

The Champion Ridge Rec 11/26/03

Gilbert

COUNTY OF HAWAII STATE OF HAWAII



BILL NO. 128

ORDINANCE NO. 03 149

AN ORDINANCE AMENDING SECTION 25-8-13 (PUAKO-ANAEHOOMALU ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM MULTIPLE-FAMILY RESIDENTIAL (RM-3) TO SINGLE-FAMILY RESIDENTIAL (RS-20) AT WAIKOLOA, SOUTH KOHALA, HAWAII, COVERED BY TAX MAP KEY 6-8-27:1, 3-7, 9-12, 16-27, AND 29-35.

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

SECTION 1. Section 25-8-13, Article 8, Chapter 25 (Zoning Code) of the Hawaii County Code, is amended to change the district classification of property described hereinafter as follows:

The district classification of the following area situated Waikoloa, South Kohala, Hawaii, shall be Single-Family Residential (RS-20):

Parcel A:

Beginning at the Northeasterly corner of this parcel of land, being also the Southeasterly corner of Lot 2 of Champion Ridge at Mauna Lani (File Plan 2003) and being a point on the Westerly side of West Pukaua Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 12,654.15 feet North and 29,476.94 feet West and running by azimuths measured clockwise from True South:

Thence, following along the Southerly side of West Pukaua Place on a curve to the left with a radius of 260.00 feet, the chord azimuth and distance being:

- 1. 314° 00' 29.93 feet to a point;
- 2. 310° 42' 62.55 feet along the Southerly side of West Pukaua Place to a point;

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Thence, for the next three (3) courses following the Westerly side of Pukaua Street:

Thence, following on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

- | | | | |
|----|----------|--------|------------------|
| 3. | 355° 21' | 28.11 | feet to a point; |
| 4. | 40° 00' | 119.53 | feet to a point; |

Thence, following on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

- | | | | |
|----|---------|-------|------------------|
| 5. | 87° 17' | 44.08 | feet to a point; |
|----|---------|-------|------------------|

Thence, following along the Northerly side of Pukaua Street and along Lot 3 of Mauna Lani Resort, Grove Subdivision (File Plan 2204) and along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu on a curve to the right with a radius of 1,290.00 feet, the chord azimuth and distance being:

- | | | | |
|----|----------------|--------|---|
| 6. | 136° 48' 37.5" | 101.01 | feet to a point; |
| 7. | 227° 18' | 161.62 | feet along Lot 2 of Champion Ridge at Mauna Lani (File Plan 2003) and along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu to the point of beginning and containing an area of 20,154 Square Feet. |

Parcel B:

Beginning at the Southeasterly corner of this parcel of land, being also the Northeasterly corner of Lot 2 of Champion Ridge at Mauna Lani (File Plan 2003) and being a point on the Westerly side of West Pukaua Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 12,736.45 feet North and 29,528.27 feet West and running by azimuths measured clockwise from True South:

Thence, for the next ten (10) courses following along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu:

1. 68° 48' 177.09 feet along Lot 2 of Champion Ridge at Mauna Lani (File Plan 2003) to a point;

Thence, for the next three (3) courses following along Lot 3 of Mauna Lani Resort, Grove Subdivision (File Plan 2204):

Thence, following on a curve to the right with a radius of 1,290.00 feet, the chord azimuth and distance being:

2. 151° 00' 27" 216.00 feet to a point;

Thence, following on a curve to the left with a radius of 200.00 feet, the chord azimuth and distance being:

3. 147° 21' 48" 58.76 feet to a point;
4. 138° 55' 10.37 feet to a point;

Thence, for the next four (4) courses following along Lot 4 of Mauna Lani Resort, Grove Subdivision (File Plan 2204):

5. 248° 00' 152.00 feet to a point;
6. 219° 38' 30" 128.78 feet to a point;
7. 186° 35' 20" 263.31 feet to a point;
8. 243° 25' 83.99 feet to a point;
9. 327° 49' 182.55 feet along Lot 8 of Champion Ridge at Mauna Lani (File Plan 2003) to a point;

Thence, following along Lot 8 of Champion Ridge at Mauna Lani (File Plan 2003) on a curve to the right with a radius of 10.00 feet, the chord azimuth and distance being:

10. 5° 39' 57" 12.27 feet to a point;

Thence, for the next three (3) courses following along the Westerly side of West Pukaua Place:

Thence, following on a curve to the left with a radius of 125.00 feet, the chord azimuth and distance being:

11. 31° 59' 27" 49.95 feet to a point;
12. 20° 28' 259.85 feet to a point;

Thence, following on a curve to the left with a radius of 260.00 feet, the chord azimuth and distance being:

13. 359° 38' 184.94 feet to the point of beginning and containing an area of 2.820 Acres.

