

COUNTY OF HAWAII STATE OF HAWAII

Bill No. 589 (Draft 3)

ORDINANCE NO. 88 121

AN ORDINANCE AMENDING SECTION 25-109 (KA'U DISTRICT ZONE MAP) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO MULTIPLE FAMILY RESIDENTIAL (RM-2), (RM-2.5) AND (RM-3), VILLAGE COMMERCIAL (CV-10) AND TO RESORT-HOTEL (V-1.5); SINGLE FAMILY RESIDENTIAL (RS-7.5) TO MULTIPLE FAMILY RESIDENTIAL (RM-2.5) AND TO OPEN (O); SINGLE FAMILY RESIDENTIAL (RS-20) TO VILLAGE COMMERCIAL (CV-10); MULTIPLE FAMILY RESIDENTIAL (RM-2) TO OPEN (O), RESORT-HOTEL (V-1.5), VILLAGE COMMERCIAL (CV-10) AND TO MULTIPLE FAMILY RESIDENTIAL (RM-2.5); VILLAGE COMMERCIAL (CV-10) TO MULTIPLE FAMILY RESIDENTIAL (RM-2) & (RM-2.5), RESORT-HOTEL (V-1.5) AND TO OPEN (O); RESORT-HOTEL (V-1.5) TO OPEN (O), VILLAGE COMMERCIAL (CV-10) AND TO MULTIPLE FAMILY RESIDENTIAL (RM-2) AND FROM AGRICULTURAL (A-20a) TO OPEN (O) AT NINOLE, WAILAU AND PUNALU'U, KA'U, HAWAII, COVERED BY TAX MAP KEY 9-5-19:11, 15, 26, 33 & 35 AND 9-6-02:8, 37, 38, 41 & 45.

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

SECTION 1. Section 25-109, Article 3, Chapter 25 (Zoning Code) of the Hawaii County Code, is amended to change the district classification of properties described hereinafter as follows:

The district classification of the following area situated at Ninole, Ka'u, Hawaii shall be Multiple Family Residential (RM-3):

Parcel 6

Beginning at the West corner of this parcel of land, on the South side of Hawaii Belt Highway, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,286.53 feet South and 1,761.88 feet West and thence running by azimuths measured clockwise from true South:

1. 210° 22' 10" 720.00 feet along the South side of Hawaii Belt Highway;
2. 305° 14' 506.00 feet along remainder of Grant 824 to Kapuhonua;
3. 333° 34' 612.00 feet along remainder of Grant 823 to Kulaikahuna;
4. 338° 54' 460.00 feet along remainders of Grant 823 to Kulaikahuna and Grant 825 to S. Kauai;
5. 29° 52' 664.66 feet along remainder of Grant 825 to S. Kauai;
6. 144° 40' 1,226.61 feet along the Government Land of Ninole;
7. 141° 57' 283.91 feet along the Government Land of Ninole to the point of beginning and containing an area of 25.155 Acres. (Refer to Parcel 6 as shown on Exhibit "A").

The district classification of the following area situated at Ninole, Ka'u, Hawaii shall be Village Commercial (CV-10):

Parcel 7

Beginning at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 4,253.72 feet South and 350.82 feet West and thence running by azimuths measured clockwise from true South:

1. 144° 40' 762.48 feet along the Government Land of Ninole;
2. 259° 00' 130.63 feet along remainder of Grant 825 to S. Kauai;
3. 299° 00' 269.28 feet along remainder of Grant 825 to S. Kauai;

4. 324° 00' 149.00 feet along remainder of Grant 825 to S. Kauai;
- 5 1° 30' 396.00 feet along remainder of Grant 825 to S. Kauai to the point of beginning and containing an area of 2.734 Acres. (Refer to Parcel 7 as shown on Exhibit "A").

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2):

Parcel 8

Beginning at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,470.62 feet South and 1,287.57 feet East and thence running by azimuths measured clockwise from true South:

1. 89° 53' 97.13 feet along remainder of Grant 828 to Kekaula;
2. 136° 00' 10.09 feet along remainder of Grant 828 to Kekaula;
3. 218° 10' 85.92 feet along remainder of Grant 828 to Kekaula;
4. 322° 18' 44.81 feet along remainder of Grant 828 to Kekaula;
5. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 200.00 feet, the chord azimuth and distance being:
 

328° 52' 45.75 feet

to the point of beginning and containing an area of 0.097 Acre. (Refer to Parcel 8 as shown on Exhibit "A").

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2):

Parcel 9

Beginning at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,279.65 feet South and 1,146.59 feet East and thence running by azimuths measured clockwise from true South:

1. Along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 560.00 feet, the chord azimuth and distance being:  
106° 52' 26" 118.92 feet;
2. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 250.00 feet, the chord azimuth and distance being:  
243° 26' 50" 26.49 feet;
3. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:  
281° 21' 20" 65.53 feet;
4. 322° 18' 42.28 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 0.052 Acre. (Refer to Parcel 9 as shown on Exhibit "A").

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Resort-Hotel (V-1.5):

Parcel 10

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,037.40 feet South and 1,564.06 feet East and thence running by azimuths measured clockwise from true South:

1. 23° 20' 90.00 feet along remainder of Grant 828 to Kekaula;
2. 26° 20' 320.36 feet along remainder of Grant 828 to Kekaula;
3. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 345.00 feet, the chord azimuth and distance being:  
114° 49' 18" 112.03 feet;
4. 142° 18' 211.40 feet along remainder of Grant 828 to Kekaula;
5. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:  
175° 45' 10" 55.13 feet;
6. Thence remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 250.00 feet, the chord azimuth and distance being:  
207° 45' 10" 12.68 feet;
7. 206° 18' 233.00 feet along remainder of Grant 828 to Kekaula;
8. 291° 30' 326.37 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 2.757 Acres. (Refer to Parcel 10 as shown on Exhibit "A").

