

Article 10. Northwestern Hawaiian Islands

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Part I. Development Plan Special Provisions for the Northwestern Hawaiian Islands

Sec. 24-10.1 Area description.

The northwestern Hawaiian islands consist of all islands, atolls, reefs and shoals in the Hawaiian Archipelago. All islands, atolls, reefs and shoals in the Hawaiian Archipelago, except for the Midway Islands, are included in the State of Hawaii under the Admission Act, the State Constitution, and the Hawaii Revised Statutes, and are a part of this development plan. Nine larger islands, or island groups, are: Nihoa, Necker Island, French Frigate Shoals, Gardner Pinnacles, Maro Reef, Laysan Island, Lisianski Island, Pearl and Hermes Atoll, and Kure Atoll. Many of these islands, or groups of islands, actually consist of many islets; for example, French Frigate Shoals contains 13 specific islets. The nine major islands, or groups of islands, range in size from Maro Reef with less than one acre to Laysan Island with 913 acres.

The Northwestern Hawaiian Islands have no permanent residents; however, the U.S. Coast Guard maintains facilities at Kure Atoll and the U.S. Fish and Wildlife Service has facilities on Tern Island in French Frigate Shoals. (Sec. 32-10.1, R.O. 1978 (1987 Supp. to 1983 Ed.))

Sec. 24-10.2 Jurisdictional responsibilities.

(a) The federal government has jurisdiction to manage most of the northwestern islands of the Hawaiian Archipelago. All northwestern Hawaiian islands, except Kure Atoll, are a part of the Hawaiian Islands National Wildlife Refuge established in 1909; these islands are administered and controlled by the U.S. Fish and Wildlife Service. Kure Atoll is also a wildlife refuge, but it is under the jurisdiction of the State of Hawaii, department of land and natural resources, division of fish & game. On French Frigate Shoals (Tern Island), the U.S. Fish and Wildlife Service has facilities and an airstrip. All of the northwestern Hawaiian islands and archipelagic waters within the State of Hawaii are included in the state land use conservation district; thus, the state manages the subject islands where there is no federal jurisdiction.

(b) The city's general plan expresses (1) the city's awareness of the abundant and diverse populations of birds, marine life and native plants in the northwestern Hawaiian islands; (2) the city's awareness of the unique importance of these fragile resources; and (3) the city's concern for their protection by appropriate agencies of the state and federal governments.

(Sec. 32-10.2, R.O. 1978 (1987 Supp. to 1983 Ed.))

Sec. 24-10.3 Land use and urban design principles, standards and controls.

The northwestern Hawaiian islands are primarily a wildlife refuge under the jurisdiction and administration of the federal and/or state government. All northwestern Hawaiian islands included within this development plan are included within the state conservation district and designated for preservation of the development plan land use maps. The land use policy of the City and County of Honolulu for the northwestern Hawaiian islands is to protect and preserve the natural environment, including marine life and wildlife resources.

No special provisions with respect to land use and urban design are established at this time. (Sec. 32-10.3, R.O. 1978 (1987 Supp. to 1983 Ed.))

Part II. Development Plan Maps for the Northwestern Hawaiian Islands

Sec. 24-10.4 Land use maps.

- (a) The maps on file with the city clerk entitled "Development Plan Land Use Maps for the Northwestern Hawaiian Islands, City and County of Honolulu," are adopted and made a part of this development plan. They include an overall map of the Hawaiian Archipelago and eight large-scale maps of the major islands* (including atoll, shoal, or island group) and depict the approximate land boundaries of each entity. All land areas are designated for preservation use.
- (b) Any land use boundaries which may be established on the maps are not to be considered zoning boundaries, nor are they intended to reflect land use designations by metes and bounds. Therefore, the maps are not a precise graphic delineation of existing or potential future legal uses. They do not confer upon property owners any rights respecting the use of their land that they do not presently enjoy. Flexibility in interpreting the boundaries on the land use maps is permitted to the degree necessary to implement the intended land use pattern.

(Sec. 32-10.4, R.O. 1978 (1987 Supp. to 1983 Ed.))

* A map of Maro Reef, which has only one rock protruding above water, is not included.

Appendix 24-10

(RESERVED)