Parcel C:

Beginning at the Southwesterly corner of this parcel of land, being also the Southwesterly corner of Lot 12 and the Northwesterly corner of Lot 13 of Champion Ridge at Mauna Lani (File Plan 2003) and being a point on the Northeasterly side of West Pukaua Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 13,116.08 feet North and 29,152.02 feet West and running by azimuths measured clockwise from True South:

Thence, for the next four (4) courses following along the Northeasterly side of West Pukaua Place:

Thence, following on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:

1. 149° 48' 43" 83.15 feet to a point;

Thence, following on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

2. 114° 15' 43" 35.36 feet to a point;
3. 134° 58' 10.00 feet to a point;

Thence, following on a curve to the left with a radius of 125.00 feet, the chord azimuth and distance being:

4. 98° 51' 46" 147.31 feet to a point;

Thence, for the next nine (9) courses following along the remainder of Royal

Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu:

Thence, following along Lot 8 of Champion Ridge at Mauna Lani (File Plan 2003) on a curve to the right with a radius of 10.00 feet, the chord azimuth and distance being:

5. 105° 17' 16" 13.52 feet to a point;
6. 147° 49' 176.42 feet along Lot 8 of Champion Ridge at Mauna Lani (File Plan 2003) to a point;

Thence, for the next five (5) courses following along Lot 4 of Mauna Lani Resort, Grove Subdivision (File Plan 2204) to a point;

7. 243° 25' 40.91 feet to a point;
8. 231° 30' 64.99 feet to a point;
9. 285° 10' 357.00 feet to a point;
10. 321° 43' 184.82 feet to a point;
11. 0° 45' 128.36 feet to a point;
12. 44° 56' 61.02 feet along Lot 14 of Champion Ridge at Mauna Lani (File Plan 2003) to a point;
13. 116° 04' 187.10 feet along Lot 13 of Champion Ridge at Mauna Lani (File Plan 2003) to the point of beginning and containing an area of 2.464 Acres.

Parcel D:

Beginning at the Northwesterly corner of this parcel of land, being also the Westernmost corner of Lot 15 of Champion Ridge at Mauna Lani (File Plan 2003) and being a point on the Easterly side of West Pukaua Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 13,053.66 feet North and 29,426.71 feet West and running by azimuths measured clockwise from True South:

Thence, for the next six (6) courses following along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu:

1. 290° 28' 170.83 feet along Lot 15 of Champion Ridge at Mauna Lani (File Plan 2003) to a point;

Thence, for the next five (5) courses following along Lot 14 of Champion Ridge at Mauna Lani (File Plan 2003):

2. 18° 32' 86.69 feet to a point;

Thence, following on a curve to the left with a radius of 150.00 feet, the chord azimuth and distance being:

3. 344° 37' 167.40 feet to a point;
4. 310° 42' 12.00 feet to a point;
5. 40° 00' 162.65 feet to a point;

Thence, following on a curve to the right with a radius of 10.00 feet, the chord azimuth and distance being:

6. 85° 21' 14.23 feet to a point;

Thence, for the next three (3) courses following along the Easterly side of West Pukaua Place:

7. 130° 42' 83.58 feet to a point;

Thence, following on a curve to the right with a radius of 210.00 feet, the chord azimuth and distance being:

8. 165° 35' 240.20 feet to a point;
9. 200° 28' 159.85 feet to the point of beginning and containing an area of 1.642 Acres.

