



Department of Planning

Fiscal Year 2021 Annual Report

July 1, 2020 – June 30, 2021

Ka'āina S. Hull
Director of Planning

DEPARTMENT OF PLANNING

I. MISSION STATEMENT

To provide, through an open and public process, a long-range vision for physical, social and cultural growth, enhancement and preservation of our unique past and present rural island lifestyle and values for future generations, and to implement this vision.

II. DEPARTMENT GOALS

- A. To preserve and protect our unique resources through sensible development of our economy and built environment.
- B. To preserve our diverse historic and cultural resources.
- C. To provide regulatory and enforcement efforts to achieve the long-range vision.
- D. To provide open communication with the people of Kaua'i and all levels of government.
- E. To remember that we serve the people of Kaua'i.

DUTIES AND FUNCTIONS

Article XIV of the Charter of the County of Kaua'i provides that:

1. The Commission shall:

- A. Advise the Mayor, Council, and Planning Director in matters concerning the planning program for the County.
- B. Review the general plan and development plans as well as zoning and subdivision ordinances and amendments thereto developed and recommended by the Planning Director and transmit such plans and ordinances, with its recommendations thereon, through the Mayor, to the Council for its consideration and action.
- C. Hear and determine petitions for varying the application of the Zoning Ordinance.
- D. Prepare a capital improvement program with the advice of the Mayor.
- E. Adopt regulations having the force and effect of law pertaining to the responsibilities of the Department.

The following are the members and officers of the Planning Commission during this period:

<u>Commissioners</u>	<u>Term of Appointment</u>
Donna Apisa (Chair 2021)	01/01/19-12/31/21
Helen Cox (Vice Chair 2021)	04/14/20-12/31/22
Gerald Ako	01/01/21-12/31/23
Melvin Chiba	02/11/20-12/31/22
Francis DeGracia	04/14/20-12/31/22
Glenda Nogami-Streufert	01/01/19-12/31/21
Lori Otsuka	01/28/20-12/31/22

2. The Planning Director shall:

- A. Prepare a general plan and development plans for the County.
- B. Administer the zoning and subdivision ordinances and regulations adopted thereunder.
- C. Prepare zoning and subdivision ordinances, zoning maps and regulations and any amendments or modifications thereto for the Council.
- D. Consolidate the lists of proposed capital improvements contemplated by the several departments in order of their priority for the County.
- E. Advise the Mayor, Council, and Planning Commission on matters concerning the planning programs of the County.
- F. Perform other related duties such as the administration and enforcement of the State Land Use Commission Rules and Regulations, the Shoreline Setback Rules and Regulations, Special Management Area Rules and Regulations, and "plan approvals" of building permit applications.

III. PROGRAM DESCRIPTION

ADMINISTRATION AND PLANNING

This program is responsible for operations of the department and administers and staffs the Kaua'i Planning Commission, the Kaua'i Historic Preservation Review Commission, the Public Access, Open Space, and Natural Resources Preservation Fund Commission and other special citizen's advisory committees as may be formed. The Planning Director oversees administrative reviews and applications for zoning/building permits, sign permit reviews, subdivision recommendations, enforcement of land use ordinances, statutes and rules, landscape plans, County and State clearing-house reviews, CDA and EA/EIS reviews, Special Management Area minor permits, provides recommendations on various permit and related issues to the Planning Commission, Mayor and Council and serves as a party to State Land

Use boundary petitions pertaining to Kaua'i. Other responsibilities include general and community planning, protection of cultural resources, data collection, consolidation of the capital improvement program of the County, mapping, special projects and providing the public with information and assistance on matters within the department's jurisdiction. The Planning Department also collects revenues from various permit processing fees and park dedication/environmental impact assessments. The Planning Commission reviews and acts on applications for use, variance, Class IV, project development, subdivisions, special management area major and shoreline setback variance permits and State land use special permits. The Commission also recommends actions for changes in zoning, general plan designations, district boundary amendments, hears, and determines appeals from the decision of the Planning Director regarding zoning and subdivision matters. Rulemaking, review and recommendations on land use ordinances and amendments, issuance of declaratory rulings are additional duties of the Commission.

