BILL NO. 260

COUNTY OF HAWAII - STATE OF HAWAII

ORDINANCE NO. 242

AN ORDINANCE AMENDING SECTION 7.01 THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO RESORT-HOTEL (V-3) AT KAUPULEHU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-2-03:PORTION OF 2.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAII:

SECTION 1. Section 7.01 of Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, is hereby further amended by adding thereto the following subsection:

"7.01 (c-1). The district classification of the following area

situated at Kaupulehu, North Kona, Hawaii, shall be Resort-Hotel (V-3):

Beginning at a spike in lava rock at the Southwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" begin 10,907.02 feet North and 7,394.52 feet East, and running by azimuths measured clockwise from true South:

| 1. | 175° | 32' | | 125.17 | feet along remainder of R.1 L.C. Aw. 7713, Apana 10 to Kamehameha; | |
|----|------|-----|-----|--------|--|--|
| 2. | 198° | 01' | | 100.00 | feet along remainder of R.I L.C. Aw. 7713, Apana 10 to Kamehameha; | |
| 3. | 272° | 10' | | 171.82 | feet along remainder of R.H L.C. Aw. 7713, Apana 10 to Kamehameha; | |
| 4. | 352° | 04' | | 117.54 | feet along remainder of R.I L.C. Aw. 7713, Apana 10 to Kamehameha; | |
| 5. | 10° | 54' | 30" | 17.88 | feet along remainder of R.I L.C. Aw. 7713, Apana 10 to Kamehameha; | |
| 6. | 342° | 31' | 30" | 120.16 | feet along remainder of R.1 L.C. Aw. 7713, Apana 10 to Kamehameha; | |
| 7. | 87° | 28' | | 128.54 | feet along remainder of R.J L.C. Aw. 7713, Apana 10 to | |

"7.01 (c-2). The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Resort-Hotel (V-3): Beginnnig at a PK nail in lava rock at the Southwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 10,861.60 feet North and 7,727.18 feet East, and running by azimuths measured clockwise from true South: 1. 205° 23' 94.42 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 2. 168° 36' 165.87 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 3. 98° 53 30" 37.00 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 178° 00' 4. 10.00 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 5. 249° 30' 76.49 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 292° 40' 6. 30.00 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 7. 339° 48' 30" 123.00 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 30" 8. 269° 26' 40.00 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 29° 52' 9. 135.22 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha: 342° 27' 46.39 feet along remainder of R.P. 7843, 10. L.C. Aw. 7713, Apana 10 to Lota Kamehameha; 11. 88° 40' 30" 99.24 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha, to the point of beginning and containing an area of 0.547 acre.

"7.01 (c-3). The district classification of the following area

| 1. | 148° | 46' | | 133.21 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
|-----|------|-----|-----|-----------------|--|
| 2. | 161° | 48' | 30" | 146.92 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 3. | 245° | 36' | 30" | 135.86 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 4. | 294° | 32' | | 47.99 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 5. | 212° | 14' | 30" | 49.86 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 6. | 255° | 06' | | 103.87 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 7. | 194° | 32' | 30" | 148.76 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 8. | 84° | 39' | 30" | 58.53 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 9. | 179° | 38' | | 159.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 10. | 171° | 10' | | 40.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 11. | 183° | 40' | | 92.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 12. | 152° | 30' | | 120.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 13. | 157° | 00' | | 80.42 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 14. | 249° | 14' | | 230.62 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 15. | 339° | 37' | 30" | 492 .9 8 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |

| 18. | 297° | 46' | 30" | 38.76 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
|-----|------|-----|-----|----------------|---|
| 19. | 23° | 36' | | 99.32 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 20. | 356° | 14' | | 79 .9 0 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 21. | 79° | 16' | | 145.29 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 22. | 355° | 23' | | 55.83 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 23. | 70° | 31' | | 81.16 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 24. | 62° | 48' | | 103.90 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 25. | 325° | 49' | | 98.38 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 26. | 51° | 10' | 30" | 113.24 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha, to the point of begin- ning and containing an area of 4.880 acres. |
| | | | | _ | |

