



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

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

25 OCT 23 P1:04

- 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

Monday, November 10, 2025

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

25 OCT 23 P1:04

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES OF THE MEETING(S) OF THE PLANNING COMMISSION

1. August 26, 2025.
2. September 9, 2025.

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. **ZA-2026-1: A bill (2969)** for an ordinance amending Chapter 8, Article 27 of the Kaua'i County Code 1987, as amended, relating to Shoreline Setback and Coastal Protection. The purpose of this Ordinance is to amend the Shoreline Setback Ordinance by adding safeguards that protect life and property and ensure the longevity and integrity of Kauai's coastal and beach resources along the shoreline = **KAUAI COUNTY COUNCIL. [Director's Report, Received, Hearing Continued, 8/26/2025].**

1. Director's Report pertaining to this matter.

4. New Public Hearing

- a. County Zoning Amendment (ZA-2026-2) A petition for a bill to amend Ordinance No. PM-2001-356 as amended in part by Ordinance No. PM-2006-385 to rezone approximately 171.72 acres of real property situated at Kapalawai, Makaweli, Island of Kaua'i, State of Hawai'i, identified by Kaua'i Tax Map Key (4) 1-7-005:001 to the designations that existed prior to Ordinance No. PM-2001-356, as amended = **COUNTY OF KAUAI, PLANNING DEPARTMENT.**

1. Transmittal of public testimony to Planning Commission.

G. CONSENT CALENDAR

1. Status Reports

- a. 2025 Annual Report on the progress of compliance and conditions of the subject permits for SHERATON KAUAI RESORT in accordance with condition No. 4 of Special Management Area Use Permit SMA(U)-2007-13, Class IV Zoning Permit Z-IV-2007-29, Project Development Use Permit PDU-2007-25, Tax Map Keys: (4)2-8-015:043, 044 & 082; 2-8-016:003, 004, Poipu, Kauai = **KAUAI BLUE INC. (FORMERLY SVO PACIFIC, INC. & VSE PACIFIC, INC.)**

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. Petition to Revoke Special Management Area Use Permit SMA(U)-2002- 6, Project Development Use Permit PDU-2002-15, and Class IV Zoning Permit Z-IV-2002-20 pertaining to Kaua'i Tax Map Key (4) 1-7-005: 001, Kapalawai, Makaweli, Island of Kaua'i, State of Hawai'i.
2. Director of Planning's Recommendation to Revoke Applicant Jens Olsson Non-Conforming Use Transient Vacation Rental Certificate TVNCU #5032 and Issue an Order to Show Cause and Set Hearing; Memorandum in Support of Petition; Declaration of Kaaina S. Hull; Notice of Meeting; and Certificate of Service, 2672 Pu'uholo Road, Tax Map Key (4)26007007-1, Koloa Kauai.
 - a. Notice of Appeal of Revocation of TVNCU Permit #5032 from Jens E. Olsson dated October 13, 2025.
3. Petition to Appeal Action of the Planning Director in the Administration of the Subdivision Ordinance as Provided for in Chapter 9 of the Kauai County Code, as Memorialized in That Certain Letter Dated July 22, 2025, Subdivision Application No. S-2023-1; Kukuiula Parcels A2, F2, F3 for properties located at Lawai Ahupuaa, Kona District, Island of Kauai, Tax Map Key No. (4) 2-6-022:020, BBCP Kukuiula Development, LLC received on July 28, 2025. **[Referred to Contested Case Hearing, 8/12/2025].**
 - a. Notice of Withdrawal of Petition to Appeal Action of the Planning Director in the Administration of the Subdivision Ordinance as Provided for in Chapter 9 of the Kauai County Code, as Memorialized in That Certain Letter Dated July 22, 2025, Subdivision Application No. S-2023-1; Kukuiula Parcels A2, F2, F3 for properties located at Lawai Ahupuaa, Kona District, Island of Kauai, Tax Map Key No. (4) 2-6-022:020.

4. In the Matter of a Notice of Violation and Order to Pay Fines, for 1) illegal commercial events within the Agricultural District (weddings, retreats, spiritual events and private ceremonies) and the failure to cease and desist and secure the required permits, and 2) the construction of seven (7) yurts without the required permits, related to the property located at Hui Road, Anahola, Kauai, TMK 49003001, KALALEA TRUST, applicant, as Appeal File CC-2025-1.

- a. Petitioners' equitable objection to County of Kauai's Memorandum in opposition to entry of default.

