



PLANNING COMMISSION

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
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 through Zoom using link provided on the agenda.
 - If the Zoom connection or audio/visual connection is lost at the public location identified in the Commission's public notice and cannot be restored within 30 minutes during the meetings, the Planning Commission will postpone all matters and reconvene at the next scheduled Planning Commission Meeting.
- 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** 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 on any agenda item 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 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 on specific agenda items, **in-person at the public meeting location or via Zoom link as an additional accommodation.**
 - 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 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 MEETING NOTICE AND AGENDA

**Tuesday, August 23, 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 ZOOM Link: <https://us06web.zoom.us/j/85245816045>

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

SWEARING IN OF NEW COMMISSIONER

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

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

1. May 10, 2022
2. May 24, 2022
3. June 14, 2022 (Agenda 1)
4. June 14, 2022 (Agenda 2)
5. June 28, 2022

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT

1. Continued Agency Hearing

- a. None for this Meeting.

2. New Agency Hearing

- a. None for this Meeting.

3. Continued Public Hearing

- a. None for this Meeting.

2. New Public Hearing

- a. ZA-2023-1: A bill for an ordinance amending Chapters 8, 12, and 13, Kaua'i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO), Building Code, and Electrical Code respectively. The purpose of the ordinance is to establish parking requirements involving electric vehicle charging infrastructure in the CZO, Building and Electrical Codes = **KAUAI COUNTY COUNCIL**.

G. CONSENT CALENDAR

1. Status Reports

- a. 2022 status report regarding 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 at Tax Map Key 4-1-003:004 (por.), 005, 007, 011, and 017 and 4-1-005:014 and 017 (the “permits”), with approval conditions as set forth in letter dated December 31, 2018 from the Planning Commission of the County of Kaua’i (the “Conditions”) with Coco Palms Hui LLC, as Applicant (“Applicant”).

1. Director’s Report pertaining to this matter (see agenda packet).

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. ZA-2023-1: A bill for an ordinance amending Chapters 8, 12, and 13, Kaua’i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO), Building Code, and Electrical Code respectively. The purpose of the ordinance is to establish parking requirements involving electric vehicle charging infrastructure in theZO, Building and Electrical Codes = **KAUAI COUNTY COUNCIL.**
 - a. Director’s Report pertaining to this matter (see agenda packet).

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. ZA-2023-1: A bill for an ordinance amending Chapters 8, 12, and 13, Kaua'i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO), Building Code, and Electrical Code respectively. The purpose of the ordinance is to establish parking requirements involving electric vehicle charging infrastructure in the CZO, Building and Electrical Codes = **KAUAI COUNTY COUNCIL.**
2. 2022 status report regarding 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 at Tax Map Key 4-1-003:004 (por.), 005, 007, 011, and 017 and 4-1-005:014 and 017 (the "permits"), with approval conditions as set forth in letter dated December 31, 2018 from the Planning Commission of the County of Kaua'i (the "Conditions") with Coco Palms Hui LLC, as Applicant ("Applicant").
3. **Final Subdivision Map Approval**
 - a. Subdivision Application No. S-2022-11
(Kaua'i Habitat for Humanity, Inc.)
Proposed 6-lot Consolidation
TMK: (4) 4-3-009: 051 & 071
Waipouli, Kawaihau, 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 September 27, 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 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

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.

August 23, 2022
SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2023-1	Robert Ferguson	5-5-004:040	Hanalei	New fence construction/ Accreting shoreline, required setback is 60 feet, development is approximately 257 feet away from shoreline.
SSD-2023-2	Alexander Noscov	5-4-012:011 Unit 28	Princeville	New roof over existing atrium/ Unsubstantial work, required 100 foot setback. Development setback 240 feet from shoreline.
SSD-2023-3	James Takamura	1-3-001:042	Kekaha	Reconstruction of a single-family dwelling/ Required setback from shoreline 256 feet. New residence proposed at 497 feet from shoreline
SSD-2023-4	Marriot Ownership Resorts	2-8-017:007	Koloa	Interior Renovations units 101, 102, and 113/ Rocky shoreline, 100 foot required setback. Renovations approximately 140 to 360 feet setback from shoreline.