



PLANNING COMMISSION RECEIVED

KAAINA S. HULL, CLERK OF COMMISSION

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OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

HELEN COX, CHAIR
FRANCIS DEGRACIA, VICE CHAIR
GERALD AKO, MEMBER
DONNA APISA, MEMBER
MELVIN CHIBA, MEMBER
GLENDA NOGAMI-STREUFERT, MEMBER
LORI OTSUKA, MEMBER

On November 29, 2021, Governor David Y. Ige issued an Emergency Proclamation, which continued the suspension of Hawai'i Revised Statutes (HRS) Chapter 92, relating to Public Agency Meetings and Records (also known as the Sunshine Law) as it pertained to the COVID-19 Response. HRS Chapter 92 was suspended to the extent necessary to enable boards to conduct business in-person or through remote technology without any board members or members of the public physically present in the same location. In addition, on December 29, 2021 and on January 26, 2022, Governor Ige issued a proclamation suspending HRS 92-3.7 to suspend the requirement to have at least one meeting location that is open to the public.

The meetings of the Kaua'i Planning Commission will be conducted as follows until further notice:

- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- In-person meetings will be closed to the public to be consistent with social distancing practices.
- Planning Commissioners, Planning Department Staff, parties to agenda items, and resource individuals may appear via the ZOOM remote technology.
- The meeting will be held by ZOOM. In addition, the meeting will be live streamed and available as an archived meeting after completion at www.kauai.gov/Webcast-Meetings. Please note video production services or enhancements will not be available.
- **Written testimony** may be submitted on any agenda item and submitted to planningdepartment@kauai.gov or mailed to the Kauai County Planning Department 4444 Rice Street., Ste A473, Lihue, Hawaii 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be distributed to all Planning Commissioners prior to the meeting. Any testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.
- **Oral testimony** will be taken during the public hearing portion of the meeting via **Zoom remote** technology platform. Anyone interested in providing oral testimony must register and attend the meeting via ZOOM. Once you register for the meeting, you will receive the meeting link that is unique to each registrant that cannot be shared.
 - It shall be the responsibility of the testifier to join the meeting through the **Zoom** link provided via E-mail to provide their oral testimony. In addition, it shall be the responsibility of the testifier to ensure that the **Zoom** software is downloaded and operational prior to the meeting.
 - All testifier audio and video will be disabled until it is your turn to testify.
 - Per the Planning Commission's and Chairs practice, there is three-minute time limit per testifier.
 - If there are temporary technical glitches during your turn to testify, we may have to move on to the next person due to time constraints; we appreciate your understanding.
- If any major and insurmountable technical difficulties are encountered during the meetings, the Planning Commission will continue all matters and reconvene at the next scheduled Planning Commission Meeting.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Planning Commission's website upon completion and approval.

**PLANNING COMMISSION TELECONFERENCE MEETING NOTICE AND
AGENDA**

**Tuesday, March 8, 2022
9:00 a.m. or shortly thereafter**

Webcast Link: <https://www.kauai.gov/Webcast-Meetings>

ZOOM Link:
https://zoom.us/webinar/register/WN_61dQ0feMSYSk5VRQnQ4YZQ

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

1. October 26, 2021

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT. The Planning Commission will accept written testimony for any agenda item herein. Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted in writing to planningdepartment@kauai.gov or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department before 9:00 a.m. on Monday, March 7, 2022, will be distributed to all Planning Commissioners prior to the meeting. Written testimony received after 9:00 a.m. on Monday, March 7, 2022, will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.

Oral testimony will be taken at the beginning of the meeting on any agenda item via the Zoom remote technology platform. Once you register for the meeting, you will receive the meeting link that is unique to each registrant that cannot be shared. It shall be the responsibility of the testifier to register for the Zoom meeting and ensure that the Zoom software is downloaded prior to the meeting. After oral testimony has been taken, members of the public should continue watching the meeting via the live stream link found at www.kauai.gov/webcastmeetings.

