

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, January 10, 2017

9:00:01 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

AGENDA

SWEARING IN OF COMMISSIONERS

- A. **CALL TO ORDER BY CHAIR PRO TEM**
- B. **ROLL CALL**
- C. **SELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**
APPOINTMENT OF SUBDIVISION COMMITTEE CHAIRPERSON, VICE
CHAIRPERSON AND COMMITTEE MEMBERS
- D. **APPROVAL OF AGENDA**
- E. **MINUTES of the meeting(s) of the Planning Commission**
 - 1. Regular Meeting of November 22, 2016.
 - 2. Regular Meeting of December 13, 2016.
- F. **RECEIPT OF ITEMS FOR THE RECORD**
- G. **HEARINGS AND PUBLIC COMMENT** (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
 - 1. **Continued Agency Hearing** (NONE)

G. HEARINGS AND PUBLIC COMMENT (Continued)

2. **New Agency Hearing (NONE)**
3. **Continued Public Hearing (NONE)**
4. **New Public Hearing (NONE)**

H. CONSENT CALENDAR

1. **Status Reports (NONE)**
2. **Director's Report(s) for Project(s) Scheduled for Agency Hearing on 1/24/17.**

a. Class IV Zoning Permit Z-IV-2017-2 and Use Permit U-2017-2 to allow construction of a new administration building, hanger, parking area, and associated improvements on a parcel located along the mauka side of Ahukini Road in Lihue, situated at the Lihue Heliport facility and approx. ¼-mile east of the Kapule Highway/Ahukini Road intersection, further identified as Tax Map Key: (4)3-5-001:148 and affecting a portion of a larger parcel containing 3.67 acres = ***Mauna Loa Helicopter Tours, LLC.***

1. Director's Report pertaining to this matter.

b. Class IV Zoning Permit Z-IV-2016-18 and Use Permit U-2016-15 to allow conversion of an existing residence into a bed and breakfast operation on a parcel located along the northern side of Poipu Road in Poipu, approx. 250 ft. north of the Kipuka Street/Poipu Road intersection and further identified as 2375 Kipuka Street, Tax Map Key 2-8-023:040, and containing a total area of 10,570 sq. ft. = ***Rebecca Smith-Magdalen.*** [Director's Report received 7/12/16, hearing postponed 7/26/16 due to applicant's failure to meet the requirements of Section 8-3.1(f) of the Kauai County Code, 1987, as amended.]

I. EXECUTIVE SESSION

1. Pursuant to Hawaii Revised Statutes Sections 92-5(a)(2 and 4), the purpose of this executive session is to discuss matters pertaining to the evaluation of the Planning Director over the past and current fiscal year. This session pertains to the Planning Director's evaluation 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.

J. GENERAL BUSINESS MATTERS

1. Hearing Officer's Report and Recommendation of Contested Case Hearing; Certificate of Service relating to Appeal of the Planning Director's Decision Regarding Application for Non-Conforming Use Certificate CC-2015-5, TVNCU #4122, Tax Map Key No. (4) 5-8-011:010 = ***Laura Bancroft Living Trust and David Bancroft.***

K. COMMUNICATION (For Action) (NONE)

L. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

M. UNFINISHED BUSINESS (For Action)

N. NEW BUSINESS

1. **For Action – See Agenda G for Project Descriptions**

O. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawai'i 96766 on **Tuesday, January 24, 2017.**

P. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes (“H.R.S.”), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050.

KAUA‘I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
Līhu‘e Civic Center, Mo‘ikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu‘e, Hawaii 96766

Tuesday, January 10, 2017, 8:30 A.M.

AGENDA

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. MINUTES of the meeting(s) of the Subdivision Committee (None)**

1. Regular Meeting of December 13, 2016

- E. RECEIPT OF ITEMS FOR THE RECORD (None)**

- F. HEARINGS AND PUBLIC COMMENT**

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

- G. GENERAL BUSINESS MATTERS (None)**

- H. UNFINISHED BUSINESS (None)**

- I. NEW BUSINESS (For Action)**

1. Final Subdivision Map Approval

- a. Subdivision Application No. S-2016-20
(KUKUP‘ULA DEVELOPMENT CO, LLC)
Proposed 2-lot subdivision
TMK: (4) 2-6-016:088 & 2-6-020:031
Koloa, Kaua‘i

1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Suite A473, Līhu‘e, Hawai‘i 96766. Telephone: (808) 241-4050

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.

January 10, 2017

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2017-30	Elizabeth Kendrick	5-2-010:014	Kilauea	Gazebo
SSD-2017-31	Lealani Corporation	2-8-017:015	Poipu	Interior Renovation for ADA Access
SSD-2017-32	Michael Taylor	5-8-011:054	Wainiha	New Residence