



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

GLEND A NOGAMI STREUFERT, CHAIR
HELEN COX, VICE CHAIR
DAN GIOVANNI, MEMBER

- The Planning Commission Meeting will be at:

**Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Kaua'i, Hawai'i**

- **Oral testimony** will be taken on specific agenda items, **at the public meeting location** indicated on the meeting agenda.
- **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 posted as testimony to the Planning Commission's website prior to the meeting (<https://www.kauai.gov/Government/Boards-and-Commissions/Planning-Commission>). Any testimony received after this time will be retained as part of the record, but we cannot assure the Commission will receive it with sufficient time for review prior to the meeting.

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 ADAVIS@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.

SUBDIVISION COMMITTEE MEETING NOTICE AND AGENDA

Tuesday, June 09, 2026

8:30 a.m. or shortly thereafter

Līhu'e Civic Center, Moikeha Building

Meeting Room 2A-2B

4444 Rice Street, Līhu'e, Kaua'i, Hawai'i

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

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

1. April 14, 2026

E. RECEIPT OF ITEMS FOR THE RECORD

F. UNFINISHED BUSINESS

G. NEW BUSINESS (For Action)

1. Preliminary Subdivision Map Approval

- a. Subdivision Application No. S-2026-11
Kiahuna Plantation Drive, LLC. / County of Kaua'i
Proposed 2-Lot Subdivision
TMK: (4) 2-8-014: 005
Kōloa, Kaua'i

- 1) Subdivision Report pertaining to this matter.

- b. Subdivision Application No. S-2026-12
Lawrence A. & Gloria T. Rudolfo Trust Et Al.
Proposed 3-Lot Subdivision
TMK: (4) 1-3-008: 009
Kekaha, Waimea, Kaua'i

- 1) Subdivision Report pertaining to this matter.

H. 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. Subdivision Application No. S-2026-11
Kiahuna Plantation Drive, LLC. / County of Kaua'i
Proposed 2-Lot Subdivision
TMK: (4) 2-8-014: 005
Kōloa, Kaua'i

2. Subdivision Application No. S-2026-12
Lawrence A. & Gloria T. Rudolfo Trust Et Al.
Proposed 3-Lot Subdivision
TMK: (4) 1-3-008: 009
Kekaha, Waimea, Kaua'i

I. ADJOURNMENT

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING

April 14, 2026

DRAFT

The regular meeting of the Planning Subdivision Committee of the County of Kaua'i was called to order by Subdivision Committee Chair Glenda Nogami Streufert at 8:31 a.m. -
Webcast Link: <https://www.kauai.gov/Webcast-Meetings>

The following Commissioners were present:

Ms. Helen Cox
Mr. Dan Giovanni
Ms. Glenda Nogami Streufert

Excused or Absent

The following staff members were present: Planning Department - Director Ka'aina Hull, Planning Department, Staff Planner Kenny Estes, Planning Secretary Shanlee Jimenez, Staff Services Supervisor Leila Kim; Office of the County Attorney – Deputy County Attorney Charles Foster, Office of Boards and Commissions – Support Clerk Lisa Oyama.

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Subdivision Committee Chair Glenda Nogami Streufert: Calling the meeting to order of the Subdivision Committee on April 14, 2026, at 8:31.

ROLL CALL

Planning Director Ka'aina Hull: Good morning, Chair and members of the Commission. First order of business is roll call. Commissioner Cox?

Commissioner Helen Cox: Here.

Mr. Hull: Commissioner Giovanni?

Commissioner Dan Giovanni: Here.

Mr. Hull: Chair Streufert?

Chair Streufert: Aye. Here.

Mr. Hull: You have a quorum, Madam Chair. 3:0.

APPROVAL OF AGENDA

Mr. Hull: The next would be the Approval of the Agenda. The department doesn't have any recommended changes to the agenda.

Chair Streufert: Could I have a motion?

Ms. Cox: I move we approve the agenda.

Mr. Giovanni: Second.

Chair Streufert: All those...Is there any discussion? If not, all those in favor...it's a voice vote on this one. Aye (unanimous voice vote). 3:0.

MINUTES of the meeting(s) of the Subdivision Committee

March 10, 2026, Meeting

Mr. Hull: Next, would be minutes for the March 10th, 2026, Subdivision Committee.

Chair Streufert: Is there any discussion on this? Any comments? Any changes that you would like to have?

Ms. Cox: I move we accept the minutes of March 10th, 2026.

Mr. Giovanni: Second.

Chair Streufert: It's been moved and seconded. If there's any discussion? If not, do a voice vote. All those in favor? Aye (unanimous voice vote). 3:0.

RECEIPT OF ITEMS FOR THE RECORD (None)

Mr. Hull: Next. We don't have any Receipt of Items for the Record.

UNFINISHED BUSINESS (None)

Mr. Hull: We don't have any Unfinished Business.

NEW BUSINESS (For Action)

Mr. Hull: Item G. New Business.

Preliminary Subdivision Extension Request

Subdivision Application No. S-2025-2

Kukui'ula Parcel Q Subdivision

Makai Koloa, LLC. Et AL.

Proposed 3-Lot Consolidation and Resubdivision into 20 lots

TM Ks: (4) 2-6-014: 041 and 046 / 2-6-015: 005

Koloa, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: We don't have any members of the public signed up to testify on this agenda item. Are there any members of the public present that would like to testify on this agenda item? Seeing none, I'll turn it over to the staff on this.

Staff Planner Kenny Estes: Morning, Madam Chair and members of the Subdivision Committee. I'll summarize the report for the record.

Mr. Estes read the Summary, Project Data, Project Description and Use, Additional Findings, Preliminary Evaluation, and Preliminary Conclusion sections of the Director's Report for the record (on file with the Planning Department).

Chair Streufert: Any questions for the... Any questions for the department?

