



A BILL FOR AN ORDINANCE

TO AMEND PORTIONS (14.85 ACRES) OF THE STATE LAND USE DISTRICT BOUNDARY MAP (KAHUKU QUADRANGLE) FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT AND A PORTION (0.03 ACRES) FROM THE URBAN DISTRICT TO THE AGRICULTURAL DISTRICT FOR CERTAIN LANDS SITUATED AT BRIGHAM YOUNG UNIVERSITY – HAWAII, LAIE, OAHU, HAWAII.

BE IT ORDAINED by the People of the City and County of Honolulu.

SECTION 1. Portions (14.85 acres) of the State Land Use District Boundary Map (Kahuku Quadrangle) are hereby amended by reclassifying certain lands in Laie on the Brigham Young University – Hawaii campus from the Agricultural District to the Urban District, and a portion (0.03 acres) from the Urban District to the Agricultural District, as shown on the map attached hereto, marked "Exhibit A" and by reference made a part hereof. The purpose of this amendment is to place five areas of land (areas identified as portions of Tax Map Keys 5-5-006: 005 and 5-5-006: 032) in the Urban District and one area of land (identified as a portion of Tax Map Key 5-5-006: 005) in the Agricultural District.

SECTION 2. The reclassification of lands in SECTION 1 is subject to the following conditions:

- a. Brigham Young University–Hawaii ("BYU–H") and its successors and assigns are prohibited from taking any action that would interfere with or restrain farming operations conducted in a manner consistent with generally accepted agricultural and management practices on adjacent and contiguous lands in the State Land Use Agricultural District. For the purpose of this SECTION, "farming operations" has the same meaning as defined in Section 165-2 of the Hawaii Revised Statutes ("HRS"); and
- b. BYU–H shall notify all prospective developers or purchasers of land in the area reclassified from the Agricultural District to the Urban District, and provide or require subsequent notice to lessees or tenants of the land, that farming operations or practices on adjacent or contiguous land in the State Land Use Agricultural District are protected under HRS Chapter 165, the Hawaii Right to Farm Act. The notice must be included in any disclosure required for the sale or transfer of real property or any interest in real property.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 19 - 6

BILL 94 (2018), CD2

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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ernest Martin (br)

DATE OF INTRODUCTION:

December 17, 2018
Honolulu, Hawaii

Councilmembers

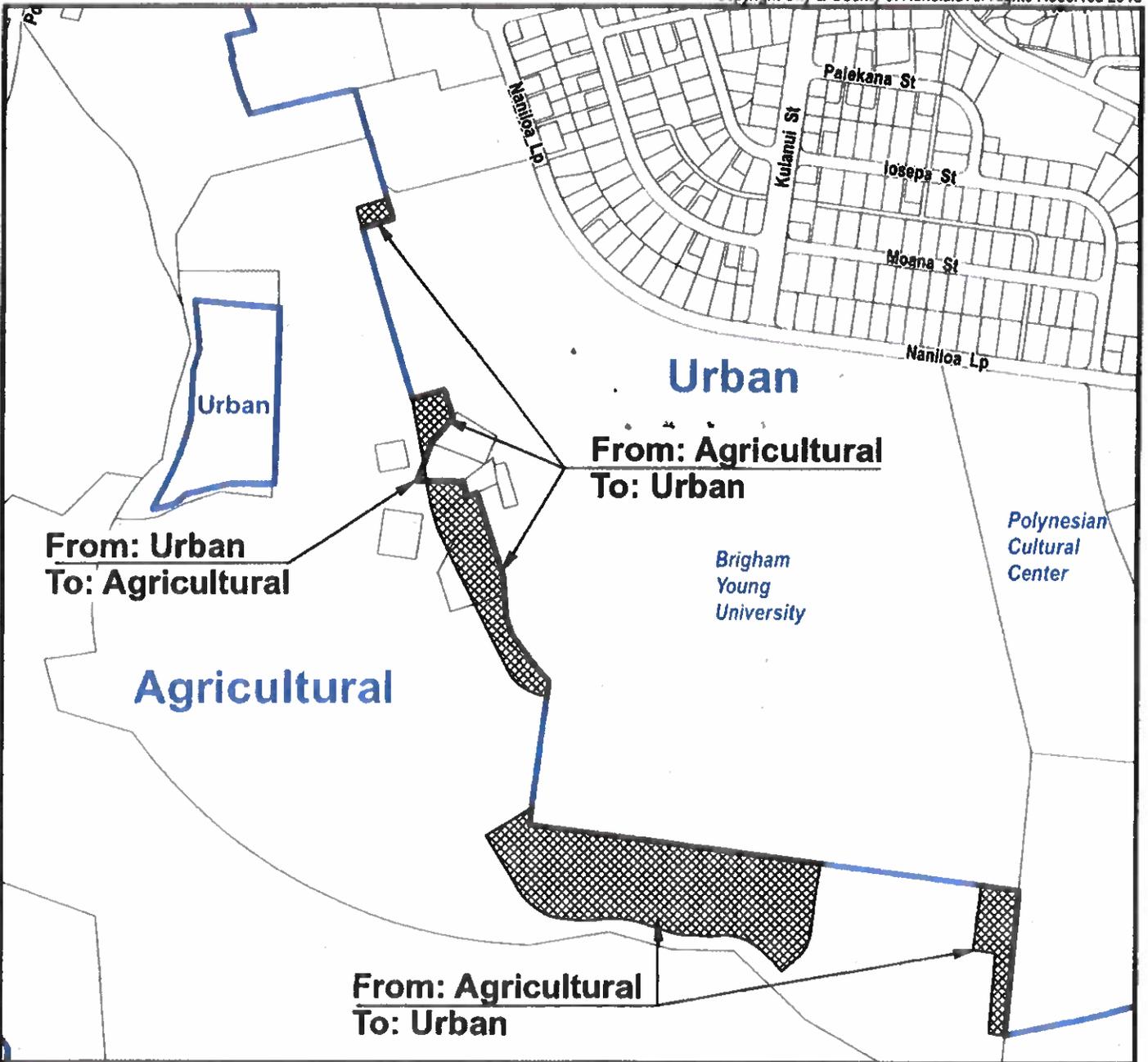
APPROVED AS TO FORM AND LEGALITY:

Molly A. Stebbins
Deputy Corporation Counsel MOLLY A. STEBBINS

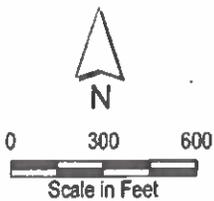
APPROVED this 3rd day of May, 20 19.

Kirk Caldwell

KIRK CALDWELL, Mayor
City and County of Honolulu



**AMENDMENT TO
STATE LAND USE DISTRICT MAP
Kahuku Quadrangle**



APPLICANT: BRIGHAM YOUNG UNIVERSITY

TAX MAP KEY(S): 5-5-006: POR. 5 & POR. 32

FOLDER NO.: 2018/GEN-8

LAND AREA: APPROXIMATELY 14.85 ACRES

**PREPARED BY: DEPARTMENT OF PLANNING & PERMITTING
CITY AND COUNTY OF HONOLULU**



PUBLIC HEARING

PLANNING COMMISSION

CITY COUNCIL

ORD. NO. 19 - 6

OCT 31 2018

MAR 8 2019

2018/SLU-1

EFF. DATE: MAY 3 2019

EXHIBIT A

BILL 94 (2018), CD2

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE

BILL 94 (2018), CD2

Introduced: 12/17/18 By: ERNEST MARTIN – BY REQUEST Committee: ZONING AND HOUSING

Title: A BILL FOR AN ORDINANCE TO AMEND PORTIONS (14.85 ACRES) OF THE STATE LAND USE DISTRICT BOUNDARY MAP (KAHUKU QUADRANGLE) FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT AND A PORTION (0.03 ACRES) FROM THE URBAN DISTRICT TO THE AGRICULTURAL DISTRICT FOR CERTAIN LANDS SITUATED AT BRIGHAM YOUNG UNIVERSITY – HAWAII, LAIE, OAHU, HAWAII.

Voting Legend: * = Aye w/Reservations

01/30/19	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON ZONING AND HOUSING. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI.
02/23/19	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
02/28/19	ZONING AND HOUSING	CR-59(19) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.
03/08/19	COUNCIL/PUBLIC HEARING	CR-59(19) ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 7 AYES: ELEFANTE, FORMBY, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI. 2 ABSENT: ANDERSON, MENOR.
03/13/19	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
03/28/19	ZONING AND HOUSING	CR-95(19) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.
04/17/19	COUNCIL	CR-95(19) ADOPTED AND BILL 94 (2018), CD2 PASSED THIRD READING AS AMENDED. 8 AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, TSUNEYOSHI. 1 ABSENT: PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN I. TAKAHASHI, CITY CLERK


ANN H. KOBAYASHI, INTERIM CHAIR AND PRESIDING OFFICER