



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

RECEIVED

'22 JUN -8 AIO '22

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

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

Pursuant to Hawai'i Revised Statutes Section 92-3.7, which codified Act 220, SLH 2021, the meetings of the County of Kaua'i Planning Commission will be conducted as follows:

- **The meeting location that will be open to the public with audiovisual connection is:**
 - Līhu'e Civic Center, Moikeha Building
 - Meeting Room 2A-2B
 - 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i
- In addition to attendance in-person, the public may also attend the meeting by phone using the "join by phone" telephone number provided on the agenda.
- The public may also attend the meeting through Zoom using link provided on the agenda.
- Also, the meeting will be live streamed and available as an archived meeting after completion at www.kauai.gov/Webcast-Meetings. Please note that the livestream broadcast does not allow interaction between the viewer and Planning Commission. Also, video production services or enhancements of the recorded video 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 comment portions of the meeting **in-person at the public meeting location, by using the 'join by phone' number, or via Zoom link as an additional accommodation** listed on the agenda.
 - 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, per agenda item.
 - 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 the remote telephone connection is lost and cannot be restored within 30 minutes during the meetings, the Planning Commission will continue all matters and reconvene at the next scheduled Planning Commission Meeting.

PLANNING COMMISSION MEETING NOTICE AND AGENDA

**Agenda 1, Tuesday, June 14, 2022
9:00 a.m. or shortly thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Kaua'i, Hawai'i**

To Join by Phone:

US: +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799
or +1 346 248 7799 or +1 646 558 8656 or +1 720 707 2699

Webinar ID: 891 8643 5052

Participant ID: #

To Join by ZOOM Link:

<https://us06web.zoom.us/j/89186435052>

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

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

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

1. September 28, 2021
2. October 12, 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 or pseudonym, 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, June 13, 2022, will be distributed to all Planning Commissioners prior to the meeting. Written testimony received after 9:00 a.m. on Monday, June 13, 2022, 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 comment portion of the meeting in-person at the public meeting location, by using the 'join by phone' number, or via Zoom link as an additional accommodation listed on the agenda. After oral testimony has been taken, members of the public may watch the meeting via the live stream link found at www.kauai.gov/webcastmeetings.

1. Continued Agency Hearing

- a. None for this Meeting.

2. New Agency Hearing

- a. CLASS IV ZONING PERMIT (Z-IV-2022-4) and USE PERMIT (U-2022-4) to allow construction of a new tour/administration and repair facility, aircraft hangar and associated improvements on a parcel located along the makai side of Ahukini Road in Līhu'e, situated approximately ½-mile north of the Līhu'e Airport terminal, further identified as Tax Map Key: 3-5-001:008, and affecting a portion of a larger parcel containing 720.974 acres = **Airbourne Aviation, Inc.** [Director's report received 1/25/2022].

1. Director's Report pertaining to this matter.

- b. AMENDMENT TO SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2001-2) to allow construction of a boat storage building on a parcel situated at the terminus of Kukuna Road in Aliomanu, further identified as 5171 Kukuna Road, Tax Map Key: 4-9-005:005, containing a total area of 8.142 acres = **Richard Hill**.

1. Director's Report pertaining to this matter.

- c. CLASS IV ZONING PERMIT (Z-IV-2022-5) and USE PERMIT (U-2022-5) to allow installation of interpretive signage and associated site improvements at the Hanapepe Town Park & Playground facility in Hanapepe, along the western side of Kona Road and immediately adjacent to the Hanapepe Fire Station, further identified as Tax Map Key: (4) 1-9-005:048 and containing a total area of 45,600 square feet = **State of Hawai'i, Department of Transportation**. [Director's report received 1/25/2022].

1. Director's Report pertaining to this matter.

3. Continued Public Hearing

- a. None for this Meeting

4. New Public Hearing

- a. None for this Meeting.

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

G. CONSENT CALENDAR

1. Status Reports

- a. None for this Meeting.

2. Director's Report for Project Scheduled for Agency Hearing

- a. None for this Meeting.

H. GENERAL BUSINESS MATTERS

1. None for this Meeting.

I. COMMUNICATION

1. None for this Meeting.

J. COMMITTEE REPORTS

1. **Subdivision Committee**

- a. Consideration and Action on all Subdivision matters listed on the Subdivision Committee Agenda.