"7.01 (c-4). The district classification of the following area

situated at Kaupulehu, North Kona, Hawaii, shall be Resort-Hotel (V-3):

Beginning at a spike at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 11,560.17 feet North and 9,272.63 feet East, and running by azimuths measured clockwise from true South:

| 1. | 330° | 28' | | 151.37 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
|----|------|-----|-----|--------|--|
| 2. | 347° | 51' | 30" | 79.12 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 3. | 338° | 26' | | 101.74 | feet along remainder of R.P. 7843, |

338° 26' 101.74 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha;

| 5. | 144° | 21' | 30" | 72.92 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
|-----|------|-----|-----|--------|--|
| 6. | 233° | 40' | | 39.98 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 7. | 130° | 39' | 30" | 91.20 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 8. | 111° | 27' | | 185.78 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 9. | 90° | 51' | | 65.82 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 10. | 124° | 33' | | 29.21 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 11. | 12° | 30' | 30" | 36.20 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 12. | 82° | 12' | | 252.17 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 13. | 106° | 21' | | 168.06 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 14. | 93° | 21' | | 111.12 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 15. | 59° | 08' | 30" | 29.94 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 16. | 168° | 53' | | 50.58 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 17. | 251° | 23' | 30" | 81.37 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 18. | 257° | 29' | | 139.48 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 19. | 264° | 07' | 30" | 128.41 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha: |

. 1 21. 263° 14' 30" 153.20 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha;
22. 257° 47' 30" 159.16 feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha, to the point of beginning and containing an area of 2.723 acres.

"7.01 (c-5). The district classification of the following area

situated at Kaupulehu, North Kona, Hawaii, shall be Resort-Hotel (V-3):

Beginning at a 1/2" pipe at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 10,644.44 feet North and 8,886.16 feet East, and running by azimuths measured clockwise from true South:

| 1. | 108° | 00' | 257.55 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
|----|------|-------------|-----------|--|
| 2. | 19° | 00' | 60.25 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 3. | 105° | 00' | 96.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 4. | 199° | 0 0' | 172.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| | | | | thence along remainder of R.P. 7843 L.C. Aw. 7713, Apana 10 to Lota Kamehameha, on a curve to the left with a radius of 130.00 feet, the chord azimuth and distance being: |
| 5. | 177° | 30' | 95.29 | feet; |
| 6. | 156° | 00' | 185.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 7. | 239° | 47' | 177.98 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 8. | 330° | 04' | 30" 56.56 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 9. | 241° | 49 ' | 34.66 | feet along remainder of R.P. 7843, L.C. Aw. 7713. Apana 10 to Lota |

| 11. | 238° | 10' | 30" | 42.96 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
|-----|------|-------------|-----|--------|--|
| 12. | 333° | 57 ' | 30" | 105.28 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 13. | 69° | 37' | 30" | 35.43 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 14. | 317° | 26' | | 65.14 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 15. | 268° | 32' | 30" | 42.06 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 16. | 225° | 18' | | 177.66 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 17. | 309° | 22' | | 130.63 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 18. | 233° | 58' | | 43.65 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 19. | 126° | 57' | | 100.63 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 20. | 208° | 01' | | 37.98 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 21. | 287° | 08' | | 40.65 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 22. | 211° | 21' | | 39.47 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 23. | 154° | 46' | | 90.66 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 24. | 227° | 54' | 30" | 39.68 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 25. | 292° | 48' | | 84.62 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |

τ

| 27. | 290° | 07' | 67.24 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
|-----|------|-----|-----------|---|
| 28. | 334° | 34' | 65.97 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 29. | 323° | 34' | 30" 69.57 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 30. | 45° | 42' | 357.20 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 31. | 71° | 05' | 115.20 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 32. | 67° | 00' | 94.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha; |
| 33. | 9 ° | 00' | 206.00 | feet along remainder of R.P. 7843, L.C. Aw. 7713, Apana 10 to Lota Kamehameha, to the point of begin- ning and containing an area of 5.653 acres. |

"As shown hatched on the map attached hereto, marked Exhibit 'A' and by reference made a part hereof."