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Open (O):

Parcel 11

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,895.72 feet South and 1,204.38 feet East and thence running by azimuths measured clockwise from true South:

1. 291° 30' 60.21 feet along remainder of Grant 828 to Kekaula;
2. 26° 18' 233.00 feet along remainder of Grant 828 to Kekaula;
3. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 250.00 feet, the chord azimuth and distance being:  
27° 45' 10" 12.68 feet;
4. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:  
355° 45' 10" 55.13 feet;
5. 322° 18' 211.40 feet along remainder of Grant 828 to Kekaula;
6. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 345.00 feet, the chord azimuth and distance being:  
125° 41' 23" 18.35 feet;
7. 123° 01' 43.55 feet along remainder of Grant 828 to Kekaula;
8. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 560.00 feet, the chord azimuth and distance being:  
117° 59' 34" 98.08 feet;

9. 142° 18' 42.28 feet along remainder of Grant 828 to Kekaula;
10. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:  
101° 21' 20" 65.53 feet;
11. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 250.00 feet, the chord azimuth and distance being:  
63° 26' 50" 26.49 feet;
12. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 560.00 feet, the chord azimuth and distance being:  
99° 02' 34.00 feet;
13. 97° 18' 131.38 feet along remainder of Grant 828 to Kekaula;
14. 191° 15' 23.73 feet along remainder of Grant 828 to Kekaula;
15. 277° 18' 35.66 feet along remainder of Grant 828 to Kekaula;
16. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 190.00 feet, the chord azimuth and distance being:  
241° 48' 220.67 feet;
17. 206° 18' 227.96 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 0.874 Acre. (Refer to Parcel 11 as shown on Exhibit "A").

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Open (O):

Parcel 12

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,279.65 feet South and 1,146.59 feet East and thence running by azimuths measured clockwise from true South:

1. Along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 560.00 feet, the chord azimuth and distance being:  
297° 59' 34" 98.08 feet;
2. 303° 01' 43.55 feet along remainder of Grant 828 to Kekaula;
3. 33° 01' 30.00 feet along remainder of Grant 828 to Kekaula;
4. 38° 10' 27.26 feet along remainder of Grant 828 to Kekaula;
5. 142° 18' 147.05 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 0.101 Acre. (Refer to Parcel 12 as shown on Exhibit "A").

The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Open (O):

Parcel 13

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,251.51 feet South and 73.67 feet East and thence running by azimuths measured clockwise from true South:



1. 342° 55' 97.37 feet along remainder of Grant 823 to Kulaikahuna;
2. 345° 04' 200 16 feet along remainders of Grant 823 to Kulaikahuna and Grant 825 to S. Kauai;
3. 342° 55' 172.00 feet along remainder of Grant 825 to S. Kauai;
4. Thence along remainder of Grant 825 to S. Kauai, on a curve to the left with a radius of 695.50 feet, the chord azimuth and distance being:  
310° 06' 30" 753.69 feet;
5. 277° 18' 33.31 feet along remainder of Grant 825 to S. Kauai;
6. 11° 15' 23.73 feet along remainder of Grant 825 to S. Kauai;
7. 277° 18' 191.53 feet along remainders of Grant 825 to S. Kauai and Grant 828 to Kekaula;
8. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 560.00 feet, the chord azimuth and distance being:  
279° 02' 34.00 feet;
9. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 250.00 feet, the chord azimuth and distance being:  
81° 53' 30" 132.84 feet;
10. 97° 18' 129.12 feet along remainders of Grant 828 to Kekaula and Grant 825 to S. Kauai;

11. Thence along Grant 825 to S. Kauai, on a curve to the right with a radius of 755.50 feet, the chord azimuth and distance being:  
130° 01' 40" 816.93 feet;
12. 237° 00' 7.80 feet along Grant 825 to S. Kauai;
13. 252° 55' 30.00 feet along Grant 825 to S. Kauai;
14. 162° 55' 471.39 feet along remainder of Grant 825 to S. Kauai and Grant 823 to Kulaikahuna;
15. 256° 45' 30.07 feet along remainder of Grant 823 to Kulaikahuna to the point of beginning and containing an area of 1.620 Acres. (Refer to Parcel 13 as shown on Exhibit "A").

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2.5):

Parcel 14

Beginning at the Southwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,199.83 feet South and 873.53 feet East and thence running by azimuths measured clockwise from true South:

1. 191° 15' 257.18 feet along remainder of Grant 828 to Kekaula;
2. 3° 18' 257.20 feet along remainder of Grant 828 to Kekaula;
3. 97° 18' 35.66 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 0.105 Acre. (Refer to Parcel 14 as shown on Exhibit "A").