Mr. Giovanni: No.

Ms. Cox: No.

Chair Streufert: I do have a request, that since there is going to be a, I think I'm getting some feedback here...some, there's going to be a status report every year on this, that for every status report that there's an identifiable way that we can see what has happened in the last year, so that we know how the status has changed over time. As it stands right now, it's very difficult to see when what was done, because it's usually this whole list. And when you have this whole list, you just never know when it was complied with or what the status is. So, if we know what has been done in the last year just to identify either by color or by italics or something else, so that we would know what had been done in the last year as a status report. Can that be added to that requirement?

Mr. Estes: Noted.

Mr. Giovanni: For the record, I concur with that recommendation. It's very helpful.

Chair Streufert: Okay. All right. Is there any other...is there, is the applicant here?

Mr. Lindsay Crawford: Good morning, commissioners. For the record, Lindsay Crawford representing Makai Kōloa LLC. I think that's an excellent recommendation, is a little status report. And I can tell you that this particular project is very, very, very close to being completed. We're on the 95-yard line here, trying to get as quickly as maybe next month or the month after back in front of you to approve the final subdivision map.

Chair Streufert: Is that the 95-yard line or five yard line?

Mr. Crawford: Excuse me, yes. But we've, I'm happy to report that working with Kenny and we've got all the, the last documents routed to various agencies, we're waiting for comments

back from them. And I'm hoping that happens very fairly expeditiously. And we can see you soon at a, at a next Planning Commission meeting for final approval.

Chair Streufert: Are there any questions for the applicant?

Ms. Cox: No, but I'm glad it's moving forward.

Chair Streufert: Okay. If not, are we ready for a motion or recommendation from the department?

Mr. Estes: The department recommends that an extension until April 8th, 2027, be granted to obtain final approval.

Chair Streufert: Is that acceptable to the applicant?

Mr. Crawford: I'm sorry. I couldn't hear you.

Chair Streufert: Is that acceptable to the applicant?

Mr. Estes: The department is granting, recommending an extension until April 8th, 2027.

Mr. Crawford: I'm sorry, I could not quite hear you.

Mr. Estes: An extension until April 8th, 2027.

Mr. Crawford: Okay.

Chair Streufert: We have a motion to that effect?

Ms. Cox: I move that we approve the Subdivision Application, S-2025-2, extension to April...what date was it...

Mr. Estes: 8.

Ms. Cox: 8, 2027.

Mr. Giovanni: I second the motion.

Chair Streufert: Any discussion? If not, can we have a roll call please?

Mr. Hull: Roll call, Madam Chair. Commissioner Cox?

Ms. Cox: Aye.

Mr. Hull: Commissioner Giovanni?

Mr. Giovanni: Aye.

Mr. Hull: Chair Streufert?

Chair Streufert: Aye.

Mr. Hull: Motion passes, Madam Chair. 3:0.

Chair Streufert: Congratulations.

Final Subdivision Map Approval

Mr. Hull: Next, we have G.2. Final Subdivision. Next, we have G.2. Final Subdivision Map Approval.

Subdivision Application No. S-2023-1
Kukui'ula Parcel A2F2F3 Subdivision
BBCP Kukui'ula Development, LLC.
Proposed 31-Lot Subdivision
TMK: (4) 2-6-022: 020
Lawai, Koloa, Kona, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: We don't have any members of the public signed up to testify, but is there any member of the public that would like to testify? Seeing none, I'll turn it back over to Kenny.

Mr. Estes read the Summary, Project Data, Project Description and Use, Additional Findings, Preliminary Evaluation, and Preliminary Conclusion sections of the Director's Report for the record (on file with the Planning Department).

Chair Streufert: Are there any questions for the department? If not, is there, is the applicant here?

Mr. Mauna Kea Trask: Aloha Chair, honorable commission members. Mauna Kea Trask, on behalf of applicant, BBCP Kukui'ula.

Chair Streufert: Are there any questions of the applicant? If not, I do have a couple of questions here. It says that for the Ka Pa'akai Analysis, it was completed, but the outreach was ongoing. Could you speak a little bit more about that?

Mr. Trask: Correct. And so, and you're speaking in regard to the supplemental Director's Report or the Director's Report?

Chair Streufert: Yes.

Mr. Trask: Okay. So, in this case, as you know, Kukui'ula has been in the development process since the early 2000's. And so, in they got its first LUC entitlement in 2003, and then the County of Kaua'i passed a zoning ordinance in 2004. In 2002, Cultural Surveys Hawai'i did the first Cultural Impact Assessment, the CIA, which is what Ka Pa'akai's were called before Ka Pa'akai. And at that time, they reached out to 65, oh no, I'm sorry, they reached out to all the groups at that time, spoke with Pila Kikuchi and those members. And then that was what the development had relied upon for decades or for a few years. And then in 2022, they did an updated one

because of all the concerns with regard to other developments in Kōloa. And so, when this was drafted originally, there was a June 2022 and then a subsequent October 2022 revision, to the Ka Pa'akai, that language of ongoing refers to that time in 2022. So, consultation is finished, and in addition to the original eight, kama'aina and native hawaiians that were consulted in 2002, outreach was carried out with 65 parties. Letters were sent to 61 individuals, and as of October 22, 14 responded, including Chucky Boy Chock, Roslyn Cummings, Zechariah Harmony, Terrie Hayes, Billy Kaohelauli'i, Aletha Kaohi, Galen Kawakami, Terry Kuribayashi, Nancy McMahon, Marvin Otsuri, Tom Shigemoto, Chad Schimmelpfennig, Kahiki Solis, and Julie Souza. So, all the people that you see recently, the current groups of people, they are concerned were also integrated into that. So, that's that reference. So, we're updating.

