



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

DONNA APISA, CHAIR
HELEN COX, VICE CHAIR
GERALD AKO, MEMBER
MELVIN CHIBA, MEMBER
FRANCIS DEGRACIA, MEMBER
GLENDA NOGAMI-STREUFERT, MEMBER
LORI OTSUKA, MEMBER

RECEIVED

REGULAR TELECONFERENCE MEETING NOTICE AND AGENDA

**Tuesday, July 13, 2021
9:00 a.m. or shortly thereafter**

21 JUN 29 AM 11:54

**Microsoft Teams Audio: + 1 469-848-0234,
Conference ID: 889 153 263#**

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

This meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by calling the number above with the conference ID information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT The Planning Commission will accept written testimony for any agenda item herein. Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted in writing to planningdepartment@kauai.gov or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department before 9:00 a.m. on Monday, July 12, 2021, will be distributed to all Planning Commissioners prior to the meeting. Written testimony received after 9:00 a.m. on Monday, July 12, 2021, will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.

1. Continued Agency Hearing

2. New Agency Hearing

- a. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2021-8) for the development of an affordable housing project involving the construction of seventeen (17) housing units containing 8 duplexes and a single-family residence, and associated site improvements involving 2 parcels in Waipōuli, located along the makai side of Kūhiō Highway in the vicinity of property identified as 4-870 Kūhiō Highway, further known as Tax Map Keys: 4-3-009:051 & 071, and containing a total area of 36,861 square feet = ***Kaua'i Habitat for Humanity***. [Director's Report Received, June 22, 2021.]
 1. Letter (6/21/2021) from Luisa Vaca.
 2. Letter (6/25/2021) from Geneva Reddoch.
 3. Director's Report pertaining to this matter.
 4. Supplemental #1 to Director's Report.

3. Continued Public Hearing

- a. Proposed Amendments to the "Interpretive Administrative Zoning Rules and Regulations (2014) of the Kaua'i Planning Commission," Relating to Chapters 8, 9, and 10 of the Kaua'i County Code (1987), Relating to Development Standards for Guest Houses = ***County of Kaua'i, Planning Department***. [Director's Report Received, hearing continued 3/9/2021, hearing continued 4/13/2021.)

4. New Public Hearing

- a. ZA-2021-2: A bill (2822) for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to Transient Accommodations. The proposal amends various articles of the Comprehensive Zoning Ordinance (CZO) relating to transient accommodations = ***Kaua'i County Council***.
 1. Letter (5/28/2021) from Kimber Rickabaugh Crowe.
 2. Director's Report pertaining to this matter.
- b. ZA-2021-3: Petition to Amend District Boundaries by Amending Zoning Ordinance No. PM-2009-394, As Amended, to reclassify approximately 16.8 acres of land, classified of approximately 14.2 acres of land currently situated within the County Zoning Residential District (R-2) into Residential District (R-4), and approximately 2.6 acres currently situated within the County Zoning Resort District (RR-10) into the Residential District (R-2). Parcel Location: at Kalapakī, Līhu'e, Kaua'i, Hawai'i, further identified as Tax Map Keys (TMKs): (4) 3-5-001: 027 (por.), 168 (por.), and 177 (por.), and 3-5-004: 100 to 109 = ***Tower Kaua'i Lagoons Sub 1, LLC; 2014 Kaua'i Lagoons Golf LLC; Tower Kaua'i Lagoons Land, LLC; Tower Kaua'i Lagoons Sub 7***.
 1. Cultural Impact Evaluation of Two Portions, Totaling Approximately 400 Acres, of the Kaua'i Lagoons Resort Property, Kalapakī Ahupuaa, Līhu'e District, Kaua'i Island, TMK: (4)3-5-001:6, 27 por., 165, 168, & 173.
 2. Director's Report pertaining to this matter.