A. Objectives

1. To provide expertise and staff to administer and enforce the County's comprehensive zoning ordinance, subdivision ordinance, special management area and shoreline setback rules and regulations and related State and Federal mandates; to ensure that projects reviewed are in conformance with County policies as expressed in the Kaua'i General Plan and appropriate Community Development Plans; to provide for prompt processing of all permit applications and continuous improvement of the permitting process and related policies.
2. To assist the public in understanding the regulatory codes, ordinances and programs relating to land use and to respond to requests for information in a courteous and timely manner.
3. To facilitate planning efforts with the Planning Commission, Administration and Council and to assist in the dissemination of information relating to all planning issues by coordinating with all other departments, agencies, boards and commissions that may need accurate and appropriate planning information for the administration of their respective programs.
4. To promote efficiency in operations and activities and exercise sound personnel management practices and policies to maintain a high level of moral and work output from department employees.

B. Highlights

1. Successful Adoption of the West Kaua'i Community Plan

In December 2020, the West Kaua'i Community Plan was adopted by the County Council. The plan was the outcome of a two-year process to update the Waimea-Kekaha and Hanapēpē – 'Ele'ele development plans from (both from the 1970s). The West Kaua'i Community Plan sets land use policy and guides the development and planning of County infrastructure for the region. Assisting Planning Department staff were several sub-consultants such as

Opiticos Design (form-based code), Fehr & Peers (transportation analysis), Group 70 (GIS mapping), and PBR-Hawai'i (Document production). plans (both from the 1970s).

The process was guided by a focus group of community leaders and stakeholders. Most public meetings were held in the evening to accommodate commuters (dinner was always provided). More than 70 meetings/events were held to obtain input on the plan. This included open houses, small group meetings, focus group meetings, focused workshops, educational presentations, walk audits, school presentations, and open design studios.

The Planning Department employed innovative outreach strategies: a mobile outreach cart, "pop-up events", youth essay and art contests, social media outreach, an interactive "Story Map," and a website portal containing detailed information on the project.

Highlights of the final plan include:

- A focus on strengthening town cores and preserving the historic form and character of the buildings.
- Provides infill housing opportunities in buildings that are at scaled for West Kaua'i's small towns.
- Plans for sea level rise now using the best available science (SLR-XA). Neighborhoods vulnerable to SLR are identified in the land use map. Calls for "safe routes" in all towns to promote multimodal transportation.

2. Successful Adoption of WKCP Implementation Package

The West Kaua'i Community Plan also has a special focus on implementation. The Planning Department developed several accompanying implementation bills including:

- Establishment of form-based code (via special planning areas) in all town centers to ensure infill development matches the desired historic character.
- A zoning overlay for the Port Allen Airport (Special Treatment – Public Facilities).
- Creation of two new zoning districts:

Special Treatment—Coastal Edge- A new district for all residential neighborhoods vulnerable to sea level rise (that are located makai of a public road).

A new zoning district called “Plantation Camp” for Kaumakani and Pakala Village so existing non-conforming historic structures can be rehabilitated.

All were successfully adopted in December 2020.

3. Other Projects

- Census “Complete Count” promotional activities
- GIS Hub and Story Maps
- GIS mapping and analysis requests
- Pacific RISA Peer-to-Peer Exchange
- County Resiliency Team
- Department of Transportation (DOT) SubSTAC Committee
- Get Fit Kaua’i Built Environment Task Force
- State Urban and Community Forestry Council
- Kaua’i Destination Management Plan Committee

COASTAL ZONE MANAGEMENT (CZM) PROGRAM

The Coastal Zone Management Program is responsible for administering ongoing monitoring and enforcement for ensured compliance with the Hawai'i Coastal Zone Management program sub-grant agreement between the State of Hawai'i and the County of Kaua'i and for implementing the objectives, policies and guidelines in Chapter 205A, Hawai'i Revised Statutes to guide and regulate public and private uses in the designated Special Management Area of the County. The program also provides project monitoring for compliance to permit conditions and regulations, preparation of semi- annual reports, facilitates, where possible, the development review process, and participates in statewide coastal zone management issues.