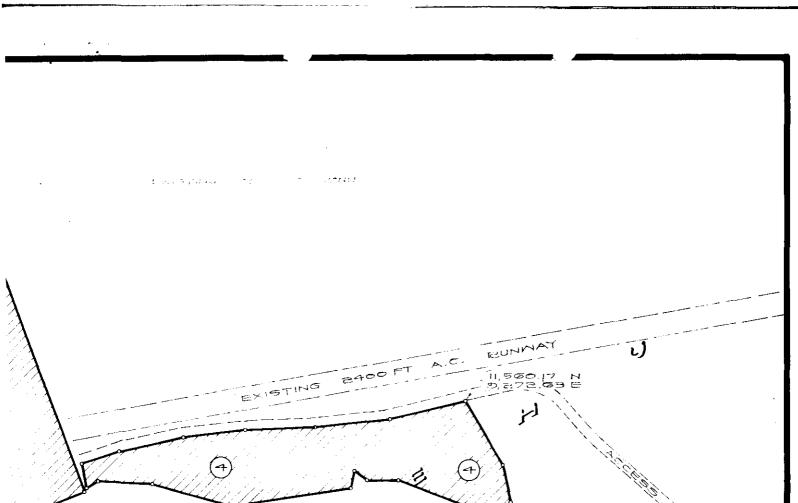
SECTION 2. Section 1 of this ordinance shall take effect forthwith upon the conditions that (A) construction of the proposed facilities shall commence within one (1) year from the effective date of approval of the change of zone and shall be completed within two (2) years thereafter; (B) the method of sewage disposal shall conform to the rules and regulations of the State Department of Health; (C) a channelized intersection at the Queen Kaahumanu Highway be constructed meeting the approval of the State Department of Transportation, Highways Division; (D) should any historical and/or archaeological sites and objects of significance be found during the development of the area, the petitioners will be responsible to contact the Historic Preservation Office of the State Department of Land and Natural Resources; and (E) all other applicable rules and regulations, including the Plan Approval process, shall be complied with. Should any of the foregoing SECTION 3. In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance. SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY: June & yr

COUNCILMAN, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: December 6, 1976 Date of Adoption: December 22, 1976 Effective Date: December 29, 1976



5

.

• ;

