

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

RECEIVED  
Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, December 18, 2019, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Lihu'e, on the following:

19 NOV 21 A 7:57  
Bill No. 2764

OFFICE OF THE COUNTY CLERK  
COUNTY OF KAUAI  
A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO CLASS IV ZONING PERMITS OF THE COMPREHENSIVE ZONING ORDINANCE (County of Kaua'i, Applicant) (ZA-2020-3)

This Bill proposes to amend Chapter 8, Kaua'i County Code 1987, as amended, relating to Class IV Zoning Permits of the Comprehensive Zoning Ordinance. The purpose of the Bill is to require the County Transportation Agency to conduct a mandatory review of all Class IV permit applications. This amendment to the General-Class IV zoning permit process will also implement the General Plan Update (2018) vision, goals, and policies to support increased access and utilization of public transit.

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of the Bill are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at their subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2764 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on November 20, 2019, by the following vote:

AYES: Brun, Chock, Cowden, Evslin, Kagawa, Kualii, Kaneshiro      TOTAL - 7,  
NOES: None      TOTAL - 0,  
EXCUSED & NOT VOTING: None      TOTAL - 0,  
RECUSED & NOT VOTING: None      TOTAL - 0.

Lihu'e, Hawai'i  
November 21, 2019

/s/ Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i

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 THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@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.

(One publication - The Garden Island - November 29, 2019)

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 8,  
KAUAI COUNTY CODE 1987, AS AMENDED,  
RELATING TO CLASS IV ZONING PERMITS OF THE  
COMPREHENSIVE ZONING ORDINANCE**

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(County of Kaua'i, Applicant) (ZA-2020-3)

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Findings and purpose. The Council of the County of Kaua'i finds that there is a need to amend the Comprehensive Zoning Ordinance to encourage transit use and development as called for in the General Plan Update (2018).

The General Plan Update (2018) provides a clear community vision with goals of sustainability, unique character, resilience, and equity. The General Plan Update also sets forth nineteen policies that articulate the type of growth that is desired by the community. Some of the nineteen policies include: managing growth to preserve rural character by increasing access and utilization of public transit, designing healthy and complete neighborhoods by building transit facilities to support growth, and building a balanced multimodal transportation system.

Many of the nineteen policies in the General Plan Update (2018) encourage future growth of the transit system within the complete streets development context. Therefore, an amendment to the General-Class IV zoning permit process will implement the General Plan Update vision, goals, and policies to support increased access and utilization of public transit.

SECTION 2. Chapter 8, Kaua'i County Code 1987, as amended, is hereby amended by amending Section 8-3.1(f), Class IV Zoning Permits, Subsection 8-3.1(f)(2), to read as follows:

“(2) The Planning Director or designee shall check the application to determine whether the construction, development, activity, use or plot plan conforms to the standards established by this Chapter and:

(A) Shall refer the application to the Department of Public Works, [and] the Department of Water, and the County Transportation Agency, and may refer the application to any other County or State Department for comment or approval; and

(B) May require additional information if necessary to make a determination.”

SECTION 3. If any provision of this Ordinance or the application thereof to any person, persons, or circumstances is held invalid, the invalidity does not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 4. Ordinance material to be repealed is bracketed. New Ordinance material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring need not be included.

SECTION 5. This Ordinance shall take effect upon its approval.

Introduced by: /s/ MASON K. CHOCK  
(By Request)

DATE OF INTRODUCTION:

**November 20, 2019**

Līhu'e, Kaua'i, Hawai'i

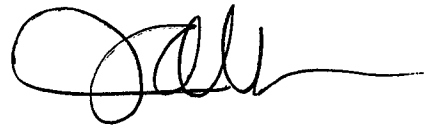
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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2764, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on November 20, 2019, by the following vote:

FOR PASSAGE:	Brun, Chock, Cowden, Evslin, Kagawa, Kualii, Kaneshiro	TOTAL - 7,
AGAINST PASSAGE:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i  
November 20, 2019



Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i