A. Objectives

The program objectives are to guide and regulate public and private land use development in compliance with the scope of services the coastal zone management area by:

1. Administering development permit activities within the Special Management Area (SMA) through major and minor permits and shoreline setback determinations to ensure the protection of coastal resources and the provision of public access to those resources.

2. Administer ongoing monitoring and enforcement programs to assure compliance with Chapter 205A, SMA and shoreline setback ordinance requirements and to prevent or minimize environmental and ecological degradation.
3. Support by attendance and participation in CZM related meetings, workshops and seminars.

CERTIFIED LOCAL GOVERNMENT PROGRAM

Since 1986, Kaua’i County has been a Certified Local Government (CLG) under provisions of the National Historic Preservation Act of 1966, as amended. The CLG program provides funds and standards for historic preservation from the Department of Interior via the State Dept. of Land & Nat. Resources to local governments. Both the funds and standards are used to assist local governments in promoting historic preservation endeavors. To qualify as a CLG, local government preservation activities must include public participation and use of a qualified local review commission (Kaua’i Historic Preservation Review Commission), survey and inventory of historic resources and participation in State/Federal preservation activities. Kaua’i County alternates with Maui County in receiving the Hawai’i CLG grant funds.

The Kaua’i Historic Preservation Review Commission, which consists of nine members, meets on a monthly basis and is staffed by the Planning Department. Meetings usually entail project reviews at which time the KHPRC provides recommendations on various aspects of archaeological and building design review of historic resources and in-fill development. Other issues relating to the promotion of historic preservation on Kaua’i are also discussed.

The following are the members and officers of the KHPRC during this period:

<u>Commissioners</u>	<u>Term of Appointment</u>
Gerald Ida Chair	01/01/18-12/31/20
James Guerber	01/01/20-12/31/22
Carolyn Larson	01/01/20-12/31/22
Stephen Long	01/01/19-12/31/21
Susan Remaldo	01/01/21-12/31/23
Aubrey Summers	01/01/18-12/31/20

A. Program Objectives

1. To provide recommendations to the Planning Department and Commission regarding projects that may impact historic resources.
2. To expand the listing of historic resources in the County of Kaua’i.
3. To promote historic preservation and provide information and educational

opportunities.

4. To facilitate listing of historic structures on the State and National Registers of Historic Places.

B. Program Highlights

The CLG program continues its efforts to update the listing of historic buildings in the County of Kaua'i and offers assistance and brochures to property owners on techniques and advantages of rehabilitation of historic buildings. The KHPRC meets on a monthly basis at which time they provide valuable input on design and preservation treatment on projects before the Planning Commission and Planning Department which may impact historic resources. Past CLG funding has been also used to co-sponsor educational programs in the form of speakers' series, training, conferences and Archaeology Week activities, County listing of historic resources.

PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND COMMISSION

In November 2002, Kaua'i voters approved a ballot measure amending the County Charter to create the Public Access, Open Space, and Natural Resources Preservation Fund, which received a minimum of one half of one percent (0.5%) of Kaua'i's certified real property taxes. In December 2003, Ordinance 812 was signed into law, adding Article 14 to the Kaua'i County Code establishing procedures for the administration and priorities for expenditure of monies in the fund. Effective, July 1, 2013, the minimum percentage of Kaua'i's certified real property taxes was increased to one and one half of one percent (1.5%) by Ordinance 936 signed into law on December 14, 2012. In May of 2015, Ordinance 986 reduced the minimum percentage of Kaua'i certified real property taxes back to one half of one percent (0.5%).