The district classification of the following area situated at Ninole, Wailau and Punalu'u, Ka'u, Hawaii shall be Multiple Family Residential (RM-2.5):

Parcel 15

Beginning at the Northwest corner of this parcel of land, at the Southeast corner of the Government Land of Wailau, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 899.22 feet South and 350.58 feet East and thence running by azimuths measured clockwise from true South:

1. 311° 34' 290.00 feet along remainder of Grant 828 to Kekaula;
2. 282° 49' 826.24 feet along remainders of Grant 828 to Kekaula and R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
3. 284° 41' 246.83 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
4. 215° 40' 187.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
5. 279° 30' 340.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
6. 324° 46' 284.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
7. 294° 13' 167.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
8. 344° 23' 644.21 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
9. 111° 18' 258.09 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;

10. Thence along remainder of R.P. 6885, L.C. Aw. 7715,  
Ap. 15 to Lota Kamehameha,  
on a curve to the left  
with a radius of 680.00  
feet, the chord azimuth  
and distance being:  
107° 21' 44" 93.39 feet;
11. 188° 38' 185.67 feet along remainder of  
R.P. 6885, L.C. Aw. 7715,  
Ap. 15 to Lota Kamehameha;
12. 126° 34' 240.00 feet along remainder of  
R.P. 6885, L.C. Aw. 7715,  
Ap. 15 to Lota Kamehameha;
13. 93° 18' 800.00 feet along remainders of  
R.P. 6885, L.C. Aw. 7715,  
Ap. 15 to Lota Kamehameha  
and Grant 828 to Kekaula;
14. 3° 18' 520.00 feet along remainder of  
Grant 828 to Kekaula;
15. 25° 18' 125.00 feet along remainder of  
Grant 828 to Kekaula;
16. 67° 48' 230.50 feet along remainder of  
Grant 828 to Kekaula;
17. 3° 18' 560.92 feet along remainder of  
Grant 828 to Kekaula;
18. 11° 15' 257.18 feet along remainder of  
Grant 828 to Kekaula;
19. 97° 18' 60.15 feet along remainders of  
Grant 828 to Kekaula and  
Grant 825 to S. Kauai;
20. 191° 15' 438.55 feet along remainders of  
Grant 825 to S. Kauai and  
Grant 828 to Kekaula;
21. 136° 07' 262.86 feet along remainder of  
Grant 828 to Kekaula;
22. 184° 03' 173.45 feet along remainder of  
Grant 828 to Kekaula;

23.	164° 51'	462.38 feet along remainder of Grant 828 to Kekaula;
24.	239° 33'	160.00 feet along remainder of Grant 828 to Kekaula;
25.	308° 38'	127.00 feet along remainder of Grant 828 to Kekaula;
26.	248° 12'	177.00 feet along remainder of Grant 828 to Kekaula;
27.	198° 41'	188.00 feet along remainder of Grant 828 to Kekaula;
28.	147° 16'	100.00 feet along remainder of Grant 828 to Kekaula;
29.	107° 10'	580.62 feet along remainder of Grant 828 to Kekaula;
30.	126° 15'	544.97 feet along remainder of Grant 828 to Kekaula;
31.	55° 02'	541.00 feet along remainders of Grant 828 to Kekaula and Grant 823 to Kulaikahuna;
32.	145° 20'	0.73 feet along remainder of Grant 823 to Kulaikahuna;
33.	235° 02'	942.45 feet along the Government Land of Wailau to the point of beginning and containing an area of 32.301 Acres. (Refer to Parcel 15 as shown on Exhibit "A").

The district classification of the following area situated at Wailau and Punalu'u, Ka'u, Hawaii shall be Village Commercial (CV-10):

Parcel 16

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,895.72 feet South and 1,204.38 feet East and thence running by azimuths measured clockwise from true South:

1. 111° 30' 269.46 feet along remainder of Grant 828 to Kekaula;
2. 11° 15' 153.58 feet along remainder of Grant 828 to Kekaula;
3. 183° 18' 560.92 feet along remainder of Grant 828 to Kekaula;
4. 247° 48' 230.50 feet along remainder of Grant 828 to Kekaula;
5. 205° 18' 125.00 feet along remainder of Grant 828 to Kekaula;
6. 183° 18' 520.00 feet along remainder of Grant 828 to Kekaula;
7. 273° 18' 800.00 feet along remainders of Grant 828 to Kekaula and R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
8. 306° 34' 104.72 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
9. 23° 48' 131.72 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
10. 306° 34' 110.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
11. 8° 38' 68.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
12. Thence along remainders of Grant 828 to Kekaula and R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha, on a curve to the left with a radius of 680.00 feet, the chord azimuth and distance being:  
62° 28' 802.59 feet;
13. 26° 18' 159.33 feet along remainder of Grant 828 to Kekaula;

- |     |          |   |
|-----|----------|---|
| 14. | 52° 20'  | 36.34 feet along remainder of Grant 828 to Kekaula;   |
| 15. | 357° 40' | 33.28 feet along remainder of Grant 828 to Kekaula;   |
| 16. | 26° 18'  | 330.55 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 14.639 Acres. (Refer to Parcel 16 as shown on Exhibit "A"). |

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Resort-Hotel (V-1.5):

Parcel 17

Beginning at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,037.40 feet South and 1,564.06 feet East and thence running by azimuths measured clockwise from true South:

- |    |          |  |
|----|----------|--|
| 1. | 111° 30' | 326.37 feet along remainder of Grant 828 to Kekaula;   |
| 2. | 206° 18' | 510.21 feet along remainder of Grant 828 to Kekaula;   |
| 3. | 232° 20' | 216.96 feet along remainder of Grant 828 to Kekaula;   |
| 4. | 342° 45' | 250.00 feet along remainder of Grant 828 to Kekaula;   |
| 5. | 19° 40'  | 500.00 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 4.022 Acres. (Refer to Parcel 17 as shown on Exhibit "A"). |

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Open (O):

Parcel 18

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,460.39 feet South and 1,486.46 feet East and thence running by azimuths measured clockwise from true South:

1. 26° 18' 510.21 feet along remainder of Grant 828 to Kekaula;
2. 111° 30' 5.59 feet along remainder of Grant 828 to Kekaula;
3. 201° 30' 268.36 feet along remainder of Grant 828 to Kekaula;
4. 177° 40' 66.72 feet along remainder of Grant 828 to Kekaula;
5. 206° 18' 61.86 feet along remainder of Grant 828 to Kekaula;
6. 232° 20' 136.71 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 0.332 Acre. (Refer to Parcel 18 as shown on Exhibit "A").