Chair Streufert: Okay. And could you speak a little bit about the recreation and the park dedication conditions that were in there? I understand that that's for the entire thing, but...

Mr. Trask: Correct.

Chair Streufert: ...could you speak about what the status of that is?

Mr. Trask: Let's see. Actually, I defer to the department. Do you know anything about the park fees and the dedication and stuff?

Mr. Chris Rivera: Good morning, commissioners. My name is Chris Rivera, representing BBCP Kukui'ula Development. And just to clarify your question, the Bay Park, is that what you're speaking about?

Chair Streufert: I'm referring to the Conditions of the Ordinance, No. PM-2004-370 and No. 15 is recreation, 16 is park dedication credit...on this.

Mr. Rivera: Oh, I see.

Chair Streufert: I believe that's for the entire thing, but I just wanted to have an update on what that was, what the status of that is.

Mr. Rivera: So, I don't have my response letter back to planning regarding the tentative map conditions. Kenny, do you have that in front of you?

Mr. Estes: No, I do not.

Mr. Rivera: Okay. Well, so there are two parks to be dedicated to the county and one of them is the Bay Park at Kukui'ula and BBCP, along with Mauna Kea Trask, have worked diligently to establish a maintenance agreement associated with that Bay Park and with the County's Council, we have reached a final maintenance agreement and that document needs to go in front of County Council for approval, and we're just waiting for that to get onto the agenda as it relates to the Bay Park. On the community park, we've been in process of working with both the Planning Department, the Parks Department, and the other reviewing agencies on a set of plans. And we've made a submittal to the county, to the various reviewing agencies. We've received comments back from DPW and will be receiving those plans or resubmitting those plans later this month. But at this point, parks has given us their comments. One of the main things that they

were looking for was a dog park within that area, and we're incorporating a dog park into the community park. And then also contemplating one of the standard restroom details that the Parks Department has put together. We'll be incorporating the restroom or comfort station design that they provided to us, and we've addressed the Planning Department's comments. So really, at this point, it's just Department of Water, Department of Public Works and Department of Health to provide their approval.

Mr. Trask: And just to piggyback on that, now that I understand you're talking about those two conditions. So, Chris is correct, in 2004, there's largely two park recreational areas that came out of it, as well as (inaudible) and parking lot, I mean, the parking lot mauka of (inaudible) and the pond. So, that was finally conveyed. Chris and Lindsay made that a priority when they retained me. That's been accepted by the county. For the Bay Park, and the initial discussions in 2004 were to be go to the community and figure out what they wanted to do with it. And it could include infrastructure, pavilions, all these other developments. At the time, the A & B offices were down there, and these references, Tom Shigemoto's office, the community wanted an open passive park for beach park, planning obviously was concerned about nearshore developments and didn't want anything like that. So, in 2013, when county conducted its park master plan under Mayor Carvalho, A & B at the time demolished that house structure, removed the pool and turned it into the lawn that you currently see right now, which is open for use. So, with regard to the maintenance, there were maintenance requirements in that condition as well. So, we drafted the maintenance agreement, reviewed and approved by all agencies. That includes within it a process for dedication to the county. So, like Chris said, that's got to go before council, but that's been checked off and we're just waiting. It's in the county's hands right now. And then with regard to the 20-acre park, back in 2004, council had a conceptual plan that very detailed, including various fields, all kinds of stuff. Again, within, in reaction to recent concerns, relatively recent concerns about development in that area, certain potentially archeological sensitive sites, etc. because that's more on the eastern side of Kuku'i'ula. We're right now, we're on the west by Lawa'i. So, we...BBCP had CSH relook at that and do an updated analysis. And they did find potential sites underneath a big banyan tree over there, that was going to be within at least part of a few major fields. So, we felt it appropriate to go reexamine that because, you know, council at the time didn't know this stuff. And so, that necessitated a kind of a redesign. And then again, the community's requests have changed with regard to park and ride dog park. And so those are the modifications that Chris are talking about conceptually before they move on it. Because, of course, given the community's concerns and this knowledge of these potentially new areas, we don't want to put softball fields, you know, tear down those things and put softball fields.

Chair Streufert: Aren't there also some heiau in this area, in this entire thing, and your unique shaped lots?

Mr. Trask: In these, size, no. And so, Niu Kapukapu, the heiau recognized by Bennett in 1931 is mauka, it's more by the reservoir up there. These, there are sites identified site 1903 and 1904, they're identified as potential sites. But then if you go in the Ka Pa'akai Analysis and the AIS, they don't, they don't match the architecture of the heiau nearby. So, you have boulders, but you don't have, you have big boulders. In fact, larger boulders and humans can move. You don't have the presence of the smaller paving pebbles, and Bennett does not reference these sites at all, nonetheless, as heiau in 1931. Close nearby was Queen Emma's home in the Lawa'i ahupua'a, which she got from J.Y. Kanehoa, and later she sold to McBride. But in any event, she had a

large rock wall and rock structures in her historic residential area. It's likely it could be a push pile due to sugar cane, but given the unknowns, a request was made back in 2004 to create two preserve easements covering those rock, those areas and access easements per planning condition in this subdivision in case in the future, cultural practices are discovered associated with that and or they are deemed to be significant. Nonetheless, historic preservation numbers have been assigned, they are preserved under the easement and access will be provided to the public. So, whatever they are is inconsequential.

Chair Streufert: Thank you. Appreciate that analysis.

Mr. Trask: You're welcome.

Mr. Giovanni: Chair?

Chair Streufert: Yes.

Mr. Giovanni: May I (inaudible)?

Chair Streufert: Sure.

Mr. Giovanni: I have a follow-up question. If I could wear my Kaua'i Humane Society hat for a second, two words popped out of your discussion that ring a bell with me. One was dog park and the second was maintenance plan. And history shows us that if you put in a dog park and don't have a maintenance plan, it deteriorates and becomes a real problem. So, I'm just hopeful that the maintenance plan does include long-term of the dog park.

