

KAUAI PLANNING COMMISSION  
REGULAR MEETING

Tuesday, February 25, 2020

RECEIVED

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

'20 FEB 19 P3:30

PLANNING DEPARTMENT  
LĪHU'E CIVIC CENTER  
MOIKEHA BUILDING  
MEETING ROOM 2A-2B

**AGENDA**

- 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** (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-2020-9 to develop a mixed-use commercial/multi-family residential project containing spaces for retail, office, and restaurant operations, 62 residential units and associated site improvements on a parcel situated within the Lihue Town Core area on the corner of Rice Street and Umi Street, further identified as 3016 Umi Street, Tax Map Key: 3-6-003:010, and containing a total area of 1.5313 acres = ***RBM UMI, LLC***. [Director's Report received 2/11/20.]
      1. Supplement No.1 to Director's Report pertaining to this matter.
  3. **Continued Public Hearing**
    - a. Zoning Amendment ZA-2020-6: A bill for an ordinance amending Chapter 8, Article 2, of the Kauai County Code 1987, as amended, relating to the Table of Uses in the Comprehensive Zoning Ordinance (CZO). The proposal amends Section 8-2.4 Table

**F. HEARINGS AND PUBLIC COMMENT (Cont'd)**

**3. Continued Public Hearing (Cont'd)**

a. Zoning Amendment ZA-2020-6 = County of Kauai, Planning Department (Cont'd)

of Uses to allow residential uses as generally permitted in the General Commercial (CG) and Neighborhood Commercial (CN) Zoning Districts = **County of Kauai, Planning Department**. [Director's Report and Supplement No. 1 to Director's Report received, and hearing continued 2/11/20.]

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

b. Zoning Amendment ZA-2020-7:

- DEVELOPMENT PLAN AMENDMENTS: Hanapēpē-'Ele'ele Development Plan and Waimea-Kekaha Development Plan.
- ZONING MAP AMENDMENTS: ZM-K 100 Kekaha, ZM-W 100 Waimea, and ZM-H 200 Hanapēpē-Port Allen-'Ele'ele.

This bill for an ordinance proposes to adopt and implement the West Kauai Community Plan, which is an update to the Hanapēpē-'Ele'ele Development Plan and the Waimea-Kekaha Development Plan, and includes the communities of Kekaha, Waimea, Hanapēpē, 'Ele'ele, and Kaunakani. The proposed ordinance will amend Chapter 10, Articles 3 and 4 of the Kauai County Code to adopt the West Kauai Community Plan and establish special planning areas for the town centers of Kekaha, Waimea, Hanapēpē, and 'Ele'ele-Port Allen. The special planning areas will use form-based code to provide development standards and guidelines to further the goals and objectives for the West Kauai Community Plan that were created through a public planning process.

The following special planning areas are proposed:

- Special Planning Area "K", also known as the "Kekaha Town Walkable Mixed Use District".
- Special Planning Area "L", also known as the "Waimea Town Walkable Mixed Use District".
- Special Planning Area "M", also known as the "Hanapēpē Town Walkable Mixed Use District".
- Special Planning Area "N", also known as the "'Ele'ele-Port Allen Walkable Mixed Use District" = **County of Kauai, Planning Department**.

[Director's Report and Supplement No. 1 to Director's Report received, and hearing continued 2/11/20.]

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

**4. New Public Hearing**

- a. Zoning Amendment ZA-2020-12: ZONING MAP AMENDMENTS: ZM 200 Hanapēpē. A bill for an ordinance to rezone portions of ZM 200 Hanapēpē from "Agriculture District" to "General Industrial District." The district will ensure that the historic industrial uses in the area that supports agricultural processing and product development are able to continue in perpetuity = **County of Kauai, Planning Department**.

