF HAWAII