

24 NOV 14 AIO :46 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, December 18, 2024, at 8:30 a.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2936

A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATIONS IN WAILUA, KAUAI (*County of Kaua'i Planning Department, Applicant*) (ZA-2024-1)

This Bill proposes to remove the Special Treatment – Public Facilities (ST-P) designation (R-4/ST-P) from certain residential areas in Wailua, Kaua'i, as the ST-P zoning district is for “all public and quasi-public facilities, other than commercial, including schools, churches, cemeteries, hospitals, libraries, police and fire stations, government buildings, auditoriums, stadiums, and gymnasiums, which are used by the general public or which tend to serve as gathering places for the general public; and those areas which because of their unique locations are specially suited for such public and quasi-public uses.” The proposed change would provide that the applicable residential properties (R-4) no longer be required to obtain a discretionary Use Permit for matters that would typically require a ministerial Class I Permit. The parcels identified by the Tax Map Keys for the Wailua area include the following: (4) 4-1-016: 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28.

Bill No. 2937

A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATIONS IN HANAPEPE, KAUAI (*County of Kaua'i Planning Department, Applicant*) (ZA-2024-2)

This Bill proposes to remove the Special Treatment – Public Facilities (ST-P) designation (R-4/ST-P) from certain residential areas in Hanapēpē, Kaua'i, as the ST-P zoning district is for “all public and quasi-public facilities, other than commercial, including schools, churches, cemeteries, hospitals, libraries, police and fire stations, government buildings, auditoriums, stadiums, and gymnasiums, which are used by the general public or which tend to serve as gathering places for the general public; and those areas which because of their unique locations are specially suited for such public and quasi-public uses.” The proposed change would provide that the applicable residential properties (R-4) no longer be required to obtain a discretionary Use Permit for matters that would typically require a ministerial Class I Permit. The parcels identified by the Tax Map Keys for the Hanapēpē area include the following: (4) 1-8-014: 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, and 113; (4) 1-8-015: 2, 3, 4, 5, 6, 7, 8, 9, 118, 119, 120, 121, 124, and 125.

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/Government/Council/Webcast-Meetings. 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 Nos. 2936 and 2937 during the November 13, 2024 Council Meeting, by the following vote:

AYES:	Bulosan, Carvalho, Cowden, DeCosta, Kualii, Rapozo	TOTAL – 6,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kagawa	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawai'i
November 13, 2024

/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 – November 20, 2024)

ORDINANCE NO. _____

BILL NO. 2936

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 8,
KAUA'I COUNTY CODE 1987, AS AMENDED,
RELATING TO ZONING DESIGNATIONS IN WAILUA, KAUAI**

(County of Kaua'i Planning Department, Applicant) (ZA-2024-1)

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Findings and Purpose. The purpose of this Ordinance is to remove the Special Treatment – Public Facilities (ST-P) designation from certain residential areas in Wailua, Kaua'i.

The Comprehensive Zoning Ordinance (CZO), Kaua'i County Code 1987, as amended (KCC), Chapter 8, Section 8-11.2 states that the ST-P zoning district is for "all public and quasi-public facilities, other than commercial, including schools, churches, cemeteries, hospitals, libraries, police and fire stations, government buildings, auditoriums, stadiums, and gymnasiums, which are used by the general public or which tend to serve as gathering places for the general public; and those areas which because of their unique locations are specially suited for such public and quasi-public uses." Due to the ST-P zoning designation, any property located within this district requires a Use Permit for all uses, structures, or development, except repairs or modifications of land and existing structures that do not substantially change the exterior form or appearance of three-dimensional structures of land.

The County of Kaua'i acknowledges the lengthy and at times challenging process involved in obtaining a Use Permit. Residential properties that would typically require a ministerial Class I Permit are subjected to obtaining a discretionary Use Permit due to the ST-P Zoning.

SECTION 2. The CZO is hereby amended by amending the Zoning Map within the CZO referenced in KCC Section 8-2.3 by making the following changes to ZM-WA 500 (Wailua) as shown in Exhibit A of this Ordinance, which is attached hereto and incorporated herein:

The parcels identified by the Tax Map Keys for the Wailua area include the following: (4) 4-1-016: 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28.

SECTION 3. The Planning Department is directed to note the changes 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 4. 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 5. This Ordinance shall take effect upon its approval.

Introduced by:



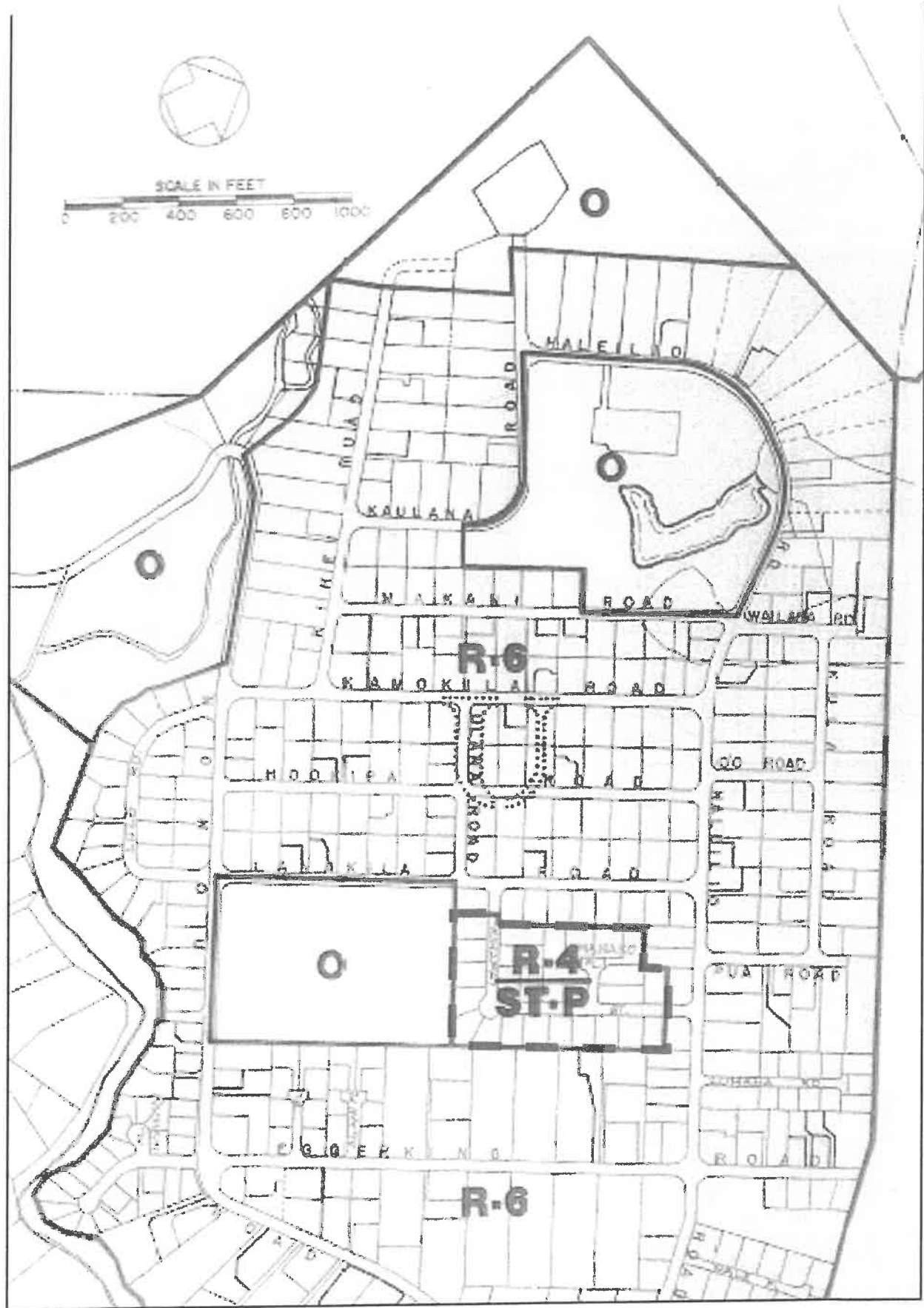
BERNARD P. CARVALHO, JR.
(By Request)

DATE OF INTRODUCTION:

November 13, 2024


Līhu'e, Kaua'i, Hawai'i

V:\BILLS\2022-2024 TERM\Bill Zoning Amendment ZA-2024-1 (Planning Department Wailua)
BC_JA_dmc.docx



Amendment to Zoning Map ZM-WA 500 from Residential 4/Special Treatment Public (R-4/ST-P) to Residential 4 (R-4)

Wailua Houselots, Kaua'i, Hawai'i

 R-4 District Boundary

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2936, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on November 13, 2024, by the following vote:

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

Līhu'e, Hawai'i
November 13, 2024



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

ORDINANCE NO. _____

BILL NO. 2937

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

(County of Kaua'i Planning Department, Applicant) (ZA-2024-2)

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

SECTION 1. Findings and Purpose. The purpose of this Ordinance is to remove the Special Treatment – Public Facilities (ST-P) designation from certain residential areas in Hanapēpē, Kaua'i.

The Comprehensive Zoning Ordinance (CZO), Kaua'i County Code 1987, as amended (KCC), Chapter 8, Section 8-11.2 states that the ST-P zoning district is for "all public and quasi-public facilities, other than commercial, including schools, churches, cemeteries, hospitals, libraries, police and fire stations, government buildings, auditoriums, stadiums, and gymnasiums, which are used by the general public or which tend to serve as gathering places for the general public; and those areas which because of their unique locations are specially suited for such public and quasi-public uses." Due to the ST-P zoning designation, any property located within this district requires a Use Permit for all uses, structures, or development, except repairs or modifications of land and existing structures that do not substantially change the exterior form or appearance of three-dimensional structures of land.

The County of Kaua'i acknowledges the lengthy and at times challenging process involved in obtaining a Use Permit. Residential properties that would typically require a ministerial Class I Permit are subjected to obtaining a discretionary Use Permit due to the ST-P Zoning.

