

COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. 22 108 BILL NO. 201

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 KEALAKEKUA, SOUTH KONA, HAWAI'I, COVERED BY TAX MAP KEY: 8-1-008:004

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 Kealakekua, South Kona, Hawai'i, shall be Urban:

Beginning at the Northwesterly corner of this parcel of land, being also the Northeasterly corner of Lot 2 of this subdivision and being a point on the Southerly boundary of Parcel 188 TMK: 8-1-006 (3rd Division), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PU'U OHAU," being 6,201.12 feet South and 11,871.10 feet East and running by azimuths measured clockwise from True South:

Thence, for the next seven (7) courses following along the remainder of Royal Patent 4386, Land Commission Award 8452, Apana 10 to A. Keohokalole:

- | | | | |
|----|--------------|--------|--|
| 1. | 249° 56' 40" | 247.74 | feet along Parcels 188 and 062 of TMK: (3) 8-1-006 and along Lot B to a point; |
| 2. | 251° 00' | 304.44 | feet along Parcel 001 of TMK: (3) 8-1-006 to a point; |
| 3. | 252° 33' | 320.95 | feet along Parcel 001 of TMK: (3) 8-1-006 to a point; |
| 4. | 319° 30' 40" | 153.97 | feet along Lots 11, 10, and 9 of |

					Captain Cook Village subdivision to a point;
5.	48°	39'	40"	744.95	feet along Parcel 003 of TMK: (3) 8-1-008 to a point;
6.	333°	27'		48.28	feet along Parcel 003 of TMK: (3) 8-1-008 to a point;
7.	17°	09'	30"	91.36	feet along Parcel 003 of TMK: (3) 8-1-008 to a point;

Thence, from a tangent azimuth of 117° 03' 11" following along the Northeasterly side of Māmalahoa Highway on a curve to the right with a radius of 715.00 feet, the chord azimuth and distance being:

8.	131°	40'	34"	361.02	feet to a point;
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Thence, for the next six (6) courses following along Lot 2:

9.	152°	40'		59.82	feet to a point;
10.	158°	13'		35.96	feet to a point;
11.	177°	37'		12.02	feet to a point;
12.	158°	09'	30"	31.69	feet to a point;
13.	139°	09'		11.95	feet to a point;
14.	159°	04'		88.08	feet to the point of beginning and containing an area of 6.875 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.

