

COUNTY OF HAWAII STATE OF HAWAII



Bill No. 607
(Draft 3)

ORDINANCE NO. 88 157

AN ORDINANCE AMENDING SECTION 25-86 (NORTH AND SOUTH KONA DISTRICTS ZONE MAPS) ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM OPEN (O) TO MULTIPLE FAMILY RESIDENTIAL (RM-3 and RM-10), VILLAGE COMMERCIAL (CV-10) AND TO RESORT-HOTEL (V-2.25 AND V-10) AT KAUPULEHU, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-2-03: PORTION OF 1.

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

SECTION 1. Section 25-86, 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 Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-10):

PARCEL A-1

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 9,372.63 feet North and 7,250.92 feet East, thence running by azimuths measured clockwise from True South:

1. 238° 00' 194.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 199° 40' 364.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 191° 05' 387.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

4.	233° 45'	137.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5.	280° 05'	465.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6.	260° 50'	208.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7.	344° 25'	95.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8.	58° 20'	170.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9.	69° 10'	275.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
10.	92° 45'	113.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	57° 05'	85.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	17° 10'	202.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	340° 30'	109.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

14.	304° 30'	203.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	331° 35'	130.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
16.	352° 40'	132.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
17.	56° 45'	191.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
18.	136° 45'	236.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
19.	120° 40'	209.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
20.	41° 00'	107.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
21.	58° 50'	191.30	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
22.	153° 10'	138.08	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 11.139 Acres. (Refer to Parcel A-1 as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-10):

PARCEL A-2

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 9,661.12 feet North and 9,221.12 feet East, thence running by azimuths measured clockwise from True South:

1. 10° 40' 1,274.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 35° 25' 175.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 62° 40' 531.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 82° 15' 193.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 144° 40' 139.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 252° 40' 219.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 162° 25' 364.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

8.	176°	00'	173.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9.	265°	50'	115.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
10.	180°	50'	105.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	192°	25'	129.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	108°	30'	90.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	187°	30'	454.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
14.	147°	00'	233.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	177°	15'	116.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
16.	230°	20'	106.89	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
17.	265°	10'	283.79	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

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| 18. | 337° 05' | 145.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 19. | 251° 15' | 351.88 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 20. | 298° 00' | 287.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing a gross Area of 29.767 Acres and a Net Area of 21.582 Acres after excluding and deducting Exclusion 1 described as follows: |

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Traingulation Station "KUILI" being 9,703.17 feet North and 8,974.65 feet East, thence running by azimuths measured clockwise from True South:

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| 1. | 10° 40' | 1,090.00 | feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 2. | 01° 45' | 95.37 | feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 3. | 35° 00' | 91.10 | feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 4. | 62° 40' | 275.00 | feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |

5.	160°	40'	151.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6.	173°	35'	179.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7.	266°	15'	99.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8.	180°	35'	90.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9.	194°	25'	321.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
10.	188°	40'	269.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	211°	45'	312.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	136°	00'	103.00	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	252°	40'	145.14	feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

14. 274° 15' 120.21 feet along the remainder of R.P. 7834, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 8.185 Acres. (Refer to Parcel A-2 and Exclusion as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-10):

PARCEL B-1

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 5,810.50 feet North and 7,215.27 feet East, thence running by azimuths measured clockwise from True South:

1. 218° 05' 86.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 205° 05' 123.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 176° 50' 153.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 241° 30' 65.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 296° 05' 726.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 343° 10' 563.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

7.	25° 40'	98.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8.	118° 55'	222.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9.	131° 00'	609.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
10.	122° 30'	156.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	68° 50'	116.88	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	137° 35'	47.46	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 8.751 Acres. (Refer to Parcel B-1 as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-10):

PARCEL B-2

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 5,810.50 feet North and 7,215.27 feet East, thence running by azimuths measured clockwise from True South:

1. 317° 35' 47.46 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 35° 25' 73.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 356° 55' 94.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 318° 35' 738.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 297° 00' 445.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 342° 55' 93.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 51° 55' 252.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8. 87° 30' 65.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9. 130° 15' 97.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

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| 10. | 111° 10' | 236.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 11. | 138° 30' | 844.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 12. | 161° 05' | 265.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 13. | 220° 35' | 85.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 14. | 258° 00' | 134.57 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 15. | 238° 05' | 128.24 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 10.219 Acres. (Refer to Parcel B-2 as shown on Exhibit "A"). |

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-10):

PARCEL C.

