



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

RECEIVED

'24 AUG -7 P12 :02

- 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

OFFICE OF
THE COUNTY CLERK
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, August 13, 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

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

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

1. July 9, 2024.

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT

1. Continued Agency Hearing

- a. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-10) to allow construction of a new single-family residence within Lot 79-A of the Wainiha Hui Partition in Wainiha, involving a parcel situated on the makai side of Kuhio Highway, approximately 200 feet west of the Kuhio Highway/Alamihi Road intersection, further identified as 5-7070 Kuhio Highway, Tax Map Key: (4) 5-8-011:049 containing a total area of 22,736 square feet = **BRUCE HOLDINGS LLC**. [Director's Report received and Agency Hearing Deferred, July 9, 2024.]

1. Transmittal of public testimony to Planning Commission.
2. Transmittal of Supplemental #2 to Planning Commission.
3. Supplement to Director's Report pertaining to this matter.

2. New Agency Hearing

- a. None for this meeting.

3. **Continued Public Hearing**

- a. ZA-2024-3: A bill (2919) for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to the Comprehensive Zoning Ordinance (CZO). The purpose of this Ordinance is to expand the permissiveness of guest houses in zoning districts Residential (R-1 to R-6 and R-10 to R-20), Neighborhood Commercial (C-N), General Commercial (C-G), Agriculture (A), Open (O), and University (UNV), and make other technical edits = **KAUAI COUNTY COUNCIL**. [Director's Report received and Public Hearing Deferred, June 4, 2024.]

1. Transmittal of public testimony to Planning Commission.
2. Transmittal of agency comments to Planning Commission.
3. Supplement #1 to Director's Report pertaining to this matter.

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. None for this meeting.

3. **Class III Zoning Permits**

- a. None for this meeting.

H. GENERAL BUSINESS MATTERS

1. Status Report and request to amend Condition No. 10 of Class IV Zoning Permit Z-IV-2015-10, Use Permit U-2015-9, and Special Permit SP-2015-1 involving a parcel situated at 5730 Olohena Road, further identified as Tax Map Key: (4) 4-4-003:045, CPR Unit 3, Kapaa Homesteads = **Steelgrass Farm LLC**.

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

I. COMMUNICATION

1. None for this meeting.

J. COMMITTEE REPORTS

1. Subdivision Committee Report.

- a. Subdivision Application No. S-2024-10
Lima Ola Phase 2 Subdivision
County of Kaua'i Housing Agency
Proposed 4-Lot Consolidation and Resubdivision into 70-Lots
TMK: (4) 2-1-013: 044, 052, 053, and 055
'Ele'ele, Kaua'i
- b. Subdivision Application No. S-2023-4
Kukui'ula Parcel J1-A Subdivision
BBCP Kukui'ula Development, LLC.
Proposed 18-Lot Subdivision
TMK: (4) 2-6-023: 040
Kōloa (Makai), Kōloa, Kona, Kaua'i
- c. Subdivision Application No. S-2024-1
Jiro Yukimura Trust and Jennie T. Yukimura Trust
Proposed 4-Lot Subdivision
TMK: (4) 3-7-006: 002
Hanamā'ulu, Līhu'e, Kaua'i

K. UNFINISHED BUSINESS (For Action)

- 1. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-10) to allow construction of a new single-family residence within Lot 79-A of the Wainiha Hui Partition in Wainiha, involving a parcel situated on the makai side of Kuhio Highway, approximately 200 feet west of the Kuhio Highway/Alamih Road intersection, further identified as 5-7070 Kuhio Highway, Tax Map Key: (4) 5-8-011:049 containing a total area of 22,736 square feet = **BRUCE HOLDINGS LLC.** [Director's Report received and Agency Hearing Deferred, July 9, 2024.]
- 2. ZA-2024-3: A bill (2919) for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to the Comprehensive Zoning Ordinance (CZO). The purpose of this Ordinance is to expand the permissiveness of guest houses in zoning districts Residential (R-1 to R-6 and R-10 to R-20), Neighborhood Commercial (C-N), General Commercial (C-G), Agriculture (A), Open (O), and University (UNV), and make other technical edits = **KAUAI COUNTY COUNCIL.** [Director's Report received and Public Hearing Deferred, June 4, 2024.]