5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)

G. CONSENT CALENDAR

1. Status Reports

2. Director's Report for Project Scheduled for Agency Hearing

H. EXECUTIVE SESSION

EXECUTIVE SESSION: The Commission may go into executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawai'i Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

I. GENERAL BUSINESS MATTERS

1. Amendment to Special Management Area Use Permit SMZ(U)-2019-5 for a two-year time extension to construct the residence on real property located at Waipouli, Kapa'a, Island and County of Kaua'i, State of Hawai'i, identified as Tax Map Key No. (4)4-5-002-002, and containing an area of 17,720 square feet = ***Brad Allen Burns and Elizabeth Ann Burns (Joseph M. Horak Living Trust)***.

- a. Director's Report pertaining to this matter.

J. COMMUNICATION

K. COMMITTEE REPORTS

L. UNFINISHED BUSINESS (For Action)

M. NEW BUSINESS

1. For Action – See Agenda F for Project Descriptions

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter, on August 10, 2021. The Planning Commission anticipates meeting via teleconference, but will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

O. ADJOURNMENT

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF BOARDS & COMMISSIONS AT (808) 241-4917 OR ASEGRETI@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

FRANCIS DEGRACIA, CHAIR
MELVIN CHIBA, VICE CHAIR

SUBDIVISION COMMITTEE TELECONFERENCE MEETING NOTICE AND AGENDA

**Tuesday, July 13, 2021
8:30 a.m. or shortly thereafter**

Microsoft Teams Audio: + 1 469-848-0234, Conference ID: 191 594 685#

This meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by calling the number above with the conference ID information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Subdivision Committee

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT The Planning Commission will accept written testimony for any agenda item herein. Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted in writing to planningdepartment@kauai.gov or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department before 9:00 a.m. on Monday, July 12, 2021, will be distributed to all Planning Commissioners prior to the meeting. Written testimony received after 9:00 a.m. on Monday, July 12, 2021, will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.

G. GENERAL BUSINESS MATTERS

H. UNFINISHED BUSINESS

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Map Approval

- a. Subdivision Application No. S-2021-4
(Tower Kaua'i Lagoons 8, LLC.)
Proposed 2-lot Subdivision
TMK: (4) 3-5-001: 171
Kalapaki, Līhu'e, Kaua'i

1) Subdivision Report pertaining to this matter.

2. Tentative Subdivision Extension Request

- a. Subdivision Application No. S-2002-25
(Association of Apartment Owners of Kūlana)
Hauiki Road Subdivision
Proposed 3-lot Subdivision
TMK: (4) 4-3-003:027
Kapa'a & Waipouli, Kawaihau, Kaua'i

1) Subdivision Report pertaining to this matter.

- b. Subdivision Application No. S-2017-6
(Moloa'a Valley Homeowners)
Proposed 7-lot Subdivision
TMK: (4) 4-9-011:013
Kawaihau, Kaua'i

1) Subdivision Report pertaining to this matter.

3. Final Subdivision Map Approval

- a. Subdivision Application No. S-2020-11
(Kukui'ula Development Co. (Hawai'i) LLC.)
Kukui'ula Parcel CC West Subdivision, Phase 2
Proposed 14-lot Subdivision
TMK: (4) 2-6-019:048
Kōloa, Kona, Kaua'i

1) Subdivision Report pertaining to this matter.

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Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

July 13, 2021

SHORELINE SETBACK DETERMINATIONS

| Application No. | Name of Applicant(s) | Property I.D. (Tax Map Key) | Location | Reasons |
|-----------------|------------------------------|-----------------------------|-------------|---------------------------------------|
| SSD 2021-37 | William and Joanne Farlander | 1-9-008:010 | Hanapepe | New 2-story dwelling |
| SSD 2021-38 | Alexander Beringer | 5-4-005:016 0022 | Princeville | Repair interior water damage |
| SSD 2021-39 | Steve Harmsen | 2-8-019:060 | Koloa | Lāna'i addition |
| SSD 2021-40 | Ka'upu Kea, LLC | 5-1-004:015 | Kilauea | Reconstruction single family dwelling |