-14

10⁵⁰

A. Crant

J. P. Priv

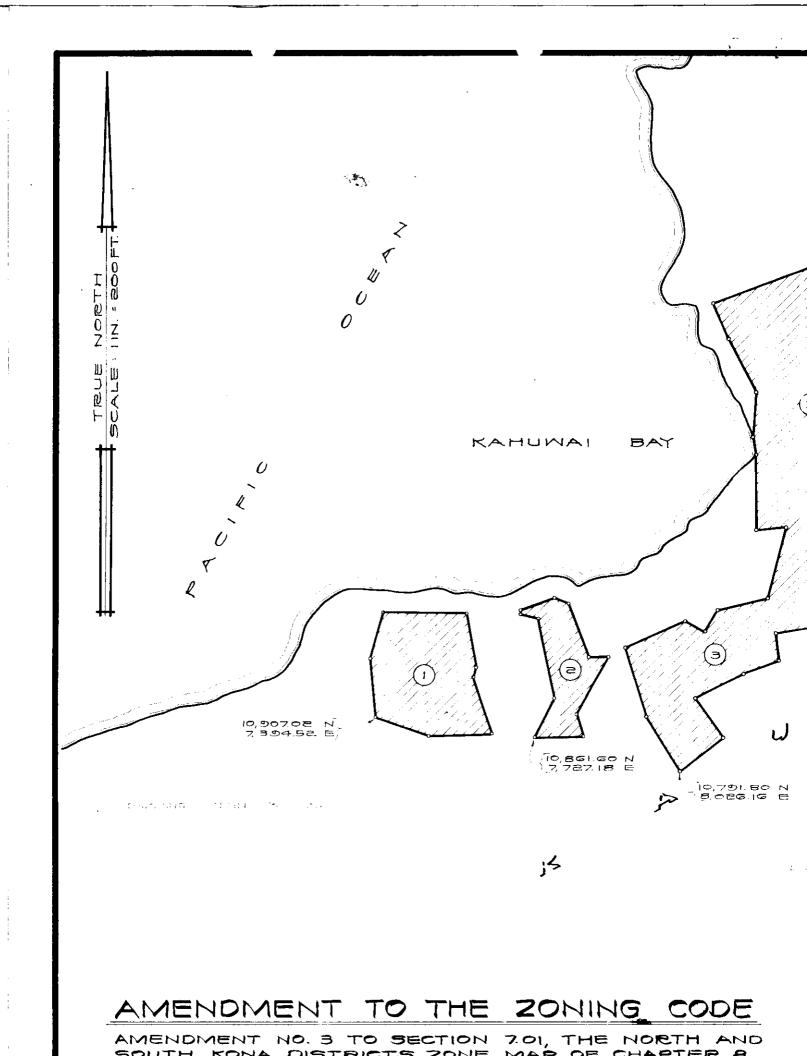
- <u>- - - - -</u> 1.01.015 1100

9 5

10,644.44 N 8,886.16 E

レ

SUBSECTION 7.01 (C-1) OPEN (O) TO RESORT-HOTEL (V-3) SUBSECTION OPEN (0) TO HOTEL (V-3) 7.01 (C-4) RESORT - \bigcirc \bigcirc



Hilo, Hawaii Date: December 6, 1976

| Fi | | | |
|-----------|------|------|-----|
| | AYES | NOES | A/E |
| Carpenter | x | | |
| De Luz | x | | |
| Fujii | x | | |
| Hisaoka | x | | |
| Kawahara | x | | |
| Loi | x | | |
| Levin | | x | |
| Yadao | x | | |
| Yamada | x | | |
| | 8 | | |

Hilo, Hawaii Date: December 22, 1976

| SECOND & FINAL READING | | | | | | | |
|------------------------|------|------|----------|--|--|--|--|
| | AYES | NOES | A/E | | | | |
| Dahlberg | x | | | | | | |
| Domingo | x | | | | | | |
| Fujil | X | | | | | | |
| Garcia | x | | L | | | | |
| Kawahara | x | | | | | | |
| Lai | x | | | | | | |
| Sameshima | x | | | | | | |
| Yamashiro | x | | <u> </u> | | | | |
| Chr. Tajiri | X | | | | | | |
| | 9 | | | | | | |

December 10, 1976 **Publication Date:**

January 2, 1977 Publication Date: .

We do hereby certify that the foregoing BILL was adopted by the County Council and published as indicated above.

APPROVED AS TO FORM COUNT OHHAWAL Date: _

Council Chairman

Legospi County Clerk

zgth

R.B. Legaspi xiedxixXuxxix COUNTY CLERK



Yasuki Arakaki **xRobectx Sho**tox DEPUTY COUNTY CLERK

OFFICE OF THE COUNTY CLERK COUNTY OF HAWAII HILD, HAWAII 96720

Mayor Herbert T. Matayoshi County of Hawaii Hilo, Hawaii

I hereby transmit Ordinance Bill No. 260

passed by the County Council on second and final
reading.

R. B. Legospi COUNTY CLERK

Encl.

Dated: 12-23-76

Bill No. 260 - 1976

AN ORDINANCE AMENDING SECTION 7.01 THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO RESORT-HOTEL (V-3) AT KAUPULEHU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-2-03: PORTION OF 2.

This Bill amends Section 7.01, the North and South Kona Districts Zone Map, Chapter 8 (Zoning Code), Article 2, Hawaii County Code, as amended, by changing the district classification from Open (O) to Resort-Hotel (V-3) at Kaupulehu, N. Kona.

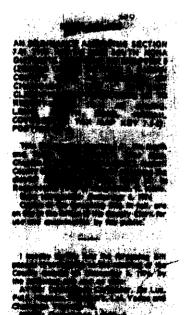
Date Introduced: December 6, 1976

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk for use and examination by the public.

I hereby certify that the foregoing Bill passed first reading at the meeting of the County Council on December 6, 1976, by the following aye and no vote:

AYES: Councilmen Carpenter, De Luz, Fujii, Hisaoka, Kawahara, Lai, Yadao and Chairman Yamada-8.

