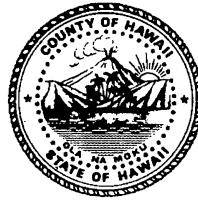


COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. 17 64 BILL NO. 59

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 URBAN DISTRICT AT KEA'AU, PUNA, HAWAI'I, COVERED BY TAX MAP KEY: 1-6-141:002.

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 Kea'au, Puna, Hawai'i, shall be Urban:

LOT 9677:

Being a Portion of Land Court Application 1053 as Shown on Map 559 Situated at Kea'au, Puna, Island of Hawai'i, Hawai'i

Beginning at the southwest corner of this parcel of land and running by azimuths measured clockwise from True South:

1. 183° 24' 04" 99.08 feet along Lot A-31-A-2 of Land Court Application 1053 as shown on Map 134;

Thence along Lot 1092-E of Land Court Application 1053 as shown on Map 81 for the next thirteen (13) courses, the azimuths and distances between points being:

2. 196° 06' 14" 74.02 feet;

3. 271° 01' 14" 45.01 feet;

4. 242° 06' 14" 105.03 feet;

- | | | | | | |
|-----|---|-----|-----|--------|--|
| 5. | 279° | 01' | 14" | 45.01 | feet; |
| 6. | 216° | 01' | 14" | 95.03 | feet; |
| 7. | 241° | 31' | 14" | 40.01 | feet; |
| 8. | 303° | 31' | 14" | 48.02 | feet; |
| 9. | 269° | 21' | 14" | 44.01 | feet; |
| 10. | 214° | 01' | 14" | 130.04 | feet; |
| 11. | 264° | 21' | 14" | 316.10 | feet; |
| 12. | 243° | 01' | 14" | 173.06 | feet; |
| 13. | 208° | 31' | 14" | 55.02 | feet; |
| 14. | 239° | 12' | 14" | 119.98 | feet; |
| 15. | Thence along Lot 3 of Land Court Application 1689, along a curve to the left
having a radius of 1,168.28 feet, the chord
azimuth and distance being: | | | | |
| | 358° | 13' | 45" | 200.83 | feet; |
| | Thence along Lot 9678 of Land Court
Application 1053 as shown on Map 559 for
the next four (4) courses, the azimuths and
distances between points being: | | | | |
| 16. | 56° | 01' | 18" | 286.59 | feet; |
| 17. | 43° | 19' | 56" | 218.81 | feet; |
| 18. | 16° | 25' | | 100.00 | feet; |
| 19. | 90° | 40' | 32" | 644.86 | feet to the point of beginning and containing
an area of 6.505 acres. |

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. 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.

