

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 437

AN ORDINANCE AMENDING SECTION 7.06 THE NORTH AND SOUTH KOHALA DISTRICTS ZONE MAP, ARTICLE 2, CHAPTER 8 (ZONING CODE) OF THE HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-20a) TO AGRICULTURAL (A-10a) AT KAAUHUU, MAHUKONA 1ST AND NUNULUNUI, NORTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 5-5-01:PORTION OF 5.

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

SECTION 1. Section 7.06, Article 2, Chapter 8 (Zoning Code) of the Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.06 ( t ). The district classification of the following area situated at Kaauihuhu, Mahukona 1st and Nunulunui, North Kohala, Hawaii, shall be Agricultural (A-10a):

Beginning at the West corner of this parcel of land on the Southeasterly side of Homestead Road, the coordinates of which referred to Government Survey Triangulation Station "PUU O NALE" being 741.07 feet South and 2,274.45 feet East and running by azimuths measured clockwise from true South:

- 1. 212° 25' 37.40 feet along the Southeasterly side of Homestead Road;
- 2. 276° 00' 194.26 feet along the Southeasterly side of Homestead Road;
- 3. 240° 04' 114.00 feet along the Southeasterly side of Homestead Road;
- 4. 319° 16' 1,804.40 feet along remainders of Grant 5059 to Antonio Manuel Luiz and Mahele Award to Ruth Keelikolani;
- 5. 83° 33' 23.36 feet along Grant 3808 to the Trustees of the Estate of James Wood;

|     |                  |     |             |  |
|-----|------------------|-----|-------------|--|
| 6.  | 114 <sup>o</sup> | 35' | 42.30 feet  | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 7.  | 77 <sup>o</sup>  | 42' | 94.00 feet  | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 8.  | 114 <sup>o</sup> | 54' | 182.65 feet | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 9.  | 139 <sup>o</sup> | 32' | 105.00 feet | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 10. | 147 <sup>o</sup> | 51' | 165.80 feet | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 11. | 157 <sup>o</sup> | 07' | 118.20 feet | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 12. | 88 <sup>o</sup>  | 04' | 199.75 feet | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 13. | 141 <sup>o</sup> | 10' | 249.44 feet | along remainder of Mahele<br>Award to Ruth Keelikolani;  |
| 14. | 139 <sup>o</sup> | 16' | 937.73 feet | along Government Land to<br>the point of beginning<br>and containing an area<br>of 10.000 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) the petitioner or his authorized representa-  
tive shall submit a subdivision plan and secure tentative  
approval within one (1) year from the effective date of  
approval of the change of zone request. The petitioner/  
representative shall also be responsible for securing final  
subdivision approval; (B) a minimum of twenty-five percent  
(25%) of the proposed 10-acre lot shall be put into some form  
of agricultural activity within three (3) years from the date  
of approval of the subdivision request; and (C) all other  
applicable rules, regulations, and requirement shall be complied

with. Should any of the foregoing conditions not be met, rezoning of the area to its original or more appropriate zoning 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:

*Isaiah Domingo*  
COUNCILMEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: May 2, 1979

Date of Adoption: May 16, 1979

Effective Date: May 31, 1979

Hilo, Hawaii  
Date: May 2, 1979

| FIRST READING      |      |      |     |
|--------------------|------|------|-----|
|                    | AYES | NOES | A/E |
| Dahlberg           | X    |      |     |
| Domingo            | X    |      |     |
| Fujii              | X    |      |     |
| Acting Chr. Garcia | X    |      |     |
| Kawahara           | X    |      |     |
| Lai                | X    |      |     |
| Samashima          | X    |      |     |
| Tajiri             | X    |      |     |
| Chr. Yamashiro     |      |      | X   |
|                    | 8    | 0    | 1   |

Publication Date: May 8, 1979

Hilo, Hawaii  
Date: May 16, 1979

| SECOND & FINAL READING |      |      |     |
|------------------------|------|------|-----|
|                        | AYES | NOES | A/E |
| Dahlberg               | X    |      |     |
| Domingo                | X    |      |     |
| Fujii                  | X    |      |     |
| Garcia                 |      |      | X   |
| Kawahara               | X    |      |     |
| Lai                    | X    |      |     |
| Samashima              | X    |      |     |
| Tajiri                 | X    |      |     |
| Chr. Yamashiro         | X    |      |     |
|                        | 8    | 0    | 1   |

Publication Date: MAY 07 1979

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

APPROVED as to  
FORM and LEGALITY  
*Andrew O. Pelt*  
DEPUTY COMMISSIONER OF PUBLIC  
COUNTY OF HAWAII  
Date MAY 21 1979

*Richard G. ...*  
Council Chairman

*R. B. ...*  
County Clerk

Approved/Disapproved this 31<sup>st</sup> day of  
May, 1979

*...*  
Mayor, County of Hawaii

Bill No. 470  
Reference: C-1110/PC-87  
M.B. No. \_\_\_\_\_  
Ord. No. 437