Chair Streufert: It would also be very helpful to know when this is all going to happen, as opposed to just plans. So, if that could be included in your next...

Mr. Trask: Status report.

Chair Streufert: Yes.

Mr. Trask: Thank you. Will do.

Chair Streufert: Okay. Thank you. Are there any other questions? If not, can I have a motion to...oh, a recommendation from the department please.

Mr. Estes: Department recommends final subdivision approval.

Ms. Cox: I move we approve this final subdivision approval for Subdivision Application No. S-2023-1.

Mr. Giovanni: I second the motion.

Chair Streufert: It's been moved and seconded. Any discussion? If not, can we have a roll call vote please?

Mr. Hull: Roll call, Madam Chair. Commissioner Cox?

Ms. Cox: Aye.

Mr. Hull: Commissioner Giovanni?

Mr. Giovanni: Aye.

Mr. Hull: Chair Streufert?

Chair Streufert: Aye.

Mr. Hull: Motion passes, Madam Chair. 3:0.

Mr. Trask: Mahalo.

Mr. Rivera: Mahalo.

EXECUTIVE SESSION (None)

ADJOURNMENT

Mr. Hull: That concludes the agenda items for the Subdivision Committee. We anticipate coming back to Planning Commission at approximately 9 a.m.

Chair Streufert: Meeting adjourned.

Chair Streufert adjourned the meeting at 8:49 a.m.

Respectfully submitted by:

Lisa Oyama

Lisa Oyama,
Commission Support Clerk

() Approved as circulated (date of meeting approved).

() Approved as amended. See minutes of _____ meeting.

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

SUBDIVISION REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Subdivision Application No. S-2026-11 involving a two (2) lot subdivision.

Subdivision Permit No. Application No. S-2026-11

Name of Applicant(s) KIAHUNA PLANTATION DRIVE, LLC. / COUNTY OF KAUA'I

II. PROJECT INFORMATION

Map Title	Subdivision of Lot 390 of Land Court Application 956 as shown on Map 88 into Lots 390-A and 390-B at Kōloa, Kaua'i, Hawai'i.				
Tax Map Key(s):	2-8-014: 005	Area:	5.877		
Zoning:	Not Applicable (Roadway Lot)				
State Land Use District(s):	Urban	General Plan Designation:	Resort		
AGENCY COMMENTS					
<input checked="" type="checkbox"/> COK Public Works	05.20.2026	<input type="checkbox"/> State DOT-Highways:			
<input checked="" type="checkbox"/> COK Water:	pending	<input checked="" type="checkbox"/> State Health:	05.07.2026		
<input checked="" type="checkbox"/> COK Fire:	04.27.2026	<input checked="" type="checkbox"/> DLNR – SHPD:	pending		
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Po'ipū Road	56 feet	56 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Kiahuna Plantation Drive	60 feet	60 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	N/A				
Park Dedication	N/A				
Appraisal Report Required	N/A				

Date of Preliminary Map Acceptance:	April 21, 2026
Date of Director's Report:	June 1, 2026
Date of Public Hearing:	June 9, 2026
Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:	July 5, 2026

G.I.A.I.

JUN 09 2026

- c. Pursuant to Section 9-3.8(b) of the Subdivision Ordinance, Kaua'i County Code (1987), the Applicant shall submit to the Planning Department an electronic record (digitized format) of the final subdivision map(s) on a disk for record keeping purposes prior to final subdivision approval.
 - d. Pursuant to Section 9-3.8 (c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.
 - e. A Dedication Deed for Lot 390-B shall be prepared by the applicant and shall be ready for execution prior to final subdivision approval.
2. Requirements of the County Department of Water (DOW):
- a. The subdivider shall comply with the requirements of the Department of Water, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.
3. Requirements of the State Department of Health (DOH):

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

- 1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
- 2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
- 3. Standard comments for the Clean Air Branch are at: <https://health.hawaii.gov/epo/landuse/>.

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55: <https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and

used oil.

2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program - The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

1. By Revised Statute 11-62-31.1, if the parcel is less than 10,000 square feet, an individual onsite waste-water unit may be possible for future construction. Please contact Sina Pruder at DOH Waste-Water Branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation/ Local DOH Comments:

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

Other

1. CDC–Healthy Places–Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new

developments or redevelopment projects.

2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3495.
4. Should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures.
5. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

The Planning Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process scheduled for JUNE 9, 2026, whereby the entire record should be considered prior to decision-making. The entire record should include but not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The Applicant's response to staff's report and recommendation as provided herein.

By 
KENNETH A. ESTES, PLANNER



Poipu Roundabout

Subject Property (S-2026-11)

Poipu Shopping Village

LOCATION MAP



County of Kaua'i
Planning Department
4444 Rice St., Suite A473 Lihu'e, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

Date: 04/22/2026

SUBJECT: Subdivision S-2026-11
Applicant: Kiahuna Plantation Drive, LLC

TO:

- | | |
|--|--|
| <input type="checkbox"/> State Department of Transportation – STP | <input checked="" type="checkbox"/> County DPW – Engineering |
| <input type="checkbox"/> State DOT – Highways, Kaua'i (info only) | <input checked="" type="checkbox"/> County DPW – Wastewater |
| <input type="checkbox"/> State DOT – Airports, Kaua'i (info only) | <input type="checkbox"/> County DPW – Building |
| <input type="checkbox"/> State DOT – Harbors, Kaua'i (info only) | <input type="checkbox"/> County DPW – Solid Waste |
| <input checked="" type="checkbox"/> State Department of Health | <input type="checkbox"/> County Department of Parks & Recreation |
| <input type="checkbox"/> State Department of Agriculture | <input checked="" type="checkbox"/> County Fire Department |
| <input type="checkbox"/> State Office of Planning | <input type="checkbox"/> County Housing Agency |
| <input type="checkbox"/> State Dept. of Bus. & Econ. Dev. Tourism | <input type="checkbox"/> County Economic Development |
| <input type="checkbox"/> State Land Use Commission | <input checked="" type="checkbox"/> County Water Department |
| <input checked="" type="checkbox"/> State Historic Preservation Division | <input type="checkbox"/> County Civil Defense |
| <input type="checkbox"/> State DLNR – Land Management | <input checked="" type="checkbox"/> County Transportation Agency |
| <input type="checkbox"/> State DLNR – Forestry & Wildlife | <input type="checkbox"/> KHPRC |
| <input type="checkbox"/> State DLNR – Aquatic Resources | <input checked="" type="checkbox"/> U.S. Postal Department |
| <input type="checkbox"/> State DLNR – Conservation & Coastal Lands | <input type="checkbox"/> UH Sea Grant |
| <input checked="" type="checkbox"/> State DLNR – Commission on Water Resource Management | |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs | <input type="checkbox"/> Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 5/21/2026):

We have completed our review and have no comments.

Sincerely,

Digitally signed by Michael Moule
Date: 2026.05.20 18:30:19 -10'00'

Michael Moule, P.E.
Chief, Engineering Division



County of Kauai
 Planning Department
 4444 Rice St., Suite A473 Lihue, HI 96766
 (808) 241-4050

APR 27 12:54:05
 PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

4/22/2026

SUBJECT: Subdivision S-2026-11
 Applicant: Kiahuna Plantation Drive, LLC

TO:

- | | |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP | <input checked="" type="checkbox"/> County DPW - Engineering |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only) | <input checked="" type="checkbox"/> County DPW - Wastewater |
| <input type="checkbox"/> State DOT - Airports, Kauai (info only) | <input type="checkbox"/> County DPW - Building |
| <input type="checkbox"/> State DOT - Harbors, Kauai (info only) | <input type="checkbox"/> County DPW - Solid Waste |
| <input checked="" type="checkbox"/> State Department of Health | <input type="checkbox"/> County Department of Parks & Recreation |
| <input type="checkbox"/> State Department of Agriculture | <input checked="" type="checkbox"/> County Fire Department |
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| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management | |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs | <input type="checkbox"/> Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 5/21/2026)

File has no comments

4/27/2026



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

4/22/2026

SUBJECT: Subdivision S-2026-11
Applicant: Kiahuna Plantation Drive, LLC

TO:

- | | |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP | <input checked="" type="checkbox"/> County DPW - Engineering |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only) | <input checked="" type="checkbox"/> County DPW - Wastewater |
| <input type="checkbox"/> State DOT - Airports, Kauai (info only) | <input type="checkbox"/> County DPW - Building |
| <input type="checkbox"/> State DOT - Harbors, Kauai (info only) | <input type="checkbox"/> County DPW - Solid Waste |
| <input checked="" type="checkbox"/> State Department of Health | <input type="checkbox"/> County Department of Parks & Recreation |
| <input type="checkbox"/> State Department of Agriculture | <input checked="" type="checkbox"/> County Fire Department |
| <input type="checkbox"/> State Office of Planning | <input type="checkbox"/> County Housing Agency |
| <input type="checkbox"/> State Dept. of Bus. & Econ. Dev. Tourism | <input type="checkbox"/> County Economic Development |
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| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands | <input type="checkbox"/> UH Sea Grant |
| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management | |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs | <input type="checkbox"/> Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 5/21/2026)

STATE OF HAWAII
DEPARTMENT OF HEALTH
3040 Umi St. Lihue
Hawaii 96766

DATE: May 7, 2026

TO: To whom it may concern

FROM: Ellis Jones
District Environmental Health Program Chief

SUBJECT: RESPONSE_Kiahuna plantation drive, LLC_S-2026-11

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

3. Standard comments for the Clean Air Branch are at:
<https://health.hawaii.gov/epo/landuse/>

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standardcomments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at:
<https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program:
<https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at:
<https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the

electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.

3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

By Revised Statute 11-62-31.1 If the parcel is less than 10,000sq feet, an individual onsite waste-water unit may not be possible for future construction. Please contact DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

Other

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

Ellis Jones

Ellis Jones

District Environmental Health Program Chief
Office Phone: (808) 241-3326

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR
 JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
 REIKO MATSUYAMA, MANAGING DIRECTOR

SUBDIVISION REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Subdivision Application No. S-2026-12 involving a three (3) lot Subdivision

Subdivision Permit No. Application No. S-2026-12

Name of Applicant(s) LAWRENCE A. & GLORIA T. RUDOLFO TRUST ET AL.

II. PROJECT INFORMATION

Map Title	Subdivision of Lot 2 "Kekaha Beach Homes" Block 1 being portion of Grant 8120 to Kekaha Sugar Company, Ltd., being also portion of Grant 8399 to K. Naumu and portion of Grant 8415 to K. Malama into Lots 2-A, 2-B, and 2-C at Kekaha, Waimea, Kaua'i, Hawai'i.				
Tax Map Key(s):	1-3-008: 009	Area:	2.798 Acres		
Zoning:	Form Based Code T4 Village Neighborhood (T4VN), Neighborhood Commercial (C-N), Residential District (R-6)				
State Land Use District(s):	Urban	General Plan Designation:	Neighborhood General		
AGENCY COMMENTS					
<input checked="" type="checkbox"/> COK DPW-Engineering:	pending	<input checked="" type="checkbox"/> State DOT-Highways:	04.23.2026		
<input checked="" type="checkbox"/> COK DPW-Wastewater:	04.22.2026	<input checked="" type="checkbox"/> State Health:	05.07.2026		
<input checked="" type="checkbox"/> COK Water:	pending	<input checked="" type="checkbox"/> DLNR – SHPD:	pending		
<input checked="" type="checkbox"/> COK Fire:	04.27.2026	<input type="checkbox"/> State CWRM:			
<input checked="" type="checkbox"/> COK Housing:	pending				
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Alae Road	Varies	44 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBD
Iwipolena Road	44 feet	44 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A
Io Road	40 feet	44 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBD
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	\$250.00				
Park Dedication	\$150.00				
Appraisal Report Required	N/A				

a.i.b.i.