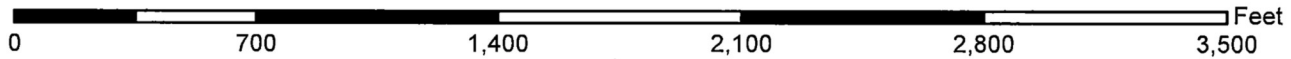
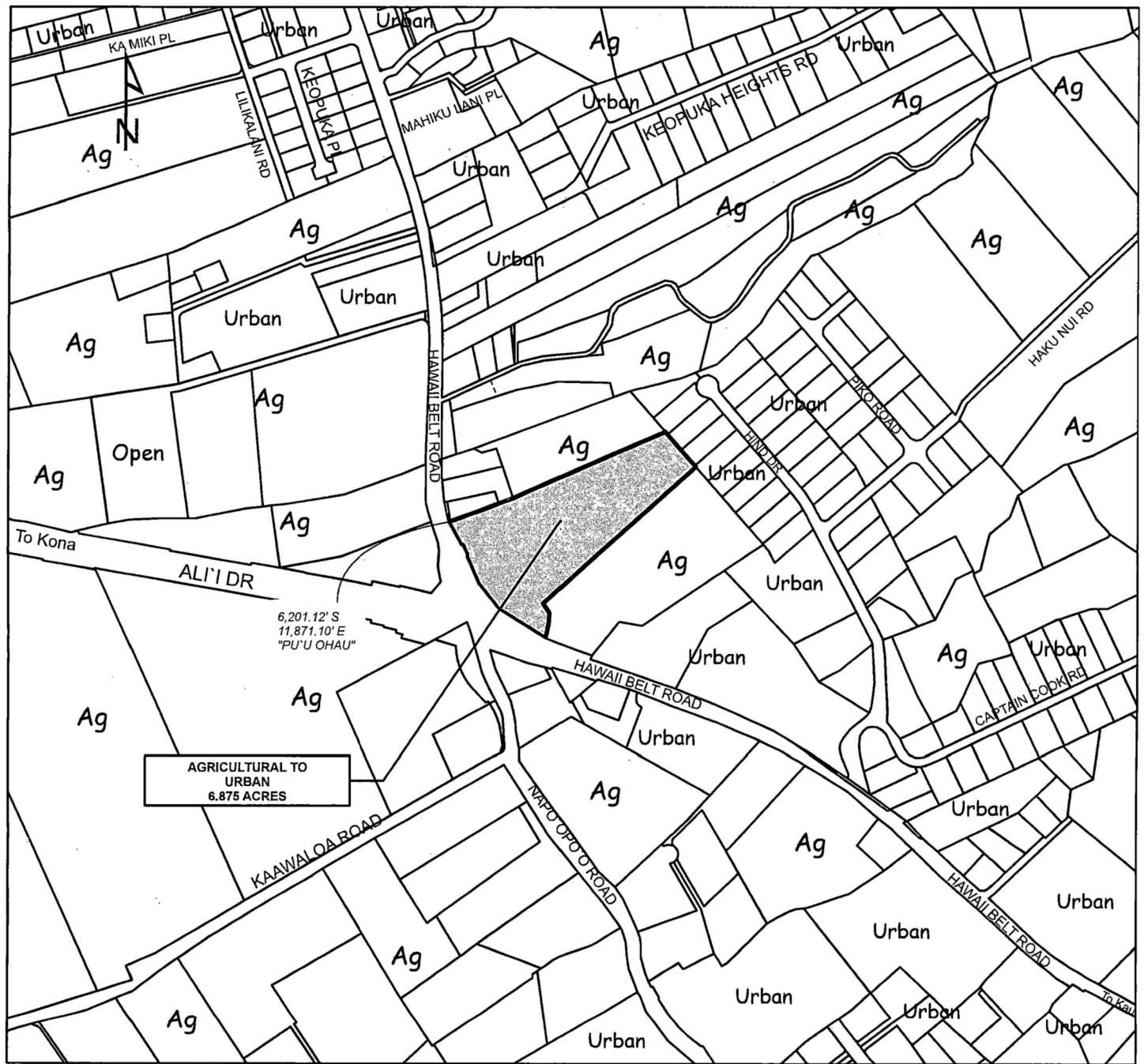
INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAI'I

Kona, Hawai'i

Date of Introduction: October 5, 2022
Date of 1st Reading: October 5, 2022
Date of 2nd Reading: October 19, 2022
Effective Date: November 4, 2022

REFERENCE Comm. 945



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 URBAN DISTRICT AT KEALAKEKUA, SOUTH KONA, HAWAII.

MAP PREPARED BY:
COUNTY OF HAWAII, PLANNING DEPARTMENT

TMK: (3) 8-1-008:004

DATE: March 24, 2022

EXHIBIT "A"

Amy Hagen-Cowell Trust
Map: 22-004

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

COUNTY CLERK
 COUNTY OF HAWAII

2022 NOV -7 PM 12: 02

Introduced By: Ashley L. Kierkiewicz (B/R)
 Date Introduced: October 5, 2022
 First Reading: October 5, 2022
 Published: October 14, 2022

REMARKS: _____

Second Reading: October 19, 2022
 To Mayor: October 28, 2022
 Returned: November 7, 2022
 Effective: November 4, 2022
 Published: November 18, 2022

REMARKS: _____

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Inaba	X			
Kāneali'i-Kleinfelder	X			
Kierkiewicz	X			
Kimball	X			
Lee Loy	X			
Richards			X	
Villegas	X			
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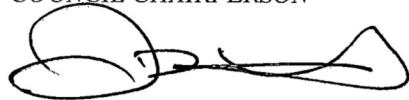
ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Chung	X			
David	X			
Inaba	X			
Kāneali'i-Kleinfelder	X			
Kierkiewicz	X			
Kimball	X			
Lee Loy	X			
Richards	X			
Villegas	X			
	9	0	0	0

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

Approved/Disapproved this 4th day
 of November, 2022.


 MAYOR, COUNTY OF HAWAII


 COUNCIL CHAIRPERSON


 COUNTY CLERK

Bill No.: 201
 Reference: C-945/PC-77
 Ord No.: 22 108