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 7,255.80 feet North and 8,529.35 feet East, thence running by azimuths measured clockwise from True South:

1. 228° 15' 82.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 273° 05' 333.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 338° 20' 1,017.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 00° 25' 318.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 282° 10' 73.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 328° 30' 979.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 14° 10' 137.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8. 75° 45' 457.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9. 68° 50' 382.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

10.	149° 10'	143.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	197° 05'	351.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	171° 05'	820.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	267° 30'	77.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
14.	182° 25'	227.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	159° 55'	652.40	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
16.	141° 00'	448.49	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 25.139 Acres. (Refer to Parcel C as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-10):

PARCEL D.

Beginning at the East corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 5,184.42 feet North and 10,285.19 feet East, thence running by azimuths measured clockwise from True South:

1. 68° 20' 120.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 108° 35' 113.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 154° 00' 101.36 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 174° 15' 141.86 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 158° 20' 575.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 139° 50' 134.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 126° 45' 104.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8. 154° 50' 107.47 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

9.	183° 20'	245.02	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
10.	158° 20'	1,349.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	110° 00'	85.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	71° 10'	73.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	50° 05'	233.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
14.	82° 15'	141.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	105° 50'	143.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
16.	94° 00'	165.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
17.	175° 40'	225.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
18.	258° 35'	181.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

19.	284° 20'	145.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
20.	258° 05'	97.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
21.	230° 10'	162.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
22.	256° 35'	168.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
23.	324° 15'	128.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
24.	298° 05'	86.81	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
25.	248° 20'	66.24	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
26.	338° 20'	2,876.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 17.136 Acres. (Refer to Parcel D as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-3):

PARCEL E

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 3,787.30 feet North and 7,114.18 feet East, thence running by azimuths measured clockwise from True South:

1.	150° 03' 07"	2,479.00	feet along Grant 2121 to Pupule;
2.	266° 30'	171.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3.	232° 25'	103.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4.	214° 35'	459.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5.	322° 45'	577.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6.	51° 15'	158.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7.	14° 35'	139.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8.	352° 00'	170.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9.	341° 10'	408.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

10.	307° 05'	470.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	317° 05'	134.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	08° 55'	70.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	68° 40'	194.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
14.	359° 25'	337.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	322° 10'	114.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
16.	296° 00'	201.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
17.	277° 30'	197.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
18.	261° 50'	208.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
19.	251° 40'	103.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

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| 20. | 316° 15' | 143.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 21. | 64° 45' | 376.44 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 22. | 77° 50' | 417.09 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 27.100 Acres. (Refer to Parcel E as shown on Exhibit "A"). |

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-3):

PARCEL F

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 10,775.96 feet North and 6,794.70 feet East, thence running by azimuths measured clockwise from True South:

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| 1. | 324° 00' | 601.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 2. | 54° 00' | 350.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 3. | 144° 00' | 719.60 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |

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|----|--------------|--------|---|
| 4. | 260° 42' | 30.93 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 5. | 227° 48' | 40.47 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 6. | 256° 48' | 8.01 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 7. | 297° 01' | 36.76 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 8. | 249° 50' 15" | 268.26 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 5.268 Acres. (Refer to Parcel F as shown on Exhibit "A"). |

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-3):

PARCEL G

Beginning at the Southeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 8,499.08 feet North and 6,197.10 feet East, thence running by azimuths measured clockwise from True South:

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| 1. | 95° 30' | 174.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
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2.	151° 25'	247.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3.	160° 35'	173.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4.	207° 05'	64.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5.	255° 45'	83.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6.	321° 05'	263.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7.	335° 00'	214.64	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8.	12° 30'	76.81	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 2.107 Acres. (Refer to Parcel G as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Multiple Family Residential (RM-3):

PARCEL H

Beginning at the East corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 6,552.16 feet North and 8,388.76 feet East, thence running by azimuths measured clockwise from True South:

1. 06° 20' 492.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 104° 50' 176.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 124° 25' 872.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 135° 05' 546.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 64° 40' 208.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 103° 45' 388.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 152° 20' 135.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8. 171° 05' 209.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9. 228° 10' 100.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

10.	309° 55'	387.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	275° 15'	139.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	237° 25'	192.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	230° 30'	187.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
14.	315° 20'	597.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	304° 05'	668.01	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
16.	268° 15'	200.57	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 17.586 Acres. (Refer to Parcel H as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Resort-Hotel (V-2.25):

PARCEL I

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 7,790.33 feet North and 4,911.55 feet East, thence running by azimuths measured clockwise from True South:

1. 108° 19" 52" 392.100 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha and along Grant 2121 to Pupule;
2. 145° 18' 112.53 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 52° 48' 36.64 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 140° 57' 63.70 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 113° 53' 76.55 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 99° 51' 32.33 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 158° 46' 33.32 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8. 112° 55' 50.45 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

9.	162° 29'	47.26	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
10.	188° 35'	66.29	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	146° 04'	42.76	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	170° 54'	94.59	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	243° 55'	56.02	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
14.	178° 37'	49.28	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	215° 32'	40.28	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
16.	172° 51'	41.76	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
17.	208° 31'	33.89	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
18.	223° 27'	111.38	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

19.	171° 12'	124.32	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
20.	123° 28'	134.53	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
21.	159° 54'	47.13	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
22.	192° 31'	65.55	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
23.	180° 23'	88.18	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
24.	134° 31'	20.39	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
25.	181° 52'	88.14	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
26.	136° 36'	25.28	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
27.	195° 06'	18.33	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
28.	231° 48'	62.83	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

29.	203°	28'	18.02	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
30.	252°	07'	49.17	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
31.	254°	15'	76.48	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
32.	165°	22'	50.52	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
33.	232°	50'	32.27	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
34.	255°	30'	97.52	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
35.	295°	15'	55.50	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
36.	198°	34'	107.86	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
37.	226°	54'	83.75	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
38.	278°	04'	61.71	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

39.	232°	21'	71.71	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
40.	249°	50'	147.75	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
41.	303°	12'	92.69	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
42.	243°	51'	93.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
43.	09°	00'	269.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
44.	283°	25'	184.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
45.	321°	40'	510.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
46.	307°	50'	124.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
47.	355°	05'	120.95	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
48.	32°	15'	249.13	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

49. 41° 40' 858.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 37.259 Acres. (Refer to Parcel I as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Resort-Hotel (V-2.25):

PARCEL J

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 10,064.14 feet North and 5,624.95 feet East, thence running by azimuths measured clockwise from True South:

1. 237° 39' 15.40 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 223° 06' 176.21 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 239° 53' 91.03 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 204° 03' 93.06 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 237° 07' 19.19 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

6.	251°	11'	168.15	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7.	239°	32'	201.75	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
8.	220°	36'	202.07	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
9.	260°	42'	87.28	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
10.	324°	00'	719.60	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
11.	234°	00'	207.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
12.	324°	00'	168.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
13.	351°	50'	84.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
14.	02°	00'	77.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
15.	20°	50'	99.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

16.	40° 30'	135.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
17.	333° 45'	477.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
18.	58° 00'	153.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
19.	328° 00'	130.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
20.	58° 00'	358.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
21.	148° 00'	93.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
22.	58° 00'	117.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
23.	148° 00'	119.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
24.	58° 00'	260.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
25.	148° 00'	450.00	feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;

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| 26. | 125° 15' | 154.55 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 27. | 148° 00' | 834.47 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 38.255 Acres. (Refer to Parcel J). |

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Resort-Hotel (V-10):

PARCEL K

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 6,217.76 feet North and 5,891.88 feet East, thence running by azimuths measured clockwise from True South:

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|----|----------|--------|---|
| 1. | 163° 40' | 388.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 2. | 253° 40' | 475.00 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 3. | 343° 40' | 200.09 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha; |
| 4. | 52° 05' | 510.82 | feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 3.206 Acres. (Refer to Parcel K as shown on Exhibit "A"). |

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii, shall be Village Commercial (CV-10):

PARCEL L

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUILI" being 8,349.11 feet North and 5,408.38 feet East, thence running by azimuths measured clockwise from True South:

1. 311° 40' 388.71 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 42° 15' 314.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 353° 20' 93.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 83° 20' 219.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 111° 15' 167.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 122° 40' 154.80 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 221° 40' 621.88 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 5.174 Acres. (Refer to Parcel L as shown on Exhibit "A").

