



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

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

*24 DEC -4 A9:44

- 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

CLERK OF COMMISSION
KAAINA S. HULL
COUNTY OF KAUAI

- 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, December 10, 2024
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

*24 DEC -4 A9 :44

A. CALL TO ORDER

B. ROLL CALL

**C. SELECTION OF 2025 CHAIRPERSON AND VICE CHAIRPERSON
APPOINTMENT OF 2025 SUBDIVISION COMMITTEE CHAIRPERSON AND VICE CHAIRPERSON**

D. APPROVAL OF AGENDA

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

1. November 12, 2024.

F. RECEIPT OF ITEMS FOR THE RECORD

G. 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)-2025-3) & AMENDMENTS TO CLASS IV ZONING PERMIT (Z-IV-2001-34), USE PERMIT U-2001-31, and VARIANCE PERMIT(V-2001-7) involving operation of a parking lot facility at the Kikiaola Harbor in Waimea, further identified as Tax Map Key: (4) 1-2-006:003 containing a total area of 33.357 acres = KIKIAOLA LAND COMPANY LTD. [Director's Report Received, 11/20/2024].**

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

- b. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2025-4) & AMENDMENTS TO CLASS IV ZONING PERMIT (Z-IV-2015-12) and USE PERMIT U-2015-11**, to allow construction of two (2) additional storage buildings and two (2) residential units at the existing storage facility in Nawiliwili, located approximately 400 feet south of the Niumalu Road/Nawiliwili Road intersection, further identified as 2670 Niumalu Road, Tax Map Key: (4) 3-2-005:009 containing a total area of 3.454 acres = **ISLAND SELF STORAGE LLC**. [Director's Report Received, 11/20/2024].

1. Director's Report pertaining to this matter.
2. Transmittal of Agency Comments to Planning Commission.
3. Transmittal of Public Testimony to Planning Commission.
4. Transmittal of Supplemental Information to Planning Commission.

- c. **CLASS IV ZONING PERMIT (Z-IV-2025-2)** to allow construction of a new car wash facility and associate site improvements within the Hokulei Shopping Village in Lihue, further identified as Tax Map Key: (4) 3-3-003:056, and affecting approximately 1.2 acres of a larger parcel = **HOKULEI KAUAI LLC**. [Director's Report Received, 11/20/2024].

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

- d. **CLASS IV ZONING PERMIT (Z-IV-2025-5) & USE PERMIT (U-2025-3)** to allow construction of a farm worker housing unit at the Honua Farms property situated on the mauka side of Kahili Quarry Road in Kilauea, situated approximately ¼-mile east of the Kahili Quarry Road/Kilauea Road intersection, further identified as 4139 Kilauea Road, Tax Map Key: (4) 5-2-012:014, and containing a total area of 25.245 acres = **JESSE PALUMBO**. [Director's Report Received, 11/20/24].

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

- e. **CLASS IV ZONING PERMIT (Z-IV-2025-7), USE PERMIT (U-2025-5), and SPECIAL PERMIT (SP-2025-2)** to construct and operate a asphalt batch plant facility on a parcel situated along the western side of Ma'alo Road in Kapaia, situated approximately 1.5 mile mauka of the Ma'alo Road/Kūhiō Highway intersection, further identified as Tax Map Key: (4) 3-8-018:001 (Por.), and affecting a 6.5-acre portion of a larger parcel = **KAUAI ASPHALT LLC**. [Director's Report Received, 11/20/24].

1. 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.

H. CONSENT CALENDAR

1. Status Reports

- a. None for this meeting.

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.

I. GENERAL BUSINESS MATTERS

1. **AMENDMENT TO CLASS IV ZONING PERMIT (Z-IV-2002-29) AND USE PERMIT (U-2002-24)** is proposed to modify an existing telecommunications facility in Waimea, located on the east side of Ola Road and the southern portion of the property owned by the Waimea United Church of Christ (Tax Map Key (4) 1-6-010-002), by replacing the wooden pole with a steel monopole and transferring associated equipment = **VERTICAL BRIDGE**.

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

2. In the Matter of the Application of GEOFF LLC for an exemption to the Shoreline Setback Determination pursuant to Kauai County Code §8-27.3(a)(2) for property located in, Kilauea, Kauai, Hawaii, Kauai Tax Map Key No. (4) 5-3-004-035.

- a. Petition to Appeal Decision of the Planning Director; Exhibits "A" through "B"; Certificate of Service.

