

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 424

AN ORDINANCE AMENDING SECTION 7.02 THE NORTH KONA ZONE MAP OF ARTICLE 2, CHAPTER 8 (ZONING CODE), HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO GENERAL INDUSTRIAL (MG-1a) AT OOMA 1ST, KALAOA 1ST - 4TH, HAMANAMANA AND HALEOHIU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEYS 7-3-43:3 (PORTION), 6-22, 28-31, 32 (PORTION), AND 33-36.

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

SECTION 1. Section 7.02 of Article 2, Chapter 8 (Zoning Code), Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.02 (tt-1). The district classification of the following area situated at Ooma 1st, Kalaoa 1st - 4th, Hamanamana and Haleohiu, North Kona, Hawaii, shall be General Industrial (MG-1a):

Beginning at the South corner of this piece of land marked by a pipe in concrete at highwater mark at seashore, the coordinates of said point of beginning referred to "Hawaiian Plane Coordinate Grid System, Zone I" (Central Meridian 155° 30' 00") being 323,056.61 feet measured clockwise from grid South of said "Hawaiian Plane Coordinate Grid System, Zone I":

1. 137° 43' 40" 2774.31 feet along highwater mark at seashore to a point, the true azimuth and distance to a copper bolt called "Keahole" (found) being 266° 56' 40" 300.00 feet;
2. 151° 38' 35" 671.37 feet along highwater mark at seashore;
3. 211° 28' 21.5" 750.07 feet along Keahole Point Lighthouse site (Governor's Proclamation No. 17, dated December 10, 1910) and along the remainder of the Government Land of Kalaoa;
4. 159° 33' 21.5" 1045.31 feet along the remainder of the Government Land of Kalaoa and along Keahole Point Lighthouse site (Governor's Proclamation No. 17, dated December 10, 1910) highwater mark at seashore;

Thence along highwater mark at seashore for the next three (3) courses, the direct azimuths and distances between points at said seashore being:

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|----|--------------|----------|--|
| 5. | 196° 59' 50" | 5918.01 | feet; |
| 6. | 219° 16' 35" | 1866.00 | feet; |
| 7. | 263° 28' 08" | 245.77 | feet; |
| 8. | 5° 00' | 11438.34 | feet along the remainder of Ke-ahole Airport to the point of beginning and containing an area of 321.80 acres. |

"7.02 (tt-2). The district classification of the following area situated at Ooma 1st, Kalaoa 1st - 4th, and Hamanamana, North Kona, Hawaii, shall be General Industrial (MG-1a):

Beginning at the most Easterly corner of this piece of land, on the West side of Queen Kaahumanu Highway (Kailua-Kawaihae Road, Project No. 19BC-01-71), the coordinates of said point of beginning referred to "Hawaiian Plane Coordinate Grid System, Zone I" (Central Meridian 155° 30' 00") being 327,990.25 feet North and 316,414.74 feet East, thence running by azimuths measured clockwise from grid South of said "Hawaiian Plane Coordinate Grid System, Zone I":

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|-----|----------|---------|---|
| 1. | 95° 00' | 3486.81 | feet along the remainder of Ke-ahole Airport; |
| 2. | 5° 00' | 318.00 | feet along same; |
| 3. | 95° 00' | 345.00 | feet along same; |
| 4. | 5° 00' | 3624.50 | feet along same; |
| 5. | 95° 00' | 475.00 | feet along same; |
| 6. | 5° 00' | 1287.50 | feet along same; |
| 7. | 95° 00' | 1675.00 | feet along same; |
| 8. | 185° 00' | 9500.00 | feet along same; |
| 9. | 275° 00' | 1675.00 | feet along same; |
| 10. | 5° 00' | 1287.50 | feet along same; |
| 11. | 275° 00' | 565.00 | feet along same; |
| 12. | 5° 00' | 904.02 | feet along same; |
| 13. | 275° 00' | 160.00 | feet along same; |