The district classification of the following area situated at Kaupulehu, North Kona, Hawaii shall be Village Commercial, (CV-10):

PARCEL M

Beginning at the East corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KUIILI" being 6,996.69 feet North and 8.412.26 feet East, thence running by azimuths measured clockwise from True South:

1. 58° 15' 133.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
2. 123° 30' 1,006.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
3. 198° 00' 125.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
4. 274° 00' 291.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
5. 287° 55' 292.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
6. 317° 00' 287.04 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha;
7. 332° 15' 321.00 feet along the remainder of R.P. 7843, L.C. Aw. 7715, Apana 10 to L. Kamehameha to the point of beginning and containing an Area of 6.207 Acres. (Refer to Parcel M 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. This change in district classification is conditioned upon the following: (A) the applicant, successors or its assigns shall comply with all of the stated conditions of approval; (B) a determination that the adequacy of potable water can be met for the various zoned districts or a specified increment thereof shall be made in the following manner:

(1) a detailed water resource management plan shall be submitted to and accepted by the Planning Director in consultation with the Department of Water Supply and the State Department of Health. Said plan shall include, but not be limited to, hydrological study(ies) of water source(s); location of the well(s) or point of diversion; quantity and quality of water; dependability and sustainable yield of the identified source(s); a calculation of water demand based on maximum density permitted or total land area of the zoned district; projected maximum water consumption for domestic, commercial, industrial and fire protection purposes of the proposed development or specified increment; location of proposed water system, water storage, pumps and transmission lines; reporting schedule and operational procedures;

(2) following the acceptance of a water resource management plan, an agreement, which has been approved by the Department of Water Supply, the Planning Director and Corporation Counsel, shall be executed with the County of Hawaii prior to the issuance of final subdivision approval to assure implementation

of the accepted water resource management plan; (C) a 150-foot wide planting easement adjacent to and along Queen Kaahumanu Highway throughout the length of the properties, exclusive of roadway access, shall be set aside and delineated on subdivision plans submitted for the affected area. Landscaping plans shall be submitted and approved by the Planning Director in conjunction with the review of construction plans for subdivision improvements; (D) fully channelized intersection improvements, including but not limited to deceleration, acceleration and left-turn storage lanes, traffic lights and/or an overpass or underpass, if required, shall be provided at the intersection of Queen Kaahumanu Highway and a proposed main resort entry road meeting with the approval of the State Department of Transportation, Highways Division, prior to the opening of the proposed hotel. These improvements may be provided jointly with adjoining property owners; (E) a traffic monitoring program at the intersection with Queen Kaahumanu Highway shall be submitted to and approved by the State Department of Transportation, Highways Division, prior to receiving final plan approval for any portion of the proposed development. If additional intersection improvements such as a fully channelized intersection with acceleration/deceleration lanes, signal lights and/or an underpass or overpass, are required as determined by the findings of subsequent monitoring and analysis, the applicant shall provide the improvements in

accordance with the requirements of the State Department of Transportation, Highways Division. These improvements may be provided jointly with adjoining property owners; (F) all roadways within the proposed development shall be constructed in accordance with the requirements of the Department of Public Works. Curbs, gutters and sidewalks may be required to be constructed in areas of likely pedestrian traffic as determined by the Chief Engineer and the Planning Director; (G) a roadway connection to the adjacent property along the southwestern boundary shall be provided meeting with the approval of the Department of Public Works; (H) no lots shall have direct access from the Queen Kaahumanu Highway except through an access point approved by the State Department of Transportation. Other access to the proposed lots shall be from the interior roadways; (I) a drainage system shall be installed meeting with the approval of the Department of Public Works; (J) all residential, commercial and hotel units and uses shall be connected to a secondary sewage treatment plant, public or private, meeting with the approval of the appropriate governmental agencies. The secondary sewage treatment plant shall have a stand-by generator to operate the plant in the event of an electrical power outage; (K) the applicant, successors or assigns shall be responsible for satisfying an affordable housing requirement which is being assessed on both the resort and residential components of the proposed project.

A maximum of four hundred eighteen (418) affordable units will be required to address the needs generated by the one thousand fifty eight (1,058) resort/hotel units currently being proposed. A maximum of three hundred (300) affordable units will be required for the residential component of the project based on 60% of the total number of residential units being proposed. The total affordable housing requirement being assessed, based on the current development scenario, will be a maximum of seven hundred eighteen (718) affordable units. These affordable housing units may be provided on or off the project site. The actual number of affordable units required may increase or decrease proportionally along with the actual number of resort and residential units developed by the applicant. Stated in 1988 dollars and subject to adjustment for inflation, the dollar value equivalent of the affordable housing requirement involving seven hundred eighteen (718) affordable units shall be a maximum of five million seven hundred seventy-one thousand five hundred twenty dollars (\$5,771,520). This value may be adjusted annually on the effective date of the change of zone ordinance by the Planning Director in consultation with the Office of Housing and Community Development based on mutually acceptable cost indices. The affordable housing requirement shall be implemented concurrently with the completion of units for the resort/residential project. If an affordable housing demand,