SECTION 2. The CZO is hereby amended by amending the Zoning Map within the CZO referenced in KCC Section 8-2.3 by making the following changes to ZM-H200 (Hanapēpē) as shown in Exhibit A of this Ordinance, which is attached hereto and incorporated herein:

The parcels identified by the Tax Map Keys for the Hanapēpē area include the following: (4) 1-8-014: 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, and 113; (4) 1-8-015: 2, 3, 4, 5, 6, 7, 8, 9, 118, 119, 120, 121, 124, and 125.

SECTION 3. The Planning Department is directed to note the changes 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 4. 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 5. This Ordinance shall take effect upon its approval.

Introduced by:



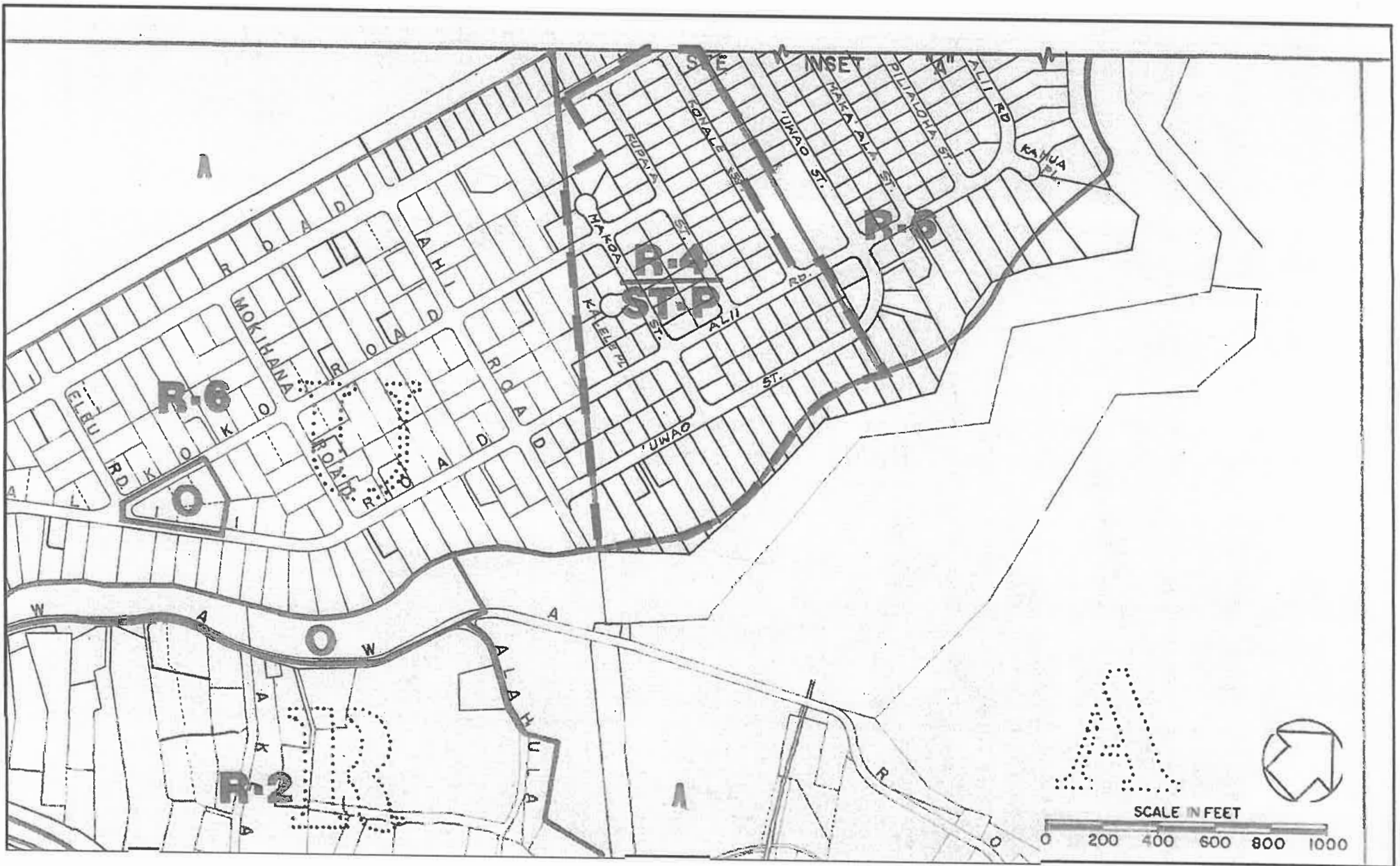
BERNARD P. CARVALHO, JR.
(By Request)

DATE OF INTRODUCTION:

November 13, 2024

Līhu'e, Kaua'i, Hawai'i

V:\BILLS\2022-2024 TERM\Bill Zoning Amendment ZA-2024-2 (Planning Department Hanapepe)
BC_JA_slr.docx



Amendment to Zoning Map ZM-H200 from Residential Four/Special Treatment Public (R-4/ST-P) to Residential Four (R-4)

Hanapēpē Heights, Kaua'i, Hawai'i

 R-4 District Boundary

Exhibit A

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2937, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on November 13, 2024, by the following vote:

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

Līhu'e, Hawai'i
November 13, 2024



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