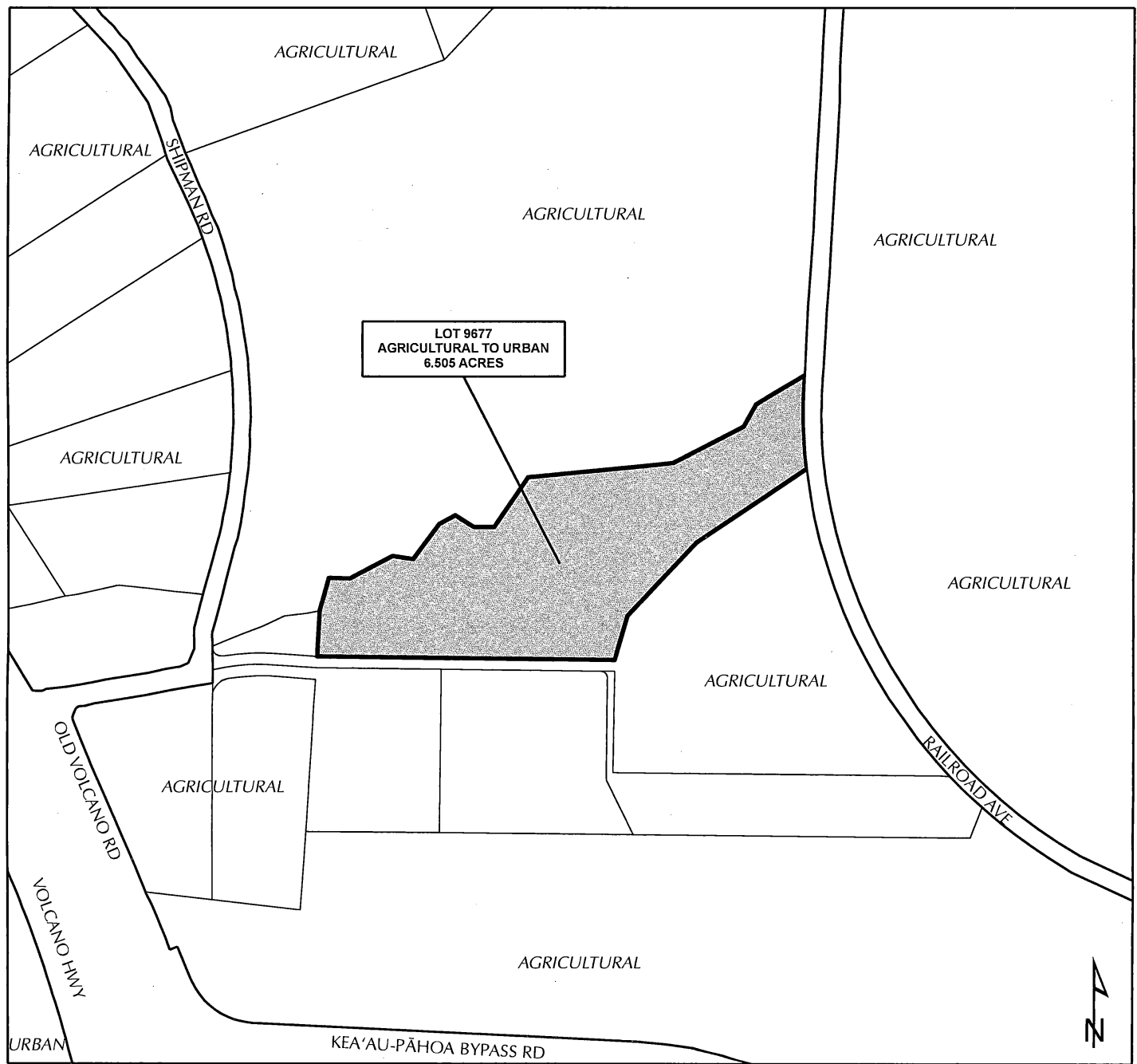
INTRODUCED BY:

 B/R

COUNCIL MEMBER, COUNTY OF HAWAI'I

Kona, Hawai'i

Date of Introduction: September 7, 2017
Date of 1st Reading: September 7, 2017
Date of 2nd Reading: September 20, 2017
Effective Date: September 29, 2017



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 KEA'AU, PUNA, HAWAI'I

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

TMK: (3) 1-6-141:002

DATE: March 30, 2017

EXHIBIT "A"

Hawaii Island Distilling
 Map 17-195

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

COUNTY CLERK
COUNTY OF HAWAII

2017 SEP 29 PM 4:11

Introduced By: Karen Eoff (B/R)
Date Introduced: September 7, 2017
First Reading: September 7, 2017
Published: September 16, 2017

REMARKS: _____

Second Reading: September 20, 2017
To Mayor: September 28, 2017
Returned: September 29, 2017
Effective: September 29, 2017
Published: October 14, 2017

REMARKS: _____

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung			X	
David	X			
Eoff	X			
Kanuha	X			
Lee Loy	X			
O'Hara	X			
Poindexter	X			
Richards	X			
Ruggles	X			
	8	0	1	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Eoff	X			
Kanuha	X			
Lee Loy	X			
O'Hara	X			
Poindexter	X			
Richards	X			
Ruggles	X			
	9	0	0	0

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



COUNCIL CHAIRPERSON



COUNTY CLERK

~~Approved~~ Disapproved this 29th day
of September, 20 17


MAYOR, COUNTY OF HAWAII

Bill No.: 59
Reference: C-386/PC-24
Ord No.: 17 64