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. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2024-10) to allow construction of a new single-family residence within Lot 79-A of the Wainiha Hui Partition in Wainiha, involving a parcel situated on the makai side of Kuhio Highway, approximately 200 feet west of the Kuhio Highway/Alamihi Road intersection, further identified as 5-7070 Kuhio Highway, Tax Map Key: (4) 5-8-011:049 containing a total area of 22,736 square feet = **BRUCE HOLDINGS LLC**. [Director's Report received and Agency Hearing Deferred, July 9, 2024.]
2. ZA-2024-3: A bill (2919) for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, relating to the Comprehensive Zoning Ordinance (CZO). The purpose of this Ordinance is to expand the permissiveness of guest houses in zoning districts Residential (R-1 to R-6 and R-10 to R-20), Neighborhood Commercial (C-N), General Commercial (C-G), Agriculture (A), Open (O), and University (UNV), and make other technical edits = **KAUAI COUNTY COUNCIL**. [Director's Report received and Public Hearing Deferred, June 4, 2024.]
2. Status Report and request to amend Condition No. 10 of Class IV Zoning Permit Z-IV-2015-10, Use Permit U-2015-9, and Special Permit SP-2015-1 involving a parcel situated at 5730 Olohena Road, further identified as Tax Map Key: (4) 4-4-003:045, CPR Unit 3, Kapaa Homesteads = **Steelgrass Farm LLC**.
3. Subdivision Application No. S-2024-10 Lima Ola Phase 2 Subdivision
County of Kaua'i Housing Agency
Proposed 4-Lot Consolidation and Resubdivision into 70-Lots
TMK: (4) 2-1-013: 044, 052, 053, and 055
'Ele'ele, Kaua'i
4. Subdivision Application No. S-2023-4
Kukui'ula Parcel J1-A Subdivision
BBCP Kukui'ula Development, LLC
Proposed 18-Lot Subdivision
TMK: (4) 2-6-023: 040
Kōloa (Makai), Kōloa, Kona, Kaua'i
5. Subdivision Application No. S-2024-1
Jiro Yukimura Trust and Jennie T. Yukimura Trust
Proposed 4-Lot Subdivision
TMK: (4) 3-7-006: 002
Hanamā'ulu, Līhu'e, Kaua'i

N. 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 September 10, 2024. 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.

O. ADJOURNMENT

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

SPECIAL MANAGEMENT AREA (SMA) Minor Determinations

Date (Action)	SMA Minor Permit Number	Location (TMK)	Activity/ structure
Approved (7.16.2024)	SMA(M)-2024-24	Hanalei (5-8-008:040)	Construction/ Entry wall and fence.

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.

August 13, 2024

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2025-1	Kaua'i Coast Resort	4-3-002:014	Kapa'a	Repair existing purlins and Photovoltaic (PV) panels. / Required setback is 72 feet. PV structure approximately 300 to 400 feet away from evidenced shoreline.
SSD-2025-2	David Bassett	5-8-008:033	Hanalei	Repair deck footings and posts, kitchen and bathroom repair, and door and window repair. / Work deemed unsubstantial repairs. No increased size of deck.
SSD-2025-3	Nou Nou Tower Kalapaki Beach Club	3-5-002:002	Lihu'e	Repair of Lanai sliding glass doors/ Repair work deemed unsubstantial.
SSD-2025-4	The Po'ipū Sands	2-8-020:008	Kōloa	Repair roof for Building 4 and 5. / Another parcel is between the development and the high cliff bluff rocky shoreline. Required setback is 100 feet. Building 4 and 5 are an additional 140 to 200 feet from the required shoreline setback.
SSD-2025-5	Puu Poa Condominium	5-4-012:011 CPR Unit 40	Princeville	ooof addition/ The development is located on a 100-foot-high cliff bluff and is set back an additional 60 feet from the required 100-foot setback.

SSD-2025-6	Thronas Investments LLC	1-3-010:093	Kekaha	Relocation of a single-family residence and new carport addition. / Relocation of a single-family residence and new carport addition.
SSD-2025-7	Puu Poa Condominium	5-4-012:011 CPR Unit 27	Princeville	Roof addition. / The development is located on a 100-foot-high cliff bluff and is set back an additional 63 feet from the required 100-foot setback.
SSD-2025-8	Puu Poa Condominium	5-4-012:011 CPR Unit 47	Princeville	Roof addition. / The development is located on a 100-foot-high cliff bluff and is set back an additional 184 feet from the required 100-foot setback.