Article 14 also established the Public Access, Open Space, and Natural Resources Preservation Fund Commission, a nine-member volunteer advisory commission whose charge is to work with the Planning Department to solicit public input to develop an annual list of priority projects to be considered for funding. Two contract Planning Department staff-the Open Space/Public Access Planner and the Open Space/Public Access Support Clerk-are assigned to the program.

The following were members of the Commission during the fiscal year:

<u>Commissioner</u>	<u>Term of Appointment</u>
Shaylyn Kimura (Chair 2020)	01/01/20-12/31/22
Karen Ono	01/01/19-12/31/21
Taryn Dizon	01/01/19-12/31/21
Nancy Kanna (Chair 2021)	01/01/18-12/31/23
Erica Taniguchi	01/01/18-12/31/23

Herman Texeira	01/01/20-12/31/22
Jonathon Lucas	01/1/20-1/31/22

A. Program Objectives

1. Work with the Public Access, Open Space, and Natural Resources Preservation Commission to develop a biennial list of priority of projects to be considered for funding.
2. Support the Public Access, Open Space, and Natural Resources Preservation Commission’s solicitation of public input on development of the biennial list of priority projects to be considered for funding.
3. Work to improve and expand beach and mountain access opportunities for Kaua’i’s residents and visitors.
4. Strive to preserve Kaua’i’s natural resources and open spaces for the enjoyment of current and future generations.
5. Networking and partnership building with outside agencies like The Trust for Public Lands (TPL) and Hawai’ian Islands Land Trust HILT and community associations to establish involvement in community projects relating to and that align with the mission and goals of the Open Space Commission to include additional funding opportunities and support.
6. Reorganization of the commissions communication and reporting process to better align with the commissions ordinance, missions and goals and the newly adopted Amendment to the Rules and Practice and Procedure of the County of Kaua’i Public Access, Open Space, and Natural Resources Preservation Fund Commission by adding New Chapter V, Report Process, Relating to the Process of Receiving Proposals, and Analyzing and Recommending Land or Property Entitlements for County Council Approval.

B. Program Highlights

During the fiscal year, and due to the COVID pandemic, and with our primary Open Space staff member being re-assigned to the Kaua’i Emergency Management operations, the commission conducted one (1) regular commission meeting. At that meeting, the Commission reviewed and recommended acquisition of the Huleia fishpond. This action is still pending before the County Council.

Additional Commission accomplishments include:

- Amendment to its Rules of Practice and Procedure of the County of Kaua’i Public Access, Open Space and Natural Resources Preservation Fund;

- Development of a reporting process similar to that of Planning Commission on all recommendations received by the public for possible acquisition;
- Continual development of Commission’s dossier process (in the form of an Acquisition Plan) to update and communicate to Council in its biennial recommendations year encouraging support to move forward on any proposal from the Commission’s recommendation list;
- Development of Commission’s Acquisition Plan as part of its Biennial Report for their priority recommendations;
- Continuous discussions on new development ideas for open space, public access and unresolved access issues “Opala List”;
- Continual dialogue and education sessions with the County and State departments and non-profit organizations on working as a partner on public access, open space and natural resources preservation for Kaua’i;
- Ongoing strategies for biennial report and public input process with outreach to neighborhood communities and hosting of meetings within these communities, hosting commissioner and staff presence at monthly community association meetings;
- Investigate and update current Kaua’i Public Access List – last update by outside vendor in 1991;
- Update and development of GIS map for Kaua’i Access List.

PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND COMMISSION

Commission Meetings.....	1
Committee Meetings.....	0
Public Hearings.....	0
Community Meetings.....	0

IV. BUDGET BY PROGRAM

General Fund (Administration & Planning):	\$3,287,915.00
PAOS/General Fund:	\$87,788.00

Grant Revenue (CZM):	\$359,385.49
Total Departmental Budget:	\$3,735,088.49

V. DEPARTMENTAL ACTIVITIES AND STATISTICS

As shown by the tabulation of permits, applications, meetings, etc., that follow, staff activities involve daily administration of the Subdivision and Comprehensive Zoning Ordinances, General Plan and Development Plans, State Land Use Commission Rules and Regulations, Shoreline Setback Rules and Regulations, as well as the SMA Rules and Regulations. These activities include review and processing of all building, zoning, use, variance, and SMA permits, as well as General Plan and zoning amendments and subdivision applications. Other duties include review and recommendation to the State Board of Land and Natural Resources of all applications for uses located within the State Conservation District, recommendations to the State Clearing-house Review for all Federal-funded projects affecting the County of Kaua'i and coordinate the County Clearinghouse process for grading permits.

CURRENT STATISTICS

SUBDIVISION

A total of 7 subdivision applications were received and processed during the fiscal year. These applications involve a total of 62 lots, all of which are within the Urban District. There were no lots created within the Rural District, Agricultural District, and Conservation District.

Actions taken during the fiscal year are as follows:

Tentative approvals.....	4
Final approvals	10
Disapproved	0
Withdrawals/Cancellations..	0
Outstanding	0
Extensions.....	10
Modifications.....	0
Prior Tentatives Revised.....	0

ZONING PERMIT, USE PERMIT, VARIANCE PERMIT, SMA PERMIT APPLICATIONS

Under procedures established in the Comprehensive Zoning Ordinance and SMA Rules and Regulations, all construction or development within the County require the issuance of a zoning, use, SMA, or a variance permit. This involves detailed review of all building permit applications; use, variance and Class IV Zoning Permits require careful review and analysis of recommendations by other governmental agencies; conducting of public hearings and final decision by the Planning Commission.

Following is a tabulation of applications processed or reviewed and the number of Commission meetings held:

STATE LAND USE COMMISSION MATTERS

Special Permit Applications.....	1
Boundary Change Petitions:	
State.....	0
County.....	0

SPECIAL MANAGEMENT AREA USE PERMITS (SMA)

Major Permits	Processed.....	8
Minor Permits	Processed.....	20
Emergency Permits	Processed.....	4
Shoreline Setback Determinations	Processed.....	40

ZONING PERMITS

Class I & II Zoning Permits.....	682
Class III Zoning Permit.....	1
Class IV Zoning Permit.....	10
Use Permit.....	8
Variance Permit.....	1
Shoreline Setback Variance.....	1
<u>GENERAL PLAN AMENDMENTS</u>	0
<u>ZONING AMENDMENTS</u>	4
<u>COUNTY CLEARING-HOUSE</u>	12

STATE DEPARTMENT OF LAND AND NATURAL RESOURCES

CDUA Reviews	0
--------------------	---

PLANNING COMMISSION MEETINGS

Regular Commission Meetings.....	12
Special Commission Meetings.....	0
Subdivision Committee Meetings	9
Contested Case Calendar (45 Items).....	0
Public Hearings on Zoning Permits, SMA Permits, General Plan & Zoning	

Amendments, CZO and SMA Rules and Regulations.....	59
Field Trips/Investigations	0
Non Hearing Actions.....	55
Workshops.....	0

KAUA’I HISTORIC PRESERVATION REVIEW COMMISSION

Meetings.....	5
Special Meetings.....	0
Field Trips.....	1
Planning Commission	
Project Reviews.....	1
Other Reviews	12

VI. SPECIAL PROJECTS

The Mayor has charged the Department as the primary agency for the following projects:

1. Implementing the Līhu‘e Town Core Plan
2. Expanding the Līhu‘e Civic Center Park/Lawn
3. Implement Complete Streets island-wide
4. Waimea 400
5. Climate Adaption Plan

The Department continues to work over the past year identifying specific projects for implementation furthering the Mayor’s vision to grow Kaua’i responsibly.

