

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Kaua'i County Council will hold a public hearing on Wednesday, January 11, 2023, at 8:30 a.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Lihue, on the following:

Bill No. 2893

A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN LAWA'I HOMESTEADS, KAUAI (*Kurt Bosshard and Steven Absher, Applicants*) (ZA-2023-2)

This Bill proposes to amend Chapter 8, Kaua'i County Code 1987, as amended, relating to zoning designation for the property identified as Tax Map Key No.: 2-6-009:021 (approximately 40,075 square feet), 3980-A Kōloa Road, as shown on Zoning Map ZM-LW300, from County-zoned "Open District (O)" to "Residential District (R-4)," subject to the conditions stated in the Bill. The applicants are Kurt Bosshard and Steven Absher.

Any person may testify at the public hearing, and at any Council and Committee Meeting (at which time any Bill may be amended). Meeting notices and full-text Bills are available at least six (6) days in advance at the Office of the County Clerk, Council Services Division and kauai.gov/webcastmeetings. Written testimony may be submitted via counciltestimony@kauai.gov, mail, or fax. For further information, please call (808) 241-4188.

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the Kaua'i County Council passed on first reading and ordered to print Bill No. 2893 during the December 14, 2022 Council Meeting, by the following vote:

AYES:	Bulosan, Carvalho, Cowden, DeCosta, Evslin, Rapozo	TOTAL – 6,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kuali'i	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihue, Hawai'i
December 14, 2022

/s/ Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@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.

(One publication – The Garden Island – December 21, 2022)

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY
CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN
LĀWA'I HOMESTEADS, KAUA'I**

(Kurt Bosshard and Steven Absher, Applicants) (ZA-2023-2)

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. The zoning designation for that certain area in Lāwa'i, Kaua'i, identified as Tax Map Key: 2-6-009:021, as shown on Zoning Map ZM-LW300 and on the map attached hereto and incorporated herein as Exhibit ZA-2023-2, is hereby amended from the County Zoned "Open District (O)" to "Residential District (R-4)," subject to the following conditions:

1. The Zoning Amendment shall be limited to the boundaries described in the deed description of Lot 24-K, Lāwa'i Homesteads.
2. The Applicant is made cognizant that development on the subject parcel shall conform to the standards of the Residential District, per Sections 8-4.3 and 8-4.5, Kaua'i County Code 1987, as amended.
3. The Applicant shall resolve and comply with the applicable standards and requirements, if any, of the County Housing Agency and the Department of Land and Natural Resources (DLNR) State Historic Preservation Division (SHPD).
4. The Applicant is made aware that upon further development of the subject parcel, considerations shall be made that the driveway approach serving both CPR Units shall be utilized to serve as the primary access from Kōloa Road, as recommended by the County Department of Public Works.
5. The Applicant is made aware that upon further development of the subject parcel, considerations shall be made to evaluate potential drainage impacts pursuant to the standards enforced by the County Department of Public Works.
6. The Applicant is advised that additional government agency conditions may be imposed. It shall be the Applicants' responsibility to resolve those conditions with the respective agency(ies).

SECTION 2. The Planning Department is directed to note the change on the official Zoning Map on file with the Commission. All applicable provisions of the Comprehensive Zoning Ordinance shall apply to the area rezoned herein.

SECTION 3. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 4. This Ordinance shall take effect upon its approval.

Introduced by:

A handwritten signature in black ink, appearing to read 'Bernard P. Carvalho, Jr.', written in a cursive style.

BERNARD P. CARVALHO, JR.
(By Request)

