



# **Planning Department**

**Fiscal Year 2022 Annual Report**

**July 1, 2021 – June 30, 2022**

**Ka'āina S. Hull**  
**Director of Planning**

## PLANNING DEPARTMENT

### **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	01/01/22-12/31/24
Helen Cox (Chair 2022)	04/14/20-12/31/23
Gerald Ako	01/01/21-12/31/23
Melvin Chiba	02/11/20-12/31/22
Francis DeGracia (Vice Chair 2022)	04/14/20-12/31/22
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, CDUA 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. Waimea 400 Adoption

The Planning Department completed the public process for the Waimea 400 Plan in Fall 2021 and the County Council adopted the plan in 2022. The project won an honorable mention for the APA-Hawaii Chapter Outstanding Planning Award. The Jury commended the plan on its vision to provide affordable housing, enhance recreational opportunities, support local agriculture, restore wetlands and native habitats, and plan for future sea level rise and climate change. The Plan utilized an array of outreach methods/tools,

including the hosting of a project website, a project email, virtual community meetings, “talk story” events at Waimea Public Library, and a Student Design Challenge which provided a unique opportunity for students to create their own vision for the site and introduced a younger generation to the profession of planning. The Plan innovatively incorporates “Adaptation Planning” principles by the use of a five-zone concept plan; these five zones symbolize areas susceptible to flooding, areas suitable for agriculture, and areas suitable for development.

2. Hawaii Congress of Planning Officials Conference

The Planning Department commenced with the Planning of the Statewide Hawaii Congress of Planning Officials Conference to be held at the Grand Hyatt in Poipu in September of 2022. The Department Staff worked with the APA-Hawaii Chapter and Pacific Rim Concepts to initiate planning and educational programming for the statewide planning conference.

3. Climate Action Amendment to the CAP

In Spring 2022, the Department initiated a contract amendment to develop a more robust climate action (greenhouse gas mitigation) component during the CAP process.

4. Other Projects

- Monitoring and review the release of Census and DBEDT products (2020 Census and American Community Survey)
- 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
- Assistance provided to TOD grant projects

**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:

Commissioners Term of Appointment

Gerald Ida	01/01/18-12/31/20
James Guerber	01/01/20-12/31/22

Carolyn Larson (Chair 2022)	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 2022)	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
Jonathon Lucas	01/1/20-1/31/22
Mark Ono	01/01/20-12/31/22
Robin Pratt	01/01/22-12/31/24

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, the commission conducted four (4) regular commission meeting.

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..... 4

Committee Meetings..... 0

Public Hearings..... 0

Community Meetings.....0

**IV. BUDGET BY PROGRAM**

General Fund (Administration & Planning):	\$3,093,020.00
PAOS/General Fund:	\$64,075.00
Grant Revenue (CZM):	<u>\$345,311.00</u>
Total Departmental Budget:	\$3,502,406.00

**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.....	1

SPECIAL MANAGEMENT AREA USE PERMITS (SMA)

Major Permits	Processed.....	8
Minor Permits	Processed.....	16
Emergency Permits	Processed.....	2
Shoreline Setback Determinations	Processed.....	50

ZONING PERMITS

Class I & II Zoning Permits.....	677
Class III Zoning Permit.....	3
Class IV Zoning Permit.....	11
Use Permit.....	11
Variance Permit.....	1
Shoreline Setback Variance.....	0

GENERAL PLAN AMENDMENTS..... 0

ZONING AMENDMENTS..... 14

COUNTY CLEARING-HOUSE..... 12

STATE DEPARTMENT OF LAND AND NATURAL RESOURCES

CDUA Reviews .....	0
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**PLANNING COMMISSION MEETINGS**

Regular Commission Meetings.....	17
Special Commission Meetings.....	0
Subdivision Committee Meetings .....	13
Contested Case Calendar (45 Items).....	0
Public Hearings on Zoning Permits, SMA Permits, General Plan & Zoning Amendments, CZO and SMA Rules and Regulations.....	36
Field Trips/Investigations .....	0
Non Hearing Actions.....	51
Workshops.....	0

**KAUA’I HISTORIC PRESERVATION REVIEW COMMISSION**

Meetings.....	8
Special Meetings.....	0
Field Trips.....	0
Planning Commission Project Reviews.....	0
Other Reviews .....	22

**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 Planning Department completed the public process for the Waimea 400 Plan in Fall 2021 and the County Council adopted the plan in 2022. The project won an honorable mention for the APA-Hawaii Chapter Outstanding Planning Award. The Jury commended the plan on its vision to provide affordable housing, enhance recreational opportunities, support local agriculture, restore wetlands and native habitats, and plan for future sea level rise and climate change. The Plan utilized an array of outreach methods/tools, including the hosting of a project website, a project email, virtual community meetings, "talk story" events at Waimea Public Library, and a Student Design Challenge which provided a unique opportunity for students to create their own vision for the site and introduced a younger generation to the profession of planning. The Plan innovatively incorporates "Adaptation Planning" principles by the use of a five-zone concept plan; these five zones symbolize areas susceptible to flooding, areas suitable for agriculture, and areas suitable for development.

5. Climate Adaptation Plan

The Planning Department initiated a contract for the Climate Adaptation Plan with Raimi + Associates. The process is guided by a focus group of community leaders and stakeholders, and is managed by the County Resiliency team.

Initial work includes:

- Talk story interviews with 36 individuals representing 26 community groups.
- Community-wide survey with over 400 responses
- Open House Meetings, including 5 in-person meetings and one virtual meeting.
- Educational video series with assistance from Taires Hiranaka, Mayor’s Office.
- Stakeholder interviews with County and State agencies
- Online “story bank” submissions
- Development of an interactive project website
- “Pop-up” outreach at farmers markets and other events
- Focus group meetings

As of June 2022, the following deliverables were completed:

- Climate Hazard White Paper
- Vulnerability and Equity Assessment

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
Alan Clinton	Administrative Planning Officer (Transportation)
Leanora Kaiaokamalie	Planner VI
Kenneth Estes	Planner V
Marisa Valenciano	Planner IV
Nani Sadora	Planner IV
Alisha Summers	Planner III
Britni Ludington-Braun	Planner III
Shelea Blackstad	Planner I
Andres Emayo	Planning Inspector III
Joan Ludington	Inspector III
Patrick Henriques	Inspector II
Shanlee Jimenez	Planning Commission Secretary
Duke Nakamatsu	Secretary
Leila Kim	Staff Services Supervisor
Sherri Patrick	TVR Enforcement Specialist

CZM CONTRACT EMPLOYEES

Romio Idica	CZM Planner II
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Leslie Milnes  
Brian Ejima  
Kristen Romuar-Cabico

CZM Enforcement Officer  
CZM Land Use Permit Technician  
CZM Account Clerk