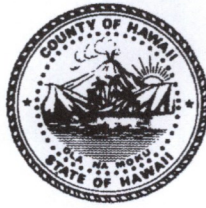


William P. Kenoi  
Mayor



Duane Kanuha  
Director

Joaquin Gamiao-Kunkel  
Deputy Director

West Hawai'i Office  
74-5044 Ane Keohokalole Hwy  
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# County of Hawai'i

## PLANNING DEPARTMENT

East Hawai'i Office  
101 Pauahi Street, Suite 3  
Hilo, Hawai'i 96720  
Phone (808) 961-8288  
Fax (808) 961-8742

May 11, 2016

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
P.O. Box 686  
Hilo, HI 96721-0686

Dear Mr. Lim:

**SUBJECT: Request: Non-Significant Zoning Change (NZC-16-000024)**  
**Agent: CARLSMITH BALL, LLP**  
**Applicant: KD KŪ KI'O RESORTS, LLLP**  
**Land Owner: KD KŪ KI'O RESORTS, LLLP**  
**Tax Map Key: (3) 7-2-036:012**  
**Kū ki'o 1<sup>st</sup>, North Kona, Island of Hawai'i, Hawai'i**

This responds to your request for a Non-Significant Zoning Change for the subject property which is split zoned Residential (RS-20), Commercial (CN-10) and Open (OPEN),

The subject parcel consists of 4.414 Acres. Proposed changes, in acres, to the zoning areas are as follows:

ZONING	FROM CN-10	TO OPEN
Lot Size 4.414 Acres		
NET CHANGE	-0.840 Acs	+0.840 Acs
% CHANGE (NET 0.0%)	-19.0	+19.0

ZONING	OPEN	CN-10
Lot Size 4.414 Acres		
NET CHANGE	-0.840 Acs	+0.840 Acs
% CHANGE (NET 0.0%)	-19.0	+19.0

ZONING	CN-10	RS-20
Lot Size 4.414 Acres		
NET CHANGE	-0.530 Acs	+0.530 Acs

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<b>% CHANGE (NET 0.0%)</b>	<b>-12.0</b>	<b>+12.0</b>
<b>ZONING</b>	<b>RS-20</b>	<b>CN-10</b>
<b>Lot Size 4.414 Acres</b>		
<b>NET CHANGE</b>	<b>-0.530 Acs</b>	<b>+0.530 Acs</b>
<b>% CHANGE (NET 0.0%)</b>	<b>-12.0</b>	<b>+12.0</b>

Although the net change to each zoning designation in the request is zero, the code and rule specifically addresses the total area of change in relation to the total area of the affected parcel(s).

With a parcel size of 4.414 acres and the requested zoning change area of 1.37 acres, the change is approximately 31.0% of the area of the parcel and in excess of one (1) acre. However, the effective net change of the zoning designations is 0.0%.

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. It must comply with the designations for the property set forth in the general plan and any development plan adopted by ordinance, and must not result in a net increase or decrease in any zoning designation.

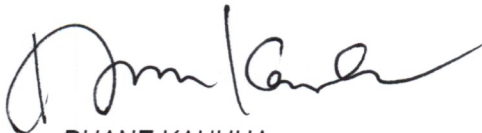
Upon review of the request, we have determined that it does comply with the criteria set forth in Section 25-2-45(2) of Chapter 25, Hawai'i County Code, for determining non-significant zoning changes:

- 1) The area under review is in compliance with the General Plan. The County of Hawai'i General Plan (2005) became effective on February 9, 2005. The subject parcel is designated Medium Density (MDU), Low Density (LDU) and Open (O) on the Land Use Pattern Allocation Guide (LUPAG) Map.
- 2) The requested adjustment of zoning boundaries does not result in a net increase or decrease in any zoning designation.

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

Should you have any questions, feel free to contact Jonathan Holmes of this department.

Sincerely,



DUANE KAHUHA  
Planning Director

JRH:nci

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xc w/app: Hawai'i County Council  
Real Property Tax Division-Kona  
Planning - West Hawai'i Office

xc letter only: REZ 609 (ORD 88 158)  
FSA-SUB-14-001364-r  
G. Bailado, GIS Section