1. Director's Report pertaining to this matter.

**F. HEARINGS AND PUBLIC COMMENT (Cont'd)**

**4. New Public Hearing (Cont'd)**

- b. Zoning Amendment ZA-2020-10: ZONING MAP AMENDMENTS: ZM 200 Hanapēpē. A bill for an ordinance to establish a zoning district called “Plantation Camp” under Kaua‘i County Code Chapter 8, known as the County of Kaua‘i Comprehensive Zoning Ordinance. The district will ensure that the use of these historic plantation camps can continue in perpetuity by allowing the continued use, maintenance, repair, and rebuild of existing structures to occur. Portions of ZM 200 Hanapēpē will be amended to “Plantation Camp” = *County of Kauai, Planning Department*.
1. Director’s Report pertaining to this matter.
- c. Zoning Amendment ZA-2020-9: ZONING MAP AMENDMENTS: ZM-K 100 Kekaha, ZM-W 100 Waimea, ZM-H 200 Hanapēpē-Port Allen-’Ele‘ele, and ZM 200 Hanapēpē. A bill for an ordinance to establish a special treatment district called “Special Treatment - Coastal Edge” under Kaua‘i County Code Chapter 8, known as County of Kaua‘i’s Comprehensive Zoning Ordinance. The district will ensure that development within applicable areas is constructed in a manner that safely mitigates impacts from coastal hazards, including but not limited to sea level rise, coastal erosion, high wave run-up, passive flooding, and an increased frequency and intensity of storms. Portions of ZM-K 100 Kekaha, ZM-W 100 Waimea, ZM-H 200 Hanapēpē-Port Allen-’Ele‘ele, and ZM 200 Hanapēpē will be overlaid with “Special Treatment - Coastal Edge” = *County of Kauai, Planning Department*.
1. Director’s Report pertaining to this matter.
- d. Zoning Amendment ZA-2020-11: ZONING MAP AMENDMENTS: ZM-H 200 Hanapēpē-Port Allen-’Ele‘ele. A bill for an ordinance to overlay a portion of ZM 200 Hanapēpē-Port Allen-’Ele‘ele to “Special Treatment-Public.” The District will recognize the Port Allen Airport as a unique public facility used for the public and quasi-public airport use at a significant location. The District will require additional performance and procedural requirements to ensure critical or valuable social or aesthetic characteristics of the environment or community that exist in the same area are addressed and protected = *County of Kauai, Planning Department*.
1. Director’s Report pertaining to this matter.
- e. Zoning Amendment ZA-2020-8: A bill for an ordinance to implement the West Kauai Community Plan, which is an update to the Hanapēpē-’Ele‘ele Development Plan and the Waimea-Kekaha Development Plan, and includes the communities of Kekaha, Waimea, Hanapēpē, ‘Ele‘ele, and Kaumakani. The proposed ordinance will amend the General Plan, Chapter 7 of the Kauai County Code, to establish region-specific guidance and land use map changes for the West Kauai region including the Hanapēpē-’Ele‘ele Planning District and the Waimea-Kekaha Planning District. Amendments include changes to provisional agriculture, provisional resort, plantation camps, and other policies as they pertain to the West Kauai Community

**F. HEARINGS AND PUBLIC COMMENT (Cont'd)**

**4. New Public Hearing (Cont'd)**

- e. Zoning Amendment ZA-2020-8 = County of Kauai, Planning Department.  
(Cont'd)

Plan. The amendment also updates the preliminary community planning guidance for the Waimea-Kehaha and Hanapēpē-'Ele'ele planning districts = *County of Kauai, Planning Department.*

1. Director's Report pertaining to this matter.

- f. Zoning Amendment ZA-2020-13: A bill 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 of the CZO relating to Development Standards involving Residential Development = *County of Kauai, Planning Department.*

1. 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**

**I. GENERAL BUSINESS MATTERS**

**J. COMMUNICATION (For Action)**

**K. COMMITTEE REPORTS**

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

**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 at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Hawaii 96766 on *March 24, 2020.*

**O. 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.**

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.

February 25, 2020

SHORELINE SETBACK DETERMINATIONS

<b>Application No.</b>	<b>Name of Applicant(s)</b>	<b>Property I.D. (Tax Map Key)</b>	<b>Location</b>	<b>Reasons</b>
SSD-2020-35	Gloria Hillard	1-3-004:081	Kekaha	Conversion of Existing Garage to Additional Rental Unit