



**RESOLUTION NO. 599 22**  
(DRAFT 2)

**A RESOLUTION AUTHORIZING THE EXEMPTION OF CERTAIN CODE REQUIREMENTS, PURSUANT TO SECTION 201H-38 OF THE HAWAI'I REVISED STATUTES, FOR THE HO'OMALU AT WAIKOLOA AFFORDABLE HOUSING PROJECT IN WAIKOLOA, HAWAI'I, COVERED BY TAX MAP KEY (3)6-9-008:032.**

**WHEREAS**, Stanford Carr Development (the "DEVELOPER") has proposed to build Ho'omalulu at Waikoloa (the "PROJECT"), an affordable housing project, on behalf of the Waikoloa Land Company (the "LANDOWNER");

**WHEREAS**, the LANDOWNER designed, developed, and operates the Waikoloa Beach Resort with partners, which includes 133.822 acres dedicated to the Kumu Hou Project District and the proposed site for the PROJECT;

**WHEREAS**, the Kumu Hou Project District was rezoned through Ordinance 22-46, effective April 29, 2022, which includes Condition "Z" requiring that the LANDOWNER to develop a minimum of 140 units of workforce housing on a 25.38-acre property identified by TMK: (3) 6-9-008:032, in accordance with mutually agreeable terms with the Office of Housing and Community Development;

**WHEREAS**, Condition "Z" further states that an additional 60 units would be constructed on TMK (3) 6-9-008:032 provided that the appropriate reliefs from zoning are secured through the approval of a 201H application;

**WHEREAS**, the DEVELOPER will enter into an agreement with the Office of Housing and Community Development to specify conditions of the PROJECT which shall include 229 rental units, all of which will serve low- to moderate-income ranges, with the exception of one or two manager's units, as needed, and allow for a maximum of 100% of the Area Median Income (AMI) for no fewer than sixty-five (65) years after initial occupancy; and

**WHEREAS**, the PROJECT will promote the goals contained in HRS Section 201H-38 and Chapter 11 of the Hawai'i County Code, which relates to affordable housing; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I** that it hereby authorizes the exemption of certain code requirements to allow for the proper density requirements and to waive an estimated \$234,000 in plan review and permit fees, as provided in the attached Exhibit "A", pursuant to HRS Section 201H-38, for Ho'omalulu at Waikoloa, Tax Map Keys (3) 6-9-008:032.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

**BE IT FINALLY RESOLVED** that the County Clerk shall transmit a copy of this resolution to the Planning Director and Housing Administrator of the County.

Dated at Kona, Hawai'i, this 16th day of November, 2022.

INTRODUCED BY:

  
COUNCIL MEMBER, COUNTY OF HAWAI'I *B/P*

COUNTY COUNCIL  
County of Hawai'i  
Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on November 16, 2022.

ATTEST:

  
COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
CHUNG	X			
DAVID	X			
INABA	X			
KANEALI'I-KLEINFELDER	X			
KIERKIEWICZ	X			
KIMBALL	X			
LEE LOY			X	
RICHARDS				
VILLEGAS			X	
	6	0	2	0

Reference: C-1079.14/PC-83  
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# RESOLUTION "EXHIBIT A" : LIST OF EXEMPTIONS

## Ex. 29: Ho'omalū at Waikoloa List of Exemptions Requested

### 1. HCC Section 25-5-31. Designation and density of RM districts.

Exemption from density cap of current RM-6 zoning, to allow up to 229 affordable housing units to be developed on the residential-zoned portions of the site. The current RM-6 zoning would permit only 142 units; the equivalent zoning to accommodate the targeted 229 units would be RM-3.5.

### 2. HCC Section 5-7-1. Permit plan review; general.

Exemption from applicable plan review fees.

### 3. HCC Section 5-7-3. Permit fees.

Exemption from applicable building permit fees.