

COUNTY OF HAWAII STATE OF HAWAII

BILL NO. 211  
(DRAFT 2)

ORDINANCE NO. 90 39

AN ORDINANCE AMENDING SECTION 25-95G (PUAKO-ANAEHOOMALU ZONE MAP), ARTICLE 3, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM UNZONED (PREVIOUSLY PROPOSED ROADWAYS), VILLAGE COMMERCIAL (CV-10), MULTIPLE FAMILY RESIDENTIAL (RM-1.5) AND OPEN (O) TO VILLAGE COMMERCIAL (CV-10), MULTIPLE FAMILY RESIDENTIAL (RM-1.5) AND TO OPEN (O) AT ANAEHOOMALU, SOUTH KOHALA, HAWAII, AND COVERED BY TAX MAP KEY 6-9-07:22, 23, 24, AND PORTIONS OF 25 and 30.

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

SECTION 1. Section 25-95G, 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 are situated at Anaehoomalu, South Kohala, Hawaii, shall be Village Commercial (CV-10):

PARCEL 1:

Beginning at the South corner of this parcel of land, on the Northeasterly side of Waikoloa Beach Drive, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,026.27 feet North and 35,863.29 feet West, thence running by azimuths measured clockwise from True South:

1. 122° 34' 56" 100.00 feet along the Northeasterly side of Waikoloa Beach Drive;
2. Thence along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama, on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:  
257° 34' 56" 28.28 feet;

3. 212° 34' 56" 240.00 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
4. Thence along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama, on a curve to the right with a radius of 230.00 feet, the chord azimuth and distance being:  
  
237° 26' 28" 193.38 feet;
5. 304° 32' 102.18 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
6. 90° 00' 53.36 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
7. Thence along the remainder of R.P. Aw. 4452, Apana 4 to H. Kalama, on a curve to the left with a radius of 170.00 feet, the chord azimuth and distance being:  
  
61° 17' 28" 163.32 feet;
8. 32° 34' 56" 240.00 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
9. Thence along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama, on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being:  
  
347° 34' 56" 28.28 feet  
  
to the point of beginning and containing an Area of 0.652 Acre. (Refer to Parcel 1 as shown on Exhibit "A")

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be

Open (0):

PARCEL 2:

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,392.50 feet North and 35,627.71 feet West, thence running by azimuths measured clockwise from True South:

1. 124° 32' 442.48 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
2. 278° 13' 03" 590.63 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
3. 354° 36' 105.44 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
4. 280° 54' 26.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
5. Thence along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama, on a curve to the right with a radius of 170.00 feet, the chord azimuth and distance being:  
66° 24' 37" 136.06 feet;
6. 90° 00' 100.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
7. Thence along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to

H. Kalama, on a curve to the left with a radius of 230.00 feet, the chord azimuth and distance being:

86° 09'                      30.89 feet

to the point of beginning and containing an Area of 1.751 Acres. (Refer to Parcel 2 as shown on Exhibit "A").

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Open (0):

PARCEL 3:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,392.50 feet North and 35,627.71 feet West, thence running by azimuths measured clockwise from True South:

1. Along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama, on a curve to the right with a radius of 230.00 feet, the chord azimuth and distance being:  
266° 09'                      30.89 feet;
2. 270° 00'                      100.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
3. Thence along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama, on a curve to the left with a radius of 170.00 feet, the chord azimuth and distance being:  
233° 30'                      202.24 feet;

4. 312° 40' 64.67 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
5. Thence along the remainder of R.P. 7523, Apana 4 to H. Kalama, on a curve to the right with a radius of 230.00 feet, the chord azimuth and distance being:  
56° 59' 50" 250.55 feet;
6. 90° 00' 46.64 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
7. 124° 32' 102.18 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 0.455 Acre.  
(Refer to Parcel 3 as shown on Exhibit "A").

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Open (0):

PARCEL 4:

Beginning at the East corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,363.23 feet North and 35,278.60 feet West, thence running by azimuths measured clockwise from True South:

1. 33° 17' 05" 173.83 feet along R.P. 5671, L.C.  
Aw. 8521-B, Apana 1 to G.D. Hueu;
2. 124° 32' 205.80 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;

3. 270° 00' 46.64 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
4. Thence along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama, on a curve to the left with a radius of 230.00 feet, the chord azimuth and distance being:  
241° 57' 09" 216.29 feet;
5. 280° 54' 22.60 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
6. 355° 40' 68.97 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 0.514 Acre. (Refer to Parcel 4 as shown on Exhibit "A").