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Village Commercial (CV-10):

Parcel 19

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,599.38 feet South and 1,350.83 feet East and thence running by azimuths measured clockwise from true South:

1. 177° 40' 33.28 feet along remainder of Grant 828 to Kekaula;



2. 232° 20' 36.34 feet along remainder of Grant 828 to Kekaula;
3. 26° 18' 61.86 feet along remainder of Grant 828 to Kekaula to the point of beginning and containing an area of 0.011 Acre. (Refer to Parcel 19 as shown on Exhibit "A").

The district classification of the following area situated at Punalu'u, Ka'u, Hawaii shall be Village Commercial (CV-10):

Parcel 20

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 1,599.46 feet South and 2,572.16 feet East and thence running by azimuths measured clockwise from true South:

1. 301° 43' 315.69 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
2. Thence along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehamea, on a curve to the right with a radius of 265.00 feet, the chord azimuth and distance being:  
325° 45' 215.85 feet;
3. Thence along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehamea, on a curve to the right with a radius of 229.85 feet, the chord azimuth and distance being:  
8° 19' 146.12 feet;
4. 296° 51' 5.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;

5. Thence along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha, on a curve to the right with a radius of 234.85 feet, the chord azimuth and distance being:  

42° 56'      130.14 feet;
6. 180° 40'      164.50 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
7. 145° 49'      510.14 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha to the point of beginning and containing an area of 1.513 Acres. (Refer to Parcel 20 as shown on Exhibit "A").

The district classification of the following area situated at Punaluu, Ka'u, Hawaii shall be Resort-Hotel (V-1.5):

Parcel 21

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 1,712.19 feet South and 2,887.47 feet East and thence running by azimuths measured clockwise from true South:

1. Along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha, on a curve to the left with a radius of 52.00 feet, the chord azimuth and distance being:  

263° 43' 55"      66.87 feet;
2. 223° 43'      9.15 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;

3. Thence along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha, on a curve to the right with a radius of 77.00 feet, the chord azimuth and distance being:
 

250° 03'            68.31 feet;
4. Thence still along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha, on a curve to the left with a radius of 47.00 feet, the chord azimuth and distance being:
 

254° 30' 45"        35.02 feet;
5.    14°   32'                    197.87 feet along portion of R.P. 6734, L.C. Aw. 2564, Ap. 2 to Nakakuna;
6. Thence along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha, on a curve to the left with a radius of 335.00 feet, the chord azimuth and distance being:
 

140° 07' 30"        188.89 feet

to the point of beginning and containing an area of 0.289 Acre. (Refer to Parcel 21 as shown on Exhibit "A").

The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2.5):

Parcel 22

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3.094.35 feet South and 511.16 feet East and thence running by azimuths measured clockwise from true South:

1. Along remainder of Grant 825 to S. Kauai, on a curve to the right with a radius of 695.50 feet, the chord azimuth and distance being:  
141° 57' 00" 497.73 feet;
2. 162° 55' 172.00 feet along remainder of Grant 825 to S. Kauai;
3. 165° 04' 200.16 feet along remainders of Grant 825 to S. Kauai and Grant 823 to Kulaikahuna;
4. 162° 55' 97.37 feet along remainder of Grant 823 to Kulaikahuna;
5. 256° 45' 271.63 feet along remainder of Grant 823 to Kulaikahuna and Grant 828 to Kekaula;
6. 345° 48' 645.20 feet along remainders of Grant 828 to Kekaula and Grant 825 to S. Kauai;
7. 356° 58' 280.00 feet along remainders of Grant 825 to S. Kauai to the point of beginning and containing an area of 4.631 Acres. (Refer to Parcel 22 as shown on Exhibit "A").

The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2.5):

Parcel 23

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,194.74 feet South and 56.00 feet East and thence running by azimuths measured clockwise from true South:

1. 256° 45' 274.84 feet along remainders of Grant 823 to Kulaikahuna and Grant 828 to Kekaula;

2. 345° 48' 59.33 feet along remainder of Grant 828 to Kekaula;
3. 76° 45' 271.63 feet along remainders of Grant 828 to Kekaula and Grant 823 to Kulaikahuna;
4. 162° 55' 39.66 feet along remainder of Grant 823 to Kulaikahuna;
5. Thence along remainder of Grant 823 to Kulaikahuna, on a curve to the left with a radius of 910.00 feet, the chord azimuth and distance being:
 

162° 17' 40" 19.81 feet

to the point of beginning and containing an area of 0.372 Acre. (Refer to Parcel 23 as shown on Exhibit "A").

The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2.5):

Parcel 24

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,194.74 feet South and 56.00 feet East and thence running by azimuths measured clockwise from true South:

1. Along remainder of Grant 823 to Kulaikahuna, on a curve to the left with a radius of 910.00 feet, the chord azimuth and distance being:
 

153° 30' 05" 258.58 feet;
2. 145° 20' 636.35 feet along remainder of Grant 823 to Kulaikahuna;
3. 235° 02' 541.00 feet along remainders of Grant 823 to Kulaikahuna and Grant 828 to Kekaula;