1. Implementing the Līhu‘e Town Core Plan

The Department continues to work with property owners/applicants on permits within the Town Core area. The Department also regularly meets with the Līhu'e Tomorrow Committee of the Līhu'e Business Association and provides them with updates on planning initiatives in the core area.

2. Expanding the Līhu‘e Civic Center Park/Lawn

The Department is working closely with the Department of Public Works on the Civic Center Master Plan.

3. Implement Complete Streets island-wide

Department Staff helped create a Kaua'i Complete Streets Action Plan at a County-wide workshop on Complete Streets implementation in October 2011. Since then, the Department has developed a draft amendment to the Subdivision Ordinance to make future residential subdivisions more walkable, and also added a Complete Streets evaluation to the Six-Year Capital Improvements Program. Staff continues to be

actively involved in the Built Environment Task Force of Get Fit Kaua'i. The Department is working closely with the Department of Public Works to update the County's standard details for roadways.

4. Waimea 400 Conceptual Plan

In 2019, the County of Kaua'i announced the purchase of a 417-acre property from the Kīkīā'ola Land Company Ltd. In 2020, the Planning Department launched the process to create a community-based master plan process for Waimea 400. The department hired the planning, design and landscape architecture firm, PBR HAWAII, to assist in developing a plan that honors both the community's desires and the unique characteristics of the property. Pursuant to the terms of the purchase, a small portion of the property will be designed to accommodate housing needs for the community.

The master plan process consisted of two general phases: (1) gathering and sharing information about the parcel; and (2) using this information to determine future uses and site design for the Waimea 400 parcel. Over the past few months, the project team sought community input and feedback using online platforms due to COVID-19 restrictions. It is expected that the plan will be completed in FY 21-22.

5. Climate Adaptation Plan

The Planning Department issued the notice to proceed for the County's Climate Adaptation Plan. The plan will combine established best practice on climate planning with broader resilience planning to help Kaua'i adapt to an uncertain future. The plan will analyze our climate vulnerability as well as other risks and will provide a public forum to assess vulnerability and ultimately build resiliency into County policies, programs and investment across multiple sectors. Most importantly, it provides an opportunity to engage with the community to establish a collaborative, long-term roadmap for equitable, sustainable growth and adaptation. This plan will provide guidance to help our community become more resilient to all disruptions including storms, pandemics, market changes, or other man-made or natural disasters.

PLANNING DEPARTMENT STAFF

Kaaina S. Hull	Planning Director
Jodi Higuchi Sayegusa	Deputy Planning Director
Myles Hironaka	Planner VII
Dalmacio Cua	Planner VII
Marie Williams	Planning Program Manager
Michael Laureta	Planning Program Manager
Lee Steinmetz	Administrative Planning Officer (Transportation)
Leanora Kaiaokamalie	Planner VI
Jody Galinato	Planner V
Marisa Valenciano	Planner IV

Nani Sadora	Planner IV
Kenneth Estes	Planner V
Alex Wong	Planner III
Shelea Blackstad	Planner I
Wesley Masumura	Land Use Plan Checker II
Britni Ludington-Braun	Land Use Plan Checker I
Andres Emayo	Planning Inspector III
Joan Ludington	Inspector III
Patrick Henriques	Inspector II
Villamor Balisacan	Inspector II
Leslie Takasaki	Planning Commission Secretary
Shanlee Jimenez	Secretary
Leila Kim	Staff Services Supervisor
Duke Nakamatsu	Commission Support Clerk
Sherri Patrick	TVR Enforcement Specialist
Daezsa Tomas	West Kaua'i Plan Assistant

CZM CONTRACT EMPLOYEES

Romio Idica	CZM Planner II
Leslie Milnes	CZM Enforcement Officer
Brian Ejima	CZM Land Use Permit Technician
Kristen Romuar-Cabico	CZM Account Clerk