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| 14. | 5° 00' | 117.00 | feet along same; |
| 15. | 275° 00' | 564.00 | feet along same; |
| 16. | 5° 00' | 1674.48 | feet along same; |
| 17. | Thence along same on a curve to the left with a radius of 197.00 feet, the chord azimuth and distance being 320° 00' 278.60 feet; | | |
| 18. | 275° 00' | 1444.00 | feet along the remainder of Ke-ahole Airport; |
| 19. | 185° 00' | 255.00 | feet along same; |
| 20. | 95° 00' | 1126.00 | feet along same; |
| 21. | 185° 00' | 288.00 | feet along same; |
| 22. | 275° 00' | 1801.00 | feet along same; |
| 23. | 5° 00' | 288.00 | feet along same; |
| 24. | 95° 00' | 585.00 | feet along same; |
| 25. | 5° 00' | 255.00 | feet along same; |
| 26. | 275° 00' | 1293.88 | feet along same; |
| 27. | 9° 29' 30" | 90.28 | feet along the West side of Queen Kaahumanu Highway (Kailua-Kawaihae Road, Project No. 19BC-01-71) to the point of beginning and containing an area of 500.86+ acres. |

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

"This ordinance shall take effect forthwith upon the conditions that (A) within one (1) year from the effective date of approval of the change of zone request, the petitioner or its authorized representative shall submit to the Planning Department a master plan for the Ke-ahole Airport (Area A) and the Natural Energy Laboratory of Hawaii (Area B) areas. The master plan shall include all existing and proposed improvements. The petitioner/representative shall also submit a construction time schedule for the proposed improvements; (B) prior to commencing any activities within the

area, a Special Management Area Use Permit shall be secured;
(C) all proposed work shall not interfere with any known historical sites. In the event that unanticipated historical sites or archaeological remains are found, work in the area shall immediately cease and the petitioner/representative shall notify the Planning Department and the State Historic Preservation Officer. Work shall not be resumed until a review and clearance is obtained through the State Historic Preservation Officer and the Planning Department; (D) the rules, regulations, and requirement of the State Department of Health and the County Department of Water Supply shall be complied with; and (E) all other applicable rules and regulations shall be complied with. Should any of the foregoing conditions not be met, rezoning of the area to its original or a more appropriate designation may be initiated.