- |     |          |  |
|-----|----------|--|
| 4.  | 306° 15' | 544.97 feet along remainder of Grant 828 to Kekaula;   |
| 5.  | 107° 10' | 279.38 feet along remainder of Grant 828 to Kekaula;   |
| 6.  | 59° 29'  | 145.00 feet along remainder of Grant 828 to Kekaula;   |
| 7.  | 15° 55'  | 106.00 feet along remainder of Grant 828 to Kekaula;   |
| 8.  | 333° 07' | 594.00 feet along remainder of Grant 828 to Kekaula;   |
| 9.  | 345° 48' | 58.47 feet along remainder of Grant 828 to Kekaula;  |
| 10. | 76° 45'  | 274.84 feet along remainders of Grant 828 to Kekaula and Grant 823 to Kulaikahuna to the point of beginning and containing an area of 8.614 Acres. (Refer to Parcel 24 as shown on Exhibit "A"). |

The district classification of the following area situated at Wailau, Ka'u, Hawaii shall be Open (O):

Parcel 25

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,131.74 feet South and 323.52 feet East and thence running by azimuths measured clockwise from true South:

- |    |          |  |
|----|----------|--|
| 1. | 165° 48' | 58.47 feet along remainder of Grant 828 to Kekaula;  |
| 2. | 153° 07' | 594.00 feet along remainder of Grant 828 to Kekaula; |
| 3. | 195° 55' | 106.00 feet along remainder of Grant 828 to Kekaula; |
| 4. | 239° 29' | 145.00 feet along remainder of Grant 828 to Kekaula; |

- |     |          |        |  |
|-----|----------|--------|--|
| 5.  | 287° 10' | 279.38 | feet along remainder of Grant 828 to Kekaula;  |
| 6.  | 306° 15' | 25.03  | feet along remainder of Grant 828 to Kekaula;  |
| 7.  | 18° 30'  | 76.99  | feet along remainder of Grant 828 to Kekaula;  |
| 8.  | 320° 30' | 280.66 | feet along remainder of Grant 828 to Kekaula;  |
| 9.  | 32° 00'  | 90.00  | feet along remainder of Grant 828 to Kekaula;  |
| 10. | 38° 30'  | 372.00 | feet along remainder of Grant 828 to Kekaula;  |
| 11. | 76° 45'  | 33.89  | feet along remainders of Grant 828 to Kekaula to the point of beginning and containing an area of 5.684 Acres. (Refer to Parcel 25 as shown on Exhibit "A"). |

The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2.5):

Parcel 26

Beginning at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,192.19 feet South and 813.87 feet East and thence running by azimuths measured clockwise from true South:

- |    |  |             |  |
|----|--|-------------|--|
| 1. | 97° 18'  | 33.31       | feet along remainder of Grant 825 to S. Kauai; |
| 2. | Thence along remainder of Grant 825 to S. Kauai, on a curve to the right with a radius of 695.00 feet, the chord azimuth and distance being: |             |  |
|    |  | 99° 56' 30" | 64.11 feet;                                    |

- |    |          |   |
|----|----------|---|
| 3. | 177° 51' | 399.43 feet along remainders of Grant 825 to S. Kauai and Grant 828 to Kekaula;   |
| 4. | 184° 03' | 205.66 feet along remainder of Grant 828 to Kekaula;  |
| 5. | 316° 07' | 262.86 feet along remainder of Grant 828 to Kekaula;  |
| 6. | 11° 15'  | 438.55 feet along remainders of Grant 825 to S. Kauai and Grant 827 to Kekaula to the point of beginning and containing an area of 1.856 Acres. (Refer to Parcel 26 as shown on Exhibit "A"). |

The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Open (O):

Parcel 27

Beginning at the Southwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,094.35 feet South and 511.16 feet East and thence running by azimuths measured clockwise from true South:

- |    |          |   |
|----|----------|---|
| 1. | 176° 58' | 280.00 feet along remainder of Grant 825 to S. Kauai;                           |
| 2. | 165° 48' | 645.20 feet along remainders of Grant 825 to S. Kauai and Grant 828 to Kekaula; |
| 3. | 256° 45' | 8.80 feet along remainder of Grant 828 to Kekaula;                              |
| 4. | 316° 07' | 534.62 feet along remainder of Grant 828 to Kekaula;                            |
| 5. | 4° 03'   | 205.66 feet along remainder of Grant 828 to Kekaula;                            |
| 6. | 357° 51' | 399.43 feet along remainders of Grant 828 to Kekaula and Grant 825 to S. Kauai; |



7. Thence along Grant 825 to S. Kauai, on a curve to the right with a radius of 695.50 feet, the chord azimuth and distance being:
- 111° 47'                      22.39 feet;
- the point of beginning and containing an area of 4.183 Acres. (Refer to Parcel 27 as shown on Exhibit "A").

The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Open (O):

Parcel 28

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 3,697.06 feet South and 2,762.79 feet East and thence running by azimuths measured clockwise from true South:

- |    |  |  |
|----|--|--|
| 1. | 48° 47'  | 208.81 feet along remainder of Grant 828 to Kekaula; |
| 2. | 70° 30'  | 127.00 feet along remainder of Grant 828 to Kekaula; |
| 3. | 62° 40'  | 96.00 feet along remainder of Grant 828 to Kekaula;  |
| 4. | 78° 20'  | 215.00 feet along remainder of Grant 828 to Kekaula; |
| 5. | 55° 05'  | 232.00 feet along remainder of Grant 828 to Kekaula; |
| 6. | 68° 25'  | 130.00 feet along remainder of Grant 828 to Kekaula; |
| 7. | Thence along the seashore, the direct azimuth and distance between points on said said seashore being: |  |
|    | 68° 25'  | 45.00 feet;  |