1. Continued Agency Hearing
2. New Agency Hearing
3. Continued Public Hearing

4. New Public Hearing

- a. ZA-2022-2: A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Section 8-1.4 of the CZO relating to Application of Regulations and more specifically, standards involving the placement, design and construction of outdoor hazard warning sirens = ***County of Kaua'i, Planning Department***.

1. Director's Report pertaining to this matter.

- b. ZA-2022-3: A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Section 8-2.4 of the CZO relating to the Table of Uses and more specifically, permitting requirements for warehouses within the General Commercial zoning district = ***County of Kaua'i, Planning Department***.

1. Director's Report pertaining to this matter.

- c. ZA-2022-4: A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Section 8-1.4 of the CZO relating to Application of Regulations and more specifically, density standards involving parcels that have been partitioned through the Condominium Property Regime (CPR) process, pursuant to Chapter 514B of the Hawaii Revised Statutes ***County of Kaua'i, 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

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

I. GENERAL BUSINESS MATTERS

1. Request to amend Condition No. 2 of Class IV Zoning Permit Z-IV-2015-10, Use Permit U-2015-9, and Special Permit SP-2015-1 relating to commercial tour operations, involving a parcel situated at 5730 Olohena Road, further identified as Tax Map Key: (4) 4-4-003:045, CPR Unit 3, Wailua Homesteads = **Steelgrass Farm**.

- a. Director's Report pertaining to this matter.

J. COMMUNICATION

K. COMMITTEE REPORTS

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

L. UNFINISHED BUSINESS (For Action)

M. NEW BUSINESS (For Action)

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, on April 12, 2022. The Planning Commission anticipates meeting via teleconference, but will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

O. ADJOURNMENT

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.



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

GERALD AKO, CHAIR
MELVIN CHIBA, VICE CHAIR
FRANCIS DEGRACIA, MEMBER

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**SUBDIVISION COMMITTEE TELECONFERENCE MEETING NOTICE AND
AGENDA**

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8:30 a.m. or shortly thereafter**

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A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

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

1. October 26, 2021

E. RECEIPT OF ITEMS FOR THE RECORD

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G. GENERAL BUSINESS MATTERS

H. UNFINISHED BUSINESS

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Map Approval

- a. Subdivision Application No. S-2022-8
(BBCP Kukui'ula Parcel X, LLC. ET. AL.)
Kukui'ula Parcel X, Phase 2 Subdivision
Proposed 2-lot consolidation and resubdivision into 4-lots
TMK: (4) 2-6-015: 010 & 011
Kōloa (Makai), Kōloa, Kona , Kaua'i

- 1) Subdivision Report pertaining to this matter.

2. Final Subdivision Map Approval

- a. Subdivision Application No. S-2020-7
(State of Hawai'i DLNR / Land Division & Division of Forestry and Wildlife)
DLNR Baseyard Facility
Proposed 2-lot Subdivision
TMK: (4) 1-8-008:020
Hanapēpē, Waimea, Kaua'i

- 1) Subdivision Report pertaining to this matter.

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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.

March 08, 2022

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2022-28	Michael Sheidler	5-8-012:027	Wainiha	New single-family residence/ Accreting shoreline 60 feet required setback, Certified Shoreline map KA-461, proposed residence at 81 feet.
SSD-2022-29	AOAO Nihi Kai	2-6-019:022	Kōloa	Renovation of existing sewage treatment plant/ Rocky shoreline, average lot depth=411.82 feet required setback 100 feet, proposed setback 220 feet plus.
SSD-2022-30	Letters as Numbers, LLC	5-2-004:065 unit 2 and unit 3	ʻAliomanu	Rock wall and entry gate/ Rock wall extends makai about 420 feet, required setback 109 feet, proposed setback back 585 feet.
SSD-2022-31	Russell and Bonnie Calderone	4-9-014:026	Moloaʻa	New single family residence/ Average lot depth of 82.5 and an erosion rate of .3 tenths of a foot per annum , required setback is 81 feet. Proposed setback is 87 to 91 feet.