J. COMMUNICATION

1. None for this meeting.

K. COMMITTEE REPORTS

1. Subdivision Committee Report.

- a. Subdivision Application No. S-2025-1
SMK, Inc.
Proposed 11-Lot Consolidation into 1-Lot
TMKs: (4) 2-8-008: 020, 022 - 029, 034, 035, Kōloa, Kauaʻi

L. UNFINISHED BUSINESS (For Action)

1. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2025-1)** to allow construction of a new single-family residence and associated site improvements on a parcel situated on the makai side of Kūhiō Highway in Hanalei Town, directly across Hanalei Elementary School, further identified as 5-5428 Kūhiō Highway, Tax Map Key: (4) 5-5-004:023 containing a total area of 7,914 square feet = **BULA TREE HOUSE, LLC**. [Director's report received, hearing closed, deferred, 11/12/2024].
 - a. Supplement to Director's Report.
2. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2025-2)** to allow construction of two (2) single-family residences, a guest house, and associated site improvements on a parcel identified as Lot 131-A Wainiha Hui Land, situated on the mauka side of Alamihi Road in Wainiha, approximately 500 feet west of the Kūhiō Highway/Alamihi Road intersection, further identified as Tax Map Key: (4) 5-8-012:019 containing a total area of 27,138 square feet = **MATTHEW & PHILLIP C. JOHNSON, TRUSTEES/MANCILLA & JONATHAN D. WICKES**. [Director's report received, hearing closed, deferred, 11/12/2024].
 - a. Supplement to Director's Report.
 - b. Transmittal of Agency Comments to Planning Commission.

M. NEW BUSINESS (For Action)

1. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2025-3) & AMENDMENTS TO CLASS IV ZONING PERMIT (Z-IV-2001-34), USE PERMIT U-2001-31, and VARIANCE PERMIT(V-2001-7)** involving operation of a parking lot facility at the Kikiaola Harbor in Waimea, further identified as Tax Map Key: (4) 1-2-006:003 containing a total area of 33.357 acres = **KIKIAOLA LAND COMPANY LTD**. [Director's Report Received, 11/20/2024].
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3. **CLASS IV ZONING PERMIT (Z-IV-2025-2)** to allow construction of a new car wash facility and associate site improvements within the Hokulei Shopping Village in Lihue, further identified as Tax Map Key: (4) 3-3-003:056, and affecting approximately 1.2 acres of a larger parcel = **HOKULEI KAUAI LLC**. [Director's Report Received, 11/20/2024].
4. **CLASS IV ZONING PERMIT (Z-IV-2025-5) & USE PERMIT (U-2025-3)** to allow construction of a farm worker housing unit at the Honua Farms property situated on the mauka side of Kahili Quarry Road in Kilauea, situated approximately ¼-mile east of the Kahili Quarry Road/Kilauea Road intersection, further identified as 4139 Kilauea Road, Tax Map Key: (4) 5-2-012:014, and containing a total area of 25.245 acres = **JESSE PALUMBO**. [Director's Report Received, 11/20/2024].

5. **CLASS IV ZONING PERMIT (Z-IV-2025-7), USE PERMIT (U-2025-5), and SPECIAL PERMIT (SP-2025-2)** to construct and operate a asphalt batch plant facility on a parcel situated along the western side of Ma‘alo Road in Kapaia, situated approximately 1.5 mile mauka of the Ma‘alo Road/Kūhiō Highway intersection, further identified as Tax Map Key: (4) 3-8-018:001 (Por.), and affecting a 6.5-acre portion of a larger parcel = **KAUAI ASPHALT LLC**. [Director’s Report Received, 11/20/2024].

N. 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)-2025-3) & AMENDMENTS TO CLASS IV ZONING PERMIT (Z-IV-2001-34), USE PERMIT U-2001-31, and VARIANCE PERMIT(V-2001-7)** involving operation of a parking lot facility at the Kikiaola Harbor in Waimea, further identified as Tax Map Key: (4) 1-2-006:003 containing a total area of 33.357 acres = **KIKIAOLA LAND COMPANY LTD**. [Director’s Report Received, 11/20/2024].
2. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2025-4) & AMENDMENTS TO CLASS IV ZONING PERMIT (Z-IV-2015-12) and USE PERMIT U-2015-11**, to allow construction of two (2) additional storage buildings and two (2) residential units at the existing storage facility in Nawiliwili, located approximately 400 feet south of the Niumalu Road/Nawiliwili Road intersection, further identified as 2670 Niumalu Road, Tax Map Key: (4) 3-2-005:009 containing a total area of 3.454 acres = **ISLAND SELF STORAGE LLC**. [Director’s Report Received, 11/20/2024].
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4. **CLASS IV ZONING PERMIT (Z-IV-2025-5) & USE PERMIT (U-2025-3)** to allow construction of a farm worker housing unit at the Honua Farms property situated on the mauka side of Kahili Quarry Road in Kilauea, situated approximately ¼-mile east of the Kahili Quarry Road/Kilauea Road intersection, further identified as 4139 Kilauea Road, Tax Map Key: (4) 5-2-012:014, and containing a total area of 25.245 acres = **JESSE PALUMBO**. [Director’s Report Received, 11/20/2024].
5. **CLASS IV ZONING PERMIT (Z-IV-2025-7), USE PERMIT (U-2025-5), and SPECIAL PERMIT (SP-2025-2)** to construct and operate a asphalt batch plant facility on a parcel situated along the western side of Ma‘alo Road in Kapaia, situated approximately 1.5 mile mauka of the Ma‘alo Road/Kūhiō Highway intersection, further identified as Tax Map Key: (4) 3-8-018:001 (Por.), and affecting a 6.5-acre portion of a larger parcel = **KAUAI ASPHALT LLC**. [Director’s Report Received, 11/20/2024].

