



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

FRANCIS DEGRACIA, CHAIR
DONNA APISA, VICE CHAIR
GERALD AKO, MEMBER
HELEN COX, MEMBER
GLENDA NOGAMI STREUFERT, MEMBER
JERRY ORNELLAS, MEMBER
LORI OTSUKA, MEMBER

RECEIVED

'23 NOV -8 P1 :08

PLANNING DEPARTMENT
COUNTY OF KAUAI

- 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.

PLANNING COMMISSION MEETING NOTICE AND AGENDA

**Tuesday, November 14, 2023
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**

RECEIVED

A. CALL TO ORDER

B. ROLL CALL

'23 NOV -8 P 1:08

C. APPROVAL OF AGENDA

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

HONOLULU COUNTY CLERK
COUNTY OF KAUAI

1. August 8, 2023.

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. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-4) to allow construction of a new guest house and associated improvements within Lot 20-A of the Seacliff Plantation Subdivision in Kilauea, involving a parcel situated approximately 850 feet southeast of the Pali Moana Place/Iwalani Lane intersection, further identified as 3839 F Pali Moana Place, Tax Map Key: (4) 5-2-004:093 (Unit 1) affecting a portion of a larger parcel approximately 6.851 acres in size = **Nathaniel Carden and Beth Woods**.

1. Transmittal of Agency Comments to Planning Commission.
2. Director's Report pertaining to this matter.

- b. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-5), CLASS IV ZONING PERMIT (Z-IV-2024-1), and USE PERMIT (U-2024-1) to allow construction of a new farm dwelling unit and associated site improvements within lot 20-A of the Seacliff Plantation Subdivision in Kilauea, involving a parcel situated approximately 1,300 feet southeast of the Pali Moana Place/Iwalani Lane intersection, adjacent to property identified as 3839 F Pali Moana Place, further identified as Tax Map Key: (4) 5-2-004:093 (Unit 2) affecting a portion of a larger parcel approximately 6.851 acres in size = **Bryan Madani and Kiana Buckley, Trustees of The Madani Buckley Trust**. [Directors Report Received 10/24/2023].

1. Transmittal of Agency Comments to Planning Commission.
2. Director's Report pertaining to this matter.

- c. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-6) to allow construction of a new carport with guest house and associated improvements on a lot situated on the mauka side of Kuhio Highway in Hanalei Town directly across the Anae Road/Kūhiō Highway intersection, further identified as 5-5501 Kuhio Highway, Tax Map Key: (4) 5-5-006:016 and containing a land area of approximately 21,780 square feet = **Hanalei O'Zone Fund LLC**.

- 1. Transmittal of Agency Comments to Planning Commission.
- 2. Director's Report pertaining to this matter.

- d. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-7) to allow demolition and reconstruction of a guest house and associated improvements on a lot situated at the Aku Road/Aawa Road intersection in Hanalei Town, along the makai side of Kuhio Highway and further identified as 4437 Aku Road, Tax Map Key: (4) 5-5-010:018 and containing a land area of approximately 7,857 square feet = **2000 Johnson Family Trust**.

- 1. Transmittal of Agency Comments to Planning Commission.
- 2. 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.

G. CONSENT CALENDAR

1. **Status Reports**

- a. 2023 Status Report regarding Class IV Zoning Permit Z-IV-2007-29, Project Development Use Permit PDU-2007-25, and Special Management Area Use Permit SMA(U)-2007-13 at Tax Map Keys: 2-8-015:043, 044 & 082, and 2-8-016:003 & 004 (the "permits"), with approval conditions as set forth in letter dated October 10, 2007 from the Planning Commission of the County of Kauai) the "Conditions") with **Kauai Blue, Inc.** (formerly SVO Pacific, Inc. & VSE Pacific, Inc.), as the Applicant ("Applicant").

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

- b. 2023 Annual Status Report for Special Management Area Use Permit SMA(U)-2004-6, Project Development Use Permit PDU-2004-3, and Class IV Zoning Permit Z-IV-2004-35, Tax Map Keys: (4)2-5-015:025-037, 045-074, 081, Poipu, Kauai – **Poipu Beach Villas, LLC**.