NOES: Councilman Levin - 1.



Ted Flaguki

COUNTY CLERK COUNTY OF HAWAII

ORDINANCE NO. 242 (Bill No. 260-1976)

AN ORDINANCE AMENDING SECTION 7.01 THE NORTH AND SOUTH KONA DISTRICTS ZONE MAP OF CHAPTER 8 (ZONING CODE), ARTICLE 2, HAWAII COUNTY CODE, AS AMENDED, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO RESORT-HOTEL (V-3) AT KAUPULEHU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-2-03: PORTION OF 2.

Date Approved: December 22, 1976 Date Effective: December 29, 1976

Copies of the foregoing Ordinance, in full, are on file in the Office of the County Clerk for use and examination by the public.

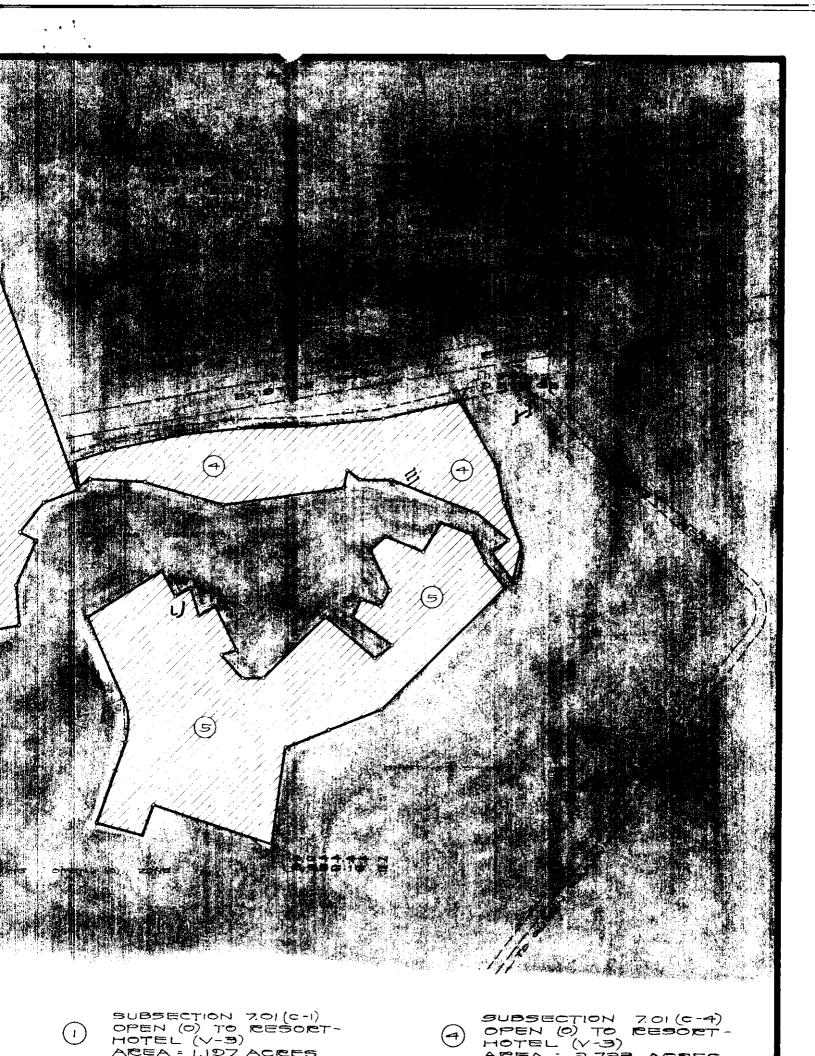
I hereby certify that the foregoing Ordinance passed second and final reading at the meeting of the County Council on December 22, 1976, by the following aye and no vote:

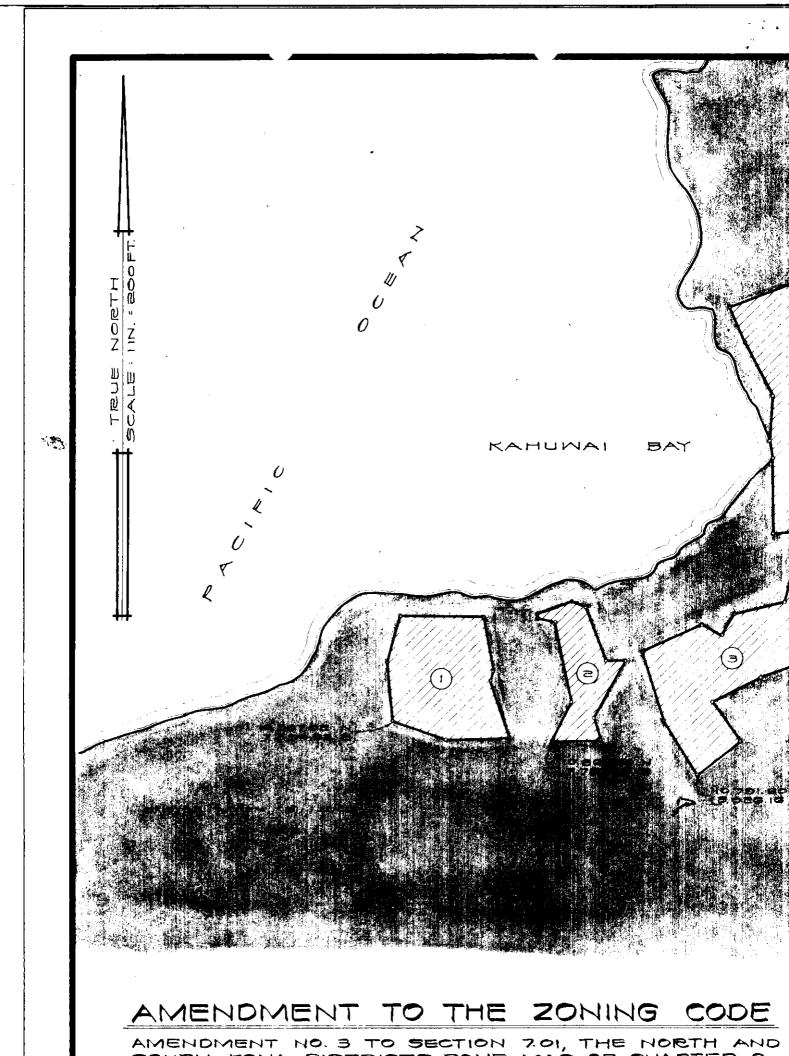
AYES: Councilmen Dahlberg, Domingo, Fujii, Garcia, Kawahara, Lai, Sameshima, Yamashiro and Chairman Tajiri - 9.

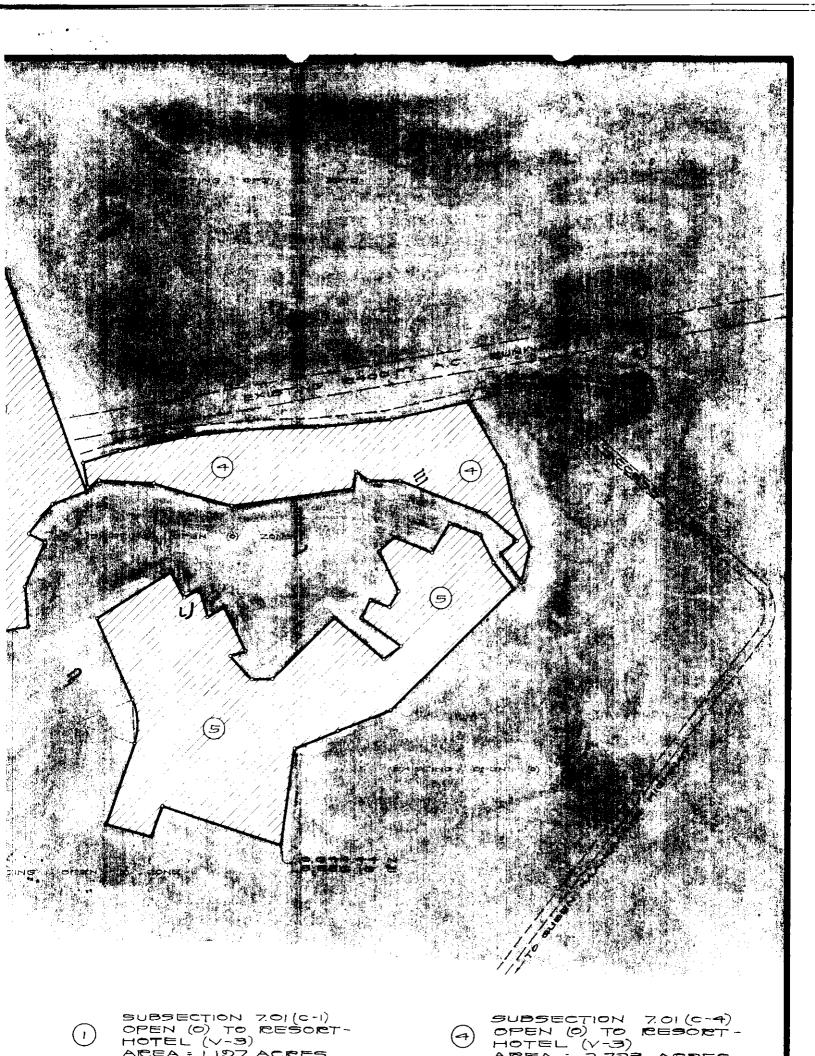
NOES: NONE.

