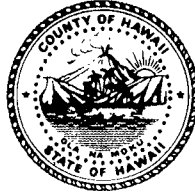


COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. 13 122 BILL NO. 119

AN ORDINANCE AMENDING THE STATE LAND USE BOUNDARIES MAPS FOR THE COUNTY OF HAWAI'I BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT KEONEPOKO IKI, PUNA, HAWAI'I (TAX MAP KEY: 1-5-007:006, 069 & 070).

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

SECTION 1. The State Land Use Boundaries Maps for the County of Hawai'i are amended to change the district classification of property described hereinafter as follows:

The district classification of the following area situated at Keonepoko Iki, Puna, Hawai'i, shall be Urban:

Beginning at the Southwest corner of this parcel of land, the Northwest corner of Lot 7 and on the Southwesterly side of Puna Road, the coordinates of which referred to Government Survey Triangulation Station "PAHOA" being: 1.70 feet South and 630.10 feet East and running by azimuths measured clockwise from True South:

- | | | | |
|----|----------|--------|---|
| 1. | 70° 34' | 613.53 | feet along Lot 7; |
| 2. | 148° 50' | 306.21 | feet along Parcel 51; |
| 3. | 70° 34' | 112.47 | feet along same; |
| 4. | 148° 50' | 306.22 | feet along government Land; |
| 5. | 250° 34' | 829.60 | feet along Road Reserved; |
| 6. | 338° 34' | 600.00 | feet along the Southwesterly side of Puna Road to the point of beginning, and containing an area of: 9.933 Acres, more or less. |

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

SECTION 2. This change in district classification is conditioned upon the following:

- A. The applicant shall notify prospective purchasers, tenants, or lessees of the subject properties that farming operations and practices on adjacent or contiguous land in the State Land Use Agricultural District are protected under Hawai'i Revised Statutes chapter 165, the Hawai'i Right to Farm Act. This notice shall be included in any disclosure required for the sale or transfer of the subject properties.

- B. Any action that would interfere with or restrain farming operations on adjacent or contiguous properties shall be prohibited; provided the farming operations are conducted in a manner consistent with generally accepted agricultural and management practices on adjacent or contiguous lands in the agricultural district.

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:

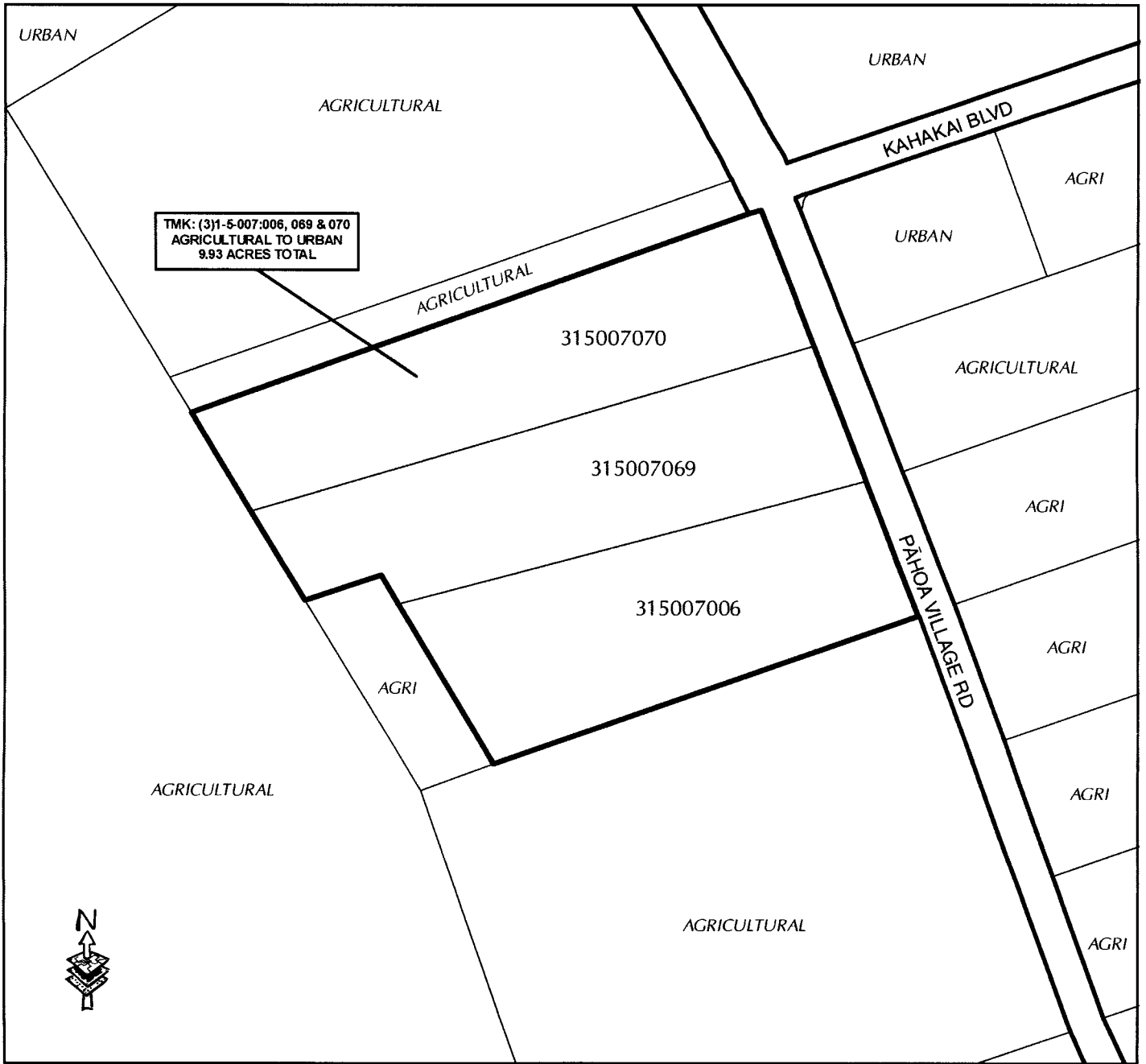
 A handwritten signature in black ink, appearing to be "B/R", is written over a horizontal line.

