

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 216

ORDINANCE NO. 86 93

AN ORDINANCE AMENDING SECTION 25-87, (NORTH KONA ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO LIMITED INDUSTRIAL (ML-3a) AND GENERAL INDUSTRIAL (MG-3a) AT OOMA 1ST AND 2ND, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-3-09:5 (POR.) AND 7-3-43:3 (POR.).

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

SECTION 1. Section 25-87, Article 3, Chapter 25 (Zoning Code) of the Hawaii County Code, is amended to change the district classification of properties described hereinafter as follows:

The district classification of the following area situated at Ooma 1st, North Kona, Hawaii, shall be Limited Industrial (ML-3a):

PARCEL 1

Beginning at the northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "AKAHIPUU" being 11,683.34 feet South and 21,922.41 feet West, thence running by azimuths measured clockwise from True South:

1. 9° 19' 55" 1,410.23 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
2. Thence along the remainder of Keahole Airport, Governor's Executive Order 3074, on a curve to the left with a radius of 600.00 feet, the chord azimuth and distance being: 90° 20' 38" 154.87 feet;

3. 82° 55' 43" 778.64 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
4. 189° 19' 55" 1,804.01 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
5. 272° 00' 96.58 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
6. Thence along the remainder of Keahole Airport, Governor's Executive Order 3074, on a curve to the right with a radius of 300.00 feet, the chord azimuth and distance being: 322° 00' 459.63 feet;
7. 282° 00' 60.00 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
8. Thence along the remainder of Keahole Airport, Governor's Executive Order 3074, on a curve to the left with a radius of 360.00 feet, the chord azimuth and distance being: 179° 36' 28" 154.51 feet;
9. 279° 19' 55" 432.32 feet along the remainder of Keahole Airport, Governor's Executive Order 3074 to the point of beginning and containing an area of 32.460 Acres. (Refer to Parcel 1 as shown on Exhibit "A").

The district classification of the following area situated at Ooma 1st and 2nd, North Kona, Hawaii, shall be General Industrial (MG-3a):

PARCEL 2

Beginning at the northeast corner of this parcel of land, on the boundary between the lands of Kalaoa 1st-4th and Ooma 1st, the coordinates of said point of beginning referred to Government Survey Triangulation Station "AKAHIPUU" being 9,370.13 feet South and 21,542.28 feet West, thence running by azimuths measured clockwise from True South:

1. 9° 19' 55" 2,344.24 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
2. 99° 19' 55" 432.32 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
3. Thence along the remainder of Keahole Airport, Governor's Executive Order 3074, on a curve to the right with a radius of 360.00 feet, the chord azimuth and distance being: 359° 36' 28" 154.51 feet;
4. 102° 00' 60.00 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
5. Thence along the remainder of Keahole Airport, Governor's Executive Order 3074, on a curve to the left with a radius of 300.00 feet, the chord azimuth and distance being: 142° 00' 459.63 feet;
6. 92° 00' 96.58 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
7. 9° 19' 55" 1,804.01 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
8. 262° 55' 43" 778.64 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;

9. Thence along the remainder of Keahole Airport, Governor's Executive Order 3074, on a curve to the right with a radius of 600.00 feet, the chord azimuth and distance being: 270° 20' 38" 154.87 feet;
10. 9° 19' 55" 633.38 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
11. Thence along the remainder of Keahole Airport, Governor's Executive Order 3074 and Hawaii Ocean Science and Technology Park, Governor's Executive Order 3282 on a curve to the left with a radius of 5,304.00 feet, the chord azimuth and distance being: 349° 23' 25" 3,618.00 feet;
12. 329° 26' 55" 581.88 feet along the remainder of Hawaii Ocean Science and Technology Park, Governor's Executive Order 3282;
13. 91° 50' 1,240.80 feet along Grant 2942 to Hulikoa;
14. 148° 31' 30" 3,914.56 feet along the northeast side of Kings Highway;
15. 90° 01' 30" 2,473.30 feet across Kings Highway and along Grant 4536 to John A. Maguire;
16. 84° 44' 80.64 feet along Grant 4536 to John A. Maguire;
17. 180° 15' 1,243.20 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;
18. 325° 36' 54" 449.14 feet along the remainder of Keahole Airport, Governor's Executive Order 3074;