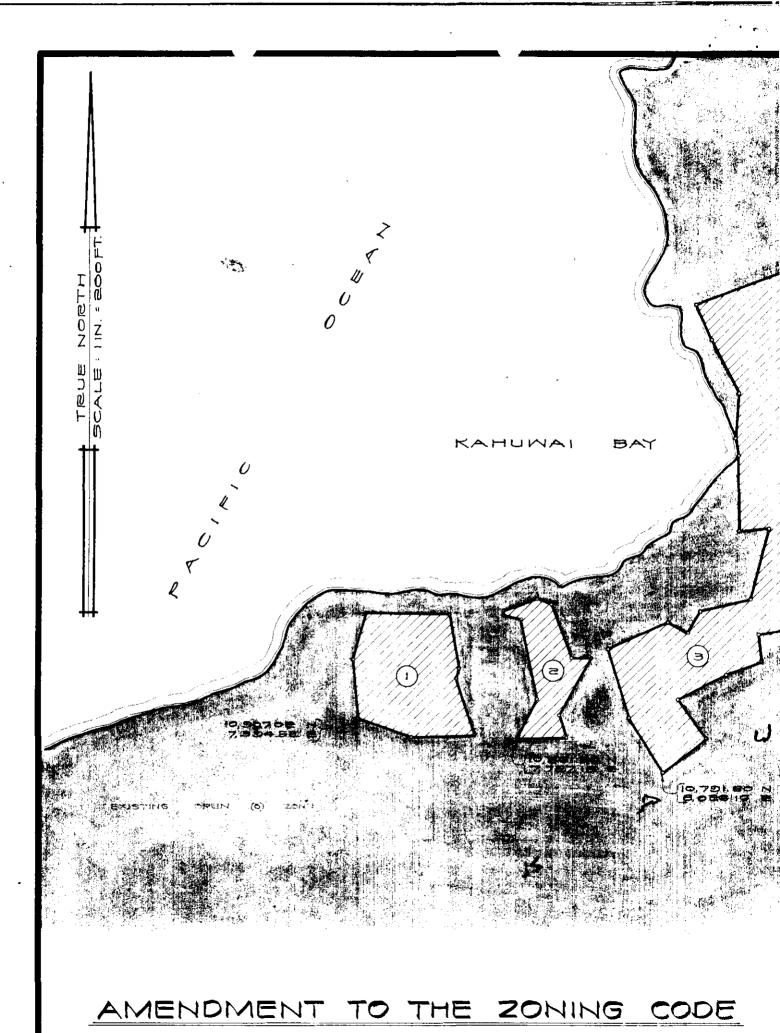
R. B. Legcapi

COUNTY CLERK COUNTY OF HAWAII









AMENDMENT NO. 3 TO SECTION 7.01, THE NORTH AND