K. UNFINISHED BUSINESS (For Action)

1. None for this Meeting.

L. NEW BUSINESS (For Action)

1. CLASS IV ZONING PERMIT (Z-IV-2022-4) and USE PERMIT (U-2022-4) to allow construction of a new tour/administration and repair facility, aircraft hangar and associated improvements on a parcel located along the makai side of Ahukini Road in Līhu'e, situated approximately ½-mile north of the Līhu'e Airport terminal, further identified as Tax Map Key: 3-5-001:008, and affecting a portion of a larger parcel containing 720.974 acres = **Airbourne Aviation, Inc.** [Director's report received 1/25/2022].
 - a. Director's Report pertaining to this matter.
2. AMENDMENT TO SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2001-2) to allow construction of a boat storage building on a parcel situated at the terminus of Kukuna Road in Aliomanu, further identified as 5171 Kukuna Road, Tax Map Key: 4-9-005:005, containing a total area of 8.142 acres = **Richard Hill.**
 - a. Director's Report pertaining to this matter.
3. CLASS IV ZONING PERMIT (Z-IV-2022-5) and USE PERMIT (U-2022-5) to allow installation of interpretive signage and associated site improvements at the Hanapepe Town Park & Playground facility in Hanapepe, along the western side of Kona Road and immediately adjacent to the Hanapepe Fire Station, further identified as Tax Map Key: (4) 1-9-005:048 and containing a total area of 45,600 square feet = **State of Hawai'i, Department of Transportation.** [Director's report received 1/25/2022].
 - a. Director's Report pertaining to this matter.

M. EXECUTIVE SESSION

Pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the County's legal counsel on questions, issues, status and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to the following matters:

1. CLASS IV ZONING PERMIT (Z-IV-2022-4) and USE PERMIT (U-2022-4) to allow construction of a new tour/administration and repair facility, aircraft hangar and associated improvements on a parcel located along the makai side of Ahukini Road in Līhu'e, situated approximately ½-mile north of the Līhu'e Airport terminal, further identified as Tax Map Key: 3-5-001:008, and affecting a portion of a larger parcel containing 720.974 acres = **Airbourne Aviation, Inc.** [Director's report received 1/25/2022].
2. AMENDMENT TO SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2001-2) to allow construction of a boat storage building on a parcel situated at the terminus of Kukuna Road in Aliomanu, further identified as 5171 Kukuna Road, Tax Map Key: 4-9-005:005, containing a total area of 8.142 acres = **Richard Hill**.
3. CLASS IV ZONING PERMIT (Z-IV-2022-5) and USE PERMIT (U-2022-5) to allow installation of interpretive signage and associated site improvements at the Hanapepe Town Park & Playground facility in Hanapepe, along the western side of Kona Road and immediately adjacent to the Hanapepe Fire Station, further identified as Tax Map Key: (4) 1-9-005:048 and containing a total area of 45,600 square feet = **State of Hawai'i, Department of Transportation**. [Director's report received 1/25/2022].
4. **Preliminary Subdivision Map Approval Pursuant to Kaua'i County Code Chapter 9, Article .**
 - a. Subdivision Application No. S-2022-6
**(Kukui'ula Development Company, LLC./
MP Kaua'i HH Development Fund, LLC.)**
Kukui'ula Parcel HH Subdivision
Proposed 51-lot Subdivision
TMK: (4) 2-6-019: 026, 029 & 031
Kōloa, Kaua'i
5. **Final Subdivision Map Approval Pursuant to Kaua'i County Code Chapter 9, Article 3.**
 - a. Subdivision Application No. S-2021-1
(Kukui'ula Development Company, LLC.)
Kukui'ula Parcel I Subdivision
Proposed 40-lot Subdivision
TMK: (4) 2-6-015: 001
Kōloa, Kaua'i

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 June 28, 2022. The Planning Commission anticipates this meeting to be held in-person at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Hawaii 96766. The Commission also anticipates providing telephone and a virtual platform capability for members of the public to testify remotely. The Commission 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.

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.

June 14, 2022

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2022-25	Aubrey Summers	5-8-009:020	Wainiha	Rear Master bedroom and bath addition, Front Lāna'i addition/ The northwest shoreline within the 500 feet applicability is accreting. 60 feet minimum setback. Proposed setback 341 feet
SSD-2022-26	BBCP Kukui'ula Infrastructure, LLC	2-6-022:020	Kōloa	Tram road/ Required setback 186 feet from shoreline, proposed road is approximately 300 feet away on a cliff bluff at 150 feet elevation height.
SSD-2022-27	Jon Kagle	4-9-005:005	'Aliomanu	Boat and general storage addition to existing barn/ 100 feet setback requirement; proposed addition approximately 250 feet or greater