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

2. **Director’s Report for Project(s) Scheduled for Agency Hearing**

- a. None for this Meeting.

3. **Class III Zoning Permits**

- 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 Report**

- a. Subdivision Application No. S-2024-2
Moloa’a Farms LLC. Et. Al.
Proposed 11-lot Subdivision
TMK: (4) 4-9-009: 001, Moloa’a and Papa’a, Kawaihau, Kaua’i

- b. Subdivision Application No. S-2023-1
BBCP Kukui’ula Development, LLC.
Kukui’ula Parcel A2F2F3 Subdivision
Proposed 31-lot Subdivision
TMK: (4) 2-6-022: 020, Lāwa’i, Kōloa, Kona, Kaua’i

K. **UNFINISHED BUSINESS (For Action)**

- 1. None for this Meeting.

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

- 1. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-4) to allow construction of a new guest house and associated improvements within Lot 20-A of the Seaciff Plantation Subdivision in Kilauea, involving a parcel situated approximately 850 feet southeast of the Pali Moana Place/Iwalani Lane intersection, further identified as 3839 F Pali Moana Place, Tax Map Key: (4) 5-2-004:093 (Unit 1) affecting a portion of a larger parcel approximately 6.851 acres in size = **Nathaniel Carden and Beth Woods.**
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 - a. Transmittal of Agency Comments to Planning Commission.
 - b. Director’s Report pertaining to this matter.

3. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-6) to allow construction of a new carport with guest house and associated improvements on a lot situated on the mauka side of Kuhio Highway in Hanalei Town directly across the Anae Road/Kūhiō Highway intersection, further identified as 5-5501 Kuhio Highway, Tax Map Key: (4) 5-5-006:016 and containing a land area of approximately 21,780 square feet = **Hanalei O’Zone Fund LLC.**
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4. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-7) to allow demolition and reconstruction of a guest house and associated improvements on a lot situated at the Aku Road/Aawa Road intersection in Hanalei Town, along the makai side of Kuhio Highway and further identified as 4437 Aku Road, Tax Map Key: (4) 5-5-010:018 and containing a land area of approximately 7,857 square feet = **2000 Johnson Family Trust.**
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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. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-4) to allow construction of a new guest house and associated improvements within Lot 20-A of the Seacliff Plantation Subdivision in Kilauea, involving a parcel situated approximately 850 feet southeast of the Pali Moana Place/Iwalani Lane intersection, further identified as 3839 F Pali Moana Place, Tax Map Key: (4) 5-2-004:093 (Unit 1) affecting a portion of a larger parcel approximately 6.851 acres in size = **Nathaniel Carden and Beth Woods.**

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4. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-7) to allow demolition and reconstruction of a guest house and associated improvements on a lot situated at the Aku Road/Aawa Road intersection in Hanalei Town, along the makai side of Kuhio Highway and further identified as 4437 Aku Road, Tax Map Key: (4) 5-5-010:018 and containing a land area of approximately 7,857 square feet = **2000 Johnson Family Trust.**
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7. Subdivision Application No. S-2024-2
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TMK: (4) 4-9-009: 001, Moloa'a and Papa'a, Kawaihau, Kaua'i
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TMK: (4) 2-6-022: 020, Lāwa'i, Kōloa, Kona, Kaua'i

N. ANNOUNCEMENTS

1. Topics for Future Meetings.

The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter, on December 12, 2023. 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, Kauai, Hawaii. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

SPECIAL MANAGEMENT AREA (SMA) Minor Determinations

Date (Action)	SMA Minor Permit number	Location (TMK)	Activity/ structure
Approved (11.01.2023)	SMA(M)-2024-5	Princeville (5-3-006:045)	Construction/ Five feet high hog wire fence.

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.

November 14, 2023

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2024-20	Elizabeth McPherson B Trust	(4) 4-7-007:007	Kealia	Single-family residence, guest house, BBQ Pavilion, and pool. / Development is located on a high cliff bluff. Required setback is 100 feet, proposed dwelling is over 400 feet from evidenced shore.