or portion thereof, does not exist at the time a particular phase of a resort is ready to be developed, the requirement may be deferred and the phase of resort development allowed to be developed. An in lieu payment may be made in cash, through the provisions of services, or by other acceptable means to satisfy the affordable housing condition. The method of satisfying the affordable housing requirement must be approved by the County Housing Agency, subsequent to review and recommendation by the Office of Housing and Community Development, prior to the issuance of Final Plan Approval for any phase or increment of the proposed resort/residential development. Affordable units provided to satisfy the requirements of these conditions shall, as a guide, utilize the following distribution: 17% affordable to families earning less than 80% of the median family income; 33% affordable to families earning between 80% to 120% of median family income; 50% affordable to families earning between 120% to 140% of median family income; (L) an intensive archaeological survey and mitigation plan shall be submitted to the Planning Department for review and approval at the time of plan approval review and/or prior to any land preparation activity being conducted on the property; (M) 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; (N) plans for the hotel and related improvement shall be submitted to the Planning Department for plan approval review within one year from the effective date of this ordinance. Construction shall commence within one year from the date of receipt of final plan approval and be completed within three years thereafter; (O) a water quality and marine life monitoring and mitigation plan shall be submitted to and approved by the Planning Department prior to the issuance of a grading permit and/or prior to any land preparation activity being conducted on the golf course and hotel sites; (P) an anchialine pond management plan shall be submitted to and approved by the Planning Director within one year from the effective date of the ordinance or prior to conducting any land preparation activity in the affected area, whichever occurs first; (Q) two mauka-makai public accesses shall be provided. A lateral public access throughout the length of the property shall also be provided. One public shoreline parking stall for every 10 hotel and residential units and restroom/shower facilities shall be provided at each mauka-makai access concurrently with the development of the first hotel or residential development. An easement shall be recorded with the State Bureau of Conveyances for both the public accesses and parking areas. The location, time of construction and/or availability, restrictions or uses, signage and related improvements for the public shoreline accesses and

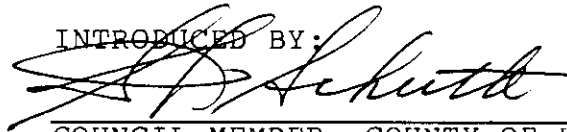
parking areas shall be approved by the Planning Department. Best efforts shall be used to secure the necessary governmental permits for the development of a swimming beach at a location between the two hotel sites on the subject property; (R) a construction housing mitigation plan shall be submitted to the Planning Department for review and approval prior to the issuance of final plan approval of the proposed hotel. The plan shall include a regular reporting schedule to allow the Planning Department to monitor the construction housing impact; (S) no improvement, unless otherwise exempted by law, shall be allowed within the 40-foot shoreline setback area unless a Shoreline Setback Variance has been applied for and granted by the Planning Commission; (T) all applicable conditions of Shoreline Management Area Use Permit Nos. 271 and 272 shall be complied with; (U) all other applicable laws, rules, regulations and requirements, including those of the Department of Water Supply shall be complied with; (V) 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; (W) 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, (X) 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:

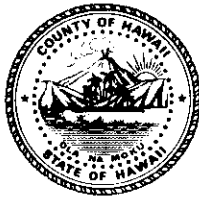


COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction: September 7, 1988
Date of 1st Reading: September 7, 1988
Date of 2nd Reading: October 5, 1988
Effective Date: October 27, 1988

