

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, April 9, 2019

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

RECEIVED

'19 APR -3 P3:33

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
 3. Continued Public Hearing
 4. New Public Hearing
 - a. Zoning Amendment ZA-2019-2: Change from Agriculture (A) and Open (O) Districts to University District (UNV). Parcel Location: Located adjacent to and immediately mauka of the University of Hawaii Kauai Community College campus, approx. 2,000 ft. north of the Kaumualii Highway/Puhi Road intersection in Puhi, further identified as 3-1875 Kaumualii Highway, Tax Map Key: (4) 3-8-002:016, and containing a total area of 38.448 acres = *Island School*.
 1. Director's Report pertaining to this matter.

OFFICE OF
THE COUNTY CLERK
COUNTY OF HAWAII

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

4. New Public Hearing (Cont'd)

- b. Zoning Amendment ZA-2019-5: A bill for an ordinance amending Chapter 8, Kauai County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Sections 8-1.5 and 8-4.3 of the CZO relating to Definitions and Development Standards for Residential Structures = *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 Tuesday, April 23, 2019.

- a. Class IV Zoning Permit Z-IV-2019-12, Use Permit U-2019-9, and Special Permit SP-2019-5 to operate a commercial outdoor facility containing mountain bike and hiking trails, and yoga instruction on a parcel situated on the mauka side of Kuhio Highway in Kilauea, also referred to as Jurassic Kahili Ranch, approx. 1,500 ft. west of the Kuhio Highway/Kahili Makai Road intersection, further identified as 5-1771 D Kuhio Highway, Tax Map Key: 5-2-003:001, and affecting a portion of a larger parcel approx. 10± acres in size = *Jurassic Kahili Ranch LLC*.

1. Director's Report pertaining to this matter.

H. EXECUTIVE SESSION

I. GENERAL BUSINESS MATTERS

1. Petition to Appeal Director's Rejection of *Moloaa Farms LLC's* Subdivision Application for TMK (4) 4-9-009-01 by Timothy H. Irons, Attorney for Petitioner.
- a. Clerk of the Commission's Recommendation to Refer Petition to Appeal Director's Rejection of Moloaa Farms LLC's Subdivision Application for TMK (4) 4-9-009-001 to the County of Kauai Boards and Commission Office to conduct the required analysis and contested case hearings related to the above-referenced appeal.

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 **Tuesday, April 23, 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.

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING

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

Tuesday, April 9, 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**
- 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. Testimony may also 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)**

1. **Tentative Subdivision Map Approval**

- a. Subdivision Application No. S-2019-11
(Tower Kauai Lagoons Lands, LLC)
Proposed 12-lot Consolidation
TMK: (4) (4) 3-5-001:027, 3-5-004: 700 - 710
Lihue, Kaua'i

- 1. Subdivision Report pertaining to this matter.

I. **NEW BUSINESS** (For Action)

J. **ADJOURNMENT**

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.

April 9, 2019

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2019-39	Drew & Sana Porter	5-8-008:053	Wainiha	New Single Family Residence
SSD-2019-40	Beatrice Ashburn	2-8-015:003	Poipu	Washer & Dryer in Unit 41
SSD-2019-41	Philip Dow	4-6-014:110	Kapaa	A/C Replacement