JUN 09 2026

Date of Preliminary Map Acceptance:	April 21, 2026
Date of Director's Report:	June 1, 2026
Date of Public Hearing:	June 9, 2026
Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:	July 20, 2026

III. EVALUATION

Project Description

The proposal involves a three (3) lot subdivision of approximately 2.798 acres within the West Kaua'i Form Based Code T4 Village Neighborhood (T4VN), and the Neighborhood Commercial (C-N) and Residential (R-6) zoning districts.

The primary intent of the proposal is to subdivide the subject property in accordance with a Court Ordered Partition that was ordered on December 2, 2009.

In reviewing the proposal, it should be noted that since the subject property is located within both the Neighborhood Commercial and Residential (R-6) zoning districts, and is situated within one-half mile from an elementary school, the Applicant is subject to the requirements of Section 9-2.3(e)(3) of the Subdivision Ordinance, Kaua'i County Code (KCC), for the construction of curbs, gutters, and sidewalks along the roadway frontages.

Property Information


The parcel is presently developed with five (5) single-family dwelling units, all of which were constructed in 1924, as indicated in the County's Real Property Assessment records. In reviewing the proposal, two dwelling units will be situated on proposed Lot 2-A and three (3) dwelling units will be situated on proposed Lot 2-B, while Lot 2-C will remain vacant.

Surroundings

Centrally located within Kekaha Town, the subject property is situated directly across the street from the eastern boundary of the Kekaha Elementary School campus. Properties to the north are within the West Kaua'i Form-Based Code Transect T4 Village Center (T4VC) and Neighborhood Commercial District. Properties to the south and east are within the West Kaua'i Form-Based Code Transect T4 Village Neighborhood, with the southern properties zoned Residential District (R-6) and the eastern properties zoned both Residential District (R-6) and Neighborhood Commercial District.

IV. RECOMMENDATION

TENTATIVE APPROVAL	FINAL APPROVAL
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denied	<input type="checkbox"/> Approval <input type="checkbox"/> Denied

Tentative Approval subject to all requirements as noted on the following pages:	All conditions have been complied with
 Director of Planning	6/3/2016 Date

V. AGENCY REQUIREMENTS

1. Requirements of the County Planning Department:

- a. An updated preliminary title report for the existing lot shall be submitted to the Planning Department for review.
- b. All existing and proposed easements, if any, shall be identified in the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
- c. Pursuant to Section 9-3.8(b) of the Subdivision Ordinance, Kaua'i County Code (1987), the Applicant shall submit to the Planning Department an electronic record (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
- d. Pursuant to Section 9-3.8 (c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.
- e. An Environmental Impact Assessment Fee of Two Hundred and Fifty Dollars (\$250.00) shall be paid to the County of Kaua'i.
- f. A Park Dedication Fee of One Hundred and Fifty Dollars (\$150.00) shall be paid to the County of Kaua'i.
- g. Pursuant to Section 9-2.3(e) of the Subdivision Ordinance, Kaua'i County Code (1987), as amended, curbs, gutters and sidewalks shall be provided on both sides of all proposed or existing streets within or abutting the subdivision in Commercial, Industrial and Resort Districts; in Residential Districts where the density permitted is four (4) units or more per acre; and in any other Zoning Districts within the State Land Use-Urban District that are located within one-half (1/2) mile from any elementary, intermediate, high school, or college. For existing streets abutting

subdivisions, sidewalks shall be required on the side of the street fronting the subdivision for the length of the subdivision frontage.

Prior to final subdivision approval, the Applicant shall work with the Planning Department and Department of Public Works to determine whether the provision of curbs, gutters and sidewalks is necessary. If it is determined necessary, the Applicant shall comply with the requirements of Section 9-2.3(e)(3) prior to final subdivision approval. Further, if the requirement of sidewalks is waived, the Applicant shall comply with Sections 9-2.3(e)(3)(C) and 9-2.3(e)(3)(D) prior to final subdivision approval.

Section 9-2.3(e)(3) states:

“(3) Curbs, gutters and sidewalks shall be provided on both sides of all proposed or existing streets within or abutting the subdivision in Commercial, Industrial and Resort Districts; in Residential Districts where the density permitted is four (4) units or more per acre; and in any other Zoning Districts within the State Land Use-Urban District that are located within one-half (1/2) mile from any elementary, intermediate, high school, or college. For existing streets abutting subdivisions, sidewalks shall be required on the side of the street fronting the subdivision for the length of the subdivision frontage.

(A) In Residential Districts, swales may be constructed in lieu of curbs and/or gutters in accordance with the drainage standards and design guidelines established by the Department of Public Works.

(B) In Residential Districts, the requirement of sidewalks may be waived if the Planning Commission determines that sidewalks are infeasible or unnecessary, taking into account local context and sensitivity to community character, and an alternate method of pedestrian circulation exists or will be provided by the applicant.