8.	68° 25'	25.00 feet along remainder of Grant 828 to Kekaula;
9.	75° 30'	368.00 feet along remainders of Grant 828 to Kekaula, R.P. 2785, L.C. Aw. 8979, Ap. 1 to Kekapa and Grant 821 to Holoua;
10.	27° 30'	258.31 feet along remainder of Grant 821 to Holoua;
11.	117° 30'	172.22 feet along remainder of Grant 821 to Holoua;
12.	167° 24'	105.00 feet along remainder of Grant 821 to Holoua;
13.	207° 30'	420.00 feet along remainders of Grant 821 to Holoua, R.P. 6201, L.C. Aw. 8360, Ap. 1 to Kanekoa, R.P. 6185, L.C. Aw. 8758, Ap. 1 to Kaiolani and L.C. Aw. 7557, Ap. 1 to Kalapuna;
14.	228° 32'	70.00 feet along remainders of L.C. Aw. 7557, Ap. 1 to Kalapuna and R.P. 7476, L.C. Aw. 7313 to Kaawa;
15.	191° 22'	130.04 feet along remainder R.P. 7476, L.C. Aw. to Kaawa;
16.	269° 18'	118.00 feet along remainder R.P. 7476, L.C. Aw. to Kaawa;
17.	232° 48'	70.00 feet along remainder R.P. 7476, L.C. Aw. to Kaawa;
18.	303° 48'	70.00 feet along remainder R.P. 7476, L.C. Aw. to Kaawa;
19.	235° 38'	381.55 feet along remainders of R.P. 7476, L.C. Aw. to Kaawa and Grant 828 to Kekaula;

20. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 780.00 feet, the chord azimuth and distance being:  
 256° 24' 55" 419.05 feet;
21. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 420.00 feet, the chord azimuth and distance being:  
 237° 14' 58" 52.51 feet;
22. 310° 22' 432.70 feet along R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha to the point of beginning and containing an area of 15.548 Acres. (Refer to Parcel 28 as shown on Exhibit "A").

The district classification of the following area situated at Ninole, Ka'u, Hawaii shall be Village Commercial (CV-10):

Parcel 29

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 4,384.26 feet South and 978.05 feet East and thence running by azimuths measured clockwise from true South:

1. 297° 30' 172.03 feet along remainders of R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha and Grant 821 to Holoua;
2. 227° 10' 75.00 feet along remainder of Grant 821 to Holoua;
3. 297° 30' 172.22 feet along remainder of Grant 821 to Holoua;
4. 27° 30' 17.19 feet along remainder of Grant 821 to Holoua;

5. 54° 00' 92.34 feet along remainder of Grant 821 to Holoua;
6. 68° 10' 132.67 feet along remainder of Grant 821 to Holoua;
7. 91° 25' 498.28 feet along remainder of Grant 821 to Holoua;
8. 258° 35' 116.13 feet along remainder of Grant 821 to Holoua;
9. Thence along remainder of Grant 821 to Holoua, on a curve to the left with a radius of 300.00 feet, the chord azimuth and distance being:  
235° 05' 239.25 feet;
10. 211° 35' 64.08 feet along remainders of Grant 821 to Holoua and R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha to the point of beginning and containing an area of 1.730 Acres. (Refer to Parcel 29 as shown on Exhibit "A").

The district classification of the following area situated at Ninole, Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2):

Parcel 30

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 4,384.26 feet South and 978.05 feet East and thence running by azimuths measured clockwise from true South:

1. 211° 35' 161.93 feet along remainder of R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha;

2. Thence along R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha and R.P. 6185, L.C. Aw. 8758, Ap. 1 to Kaiolani, on a curve to the left with a radius of 1,245.00 feet, the chord azimuth and distance being:  
208° 17' 30"      142.97 feet;
3. Thence along remainders of R.P. 6185, L.C. Aw. 8758, Ap. 1 to Kaiolani, Grant 821 to Holoua, Grant 828 to Kekaula and R.P. 7476, L.C. Aw. 7313 Kaawa, on a curve to the right with a radius of 950.00 feet, the chord azimuth and distance being:  
217° 10'              400.44 feet;
4.    229° 20'                      72.85 feet along remainder of R.P. 7476, L.C. Aw. 7313 to Kaawa;
5.    325° 10'                      12.18 feet along remainder of R.P. 7476, L.C. Aw. 7313 to Kaawa;
6.    11° 22'                        130.04 feet along remainder of R.P. 7476, L.C. Aw. 7313 to Kaawa;
7.    48° 32'                        70.00 feet along remainders of R.P. 7476, L.C. Aw. 7313 to Kaawa and L.C. Aw. 7557, Ap. 1 to Kalapuna;
8.    27° 30'                        420.00 feet along remainders of R.P. 7557, Ap. 1 to Kalapuna, R.P. 6185, L.C. Aw. 8758, Ap. 1 to Kaiolani, R.P. 6201, L.C. Aw. 8360, Ap. 1 to Kanekoa and Grant 821 to Holoua;
9.    347° 24'                        105.00 feet along remainder of Grant 821 to Holoua;
10.   47° 10'                        75.00 feet along remainder of Grant 821 to Holoua;

11. 117° 30' 172.03 feet along remainder of Grant 821 to Holoua and R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha to the point of beginning and containing an area of 1.961 Acres. (Refer to Parcel 30 as shown on Exhibit "A").

