

KAUAI PLANNING COMMISSION
REGULAR MEETING

RECEIVED

Tuesday, March 12, 2019

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

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

AGENDA

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **APPROVAL OF AGENDA**
- D. **MINUTES of the meeting(s) of the Planning Commission**
 - 1. Meeting of January 22, 2019
- 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**
 - 3. **Continued Public Hearing**
 - 4. **New Public Hearing**
 - a. Zoning Amendment ZA-2019-3: A bill for an ordinance amending Chapter 8 and Chapter 10, Kauai County Code 1987, as amended, related to Comprehensive Zoning Ordinance (CZO). The proposal amends Section 8-3.5 of the CZO relating to Enforcement, Legal Procedures and Penalties by adding

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

4. New Public Hearing (Cont'd)

a. Zoning Amendment ZA-2019-3 (Cont'd)

additional mechanisms for service of notice of violation and orders; adding procedures for placing and enforcing liens; and amending the amount of funds that may remain in the Planning Enforcement Account and the purposes for the expenditure of such funds. The proposal also amends Chapter 10, Kauai County Code 1987, as amended, to clarify the applicable enforcement section for violations of any provision of Chapter 10 = *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 on Wednesday, 3/27/19. (NONE)

H. EXECUTIVE SESSION

I. GENERAL BUSINESS MATTERS

1. Briefing on the State of Hawaii Department of Transportation's repair work on the Kuhio Highway damaged as a result of the April 2018 flood events on the North Shore.
2. Status on Class IV Zoning Permit Z-IV-2015-8, Project Development Use Permit PDU-2015-7, Variance Permit V-2015-1, and Special Management Area Use Permit SMA(U)-2015-6, Tax Map Keys: (4) 4-1-003:004 (por.), 005, 007, 011, and 017 and (4) 4-1-005:014 and 017 = *Coco Palms Hui, LLC*.
3. Briefing on Administration's enforcement efforts as it relates to Transient Vacation Rental (TVR) Regulations.

J. COMMUNICATION (For Action)

K. COMMITTEE REPORTS (NONE)

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 **Wednesday, March 27, 2019.**

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 ASL Interpreter, materials in an alternate format, or other auxiliary aide support, or an interpreter for a language other than English, please contact Anela Segreti at (808)241-4917 or asegreti@kauai.gov at least seven calendar days prior to the meeting.

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.

March 12, 2019

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2019-34	South Pacific Bistro Inc.	4-5-012:024	Kapaa	Interior Renovations
SSD-2019-35	KHS, LLC.	4-3-007:028	Waipouli	Interior Renovations and New Pool Area Improvements
SSD-2019-36	6610 Kuono Road, LLC.	4-9-014:007	Moloa'a	4' Rock Wall
SSD-2019-37	Karim Mansour	4-9-004:029	Aliomanu	Interior Renovations
SSD-2019-38	Daniel & Miriam Allison	5-6-004:013	Hanalei	New Single Family Residence