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Multiple Family Residential (RM-1.5):

PARCEL 5:

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,363.23 feet North and 35,278.60 feet West, thence running by azimuths measured clockwise from True South:

1. 175° 40' 68.97 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
2. 280° 54' 45.53 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;

3. 33° 17' 05" 71.97 feet along R.P. 5671, L.C. Aw. 8521-B, Apana 1 to G.D. Hueu to the point of beginning and containing an Area of 0.035 Acre. (Refer to Parcel 5 as shown on Exhibit "A")

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Multiple Family Residential (RM-1.5):

PARCEL 6:

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,736.78 feet North and 35,244.49 feet West, thence running by azimuths measured clockwise from True South:

1. 305° 34' 176.63 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
2. 33° 17' 05" 251.99 feet along R.P. 5671, L.C. Aw. 8521-B, Apana 1 to G.D. Hueu;
3. 100° 54' 45.53 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
4. 175° 40' 39.15 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
5. Thence along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama, on a curve to the left with a radius of 230.00 feet, the chord azimuth and distance being:  
197° 36' 21" 51.19 feet;
6. 265° 30' 25.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;

7. 180° 30' 215.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 0.613 Acre. (Refer to Parcel 6 as shown on Exhibit "A")

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Multiple Family Residential (RM-1.5):

PARCEL 7:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,514.87 feet North and 35,334.32 feet West, thence running by azimuths measured clockwise from True South:

1. 265° 30' 63.23 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
2. Thence along the remainder of R.P. 7523, L.C. Aw. 4452 Apana 4 to H. Kalama, on a curve to the right with a radius of 230.00 feet, the chord azimuth and distance being:  
17° 36' 21" 51.19 feet;
3. 132° 40' 64.67 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 0.036 Acre. (Refer to Parcel 7 as shown on Exhibit "A").

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Open (0):



PARCEL 8:

Beginning at the East corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,514.87 feet North and 35,334.32 feet West, thence running by azimuths measured clockwise from True South:

1. 85° 30' 31.77 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
2. 175° 10' 34.49 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
3. 312° 40' 47.02 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 0.013 Acre.  
(Refer to Parcel 8 as shown on Exhibit "A").

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Multiple Family Residential (RM-1.5):

PARCEL 9:

Beginning at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 6,313.53 feet North and 35,974.26 feet West, thence running by azimuths measured clockwise from True South:

1. 8° 00' 113.00 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
2. 318° 30' 330.00 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;

3. 296° 40' 430.00 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
4. 355° 10' 215.51 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
5. 132° 40' 314.80 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
6. 127° 00' 412.23 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
7. 153° 11' 362:06 feet along the remainder of R.P. 7523, L.C.  
Aw. 4452, Apana 4 to H. Kalama;
8. 278° 31' 120.00 feet along the remainder of R.P. 7523, L.C.  
Aw 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 1.861 Acres.  
(Refer to Parcel 9 as shown on Exhibit "A").

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be

Open (0):

PARCEL 10:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 6,313,53 feet North and 35,974.26 feet West, thence running by azimuths measured clockwise from the True South:

1. 268° 30' 780.93 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
2. 317° 30' 122.97 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
3. 90° 38' 426.31 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
4. 98° 31' 442.33 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 1.129 Acres. (Refer to Parcel 10 as shown on Exhibit "A").

The district classification of the following are situated at Anaehoomalu, South Kohala, Hawaii, shall be Open (0):

PARCEL 11:

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 5,736.78 feet North and 35,244.49 feet West, thence running by azimuths measured clockwise from True South:

1. 162° 00' 115.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;
2. 188° 20' 103.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;

- |    |          |   |
|----|----------|---|
| 3. | 210° 05' | 264.51 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;  |
| 4. | 18° 20'  | 353.09 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama;  |
| 5. | 0° 30'   | 105.00 feet along the remainder of R.P. 7523, L.C. Aw. 4452, Apana 4 to H. Kalama to the point of beginning and containing an Area of 0.306 Acre. (Refer to Parcel 11 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 petitioner, successors, or its assigns shall comply with all of the conditions outlined in the previously approved Change of Zone Ordinance No. 265, as amended, and Ordinance No. 85 76; (B) Comply with all other applicable laws, rules, regulations, and requirements; and, (C) Should any of the affected conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate rezoning of the area to its original or 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.

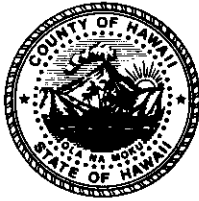
INTRODUCED BY:

  
COUNCIL MEMBER, COUNTY OF HAWAII

Hilo, Hawaii

Date of Introduction:	March 23, 1990
Date of 1st Reading:	March 23, 1990
Date of 2nd Reading:	April 4, 1990
Effective Date:	April 12, 1990

JOHN A. WAGNER  
County Clerk



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. 211 Dr. 2, Ordinance No. 90-39,  
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.

A handwritten signature in black ink that reads "John A. Wagner". The signature is written in a cursive, flowing style.

John A. Wagner  
COUNTY CLERK