



ORDINANCE NO. 16 17 BILL NO. 130

AN ORDINANCE AMENDING THE STATE LAND USE BOUNDARIES MAPS FOR THE COUNTY OF HAWAI'I, BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL DISTRICT TO THE RURAL DISTRICT AT KĀNEHOA SUBDIVISION, SOUTH KOHALA, HAWAI'I, COVERED BY TAX MAP KEY: 6-2-009:013.

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 Kānehoa Subdivision, South Kohala, Hawai'i, shall be Rural:

Beginning at a pipe found at the Northeast corner of this parcel of land. Said point of beginning also being the Northwest corner of Lot 11 Kānehoa Subdivision (File Plan 1845) being also a point on the South boundary of Kawaihae-Waimea Road (F.A.P. NRH 11-C) the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA", being 12,167.25 feet North and 11,520.63 feet West and running by true Azimuths measured clockwise from true South:

1.      189° 52'                      886.42      feet along the West boundary of Lot 11 Kānehoa Subdivision (File Plan 1845) and along the remainder of Royal Patent 2237, L.C. Aw. 8518-B Apana 1 to James Young Kānehoa to a point;
  
2.      94° 01' 40"                  138.00      feet along the North boundary of Ouli Street, Kānehoa Subdivision (File Plan 1845) and along the remainder of Royal Patent 2237, L.C. Aw. 8518-B Apana 1 to James Young Kānehoa to a point;

Thence along a curve to the right having a radius of 175.00 feet the direct chord azimuth and distance being;

3. 141° 56' 50" 185.55 feet along the Northeast boundary of Ouli Street, Kānehoa Subdivision (File Plan 1845) and along the remainder of Royal Patent 2237, L.C. Aw. 8518-B Apana 1 to James Young Kānehoa to a point;
4. 189° 52' 729.92 feet along the East boundary of Ouli Street, Kānehoa Subdivision (File Plan 1845) and along the remainder of Royal Patent 2237, L.C. Aw. 8518-B Apana 1 to James Young Kānehoa to a point;

Thence along a curve to the right having a radius of 20.00 feet the direct chord azimuth and distance being;

5. 231° 56' 50" 26.81 feet along the East boundary of Ouli Street, Kānehoa Subdivision (File Plan 1845) and along the remainder of Royal Patent 2237, L.C. Aw. 8518-B Apana 1 to James Young Kānehoa to a point;
6. 274° 01' 40" 258.37 feet along the South boundary of Kawaihae-Waimea Road (F.A.P. NRH 11-C) to the point of beginning and containing an area of 5.497 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, successors, or assigns shall notify prospective purchasers, tenants, or lessees of all lots 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 all of the proposed lots.

- B. Any action that would interfere with or restrain farming operations on adjacent or contiguous properties shall be prohibited under Hawai'i Revised Statutes Chapter 165, the Hawai'i Right to Farm Act; 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. This ordinance shall take effect upon its approval.

INTRODUCED BY:

