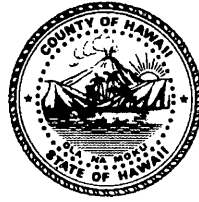


COUNTY OF HAWAI'I



STATE OF HAWAI'I

ORDINANCE NO. 23 1 BILL NO. 228

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 KAWAIHAE, SOUTH KOHALA, HAWAI'I, COVERED BY TAX MAP KEY: 6-2-009:015.

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 Kawaihae, South Kohala, Hawai'i, shall be Rural:

Beginning at a 1/2 inch pipe (found) at the Northwesterly corner of this parcel of land, being also the Northeasterly corner of Lot 17-A-1 and being a point on the Southerly side of Kawaihae Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PU'U PA" being 12,210.89 feet North and 12,140.42 feet West and running by azimuths measured clockwise from True South:

- 1. 274° 01' 40" 272.45 feet along the Southerly side of Kawaihae Road to a 1/2 inch pipe (found);

Thence, following along the Westerly side of Ouli Street on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

- 2. 321° 56' 50" 29.69 feet to a 1/2 inch pipe (found);
- 3. 9° 52' 720.72 feet along the Westerly side of Ouli Street to a 1/2 inch pipe in concrete (found);

Thence, following along the Westerly side of Ouli Street on a curve to the left with a radius of 175.00 feet, the chord azimuth and distance being:

4. 358° 03' 22" 71.64 feet to a rebar (found);
 Thence, for the next three (3) courses following the remainder of Royal Patent 2237, Land Commission Award 8518-B, Apana 1 to James Young Kanehoa:
5. 76° 14' 44" 316.16 feet along Lot 16 of Kanehoa Subdivision (File Plan 1845) to a 1/2 inch pipe (found);
6. 94° 01' 40" 18.16 feet along Lot 18 of Kanehoa Subdivision (File Plan 1845) to a 1/2 inch pipe (found);
7. 189° 52' 911.55 feet along Lot 17-B-1 and Lot 17-A-1 of Kanehoa Subdivision to the point of beginning and containing an area of 5.848 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 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:

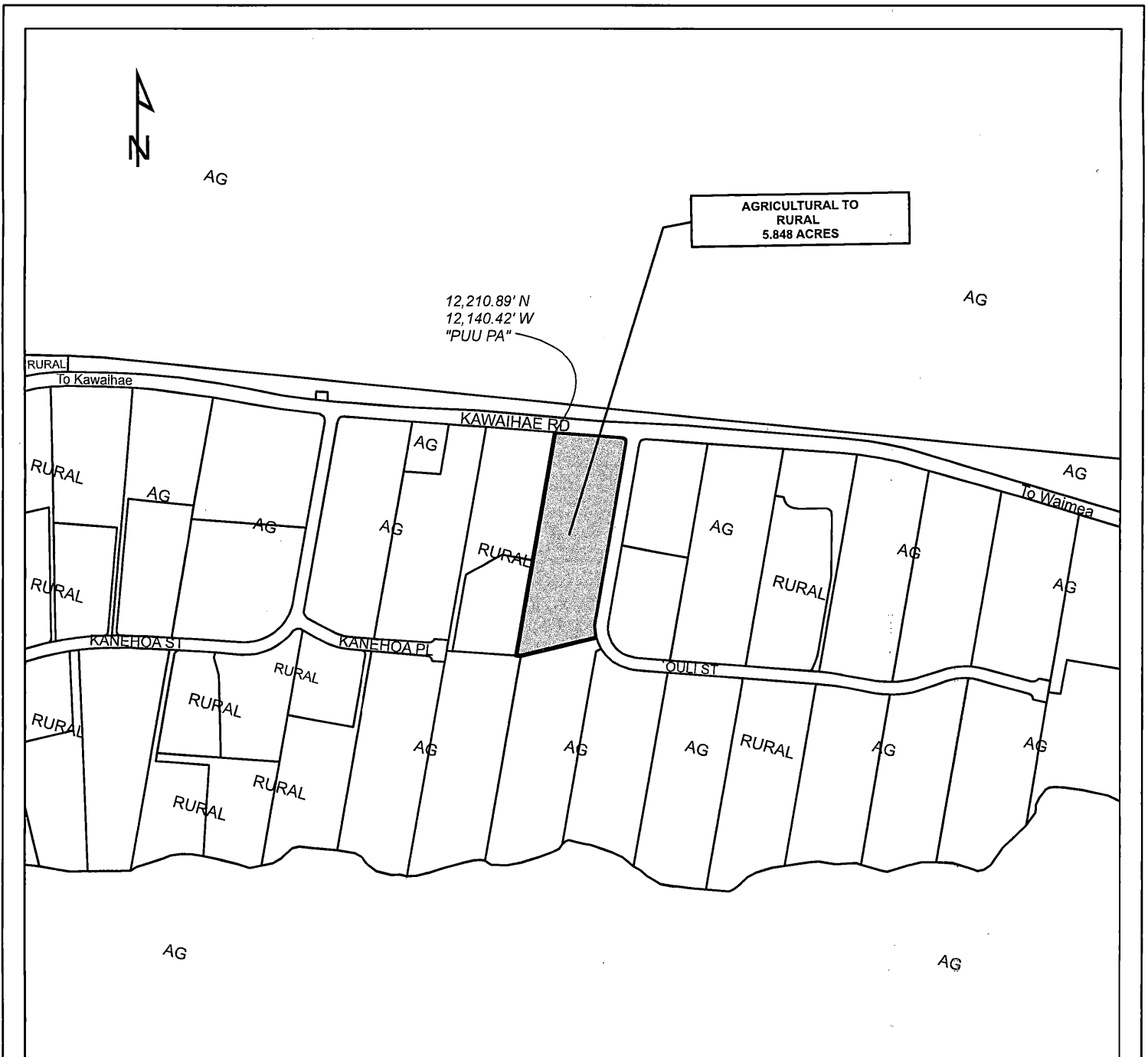


COUNCIL MEMBER, COUNTY OF HAWAI'I

Kona, Hawai'i

Date of Introduction: November 16, 2022
Date of 1st Reading: November 16, 2022
Date of 2nd Reading: December 21, 2022
Effective Date: January 3, 2023

REFERENCE Comm. 1054



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 KAWAIHAE, SOUTH KOHALA, HAWAII.

MAP PREPARED BY:
 COUNTY OF HAWAII, PLANNING DEPARTMENT

TMK: (3) 6-2-009:015

DATE: May 12, 2022

EXHIBIT "A"

Arte McCollough
 Map: 22-006

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

COUNTY CLERK
 COUNTY OF HAWAII

2023 JAN -4 PM 4: 04

Introduced By: Ashley L. Kierkiewicz (B/R)
 Date Introduced: November 16, 2022
 First Reading: November 16, 2022
 Published: December 2, 2022

REMARKS: _____

Second Reading: December 21, 2022
 To Mayor: December 29, 2022
 Returned: January 4, 2023
 Effective: January 3, 2023
 Published: January 20, 2023

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				
Villegas			X	
	5	0	3	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Evans	X			
Galimba	X			
Inaba	X			
Kagiwada	X			
Kāneali'i-Kleinfelder			X	
Kierkiewicz	X			
Kimball	X			
Lee Loy	X			
Villegas	X			
	8	0	1	0

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

Approved/Disapproved this 3rd day
 of January, 2023.


 MAYOR, COUNTY OF HAWAII


 COUNCIL CHAIRPERSON


 COUNTY CLERK

Bill No.: 228
 Reference: C-1054/PC-84
 Ord No.: 23 1