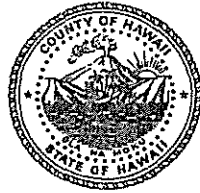


Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

March 15, 2004

James M. Leonard, AICP
Principal – Hilo Office
PBR Hawaii
101 Aupuni Street Suite 310
Hilo, HI 96720

Dear Mr. Leonard:

Non-significant Zoning Change Application (NZC 03-003)
Applicant: WB Kukio, Phase III
Request: Exchange of RM-5.0, RS-10, and Open Zoned lands to
Open, RM-5.0, and RS-10 Zoned lands
TMK: 7-2-16: 006 and 007

This is in response to your Non-significant Zoning Change Application that was received on October 8, 2003 with supplemental information submitted on October 17, 2003. The request was deferred with your permission until the Final Construction drawings related to the Subdivision 2000-145 (SUB 7724) had been circulated and signed by applicable agencies. You have informed us that the Construction drawings have been signed off by the Department of Public Works and we have confirmed that with Kiran Emler of their Kona office.

The non-significant zoning application has been reviewed in accordance with Section 25-2-45 of Chapter 25, Hawaii County Code, and Planning Department Rule No. 8, and is determined to be complete and can now be appropriately processed.

Your request is to adjust the zoning boundaries for several areas within the proposed subdivision development. The subject property was rezoned by the County Council by Change of Zone Ordinance 88-158 (REZ 609), effective October 27, 1998. You have stated that refinements to the lot configurations needed to be made in response to changes in market demands and roadway alignments. These lots need adjustments to

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be consistent with the existing and proposed subdivision plans and will also remove the split-zone nature of the lots so that each resulting lot would be entirely within the RS-10, RM-5.0 or Open zoned district. While the zoning adjustment involves varies parcels and acres of land, there will be no increase or decrease in the land area for each of the affected zoning district, with an exception of the Open (O) zoned district.

Specifically, the following net zoning area changes for the proposed 24 lots within TMK: 7-2-16:06 & 07 are shown below:

<u>Parcels</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Land Area change (acres)</u>
Parcels 11 & 12			
A-1	RM-5.0	Open	.040 acres
A-2	RS-10	Open	1.877 acres
B-1	Open	RM-5.0	.415 acres
B-2	RS-10	RM-5.0	1.943 acres
C-1	Open	RS-10	1.360 acres
C-2	RM-5.0	RS-10	2.460 acres
Parcels 3 & 4			
A-3	RM-5.0	Open	.006 acres
A-4	RM-5.0	Open	.099 acres
A-5	RS-10	Open	.009 acres
A-6	RS-10	Open	.130 acres
A-7	RS-10	Open	.037 acres
A-8	RS-10	Open	.590 acres
A-9	RM-5.0	Open	1.993 acres
B-3	Open	RM-5.0	.109 acres
B-4	Open	RM-5.0	.002 acres
B-5	Open	RM-5.0	.017 acres
B-6	Open	RM-5.0	.093 acres
B-7	RS-10	RM-5.0	3.142 acres
B-8	Open	RM-5.0	.460 acres
B-9	RS-10	RM-5.0	.202 acres
C-3	Open	RS-10	.860 acres
C-4	Open	RS-10	.169 acres
C-5	Open	RS-10	1.141 acres
C-6	Open	RS-10	1.940 acres

Parcel 13 (roadway) Open Open .155 acres

The resulting percentage changes as a result of the non-significant zoning change for the above areas is as follows:

Parcel	Zone	Existing Zoning Area	Proposed Zoning Area	Net Change (Acres)	Percent Change
3	RM-5.0	9.719	9.706	-0.01	-0.13%
4A	RS-10	(3.317)			
4B	RS-10	(4.765)			
		8.082			
4	RS-10		8.082	0.00	0.00%
11	RM-5.0	10.895	10.753	-0.14	-1.32%
		8.675	8.685	0.00	0.00%
12	RS-10	8.685	8.685	0.00	0.00%
13	Open	150.595	150.751	0.16	0.10%

According to Section 25-2-45 of the Zoning Code regarding Non-Significant Zoning Changes, the Planning Director may administratively grant non-significant zoning changes that must comply with the designations for the property set forth in the general plan and any development plan adopted by ordinance, and must either:

- (1) Not result in a net increase in the density allowed in the zoning district(s) containing the affected area; or
- (2) Be the lesser of a five percent or one acre increase or decrease in the area of any zoning district(s).

Upon review of this request, we have determined that the subject request complies with the criteria set forth in Section 25-2-45(a)(2) of Chapter 25, Hawaii County Code, for determining non-significant zoning changes.

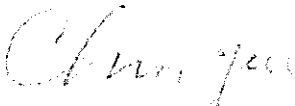
- 1) The adjustment of zoning boundaries will not result in any increase in the zoning densities allowable in the zoning districts.
- 2) The area under review is in compliance with the General Plan. The project site is situated within an area designated as an "Medium Density Urban" and "Open" by the General Plan Land Use Pattern Allocation Guide (LUPAG) map.

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Based on the above, we hereby administratively grant the requested non-significant zoning changes.

Should you have any questions, please feel free to contact Susan Gagorik or Alice Kawaha of this office at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

SG:pak

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cc w/appl: Hawaii County Council
Finance Department, Real Property Tax Division
West Hawaii Planning Office
Mr. Gilbert Bailado
REZ 609

cc: Long Range Planning Division

Scanned Map
Unavailable
Due to Size

See File