6. **AMENDMENT TO CLASS IV ZONING PERMIT (Z-IV-2002-29) AND USE PERMIT (U-2002-24)** is proposed to modify an existing telecommunications facility in Waimea, located on the east side of Ola Road and the southern portion of the property owned by the Waimea United Church of Christ (Tax Map Key (4) 1-6-010-002), by replacing the wooden pole with a steel monopole and transferring associated equipment = **VERTICAL BRIDGE**.
7. In the Matter of the Application of GEOFF LLC for an exemption to the Shoreline Setback Determination pursuant to Kauai County Code §8-27.3(a)(2) for property located in, Kilauea, Kauai, Hawaii, Kauai Tax Map Key No. (4) 5-3-004-035.
8. Subdivision Application No. S-2025-1
SMK, Inc.
Proposed 11-Lot Consolidation into 1-Lot
TMKs: (4) 2-8-008: 020, 022 - 029, 034, 035, Kōloa, Kauaʻi
9. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2025-1)** to allow construction of a new single-family residence and associated site improvements on a parcel situated on the makai side of Kūhiō Highway in Hanalei Town, directly across Hanalei Elementary School, further identified as 5-5428 Kūhiō Highway, Tax Map Key: (4) 5-5-004:023 containing a total area of 7,914 square feet = **BULA TREE HOUSE, LLC**. [Director's Report received, hearing closed, deferred, 11/12/2024].
10. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2025-2)** to allow construction of two (2) single-family residences, a guest house, and associated site improvements on a parcel identified as Lot 131-A Wainiha Hui Land, situated on the mauka side of Alamihi Road in Wainiha, approximately 500 feet west of the Kūhiō Highway/Alamihi Road intersection, further identified as Tax Map Key: (4) 5-8-012:019 containing a total area of 27,138 square feet = **MATTHEW & PHILLIP C. JOHNSON, TRUSTEES/MANCILLA & JONATHAN D. WICKES**. [Director's report received, hearing closed, deferred, 11/12/2024].
11. Pursuant to Hawai'i Revised Statutes Section 92-5(a)(2 and 4), the purpose of this executive session is to discuss matters pertaining to the annual evaluation of the Planning Director. This session pertains to the evaluation of the Planning Director's work performance where consideration of matters affecting privacy will be involved. Further, to consult with legal counsel regarding powers, duties, privileges, and/or liabilities of the Planning Commission as it relates to the evaluation of the Planning Director.

O. 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 January 14, 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.

P. ADJOURNMENT



SPECIAL MANAGEMENT AREA (SMA) Minor Determinations

Date (Action)	SMA Minor Permit number	Location (TMK)	Activity/ structure
11.6.2024 (Approved)	SMA(M)-2025-7	Hanalei (5-4-004:035)	Placement/ Activity trailer.

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.

December 10, 2024
SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2025-18	Manualoha at Poipu Kai	2-8-027:017	Koloa	Building 1 and Building 2 Reroof. / Required setback is 100 feet. Building 1 is an additional 197 feet away from the required setback, while building 2 is an additional 297 feet away.
SSD-2025-19	Lori Taft	4-3-002:013 CPR Unit 181	Kapa'a	Glass Sliding Door Repair. / Work deemed unsubstantial per DPW letter May 9, 2024
SSD-2025-20	TKO Works INC	4-5-008:024	Kapa'a	Tenant Improvement. / Development is an additional 280 feet from the required shoreline setback of 126 feet.
SSD-2025-21	Red Lake Management, LLC	5-2-004:067 CPR Unit 1	Kilauea	New residence, carport, pool, and landscaping. / Development is an additional 205 feet away from the required setback of 110 feet. Subject site is also on high cliff bluff.
SSD-2025-22	7268 Alamoo LLC	5-8-008:028	Hanalei	Repair. / Work deemed unsubstantial. Applicant prepared affidavit justifying work costs.