Parcel E:

Beginning at the Northeasterly corner of this parcel of land, being also a point on the Northerly side of East Pukaua Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 12,783.61 feet North and 28,860.19 feet West and running by azimuths measured clockwise from True South:

Thence, for the next seven (7) courses following along the Northerly side of East Pukaua Place:

Thence, following on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:

1. 334° 54' 38.43 feet to a point;
2. 312° 18' 9.61 feet to a point;

Thence, following on a curve to the right with a radius of 80.00 feet, the chord azimuth and distance being:

3. 350° 53' 37" 99.81 feet to a point;

Thence, following on a curve to the right with a radius of 240.00 feet, the chord azimuth and distance being:

4. 44° 44' 36" 126.31 feet to a point;
5. 60° 00' 90.00 feet to a point;

Thence, following on a curve to the right with a radius of 240.00 feet, the chord azimuth and distance being:

6. 95° 21' 277.71 feet to a point;
7. 130° 42' 65.43 feet to a point;

Thence, for the next five (5) courses following along Lot 14 of Champion Ridge at Mauna Lani (File Plan 2003) and along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu:

Thence, following on a curve to the right with a radius of 10.00 feet, the chord azimuth and distance being:

8. 175° 21' 14.06 feet to a point;
9. 220° 00' 162.89 feet to a point;
10. 310° 42' 38.00 feet to a point;

Thence, following on a curve to the left with a radius of 100.00 feet, the chord azimuth and distance being:

11. 252° 49' 169.39 feet to a point;
12. 194° 56' 110.00 feet to a point;
13. 296° 08' 146.14 feet to the point of beginning and containing an area of 2.304 Acres.

Parcel F:

Beginning at the Southwesterly corner of this parcel of land, being also the Northwesterly corner of Lot 28 of Champion Ridge at Mauna Lani (File Plan 2003) and being a point on the Easterly end of East Pukaua Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 12,684.65 feet North and 28,650.89 feet West and running by azimuths measured clockwise from True South:

Thence, following along the Easterly end of East Pukaua Place on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:

1. 163° 03' 39" 80.55 feet to a point;

Thence, following along the Easterly end of East Pukaua Place on a curve to the right with a radius of 300.00 feet, the chord azimuth and distance being:

2. 120° 51' 09" 119.08 feet to a point;

Thence, following along the Northerly side of East Pukaua Place on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being:

3. 79° 49' 79.32 feet to a point;

Thence, for the next five (5) courses following along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu:

4. 116° 08' 144.99 feet along Lot 14 of Champion Ridge at Mauna Lani (File Plan 2003) to a point;

5. 194° 56' 168.51 feet along Lot 14 of Champion Ridge at Mauna Lani (File Plan 2003) to a point;

Thence, for the next three (3) courses following along Lot 4 of Mauna Lani Resort, Grove Subdivision, (File Plan 2204);

6. 278° 40' 217.11 feet to a point;
7. 309° 05' 237.15 feet to a point;
8. 301° 40' 259.77 feet to a point;
9. 49° 55' 141.99 feet along the Northerly side of South Kaniku Drive to a point;
10. 105° 02' 228.48 feet along Lot 28 of Champion Ridge at Mauna Lani (File Plan 2003) and along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu to the point of beginning and containing an area of 2.623 Acres.

Parcel G:

Beginning at the Southeasterly corner of this parcel of land, being also the Southwesterly corner of Lot 28 of Champion Ridge at Mauna Lani (File Plan 2003) and being a point on the Northerly side of South Kaniku Drive, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU HINAI" being 12,510.06 feet North and 28,570.76 feet West and running by azimuths measured clockwise from True South:

Thence, following along the Northerly side of South Kaniku Drive on a curve to the right with a radius of 1,970.00 feet, the chord azimuth and distance being:

1. 62° 54' 16" 701.40 feet to a point;

Thence, for the next five (5) courses following along the Northeasterly side of Pukaua Street:

Thence, following on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

2. 109° 13' 46" 35.33 feet to a point;

3. 145° 18' 22.19 feet to a point;

Thence, following on a curve to the left with a radius of 370.00 feet, the chord azimuth and distance being:

4. 135° 29' 126.17 feet to a point;

5. 125° 40' 54.00 feet to a point;

Thence, following on a curve to the right with a radius of 1,290.00 feet, the chord azimuth and distance being:

6. 127° 17' 41" 73.30 feet to a point;

Thence, for the next three (3) courses following along the Easterly side of Pukaua Street:

Thence, following on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

7. 174° 27' 41" 42.82 feet to a point;

8. 220° 00' 122.04 feet to a point;

Thence, following on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

9. 265° 21' 28.46 feet to a point;

Thence, for the next five (5) courses following along the Southerly side of East Pukaua Place:

10. 310° 42' 42.46 feet to a point;

Thence, following on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being:

11. 275° 21' 335.57 feet to a point;

12. 240° 00' 90.00 feet to a point;

Thence, following on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being:

13. 224° 15' 30" 157.35 feet to a point;

Thence, following on a curve to the left with a radius of 80.00 feet, the chord azimuth and distance being:

14. 233° 41' 20" 68.05 feet to a point;

15. 315° 48' 214.42 feet along Lot 28 of Champion Ridge at Mauna Lani (File Plan 2003) and along the remainder of Royal Patent 5671, Land Commission Award 8521-B, Apana 1 to G. D. Hueu to the point of beginning and containing an area of 3.810 Acres.

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

SECTION 2. In accordance with Section 25-2-44, Hawai'i County Code, the County Council finds the following conditions are:


- (1) Necessary to prevent circumstances which may be adverse to the public health, safety and welfare; or
 - (2) Reasonably conceived to fulfill needs directly emanating from the land use proposed with respect to:
 - (A) Protection of the public from the potentially deleterious effects of the proposed use, or
 - (B) Fulfillment of the need for public service demands created by the proposed use.
- A. The applicant, successors or assigns shall be responsible for complying with all of the stated conditions of approval.

- B. Should any remains of historic sites, such as rock walls, terraces, platforms, marine shell concentrations or human burials be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources – State Historic Preservation Division (DLNR-SHPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-SHPD when it finds that sufficient mitigation measures have been taken.
- C. The applicant shall comply with all applicable laws, rules, regulations and requirements of affected agencies.
- D. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of enactment of the ordinance. The report shall include, but not be limited to, the status of the development and the extent to which the conditions of approval are being satisfied. This condition shall remain in effect until all of the conditions of approval have been satisfied and the Planning Director acknowledges that further reports are not required.