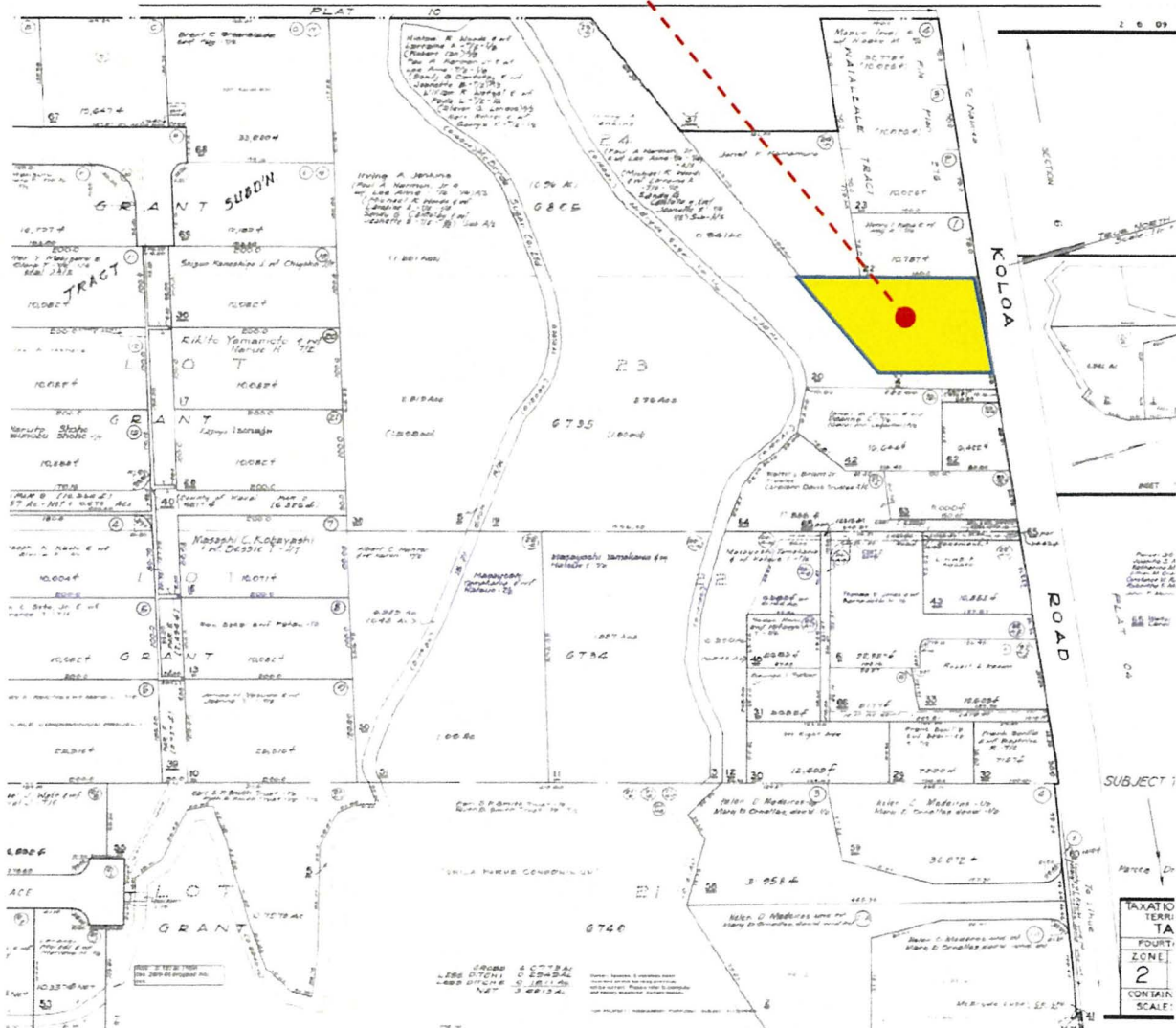
DATE OF INTRODUCTION:

December 14, 2022

Līhu‘e, Kaua‘i, Hawai‘i

V:\BILLS\2020-2022 TERM\2022-603 Bill Zoning Amendment ZA-2023-2
(Bosshard and Absher)BC_JA_mn.docx

PROPOSED AMENDMENT AREA



LOCATION MAP SHOWING
 PROPOSED AMENDMENT to ZONING MAP ZM-LW300
 from
 OPEN DISTRICT (O)
 to
 RESIDENTIAL DISTRICT (R-4)
 TAX MAP KEY: 2-6-009:021
 LĀWA'I HOMESTEADS, KAUA'I, HAWAII

ZA-2023-2

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2893, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on December 14, 2022, by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, DeCosta, Evslin, Rapozo	TOTAL – 6,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kuali'i	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Līhu'e, Hawai'i
December 14, 2022



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i