

COUNTY OF KAUAI PLANNING COMMISSION – 4444 Rice Street, Suite A473, Lihue, Kauai, Hawaii, 96766, tel: (808) 241-4050, email: planningdepartment@kauai.gov.

NOTICE IS HEREBY GIVEN of an **agency hearing with a public hearing and an opportunity for public testimony** from all interested persons to be held by the Kaua'i Planning Commission pursuant to the provisions of Special Management Area Rules, Kauai County Code, Chapter 8, as amended, Hawaii Revised Statutes (HRS) Chapter 92 and 91, and the Rules of Practice and Procedure of the County of Kauai Planning Commission. The hearing will be held regarding the following:

ZA-2022-5: A bill for an ordinance amending Chapter 11A, Kaua'i County Code 1987, as amended, relating to Environmental Impact Assessment on Land Development. The proposal amends Sections 11A-1.3 & 11A-2.2 of the Kauai County Code relating to Applicability/Assessment of regulations and more specifically, application of environmental impact assessment fees.

ZA-2022-6: A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Sections 8-15.1 & 8-15.2 of the CZO relating to Additional Dwelling Units (ADU) and more specifically, qualification requirements involving ADUs.

ZA-2022-7: A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Sections 8-1.5, 8-2.4, and Articles 17 & 19 of the CZO relating to Definitions, Table of Uses, and Time Sharing & Transient Vacation Rentals respectively.

AMENDMENT TO SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-83-4), CLASS IV ZONING PERMIT Z-IV-83-27, and USE PERMIT U-83-17 to allow expansion for an outdoor restaurant use and associated improvements on a parcel situated on the makai side of Lawa'i Road, commonly known as The Beach House Restaurant, further identified as 5022 Lawa'i Road, Tax Map Key: 2-6-005:011, containing a total area of 34,900 square feet.

CLASS IV ZONING PERMIT (Z-IV-2022-6) and USE PERMIT (U-2022-6) to facilitate conversion of an existing building into a pre-school facility containing classrooms, offices, a meeting room and reception area on the St. Catherine's Church/School campus, situated at the Kawaihau Road/Haua'ala Road intersection and further identified as Tax Map Key: (4) 4-6-015:058, containing a total area of approximately 1.09 acres.

CLASS IV ZONING PERMIT (Z-IV-2022-7) and USE PERMIT (U-2022-7) to allow construction of a new single-family dwelling unit on a parcel situated at the southern terminus of Aalona Street in Kilauea, situated approximately 300 feet south of its intersection with Lokela Street and further identified as 4433 Aalona Street, Tax Map Key: (4) 5-2-006:014, containing a total area of approximately 16,187 square feet.

SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-3) to accommodate streambank stabilization repair work involving a parcel along the Hanalei River, along the makai side of Kuhio Highway in Hanalei Town, further identified as 5-5016 Kuhio Highway, Tax Map Key: 5-5-010:067, containing a total area of 2.32 acres.

SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-4) to allow construction of a new single-family dwelling unit on a parcel situated along the makai side of Pee Road in Poipu, at the eastern terminus of a cul-de-sac, situated approximately 600 feet south of its intersection with Pee Road and further identified as Lot 3 of the Makahuena Estates Subdivision, Tax Map Key: (4) 2-8-021:070, containing a total area of approximately 43,604 square feet.

SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-5) to allow construction of a new single-family dwelling unit on a parcel situated along the makai side of Pee Road in Poipu, situated approximately 500 feet south of its intersection with Pee Road and further identified as Lot 5 of the Makahuena Estates Subdivision, Tax Map Key: (4) 2-8-021:072, containing a total area of approximately 49,005 square feet.

Meeting Location: Līhu‘e Civic Center, Moikeha Building, Meeting Room 2A-2B,
4444 Rice Street, Līhu‘e, Kaua‘i, Hawai‘i

Interactive

Conference Technology: https://zoom.us/webinar/register/WN_ZqvQJqy7Sn-FHqjCVpX8Iw

Webcast Meeting: <https://www.kauai.gov/Webcast-Meetings>

Date: April 12, 2022

Time: 9:00 a.m.

Pursuant to Hawai‘i Revised Statutes Section 92-3.7, which codified Act 220, SLH 2021, the meetings of the County of Kaua‘i Planning Commission will be conducted as follows:

- The meeting location that will be open to the public with audiovisual connection is:
 - Līhu‘e Civic Center, Moikeha Building
 - Meeting Room 2A-2B
 - 4444 Rice Street, Līhu‘e, Kaua‘i, Hawai‘i
- Meetings will be accessible by interactive conference technology through Zoom.
 - Participants interested in accessing the meeting via Zoom must register for the meeting. Once you register for the meeting, you will receive an E-mail with a meeting link and telephone conference number that is unique to each registrant and cannot be shared.
 - If joining by Zoom, it shall be the responsibility of the participant to join the meeting through the Zoom meeting link and ensure that the Zoom software is downloaded and operational prior to the meeting or join through telephone conference number provided via E-mail.
- In addition to Zoom, meetings will be live streamed and available as an archived meeting after completion at www.kauai.gov/Webcast-Meetings. Captions will be provided. Please note video production services or enhancements will not be available.
- **Written testimony** may be submitted on any agenda item and submitted to planningdepartment@kauai.gov or mailed to the Kauai County Planning Department 4444 Rice Street., Ste A473, Lihue, Hawaii 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be distributed to all Planning Commissioners prior to the meeting. Any testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.
- **Oral testimony** will be taken during the public hearing portion of the meeting **in-person at the public meeting location or** via Zoom. Participants interested in accessing the meeting via Zoom must register for the meeting **by using the link provided on the face of the meeting agenda**. Once you register for the meeting, you will receive an E-mail with a meeting link and telephone conference number that is unique to each registrant and cannot be shared.

- It shall be the responsibility of the testifier to join the meeting through the Zoom meeting link and ensure that the Zoom software is downloaded and operational prior to the meeting or join through telephone conference number provided via E-mail.
- All testifier audio and video will be disabled until it is your turn to testify.
- Per the Planning Commission's and Chairs practice, there is three-minute time limit per testifier.
- If there are temporary technical glitches during your turn to testify, we may have to move on to the next person due to time constraints; we appreciate your understanding.
- If any major and insurmountable technical difficulties are encountered during the meetings, the Planning Commission will continue all matters and reconvene at the next scheduled Planning Commission Meeting.

Petitions for intervenor status must be submitted to the Commission and the applicant at least seven days prior to the date of the hearing advertised herein and shall be in conformance with Chapter 4 of the Rules of Practice and Procedure of the Planning Commission. A copy of the proposal will be emailed to any interested person who requests a copy. Please submit your request to the Planning Department. KAUAI PLANNING COMMISSION, Helen Cox, Chairperson, By Kaaina S. Hull, Clerk of the Commission.

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 BOARDS AND COMMISSIONS AT (808) 241-4917 OR ASEGRETI@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.

Publication Date: March 11, 2022