The district classification of the following area situated at Punalu'u, Wailau, Ka'u, Hawaii shall be Resort-Hotel (V-1.5):

Parcel 31

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 2,250.45 feet South and 2,606.13 feet East and thence running by azimuths measured clockwise from true South:

1. 3° 27' 473.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
2. 80° 18' 180.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
3. 356° 48' 310.00 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
4. 23° 48' 229.23 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
5. 100° 48' 79.16 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
6. 147° 07' 130.00 feet along remainder of Grant 828 to Kekaula;
7. 59° 34' 30" 125.04 feet along remainder of Grant 828 to Kekaula;

8. 326° 06' 132.60 feet along remainder of Grant 828 to Kekaula;
9. 357° 58' 109.25 feet along remainder of Grant 828 to Kekaula;
10. 55° 38' 200.00 feet along remainder of Grant 828 to Kekaula;
11. Thence along remainder of Grant 828 to Kekaula, on a curve to the right with a radius of 780.00 feet, the chord azimuth and distance being:  
95° 54' 56" 106.59 feet;
12. 99° 50' 244.69 feet along remainder of Grant 828 to Kekaula;
13. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 57.00 feet, the chord azimuth and distance being:  
54° 50' 80.61 feet;
14. Thence along remainders of Grant 828 to Kekaula and R.P. 7476, L.C. Aw. 7313 to Kaawa, on a curve to the right with a radius of 317.45 feet, the chord azimuth and distance being:  
29° 35' 214.54 feet;
15. 49° 20' 46.00 feet along remainder of R.P. 7476, L.C. Aw. 7313 to Kaawa;
16. 145° 10' 135.94 feet along remainders of R.P. 7476, L.C. Aw. 7313 to Kaawa and Grant 828 to Kekaula;
17. Thence along remainder of Grant 838 to Kekaula, on a curve to the left with a radius of 260.00 feet, the chord azimuth and distance being:  
171° 06' 250.51 feet;

18. 142° 18' 43.78 feet along remainder of Grant 828 to Kekaula;
19. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 345.00 feet, the chord azimuth and distance being:  
294° 49' 18" 112.03 feet;
20. 206° 20' 320.36 feet along remainder of Grant 828 to Kekaula;
21. 203° 20' 90.00 feet along remainder of Grant 828 to Kekaula;
22. 199° 40' 500.00 feet along remainder of Grant 828 to Kekaula;
23. 162° 45' 250.00 feet along remainder of Grant 828 to Kekaula;
24. 52° 20' 216.96 feet along remainder of Grant 828 to Kekaula;
25. 206° 18' 36.49 feet along remainder of Grant 828 to Kekaula;
26. Thence along remainders of Grant 828 to Kekaula and R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha, on a curve to the right with a radius of 620.00 feet, the chord azimuth and distance being:  
248° 48' 837.73 feet;
27. 291° 18' 346.11 feet along remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha to the point of beginning and containing an area 27.452 Acres. (Refer to Parcel 31 as shown on Exhibit "A").



The district classification of the following area situated at Ninole and Wailau, Ka'u, Hawaii shall be Multiple Family Residential (RM-2):

Parcel 32

Beginning at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 4,384.26 feet South and 978.05 feet East and thence running by azimuths measured clockwise from true South:

1. 117° 30' 239.97 feet along remainder of R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha;
2. Thence along remainder of R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha, on a curve to the right with a radius of 845.00 feet, the chord azimuth and distance being:  
218° 11' 313.29 feet;
3. 228° 52' 422.00 feet along remainders of R.P. 6185, L.C. Aw. 8758, Ap. 1 to Kaiolani, Grant 821 to Holoua and Grant 828 to Kekaula;
4. Thence along remainder of Grant 828 to Kekaula, on a curve to the left with a radius of 260.00 feet, the chord azimuth and distance being:  
214° 23' 130.05 feet;
5. 325° 10' 135.94 feet along remainders of Grant 828 to Kekaula and R.P. 7476, L.C. Aw. 7313 to Kaawa;
6. 49° 20' 72.85 feet along remainder of R.P. 7476, L.C. Aw. 7313 to Kaawa;

7. Thence along remainders of R.P. 7476, L.C. Aw. 7313 to Kaawa, Grant 828 to Kekaula, Grant 821 to Holoua and R.P. 6185, L.C. Aw. 8758, Ap. 1 to Kaiolani, on a curve to the left with a radius of 950.00 feet, the chord azimuth and distance being:
- 37° 10'                    400.44 feet;
8. Thence along remainders of R.P. 6185, L.C. Aw. 8758, Ap. 1 to Kaiolani and R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha, on a curve to the right with a radius of 1,245.00 feet, the chord azimuth and distance being:
- 28° 17' 30"            142.97 feet;
9.    31°   35'                    161.93 feet along remainder of R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha to the point of beginning and containing an area 3.131 Acres. (Refer to Parcel 32 as shown on Exhibit "A").

The district classification of the following area situated at Ninole, Ka'u, Hawaii shall be Village Commercial (CV-10):

Parcel 33

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 4,384.26 feet South and 978.05 feet East and thence running by azimuths measured clockwise from true South:

1.    31°   35'                    64.08 feet along remainders of Grant 821 to Holoua and R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha;

2. Thence along remainder of Grant 821 to Holoua, on a curve to the left with a radius of 300.00 feet, the chord azimuth and distance being:  
55° 05'                      239.25 feet;
3.    78° 35'                      149.99 feet along remainder of Grant 821 to Holoua;
4. Thence along remainder of Grant 821 to Holoua, on a curve to the left with a radius of 195.00 feet, the chord azimuth and distance being:  
77° 11' 40"                      9.45 feet;
5. 181° 25'                      14.12 feet along remainder of Grant 821 to Holoua;
6.    73° 06'                      83.63 feet along remainder of Grant 821 to Holoua;
7.    55° 30'                      52.42 feet along remainder of Grant 821 to Holoua;
8.    36° 30'                      52.13 feet along remainder of Grant 821 to Holoua;
9. 143° 43'                      165.86 feet along remainder of Grant 821 to Holoua;
10. 207° 30'                      279.04 feet along remainder of Grant 821 to Holoua;
11. 255° 36'                      250.99 feet along remainders of of Grant 821 to Holoua and R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha;
12. 297° 30'                      299.97 feet along R.P. 7879, L.C. Aw. 7721, Ap. 1 to Makaha to the point of beginning and containing an area 3.682 Acres. (Refer to Parcel 33 as shown on Exhibit "A").