19. Thence along the remainder of Keahole Airport,
Governor's Executive Order
3074 on a curve to the left
with a radius of 160.00
feet, the chord azimuth and
distance being:
294° 16' 18.5" 166.45 feet;
20. 262° 55' 43" 1,416.51 feet along the remainder of
Keahole Airport, Governor's
Executive Order 3074;
21. 184° 50' 25" 2,825.42 feet along the remainder of
Keahole Airport, Governor's
Executive Order 3074;
22. 274° 50' 25" 1,188.80 feet along the remainder of
Keahole Airport, Governor's
Executive Order 3074;
23. 184° 50' 25" 1,199.61 feet along the remainder of
Keahole Airport, Governor's
Executive Order 3074;
24. 266° 47' 05" 2,250.06 feet along the remainder of
Keahole Airport, Governor's
Executive Order 3074 to the
point of beginning and
containing an area of
456.513 Acres. (Refer to
Parcel 2 as shown on
Exhibit "A").

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

SECTION 2. These changes in district classification are
conditioned upon the following: (A) the applicant, successors
or assigns shall be responsible for complying with all of the
stated conditions of approval; (B) subdivision plans shall be
submitted within one year from the effective date of the change
of zone. Final subdivision approval shall be secured within
one year from the date of receipt of tentative subdivision

approval; (C) an overall landscaping master plan, which includes landscaping along the property's frontages along the Queen Kaahumanu Highway, the main entry road, and the proposed subdivision roads, shall be submitted to the Planning Director for review and approval prior to issuance of final subdivision approval. There also shall be a minimum 100-foot wide landscaping/buffer strip throughout the length of the property's frontage along th Queen Kaahumanu Highway; (D) a Development Design Manual shall be prepared and submitted for approval by the Planning Director prior to receipt of final subdivision approval. The purpose of the manual is to provide comprehensive design principles and guidelines for the development of the industrial lots in order to achieve a high standard of quality for the development. The manual shall include, but not be limited to, standards and guidelines relative to landscaping, open space, architectural building controls, (appearance, siting, heights, building materials, signs, etc.), setbacks from property lines and buildings, ground cover ratio, etc., and enforcement procedures. No development shall occur on the lots unless it conforms to the standards and guidelines articulated in the Development Design Manual. The Planning Department shall be responsible for the enforcement of the Development Design Manual; (E) with the exception of the main access road, all accesses shall be from the interior roadway system. Except for the main access road,

no direct access from any proposed lots shall be permitted onto the Queen Kaahumanu Highway; (F) channelized intersection improvements, including turning and acceleration/deceleration lanes, shall be provided at the intersections of the Queen Kaahumanu Highway and the main access road, meeting with the approval of the State Department of Transportation, Highways Division; (G) all roadways to be constructed within the proposed subdivision should meet with the approval of the Department of Public Works; (H) drainage system(s) shall be installed in accordance with the requirements of the Department of Public Works; (I) the method of sewage disposal shall meet with the regulations of the appropriate governmental agencies; (J) the applicant, successors or assigns shall be responsible for satisfying a basic housing requirement by providing or causing the provision of affordable housing units to meet the employee housing impacts generated by the primary industrial development. An affordable housing need study or analysis shall be prepared and submitted to the Planning Director and the Hawaii County Housing Agency estimating the employee housing impact to be generated by primary industrial development on the site. The Planning Director and the Hawaii County Housing Agency may adjust the employee housing requirement based on the findings contained in the report and any other applicable information. The manner in which the required affordable employee housing units are to be provided

shall meet with the approval of the Planning Director and the concurrence of the Hawaii County Housing Agency. This condition shall be complied with prior to receipt of final subdivision approval; and, (K) all other applicable rules, regulations and requirements shall be complied with. The Planning Director may administratively grant extension to the foregoing time conditions. Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director may initiate rezoning of the 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.