COUNCIL MEMBER, COUNTY OF HAWAI'I

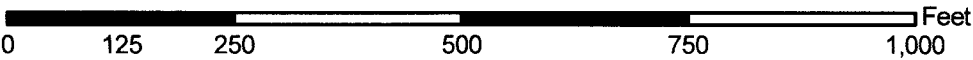
Kona, Hawai'i

Date of Introduction: **October 16, 2013**
Date of 1st Reading: **November 6, 2013**
Date of 2nd Reading: **November 20, 2013**
Effective Date: **December 13, 2013**

REFERENCE Comm. 409



TMK: (3)1-5-007:006, 069 & 070
 AGRICULTURAL TO URBAN
 9.93 ACRES TOTAL



AMENDMENT TO THE STATE LAND USE BOUNDARIES MAPS

AMENDING THE STATE LAND USE BOUNDARIES MAP FOR THE COUNTY OF HAWAI'I, BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT AT KEONEPOKO IKI, PUNA, HAWAI'I

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

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

COUNTY CLERK
 COUNTY OF HAWAII

2013 DEC 13 PM 4:24

Introduced By: Zendo Kern (B/R)
 Date Introduced: October 16, 2013
 First Reading: November 6, 2013
 Published: N/A

REMARKS: _____
October 16, 2013 - Postponed

Second Reading: November 20, 2013
 To Mayor: November 29, 2013
 Returned: December 13, 2013
 Effective: December 13, 2013
 Published: December 27, 2013

REMARKS: _____

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Eoff	X			
Ford	X			
Ilagan	X			
Kanuha	X			
Kern	X			
Onishi	X			
Poindexter	X			
Wille	X			
Yoshimoto	X			
	9	0	0	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Eoff	X			
Ford	X			
Ilagan	X			
Kanuha	X			
Kern	X			
Onishi	X			
Poindexter	X			
Wille	X			
Yoshimoto	X			
	9	0	0	0

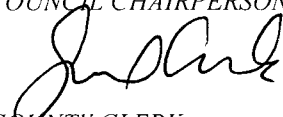
I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

Approved Disapproved this 13th day
 of December, 20 13.

W. Kern
 MAYOR, COUNTY OF HAWAII



COUNCIL CHAIRPERSON



COUNTY CLERK

Bill No.: 119

Reference: C-409/PC-46

Ord No.: 13 122