SECTION 2. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

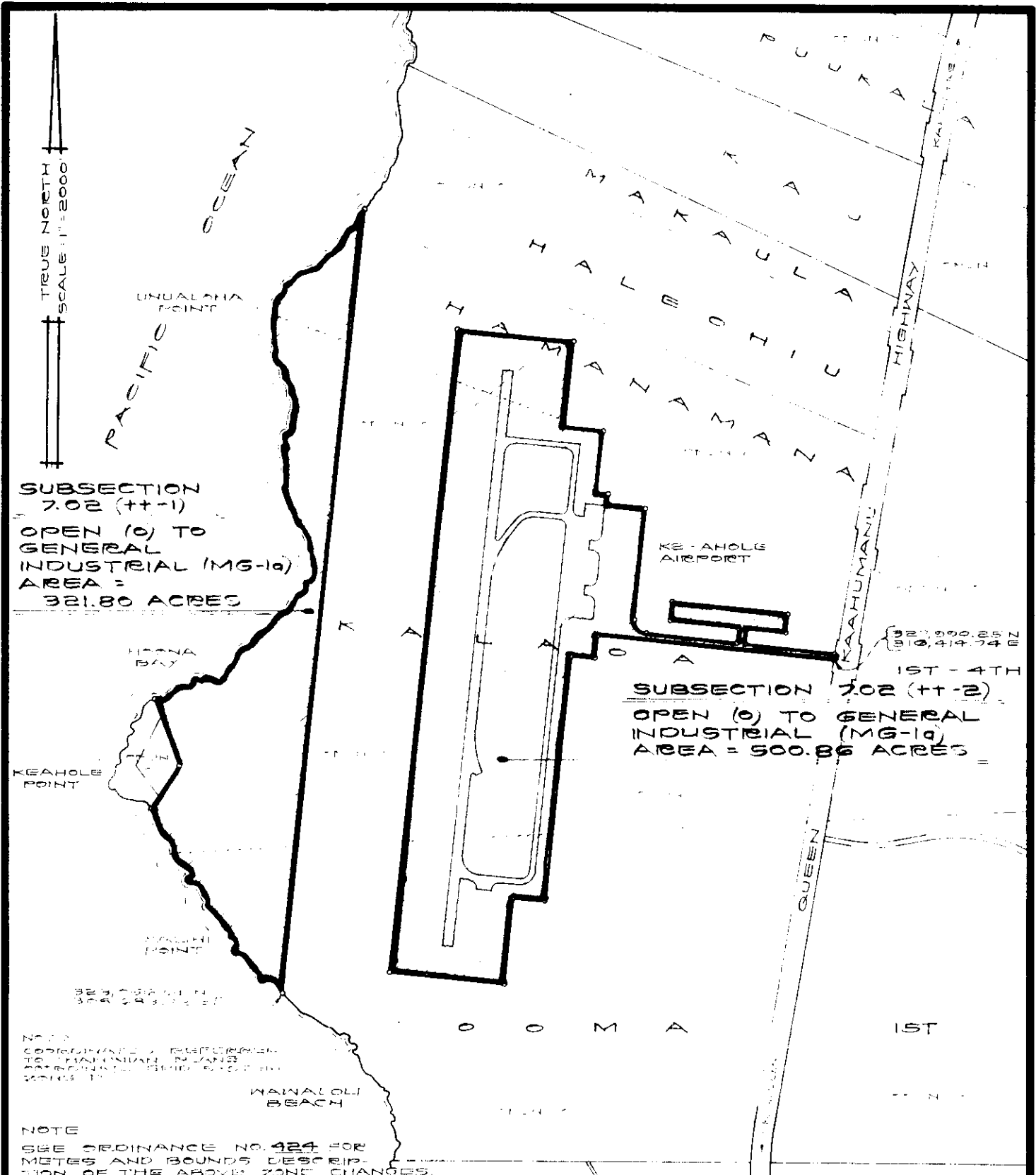

COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: March 7, 1979

Date of Adoption: March 21, 1979

Effective date: March 28, 1979



AMENDMENT TO THE ZONING CODE

AMENDMENT No. 46 TO SECTION 7.02, THE NORTH KONA ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO GENERAL INDUSTRIAL (MG-1a) AT OOMA 1ST, KALAGA 1ST - 4TH, HAMANAMANA AND HALEOHIU, NORTH KONA, HAWAII.

DATE OF PUBLIC HEARING : NOV. 16, 1978
 EFFECTIVE DATE : MARCH 28, 1979
 ORDINANCE NUMBER : 424
 PREPARED BY : PLANNING DEPARTMENT
 COUNTY OF HAWAII

TAX MAP KEY:
 7-3-43-3 (POR), 6-22, 28-31, 32 (POR), 33-36

DEC. 26, 1978

Hilo, Hawaii
Date: March 7, 1979

FIRST READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo			X
Fujii	X		
Garcia	X		
Kawahara			X
Lai	X		
Sameshima	X		
Tajiri	X		
Chr, Yamashiro	X		
	7	0	2

MAR 12 1979

Publication Date: _____

Hilo, Hawaii
Date: March 21, 1979

SECOND & FINAL READING			
	AYES	NOES	A/E
Dahlberg	X		
Domingo	X		
Fujii	X		
Garcia	X		
Kawahara			X
Lai			X
Sameshima	X		
Tajiri	X		
Chr. Yamashiro	X		
	7	0	2

APR 05 1979

Publication Date: _____

We do hereby certify that the foregoing BILL was adopted by the County Council and published as indicated above.

APPROVED as to
FORM AND CONTENT
Sandra E. Pecht
COUNTY CLERK
Date: MAR 23 1979

Alvin Yamashiro
Council Chairman

A. B. Leyorpi
County Clerk

Approved/~~Disapproved~~ this 28th day of
March, 1979

Robert H. Taylor
Mayor, County of Hawaii

Bill No. 454
Reference: C-1059/PC-73
M.B. No. _____
Ord. No. 424