 B/R  
\_\_\_\_\_  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawai'i

Date of Introduction: February 17, 2016

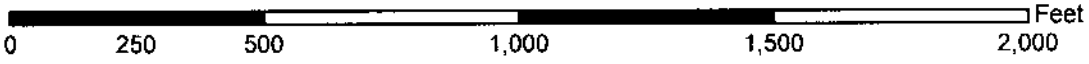
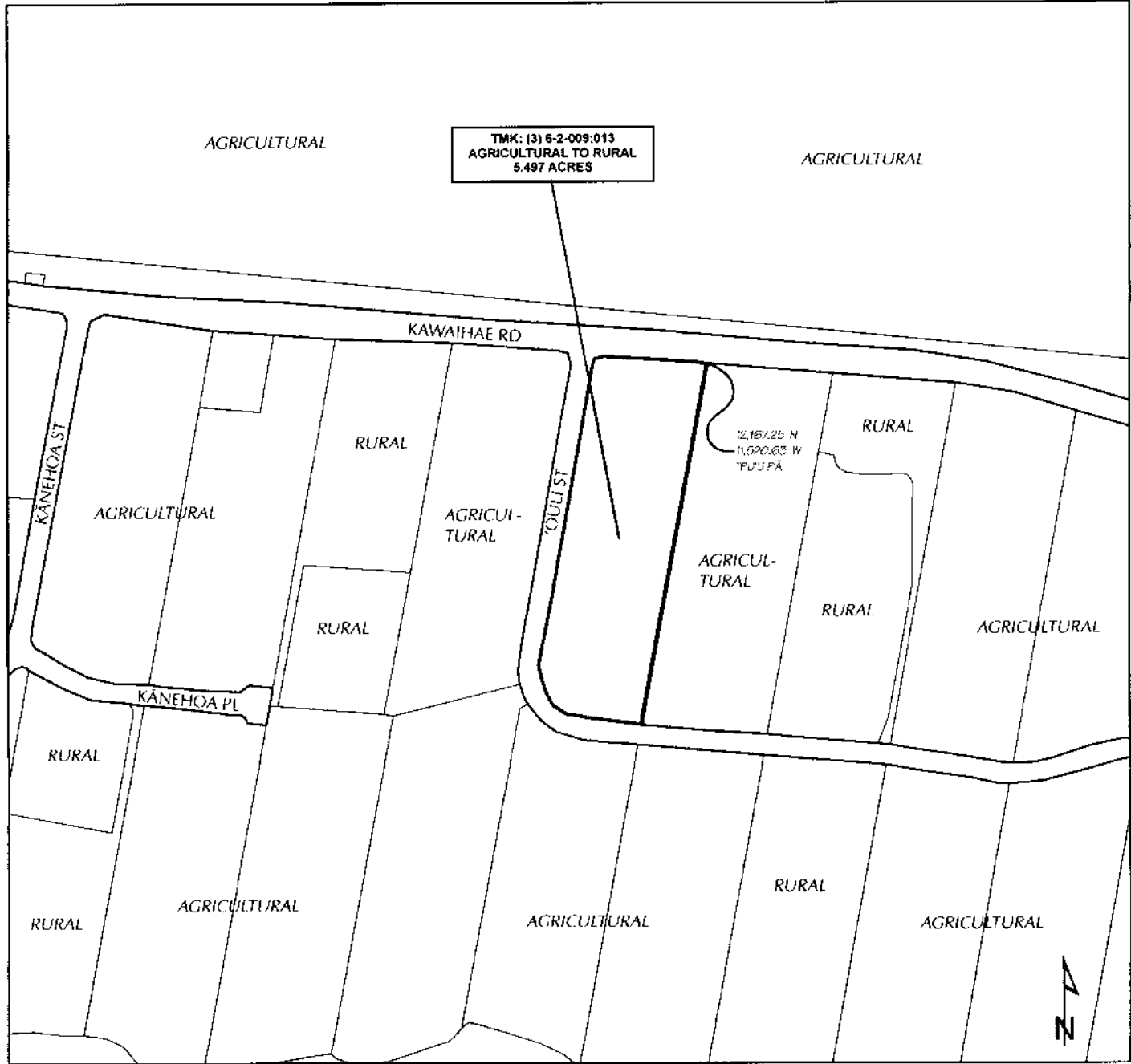
Date of 1st Reading: February 17, 2016

Date of 2nd Reading: March 2, 2016

Effective Date: March 16, 2016

REFERENCE Comm. 616

TMK: (3) 6-2-009:013  
AGRICULTURAL TO RURAL  
5.497 ACRES



# **AMENDMENT TO THE STATE LAND USE BOUNDARIES MAPS**

AMENDING THE STATE LAND USE BOUNDARIES MAP FOR THE COUNTY OF HAWAII, BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL DISTRICT TO THE RURAL DISTRICT AT KANEHOA SUBDIVISION, SOUTH KOHALA, HAWAII

MAP PREPARED BY:  
COUNTY OF HAWAII, PLANNING DEPARTMENT

TMK: (3) 6-2-009:013

DATE: August 19, 2015

EXHIBIT "A"

Shively  
Map 15-192

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

COPIES OF THIS BILL  
 2016 MAR 17 AM 10:44

Introduced By: Greggor Ilagan (B/R)  
 Date Introduced: February 17, 2016  
 First Reading: February 17, 2016  
 Published: February 27, 2016

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

Second Reading: March 2, 2016  
 To Mayor: March 10, 2016  
 Returned: March 17, 2016  
 Effective: March 16, 2016  
 Published: March 26, 2016

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

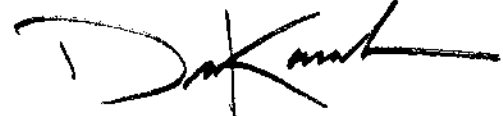
ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter	X			
Wille	X			
	9	0	0	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Ilagan	X			
Kanuha	X			
Onishi	X			
Paleka	X			
Poindexter	X			
Wille	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 16<sup>th</sup> day  
 of March, 2016

  
 MAYOR, COUNTY OF HAWAI'I



COUNCIL CHAIRPERSON

  
 COUNTY CLERK

Bill No.: 130

Reference: C-616/PC-47

Ord No.: 16 17