(C) If the requirement of sidewalks is waived, the subdivider shall be required to pay a fee in lieu of required sidewalk construction. The fee in lieu of sidewalk construction shall not be required for subdivision approvals for less than six (6) lots. The fee in lieu of required sidewalk construction shall be equal to or greater than one hundred percent (100%) of the cost of constructing the sidewalk as determined by the County Engineer. There is hereby established and created a “sidewalk/shared use path fund” for the deposit of fees collected in lieu of required sidewalk construction. The fees collected pursuant to this Subsection (C) are hereby deemed appropriated upon receipt and shall be expended by the County Engineer for sidewalk or shared use path planning, design, land acquisition, construction and/or repair and maintenance. The County Engineer shall submit an annual written report to the Council of each fiscal year’s expenditures and balance of the sidewalk/shared use path fund on or before the 15th day of March of each year. If the 15th day of March falls on a Saturday, Sunday, or legal

holiday, the report shall be submitted on the prior working day. The fees collected shall not lapse at the close of the fiscal year.

(D) Payment of said fees shall be made in a lump sum at the time of final subdivision map approval or payment shall be made according to the following schedule: fifty percent (50%) at the time of preliminary subdivision map approval and the balance paid at the time of final subdivision map approval. When funds are needed for sidewalk or shared use path planning, design, land acquisition, construction and/or repair, the County Engineer shall submit a written request to the Planning Director and Mayor for approval. Upon approval, the Finance Director shall be authorized to release monies from the fund.”

- h. Relative to Condition 1.g., the Applicant shall prepare and obtain construction plan approvals for the necessary road, water, drainage, electrical and telephone utilities and facilities, and either construct the same or post a surety bond for completion.
 - i. As indicated on the Preliminary Subdivision Map, proposed Lot 2-B is located within both the Neighborhood Commercial District (C-N) and the Residential District (R-6). Prior to final subdivision approval, the Applicant shall indicate the area of each zoning district on the final subdivision map.
 - j. Prior to final subdivision approval, the Applicant shall coordinate with the Planning Department and Public Works Department to determine whether a future road widening reserve shall be established along the frontages of Alae Road and Io Road. If a road widening reserved is required, there shall be no new structures permitted within the reserves, and any new structures should be setback from the reserves. The reserves, along with the restrictions, shall be incorporated into the deed descriptions of the affected lots, of which draft copies shall be submitted to the Planning Department for review and approval.
2. Requirements of the County Department of Public Works - Engineering Division:
- a. The subdivider shall comply with the requirements of the Department of the Department of Public Works – Engineering Division, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.
3. Requirements of the County Department of Water (DOW):
- a. The subdivider shall comply with the requirements of the Department of Water, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.

4. Requirements of the County Fire Department:
 - a. Future projects shall comply with NFPA 1, State and County fire code amendments.
5. Requirements of the County Housing Agency:
 - a. The subdivider shall comply with the requirements of the Housing Agency, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.
6. Requirements of the State Department of Health (DOH):

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
3. Standard comments for the Clean Air Branch are at:
<https://health.hawaii.gov/epo/landuse/>.

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site

may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.

2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program - The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design,

operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.

4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

1. Wastewater Branch objects to this project. The subdivision map does not show all wastewater systems on the property nor its setbacks to new property lines. The original IWS from 1991 was allowed all the homes to share a large IWS. There is no variance with Dept. of Health for this 1991 wastewater system. A subdivision would require all lots comply with HAR 11-62.

Please contact DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation/ Local DOH Comments:

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

Other

1. CDC–Healthy Places–Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

7. Requirements of the State Historic Preservation Division (SHPD):
 - a. The subdivider shall comply with the requirements of the State Historic Preservation Division, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.
8. The Applicant is advised that should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures.
9. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

The Planning Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process scheduled for JUNE 9, 2026, whereby the entire record should be considered prior to decision-making. The entire record should include but not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The Applicant's response to staff's report and recommendation as provided herein.

By 
KENNETH A. ESTES
Planner



Kekaha Elementary School

Subject Property
(S-2026-12)

Kekaha Neighborhood Center

Kekaha Sugar Mill

LOCATION MAP



County of Kauai
 Planning Department
 4444 Rice St., Suite A473 Lihue, HI 96766
 (808) 241-4050

APR 27 '26 AM 9:05
 PLANNING DEPT

FROM: Kaaina S. Hull, Director

4/22/2026

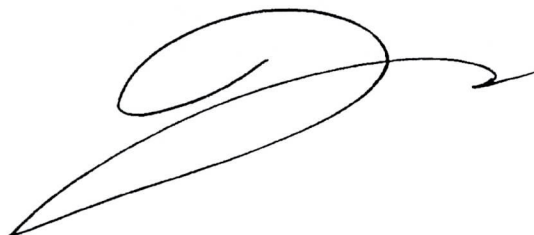
SUBJECT: Subdivision S-2026-12
 Tax Map Key: 13008009
 Applicant: Lawrence A. & Gloria T. Rudolfo Trust Et. Al.

TO:

- | | |
|--|--|
| <input checked="" type="checkbox"/> State Department of Transportation - STP | <input checked="" type="checkbox"/> County DPW - Engineering |
| <input checked="" type="checkbox"/> State DOT - Highways, Kauai (info only) | <input checked="" type="checkbox"/> County DPW - Wastewater |
| <input type="checkbox"/> State DOT - Airports, Kauai (info only) | <input type="checkbox"/> County DPW - Building |
| <input type="checkbox"/> State DOT - Harbors, Kauai (info only) | <input type="checkbox"/> County DPW - Solid Waste |
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| <input type="checkbox"/> State Office of Planning | <input checked="" type="checkbox"/> County Housing Agency |
| <input type="checkbox"/> State Dept. of Bus. & Econ. Dev. Tourism | <input type="checkbox"/> County Economic Development |
| <input type="checkbox"/> State Land Use Commission | <input checked="" type="checkbox"/> County Water Department |
| <input checked="" type="checkbox"/> State Historic Preservation Division | <input type="checkbox"/> County Civil Defense |
| <input type="checkbox"/> State DLNR - Land Management | <input checked="" type="checkbox"/> County Transportation Agency |
| <input type="checkbox"/> State DLNR - Forestry & Wildlife | <input type="checkbox"/> KHPRC |
| <input type="checkbox"/> State DLNR - Aquatic Resources | <input checked="" type="checkbox"/> U.S. Postal Department |
| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands | <input type="checkbox"/> UH Sea Grant |
| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management | |
| <input type="checkbox"/> Office of Hawaiian Affairs | <input type="checkbox"/> Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 6/5/2026)