I. COMMUNICATIONS

1. None for this meeting.

J. COMMITTEE REPORTS

1. Subdivision Committee Report
 - a. Subdivision Application No. S-2025-1
Sueoka Store Expansion Project
SMK, Inc.
Proposed 11-Lot Consolidation into 1-Lot
TMKs: (4) 2-8-008: 020, 022 – 029, 034, 035
Kōloa, Kaua'i
 - b. Subdivision Application No. S-2025-8
Calipjo Properties, LLC.
Proposed 4-Lot Subdivision
TMK: (4) 3-3-021: 048
Nāwiliwili, Niumalu, Līhu'e, Kaua'i
 - c. Subdivision Application No. S-2026-3
State of Hawai'i / Charles K. and Eileen I. Bright
Proposed 2-Lot Consolidation
TMKs: (4) 4-6-027: 010 and 025 (por.)
Kawaihau, Kapa'a, Kaua'i
 - d. 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
Lāwai, Kōloa, Kona, Kaua'i
 - e. 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

- f. Subdivision Application No. S-2019-4
Tim Beckman and Mira Hess
Proposed 4-Lot Consolidation and Re-subdivision into 3-Lots
TMKs: (4) 2-8-014: 038 and 042
Kōloa, Kauaʻi

K. UNFINISHED BUSINESS (For Action)

1. **CLASS IV ZONING PERMIT (Z-IV-2025-6), USE PERMIT (U-2025-4), and SPECIAL PERMIT (SP-2025-1)** to conduct outdoor commercial events, including but not limited to weddings and public/private gatherings, on a parcel situated along the mauka side of Kaumualii Highway in Kalaheo (formerly Olu Pua Gardens site), situated approximately 0.5 mile west of Kalaheo Town, approximately 3,000 feet mauka of the Halewili Road/Kaumualiʻi Highway intersection, further identified as Tax Map Key: (4) 2-4-007:016, containing a land area of 12.285 acres = **OLU PUA GARDENS LLC. [Director's Report Received, 12/24/2024; Hearing Closed, Deferred, 1/14/2025; Deferred, 6/10/2025; Deferred, 8/12/2025].**

- a. Transmittal of supplemental information to Planning Commission.

L. NEW BUSINESS (For Action)

1. None for this meeting.

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-2026-1: A bill (2969)** for an ordinance amending Chapter 8, Article 27 of the Kauaʻi County Code 1987, as amended, relating to Shoreline Setback and Coastal Protection. The purpose of this Ordinance is to amend the Shoreline Setback Ordinance by adding safeguards that protect life and property and ensure the longevity and integrity of Kauai's coastal and beach resources along the shoreline = **KAUAI COUNTY COUNCIL. [Director's Report, Received, Hearing Continued, 8/26/2025].**
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10. Subdivision Application No. S-2023-1
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Lāwai, Kōloa, Kona, Kaua'i
11. Subdivision Application No. S-2024-2
Moloa'a Farms, LLC. et al.
Proposed 11-Lot Subdivision
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Moloa'a and Papa'a, Kawaihau, Kaua'i

12. Subdivision Application No. S-2019-4

Tim Beckman and Mira Hess

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Kōloa, Kauaʻi

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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 9, 2025**. 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.

O. ADJOURNMENT

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

SPECIAL MANAGEMENT AREA (SMA) Minor Determinations

Date (Action)	SMA Minor Permit number	Location (TMK)	Activity/ structure
9.26.2025 (Approved)	SMA(M)-2026-6	Kōloa (2-6-011:006)	Construction and installation of a new Individual Wastewater System (IWS) and concrete driveway.
10.03.2025 (Approved)	SMA(M)-2026-7	Līhu'e (3-2-003:030)	Construction/ New Individual Wastewater System (IWS).
10.03.2025 (Approved)	SMA(M)-2026-8	Kekaha (1-3-010:113)	Construction/ New Individual Wastewater System (IWS).
10.13.2025 (Approved)	SMA(M)-2026-9	Kapa'a (4-1-004:034)	Construction/ New Individual Wastewater System and Grass Crete driveway.

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 10, 2025

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2026-10	Village Manor	4-3-007:013	Kapa'a	Stair demolition and rebuild at Building A./ Required setback: 130.7 ft. Work is 311 ft beyond required setback.
SSD-2026-11	Christopher and Ani Turner	5-8-008:006	Hanalei	Proposed new single-family dwelling and ADU. The required shoreline setback is 89 feet, and the dwelling is located an additional 361 to 389 feet inland from that required setback.
SSD-2026-12	Village Manor	4-3-007:013	Kapa'a	Stair demolition and rebuild at Building C./ Required setback: 130.7 ft. Work is 311 ft beyond required setback.
SSD-2026-13	Jeff Lewis	1-3-003:022 CPR Unit 1 and 2	Kekaha	New rock wall/ Rock wall is located more than 40 feet from shoreline.