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 HAWAI'I

 Hilo , Hawai'i

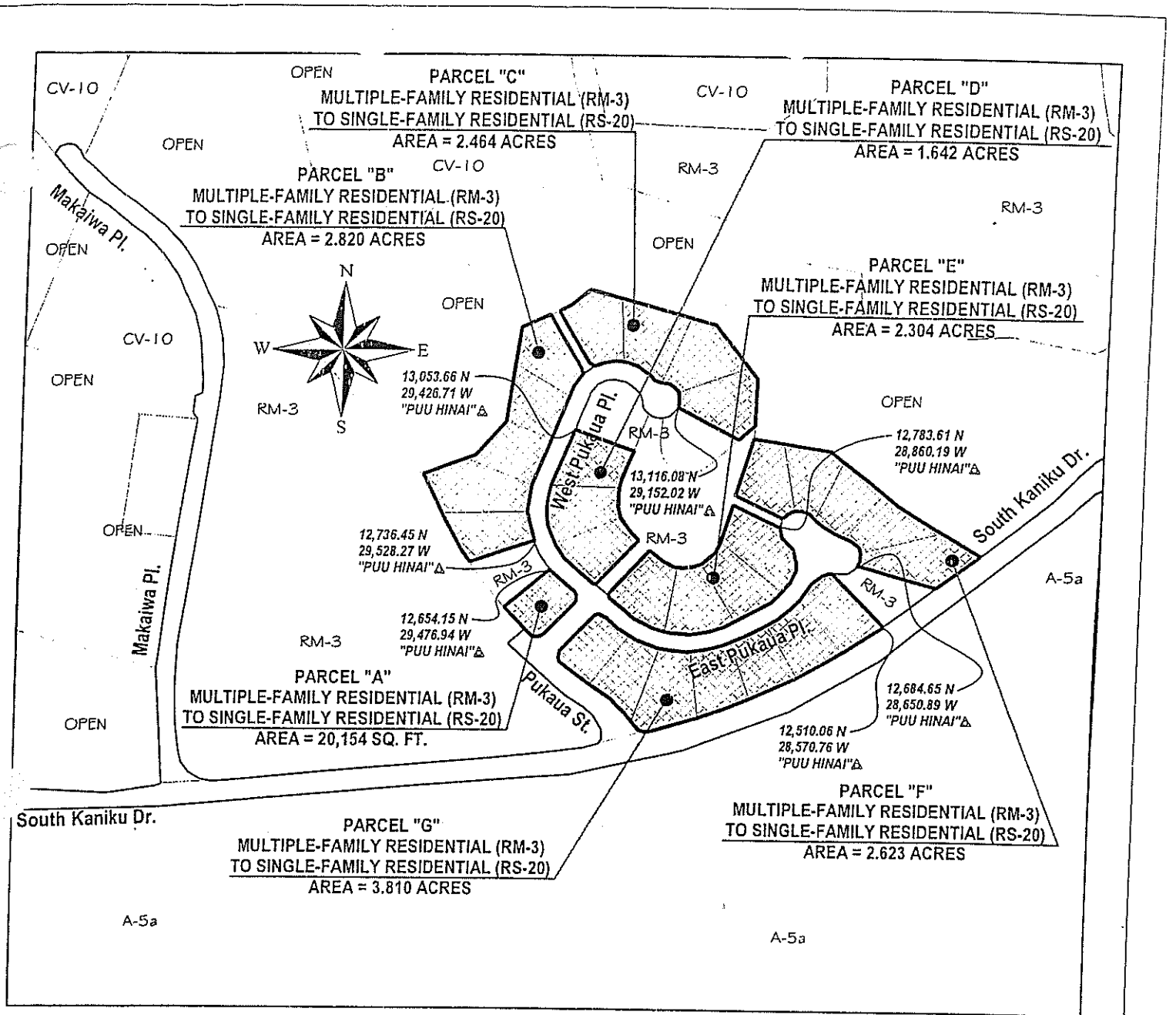
Date of Introduction: October 22, 2003

Date of 1st Reading: October 22, 2003

Date of 2nd Reading: November 5, 2003

Effective Date: November 14, 2003

~~REFERENCE~~ Comm. 290



AMENDMENT TO THE ZONING CODE

AMENDING SECTION 25-8-13 (PUAKO-ANAEHOOMALU ZONE MAP)
 ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE,
 BY CHANGING THE DISTRICT CLASSIFICATION
 FROM MULTIPLE-FAMILY RESIDENTIAL (RM-3)
 TO SINGLE-FAMILY RESIDENTIAL (RS-20)
 AT WAIKOLOA, SOUTH KOHALA, HAWAII

PREPARED BY: PLANNING DEPARTMENT
 COUNTY OF HAWAII

OFFICE OF THE COUNTY CLERK

County of Hawaii

Hilo, Hawaii

(DRAFT 2)

RECEIVED

Introduced By: Bobby Jean Leithead-Todd
 Date Introduced: October 22, 2003
 First Reading: October 22, 2003
 Published: N/A

REMARKS: (By Request)

Second Reading: November 5, 2003
 To Mayor: November 7, 2003
 Returned: November 17, 2003
 Effective: November 14, 2003
 Published: November 30, 2003

REMARKS:

ROLL CALL VOTE

	AYES	NOES	ABS	EX
Arakaki	X			
Chung			X	
Elarionoff	X			
Holschuh	X			
Jacobson	X			
Reynolds			X	
Safarik	X			
Tulang	X			
Tyler	X			
	7	0	2	0

ROLL CALL VOTE

	AYES	NOES	ABS	EX
Arakaki	X			
Chung	X			
Elarionoff	X			
Holschuh	X			
Jacobson	X			
Reynolds	X			
Safarik	X			
Tulang	X			
Tyler	X			
	9	0	0	0

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

APPROVED AS TO FORM AND LEGALITY:

Patricia K. O'Hara
 DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII

Date 11/10/03

[Signature]
 COUNCIL CHAIRMAN
[Signature]
 COUNTY CLERK

Bill No.: 128
 Reference: C-290/PC-59
 Ord No.: 03 149

Approved/Disapproved this 14th day
 of November, 2003

[Signature]
 MAYOR, COUNTY OF HAWAII