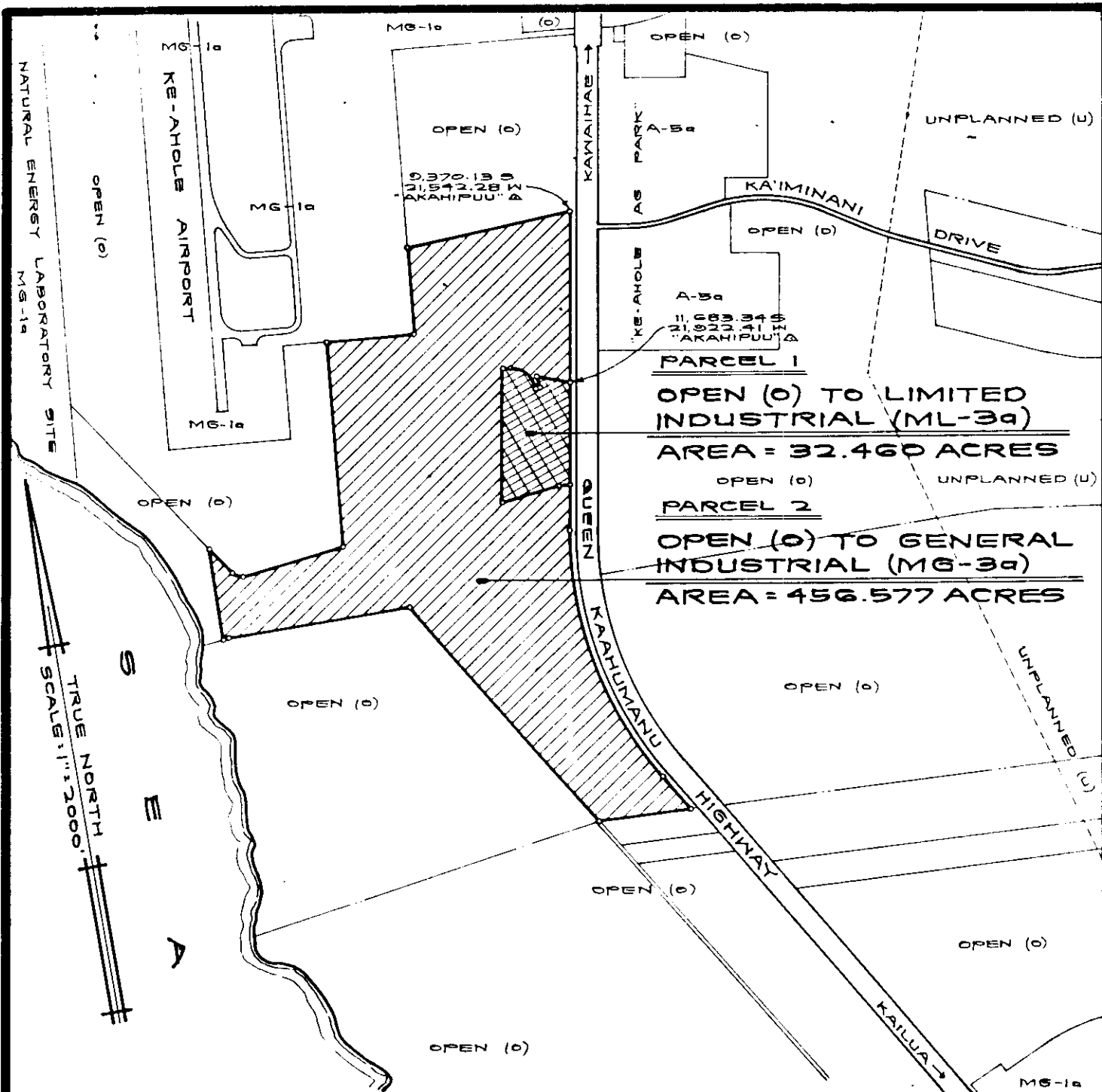
SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: July 16, 1986
Date of 1st Reading: July 16, 1986
Date of 2nd Reading: August 6, 1986
Effective Date: August 19, 1986



AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-87 (NORTH KONA ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO LIMITED INDUSTRIAL (ML-3a) AND GENERAL INDUSTRIAL (MG-3a) AT OOMA 1ST AND 2ND, NORTH KONA, HAWAII.

PREPARED BY : PLANNING DEPARTMENT
COUNTY OF HAWAII

TMK : 7-3-09 : 5 (POR.) AND 7-3-43 : 3 (POR.)

JUNE 13, 1986

EXHIBIT "A"