The district classification of the following area situated at Punalu'u, Ka'u, Hawaii shall be Open (O):

Parcel 34

Beginning at the Southwest corner of this parcel of land, being the Northeast corner of the Government Land of Wailau, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" (PUEHU) being 899.22 feet South and 350.58 feet East and thence running by azimuths measured clockwise from true South:

1. 184° 17' 266.45 feet along the remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
2. 258° 44' 30" 601.00 feet along the remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
3. 292° 50' 30" 588.25 feet along the remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
4. 63° 21' 817.00 feet along the remainder of R.P. 6885, L.C. Aw. 7715, Ap. 15 to Lota Kamehameha;
5. 116° 41' 20" 471.49 feet along Grant 828 to Kekaula to the point of beginning and containing an area 9.299 Acres. (Refer to Parcel 34 as shown on Exhibit "A").

All as shown on the map attached hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2. These changes in district classification are conditioned upon the following: (A) the applicant, successors or its assigns shall comply with all of the stated conditions of approval; (B) all roadways within the proposed development shall be constructed meeting with the approval of the Department of Public Works; (C) improvements to the intersection with the Hawaii Belt Highway, shall be constructed meeting with the approval of the State Department of Transportation, Highways Division; (D) no lots shall have direct access from the Hawaii Belt Highway. Access to the proposed lots shall be from the interior roadways; (E) a drainage system shall be installed meeting with the approval of the Department of Public Works; (F) all residential, commercial and hotel units and uses shall be connected to a sewage treatment plant, or such sewerage disposal units, public or private, meeting with the approval of the appropriate governmental agencies. The sewage treatment plant shall have a stand-by generator to operate the plant in the event of an electrical power outage; (G) the applicant, successors or assigns shall be responsible for satisfying an affordable housing requirement by providing or causing the provision of affordable housing units to meet the direct and indirect resort hotel employee housing demands generated by the resort development. An affordable housing need study shall be prepared and submitted within two years of the effective date

of this ordinance. Prior to commencing construction of the first hotel, the manner in which the required affordable employee housing units are to be provided shall be reviewed by the Planning Director and meet with the approval of the Hawaii County Housing Agency. The affordable housing requirement may be implemented concurrently with the completion of units developed as part of the resort. The affordable housing units, in lieu of fee, or in-kind services, must be provided prior to the issuance of occupancy permits for the resort units; (H) a job training program for the operating phase of the hotel shall be developed and submitted to the Planning Department prior to submission of the construction permit application for the first hotel development; (I) a construction housing mitigation plan shall be submitted to the Planning Department prior to submission of the construction permit application for the first hotel development. The plan shall include a regular reporting schedule to allow the Planning Department to monitor the construction housing impact; (J) a water quality and marine life monitoring and mitigation plan shall be submitted to the Planning Department within two years of the effective date of this ordinance; (K) a Pond Management Plan shall be submitted to the Planning Department within two years of the effective date of this ordinance; (L) a cultural resource management plan shall be submitted to the Planning Department within two years of the effective date of this ordinance; (M) a Shoreline

Management Plan including a public shoreline access and recreational plan shall be submitted to the Planning Department within two years of the effective date of this ordinance. The shoreline access plan shall include, but not be limited to, accesses as described as follows: 1) parking and access shall be provided to Ninole Cove; 2) access shall be provided to the existing jeep trail that leads across Ninole Stream to the State lands; 3) pending State Board of Land and Natural Resources approval and any other required agency approvals, a vehicular access road to the shoreline area on the east side of the Ninole Cove area shall be provided along with a parking area for six to twelve vehicles; 4) pending State Board of Land and Natural Resources approval and any other required agency approvals, a vehicular access road to the shoreline area at the west end of the expanded park shall be provided; 5) access to Punalu'u Beach Park and parking lot shall be relocated west of the private lands adjacent to the park; 6) vehicular access to the boat launch ramp shall be maintained, with the exception that a realigned access route may ultimately be provided; and 7) a series of lateral shoreline and beach trails shall be established where appropriate to direct public access to those areas that are outside of ecologically sensitive wildlife habitats and to improve lateral shoreline access along the entire shoreline; (N) should any unanticipated archaeological sites be uncovered during land preparation activity, work

within the affected area shall cease and the Planning Director shall be immediately notified. Work within the affected area shall not resume until clearance is obtained from the Planning Director; (O) all other applicable laws, rules, regulations and requirements, including those of the Department of Water Supply shall be complied with; (P) an annual progress report shall be submitted to the Planning Director prior to the anniversary date of the effective date of zone change. The report shall address the status of the development and the compliance with the conditions of approval. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required; (Q) should the Council adopt a Unified Impact Fees Ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein may, at the developer's election, be satisfied by performance in accordance with the requirements of the Unified Impact Fees Ordinance; and (R) an initial extension of time for the performance of conditions within the ordinance may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of the conditions that could not have been foreseen or are beyond the control of the applicants, successors or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or



zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the change of zone; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year); and 5) if the applicant should require an additional extension of time, the Planning Director shall submit the applicant's request to the County Council for appropriate action. Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate rezoning of the area to its original or to a more appropriate designation.

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:

  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: July 20, 1988  
Date of 1st Reading: July 20, 1988  
Date of 2nd Reading: August 2, 1988  
Effective Date: August 17, 1988