



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

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

- The Planning Commission Meeting will be in-person at:

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

- **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 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 on specific agenda items, **in-person at the public meeting location** indicated on the meeting agenda.

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 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.

PLANNING COMMISSION MEETING NOTICE AND AGENDA

**Tuesday, January 24, 2023
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**

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT

1. Continued Agency Hearing

- a. None for this Meeting.

2. New Agency Hearing

- a. None for this Meeting.

3. Continued Public Hearing

- a. None for this Meeting.

4. New Public Hearing

- a. None for this Meeting.

G. CONSENT CALENDAR

1. Status Reports

- a. None for this Meeting.

2. Director's Report for Project(s) Scheduled for Agency Hearing

- a. CLASS IV ZONING PERMIT (Z-IV-2023-8) and VARIANCE PERMIT (V-2023-3) to allow deviations from the setback requirement, Section 8-4.3(b) of the Kauai County Code (1987), for the construction of a new single-family dwelling unit on a parcel situated along the mauka side of Hanalei Plantation Road in Princeville, situated immediately adjacent to and west of property identified as 5219 Hanalei Plantation Road, further identified as Tax Map Key: (4) 5-4-004:016, containing a total area of 838 square feet = **Matt Berg.**

- 1. Director's Report Pertaining to this Matter.

H. GENERAL BUSINESS MATTERS

I. COMMUNICATION

1. None for this Meeting.

J. COMMITTEE REPORTS

1. Subdivision Committee

- a. Subdivision Application No. HS-2023-2
State of Hawai'i, Department of Hawaiian Home Lands (DHHL)
DHHL Hanapēpē, Phase 2 Subdivision
Proposed 136-lot Subdivision
TMKs: (4) 1-8-007:003, 018, and 021; (4) 1-8-017:001 to 020; (4) 1-8-018:001 to 027
Hanapēpē, Waimea, Kaua'i

K. UNFINISHED BUSINESS (For Action)

1. Commission consideration of Petition for Declaratory Order Regarding Special [sic] Area Use Permit SMA (U)-2015-6; Project Development Use Permit U-2015-7; Variance Permit V-2015-1; Class IV Zoning Permit ZA-IV-2015-8 for **Coco Palms Hui, LLC**.
 - a. Petition for Declaratory Order filed on behalf of Hawai'i Alliance for Progressive Action, Sierra Club Kauai Group, Surfrider Foundation Kauai Chapter, and Judith Ann Dalton, individually.
 - b. Permittee RP21 Coco Palms, LLC's Memorandum in Opposition to Petition for Declaratory Order Regarding Special Area Use Permit SMA(U)-2015-6; Project Development U-2015-7; Variance Permit V-2015-1; Class IV Zoning Permit No. ZA-IV-2015-8, Dated August 23, 2022.
 - c. Hawai'i Alliance for Progressive Action; Sierra Club Kauai Group; Surfrider Foundation Kaua'i Chapter; Judith Ann Dalton, Individually, Reply to Permittee RP21 Coco Palms, LLC's Memorandum in Opposition to Petition for Declaratory Order.

L. NEW BUSINESS (For Action)

1. None for this Meeting.

M. 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. CLASS IV ZONING PERMIT (Z-IV-2023-8) and VARIANCE PERMIT (V-2023-3) to allow deviations from the setback requirement, Section 8-4.3(b) of the Kauai County Code (1987), for the construction of a new single-family dwelling unit on a parcel situated along the mauka side of Hanalei Plantation Road in Princeville, situated immediately adjacent to and west of property identified as 5219 Hanalei Plantation Road, further identified as Tax Map Key: (4) 5-4-004:016, containing a total area of 838 square feet = **Matt Berg**.
2. Subdivision Application No. HS-2023-2
State of Hawai'i, Department of Hawaiian Home Lands (DHHL)
DHHL Hanapēpē, Phase 2 Subdivision
Proposed 136-lot Subdivision
TMKs: (4) 1-8-007:003, 018, and 021; (4) 1-8-017:001 to 020; (4) 1-8-018:001 to 027
Hanapēpē, Waimea, Kaua'i
3. Commission consideration of Petition for Declaratory Order, Memorandum in Opposition, and Petitioner's Reply Regarding Special [sic] Area Use Permit SMA (U)-2015-6; Project Development Use Permit U-2015-7; Variance Permit V-2015-1; Class IV Zoning Permit ZA-IV-2015-8 for **Coco Palms Hui, LLC**.

M. ANNOUNCEMENTS

1. Topics for Future Meetings.
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter, on February 14, 2023. 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, Hawaii 96766. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

N. ADJOURNMENT

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 24, 2023

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2023-28	Makahuena Preferred A	2-8-021:073	Kōloa	New construction/ The development of a new single-family dwelling, swimming pool, detached garage with guest house above, and other site improvements.

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

SPECIAL MANAGEMENT AREA (SMA) MINOR DETERMINATIONS

Date (Action)	SMA Minor Permit number	Location (TMK)	Activity/ structure
Approved (01.12.2023)	SMA(M)-2023-12	Hanalei (5-5-008:052)	Construction/ Agriculture shed for tool storage.
Approved (01.12.2023)	SMA(M)-2023-13	Hanalei (5-3-004:018)	Conversion/ Workshop to guest house (no kitchen).