*Future projects shall comply NPPA 1, state & county
 Fire code amendments*

 4/22/2026



County of Kauai
 Planning Department
 4444 Rice St., Suite A473 Lihue, HI 96766
 (808) 241-4050

FROM: Kaaina S. Hull, Director

4/22/2026

SUBJECT: Subdivision S-2026-12
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| <input type="checkbox"/> Office of Hawaiian Affairs | <input type="checkbox"/> Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 6/5/2026)

~~Wastewater Management Comments:~~

~~Chapter 25 Sewer~~

~~§ 25-2.2. Subdivisions~~

~~Where public sewer service is accessible to any subdivision the subdivider shall install all necessary sewage works to serve all lots~~

~~Subdivider will be required to comply with all conditions to install a new sewer lateral and pay all applicable fees for each lot per Chapter 25.~~

~~For a 3 Lot subdivision the total wastewater fees will be \$12,084.00 (\$9,240.00 WTCA + \$2,844.00 SCC fees). Any WTCA or SCC fees previously paid for this lot can be used to offset the cost with proof of payment.~~

~~\$9,240.00 WTCA fees (\$3080.00 x 3 lots = \$9,240.00)~~

~~\$2,844.00 SCC fees (\$948.00 x 3 lots = \$2,844.00)~~

~~Attached is Chapter 3 with all requirements to provide sewer service to the new subdivided lot is attached.~~

Wastewater Management Division has no comments. This subdivision is not within the county sewer service area.

Donald Fujimoto, 4/22/26

Chief, Wastewater Management Division



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

4/22/2026

SUBJECT: Subdivision S-2026-12
Tax Map Key: 13008009
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| <input checked="" type="checkbox"/> State Department of Transportation - STP | <input checked="" type="checkbox"/> County DPW - Engineering |
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| <input type="checkbox"/> Office of Hawaiian Affairs | <input type="checkbox"/> Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 6/5/2026)

* See Waste water Comments

STATE OF HAWAII
DEPARTMENT OF HEALTH
3040 Umi St. Lihue
Hawaii 96766

DATE: May 7, 2026

TO: To whom it may concern

FROM: Ellis Jones
District Environmental Health Program Chief

SUBJECT: RESPONSE_Rudolfo Trust_S-2026-12

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

3. Standard comments for the Clean Air Branch are at:
<https://health.hawaii.gov/epo/landuse/>

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standardcomments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at:
<https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program:
<https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at:
<https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the

electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.

3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

Wastewater Branch objects to this project. The subdivision map does not show all wastewater systems on the property nor its setbacks to new property lines. The original IWS from 1991 was allowed all the homes to share a large IWS. There is no variance with Dept. of Health for this 1991 wastewater system. A subdivision would require all lots comply with HAR 11-62.

Please contact DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

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Ellis Jones

Ellis Jones

District Environmental Health Program Chief



County of Kaua'i
 Planning Department
 4444 Rice St., Suite A473 Lihue, HI 96766
 (808) 241-4050

FROM: Kaaina S. Hull, Director

4/22/2026

SUBJECT: Subdivision S-2026-12
 Tax Map Key: 13008009
 Applicant: Lawrence A. & Gloria T. Rudolfo Trust Et. Al.

TO:

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| <input type="checkbox"/> Office of Hawaiian Affairs | <input type="checkbox"/> Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 6/5/2026)

Kenneth Estes

From: Shanlee Jimenez
Sent: Thursday, April 23, 2026 2:50 PM
To: Kenneth Estes
Subject: FW: [EXTERNAL]
Attachments: Routing Form_2026-05-26_S-2026-12_Rudolfo Trust Et Al.docx; S-2026-12_Subdivision Application Form.pdf; S-2026-12_Rudolfo Trust - Duyanen_Preliminary Map.pdf; 2026 04 22 STP 01100.26 (26-087).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: DOT HWY-K Permits <DOT.HWYK.Permits@hawaii.gov>
Sent: Thursday, April 23, 2026 2:45 PM
To: Shanlee Jimenez <sjimenez@kauai.gov>
Cc: Fujikawa, Eric I <eric.i.fujikawa@hawaii.gov>; DOT HWY_esign <DOT.HWY_esign@hawaii.gov>; Torres, Natasha P <Natasha.P.Torres@hawaii.gov>; Murata, Masatomo <Masatomo.Murata@hawaii.gov>; Nikaido, Blayne H <blayne.h.nikaido@hawaii.gov>; Bautista, Joel O <joel.o.bautista@hawaii.gov>
Subject: RE: [EXTERNAL]

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Shanlee,

We have no comments to the subdivision application at this time.

Mahalo,

Jeff Aguinaldo, P.E.

State of Hawaii, Department of Transportation

Highways Division, Kauai District

1720 Haleukana Street

Lihue, Hawaii 96766

Ph. 808-241-3018

Cell. 808-304-3079

Fax. 808-241-3020

From: Nikaido, Blayne H <blayne.h.nikaido@hawaii.gov>
Sent: Wednesday, April 22, 2026 1:33 PM
To: DOT HWY-K Permits <DOT.HWYK.Permits@hawaii.gov>
Cc: Fujikawa, Eric I <eric.i.fujikawa@hawaii.gov>; DOT HWY_esign <DOT.HWY_esign@hawaii.gov>; Torres, Natasha P