R.B. LEGASPI
County Clerk



TOMIO FUJII
Deputy County Clerk
HARRY A. TAKAHASHI
Legislative Auditor

OFFICE OF THE COUNTY CLERK

County of Hawaii
Hawaii County Building
25 Aupuni Street
Hilo, Hawaii 96720

NOTE

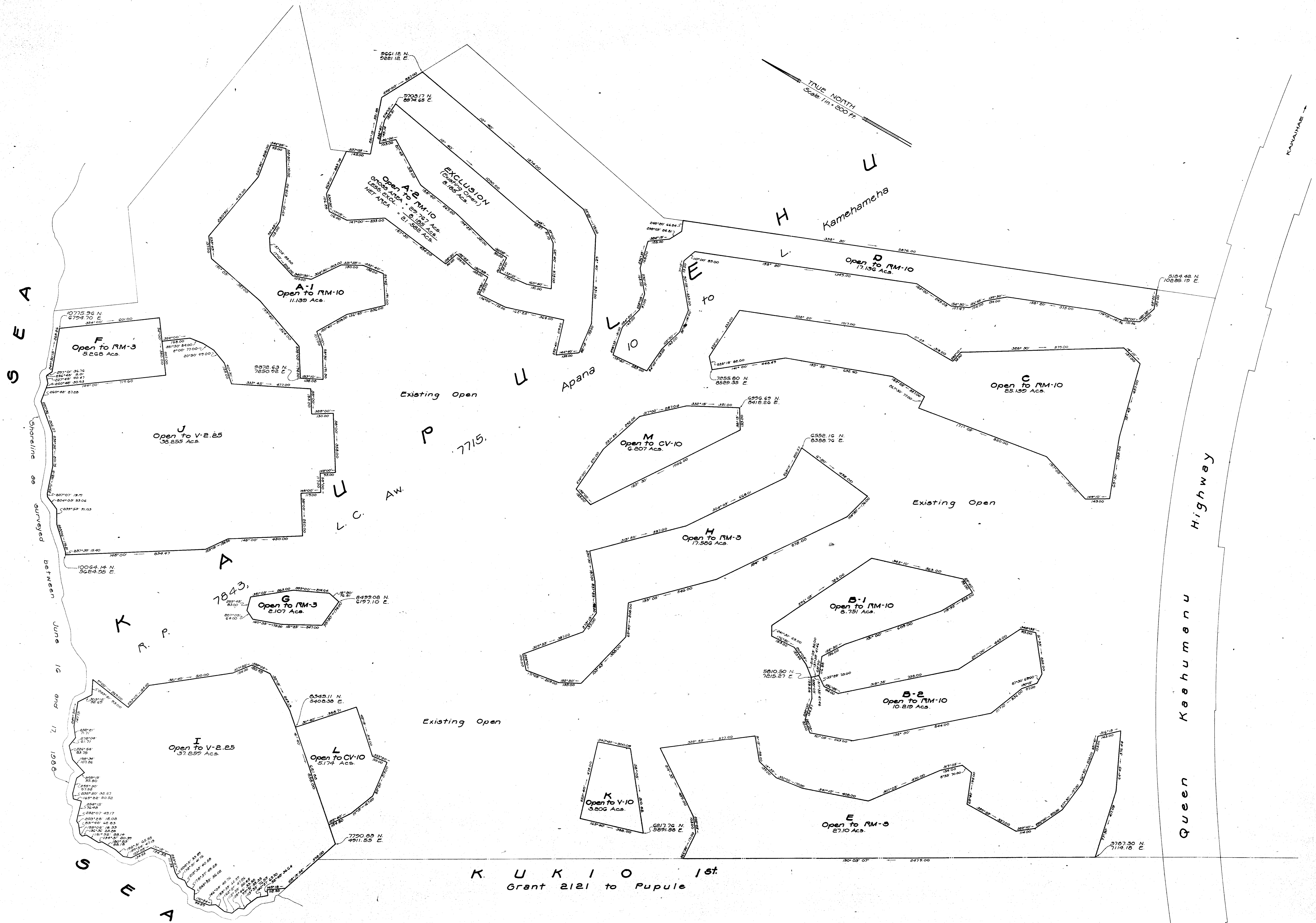
On Bill No. 607 (Draft 3), Ordinance No. 88-157,
reference is made to a map attached hereto, marked
Exhibit "A".

Said exhibit is not part of the duplicate copies of
this ordinance due to its size, but is available for
viewing in the Office of the County Clerk.

If further information is needed, call 961-8255.

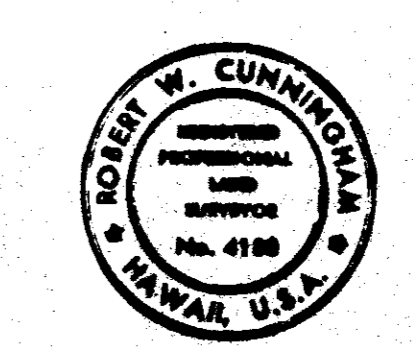
R. B. Legaspi

R. B. Legaspi
COUNTY CLERK



PROPOSED ZONING CHANGES
 At Kaupulehu, North Kona, Hawaii
 Tax Map Key 7-2-03:1 (PORTION)

NOTE:
 Coordinates referred to "KULI" &



Robert W. Cunningham
 This work was prepared by
 me or under my supervision

Prepared by:
BELT COLLINS & ASSOCIATES
 600 Ala Moana Blvd. #200
 Honolulu, Hawaii 96813

July 1, 1988