

KAUAI PLANNING COMMISSION
REGULAR MEETING

RECEIVED

Tuesday, January 14, 2020

'20 JAN -8 P2:05

9:00 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

CLERK OF
THE COUNTY CLERK
COUNTY OF KAUAI

AGENDA

- A. CALL TO ORDER BY CHAIR PRO TEM
- B. ROLL CALL
- C. SELECTION OF CHAIRPERSON AND VICE CHAIRPERSON
APPOINTMENT OF SUBDIVISION COMMITTEE CHAIRPERSON, VICE
CHAIRPERSON
- D. APPROVAL OF AGENDA
- E. MINUTES of the meeting(s) of the Planning Commission
1. Meeting of August 13, 2019
 2. Meeting of November 12, 2019
- F. RECEIPT OF ITEMS FOR THE RECORD
- G. HEARINGS AND PUBLIC COMMENT (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
1. Continued Agency Hearing
 2. New Agency Hearing
 - a. Class IV Zoning Permit Z-IV-2020-7 and Use Permit U-2020-6 to allow construction of a two (2) farmworker housing units on a parcel located along the makai side of Koolau Road in Moloaa, situated approx. ½-mile east of its intersection with Kuhio Highway and further identified as 6020 Koolau Road, Tax Map Key: (4) 4-9-009:012, CPR unit 71, and affecting an area approx. 5.225 acres of a larger parcel = *Joseph Schwartz*. [Director's Report received by Commission Clerk 12/23/19.]
 1. Director's Report pertaining to this matter.
 2. Supplement No. 1 to Director's Report.

G. HEARINGS AND PUBLIC COMMENT (Cont'd)

2. New Agency Hearing (Cont'd)

- b. Special Management Area Use Permit SMA(U)-2020-5 to construct a single-family residence and associate amenities on a parcel situated along the southern side and near the terminus of Hanalei Plantation Road in Princeville, immediately adjacent to property identified as 5211 Hanalei Plantation Road, involving Tax Map Key: (4) 5-4-004:009, Unit 1, and affecting an area approx. 0.20 acre of a larger parcel = *22 Degrees Designs LLC*.

1. Director's Report pertaining to this matter.

- c. Special Management Area Use Permit SMA(U)-2020-6 to allow reconstruction of a Maintenance/Recreation Building containing multi-purpose rooms, office, storage, and laundry facilities, and Class IV Zoning Permit Z-IV-2020-8 and Use Permit U-2020-7 to allow a height deviation from the North Shore Planning Area, on a parcel situated on the makai side of Kuhio Highway in Wainiha, approx. 300 ft. east of the Kuhio Highway/Oneone Road intersection, further identified as 5-7130 Kuhio Highway, Tax Map Key: (4) 5-8-011:027, and containing a total area of 3.689 acres = *Hanalei Colony Resort AOA*. [Director's Report and Supplement No. 1 to Director's Report received by Commission Clerk 12/23/19.]

1. Director's Report pertaining to this matter.
2. Supplement No. 1 to Director's Report.
3. Supplement No. 2 to Director's Report.

3. Continued Public Hearing

4. New Public Hearing

- a. Zoning Amendment ZA-2020-5: A bill (2755) for an ordinance amending Chapter 8, Kauai County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Section 8-4.3(a) of the Kauai County Code relating to development standards for residential structures not involving a subdivision = *County of Kauai, Planning Department*.

1. Director's Report pertaining to this matter.

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

H. CONSENT CALENDAR

1. Status Reports

2. Director's Report for Project Scheduled for Agency Hearing on Tuesday, January 28, 2020.

I. EXECUTIVE SESSION

J. GENERAL BUSINESS MATTERS

K. COMMUNICATION (For Action)

L. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

M. UNFINISHED BUSINESS (For Action)

1. Consideration of Class IV Zoning Permit Z-IV-2001-21, Use Permit U-2001-16, and Special Permit SP-2001-9 to amend Condition No. 1 that would allow an increase in the number of tours per day and amount of patrons (300 max.), and the construction of three (3) additional structures on the subject property situated south of Kaunualii Highway, approx. one mile south of its intersection with Kipu Road, further identified as Tax Map Key: (4) 3-1-002:001, and containing a total land area of approx. 2,843 acres = *Kipu Ranch Tours*. [Director's Report received by Commission Clerk 10/8/19, hearing closed and action deferred 10/22/19, Supplement No. 1 to Director's Report received and matter deferred 11/12/19.]

N. NEW BUSINESS

1. **For Action – See Agenda F for Project Descriptions**

O. 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 at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Hawaii 96766 on *January 28, 2020*.

P. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii 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 be 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.

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.

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING

Līhu'e Civic Center, Mo'ikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Hawai'i 96766

Tuesday, January 14, 2019, 8:30 A.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

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

1. Meeting of August 13, 2019
2. Meeting of November 12, 2019

E. RECEIPT OF ITEMS FOR THE RECORD (None)

F. HEARINGS AND PUBLIC COMMENT

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. In addition, testimony may be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

G. GENERAL BUSINESS MATTERS (None)

H. UNFINISHED BUSINESS (None)

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Map Approval
 - a. Subdivision Application No. S-2020-8
(**Garden Isle OZ LLC**)
Proposed 2-lot Subdivision
TMK: (4) 2-6-016:056
Koloa, Kaua'i
 - 1) Subdivision Report pertaining to this matter.

I. NEW BUSINESS (For Action) (Cont'd)

1. Tentative Subdivision Map Approval (Cont'd)

- b. Subdivision Application No. S-2020-9
(Baird Family Limited Partnership)
Proposed 3-lot Subdivision
TMK: (4) 4-4-013:002
Kapahi, Kaua'i

1) Subdivision Report pertaining to this matter.

2. Final Subdivision Map Approval

- a. Subdivision Application No. S-2016-02
(Kukui'ula Development Co, LLC)
Proposed 29-lot Subdivision
TMK: (4) 2-6-015:014
Koloa, Kaua'i

1) Subdivision Report pertaining to this matter.

3. Subdivision Extension Request

- a. Subdivision Application No. S-2018-15
(Kilauea Plateau Subdivision)
Proposed 10-lot Subdivision
TMK: (4) 5-2-005:023
Kilauea, Kaua'i

1) Subdivision Report pertaining to this matter.

J. ADJOURNMENT

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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.

January 14, 2020

SHORELINE SETBACK DETERMINATIONS

| Application No. | Name of Applicant(s) | Property I.D. (Tax Map Key) | Location | Reasons |
|------------------------|---------------------------------|------------------------------------|-----------------|-------------------------------------------------|
| SSD-2020-24 | Jesse L. Ashcraft | 1-2-013:005 | Kekaha | ADU – previously approved and expired |
| SSD-2020-25 | Kawailoa Development | 2-9-001:002 | Poipu | Two Additional Hotel Units |
| SSD-2020-26 | Waioli Surf Shack Holdings, LLC | 5-5-005:027 | Hanalei | Spa, Equipment Pads, Rock Wall |
| SSD-2020-27 | Laura Bancroft, Trustee | 5-8-011:010 | Wainiha | Interior Renovation |
| SSD-2020-28 | Michael & Crystine Margolis | 5-5-004:044 | Hanalei | Add Bedroom, Family Room and Bar |
| SSD-2020-29 | Randall S. & Laura Gail Weir | 1-7-006:012 | Waimea | Relocation of Previously Approved New Residence |
| SSD-2020-30 | James & Nany Lyman | 2-8-015:003 | Poipu | Interior Renovations |