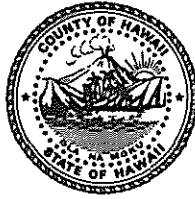


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

April 26, 1995

Mr. Lee William Sichter
Belt Collins Hawaii
680 Ala Moana Boulevard
First Floor
Honolulu, HI 96813-5406

Dear Mr. Sichter:

Nonsignificant Zoning Change (NZC 95-1)
Kaupulehu Land Company
Tax Map Key: 7-2-03: por. 4

This is to acknowledge receipt of your request on behalf of Kaupulehu Land Company for a determination of a nonsignificant zoning change in accordance with § 25-18.1 of Chapter 25, Hawaii County Code, as amended, and the Planning Department's Rule No. 8.

The request is to adjust the zoning boundaries for two areas within TMK: 7-2-03: por. 4. The two areas, consisting of 0.646 acre and 0.349 acre, total 0.995 acre in size. The request is for the Planning Director to determine that both areas, which are zoned Open (O), be granted a nonsignificant zoning change to a Resort Hotel - 2,250 square foot (V-2.25) zoned district. Both areas, although non-contiguous, are part of a larger 313-acre parcel. The purpose of this request is to reconfigure one of the larger V-2.25 zoned areas in order to provide greater flexibility in the site design for the residential land uses to be developed on the area. Both areas were previously zoned V-2.25, but were rezoned to Open (O) in 1994 as part of a comprehensive boundary adjustment for the entire Kaupulehu Resort project. However, further refinement of the resort plans dictated the current readjustment to the zoning districts under consideration.

Upon review of the request, we have determined that it complies with the criteria for determination of a nonsignificant zoning change. In fact, the State Legislature enacted the nonsignificant zoning change law specifically to accommodate

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Deputy Director

Mr. Lee William Sichter
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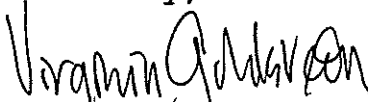
situations as present in this request. The request will conform to the following Criteria for Determination as presented in § 8-5 of the Planning Department's Rule No. 8:

- a) The inclusion of the 0.646- and 0.349-acre areas will not result in a substantial increase to the abutting V-2.25 zoned district;
- b) The total 0.995-acre area is substantially less than five percent of the total land area of the parcel (313 acres) and is less than one acre in size;
- c) The total area of 0.995 acre will not substantially change the overall density of the area; and
- d) The area under consideration is consistent with the General Plan which designates the Kaupulehu Resort as an Intermediate Resort Destination Area.

Based on the above, the Planning Director has determined that the request qualifies as a nonsignificant zoning change, and that the 0.646- and 0.349-acre areas are hereby administratively amended to a Resort Hotel - 2,250 square foot (V-2.25) zoned district.

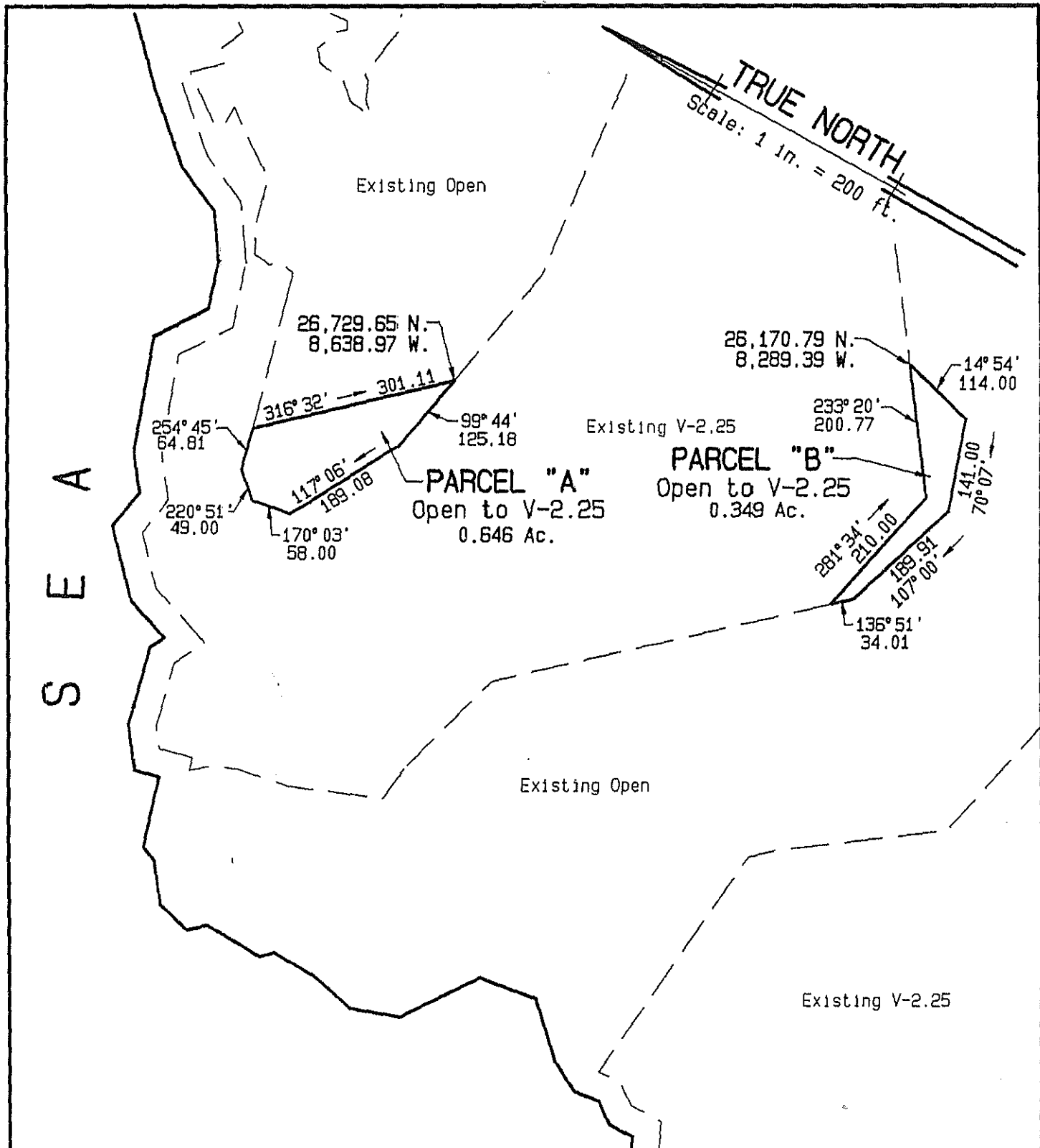
Should you have any questions regarding the determination above, please feel free to contact us at (808) 961-8288.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

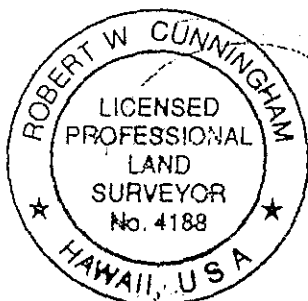
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xc: County Council
Real Property Tax Division
West Hawaii Planning Office
Mr. Roy Uchida



PROPOSED ZONING CHANGES

AT KAUPULEHU, NORTH KONA,
ISLAND OF HAWAII, HAWAII



This work was prepared by
me or under my supervision

Robert W. Cunningham

BELT COLLINS HAWAII
680 Ala Moana Boulevard
First Floor
Honolulu, Hawaii 96813

NOTE: Coordinates referred to "AKAHIPUU" Δ

March 14, 1995