



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY	
SSD 201 <u>8</u> - <u>15</u>	
Acceptance Date:	4/24/18
Website Posting Date:	4/19/18
Determination Date:	4/24/18
Planning Commission Date:	N/A
Expiration Date:	4/24/19
Planner Assigned:	JB/AS

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know that your parcel will require a Certified Shoreline Survey, due to the proximity to the shoreline. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information			
Applicant:	Alan Taylor - Ankrom Moisan Architects		
Mailing Address:	38 NW Davis St, Suite 300 Portland, OR 97208	Phone:	503-892-7302
		Email:	alan@amta.com
Applicant's Status: (Check one)			
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)		
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.		
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization		
Transmittal Date:	02-12-2018		
Project Information (attach additional sheets, if necessary)			
County Zoning District:	Resort	Tax Map Key(s):	See attached list of Unit #83103 - #91110 TMK #
		Land Area:	8.012 acres (349,002 SF)
Nature of Development: (Description of proposed structure or subdivision)	Interior remodel of existing accessible units - no exterior or site improvements being proposed - See attached scope of work for all interior work. Cost of ADA work only: \$95,000 revised from building permit application		

**NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)**

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- Property is Abutting the Shoreline
☒ Proposed project's approximate distance from shoreline (based on aerial map): 125' - 130' ft.
- Property is Not Abutting the Shoreline
☐ Proposed project's approximate distance from shoreline (based on aerial map): _____ ft.
- Additional Information:
☐ Shoreline Change (Erosion/Accretion) Rate: -0.3 ft/yr per attached _____ ft./year
(Information available here: www.soest.hawaii.edu/coasts/kauaiconity/KCounty.html)
☐ Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:

None - State of Hawaii 100 foot wide beach reserve.



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

☐ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)
Flat

☐ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

Sand with rocky outcroppings

☐ Artificially armored Shoreline

☐ If checked, what type of armoring (e.g. seawall, revement, bulkhead): _____
☐ Is the armoring permitted/authorized? _____

☐ Date of authorization (attach copy of authorization letter): _____

☒ Is property in coastal floodplain (if checked, what zone)? VE

☒ Has this property been subject to coastal hazards (i.e. flooding, erosion, tsunami, etc.) in the past?

Not that I am aware of.

PLEASE NOTE:

Any misrepresentation of information in this shoreline setback application will result in revocation of this determination and may result in fines and criminal prosecution.

Applicant's Signature

02-12-2018

Signature

Date

Applicability (to be completed by Planning Department)

☒ Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.

☐ Setback Determination is NOT necessary. Requirements of Ordinance No. 979 are not applicable.

Planning Director or designee

4.4.18
Date

If Part A has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

☐ A non-refundable processing fee of one hundred dollars (\$100.00) shall accompany a request for determination. (\$8-27.8(e))

☒ An aerial map/image (ex. Google Maps or Google Earth) with a line drawn from the shoreline/vegetation line (approximate shoreline) to the proposed project and the calculated distance in feet.

☒ A detailed Plot Plan to scale with all existing and proposed structures including driveways, visible lot coverage, setbacks and measurement details, fences, gates, and walls, etc.

☒ Building Permit Number (If building plans submitted)



PLANNING DEPARTMENT SHORELINE SETBACK DETERMINATION

Exemption Determination

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☐ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☒ **Exemption 3**

Pursuant to §8-27.7, those structures and uses found exempt in Table 3 (see pg. 7) including repairs and renovations to a lawfully existing structure, including nonconforming structures, provided that:

- (A) The repairs DO NOT enlarge, add to or expand the structure; increase the size or degree of non-conformity; or intensify the use of the structure or its impact on coastal processes;
- (B) The repairs DO NOT constitute a substantial improvement of the structure; and
- (C) The repairs are permitted by the Comprehensive Zoning Ordinance, Development Plans, building code, floodplain management regulations, special management area requirements under HRS Chapter 205A and any other applicable rule or law.

- ☐ Letter from the Department of Public Works stating that the proposed project does NOT constitute "Substantial Improvement," pursuant to §8-27.2 (if applicable, will require valuation of project).

Exemption Determination (to be completed by Planning Department)

☒ Pursuant to §8-27.3 the Kauai County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivisions(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

☐ Pursuant to §8-27.7 the Kauai County Code, 1987 as amended, the proposed structure(s) is permitted within the shoreline setback area. While exempt from those shoreline setback determination requirements established under §8-27.8, the proposed structure(s) is subject to the conditions of §8-27.7(b). (See pg. 8)

Planning Director of designee

Date

☐ Additional comments/conditions:



Ankrom Moisan

February 13, 2018

Stanford Iwamoto
Kauai County Public Works
4444 Rice Street, Suite 175
Lihue, Hawaii 96766-1340

RE: KAUAI COAST RESORT PARCEL INFO

PROJECT INFORMATION:

Kauai Coast Resort Beachboy
520 Aleka Loop
Kapaa, HI 96746

SITE AREA
8.012 ACRES
349,000 S.F.

SITE PARCEL # 4 3 002 014

UNIT PARCEL #	TMK
3103	4 3 002 014 0079
3104	4 3 002 014 0080
3105	4 3 002 014 0081
3106	4 3 002 014 0082
3107	4 3 002 014 0083
3108	4 3 002 014 0084
3109	4 3 002 014 0085
3110	4 3 002 014 0086

GENERAL SCOPE OF WORK:

ARCHITECTURE
INTERIORS
URBAN DESIGN
BRANDING

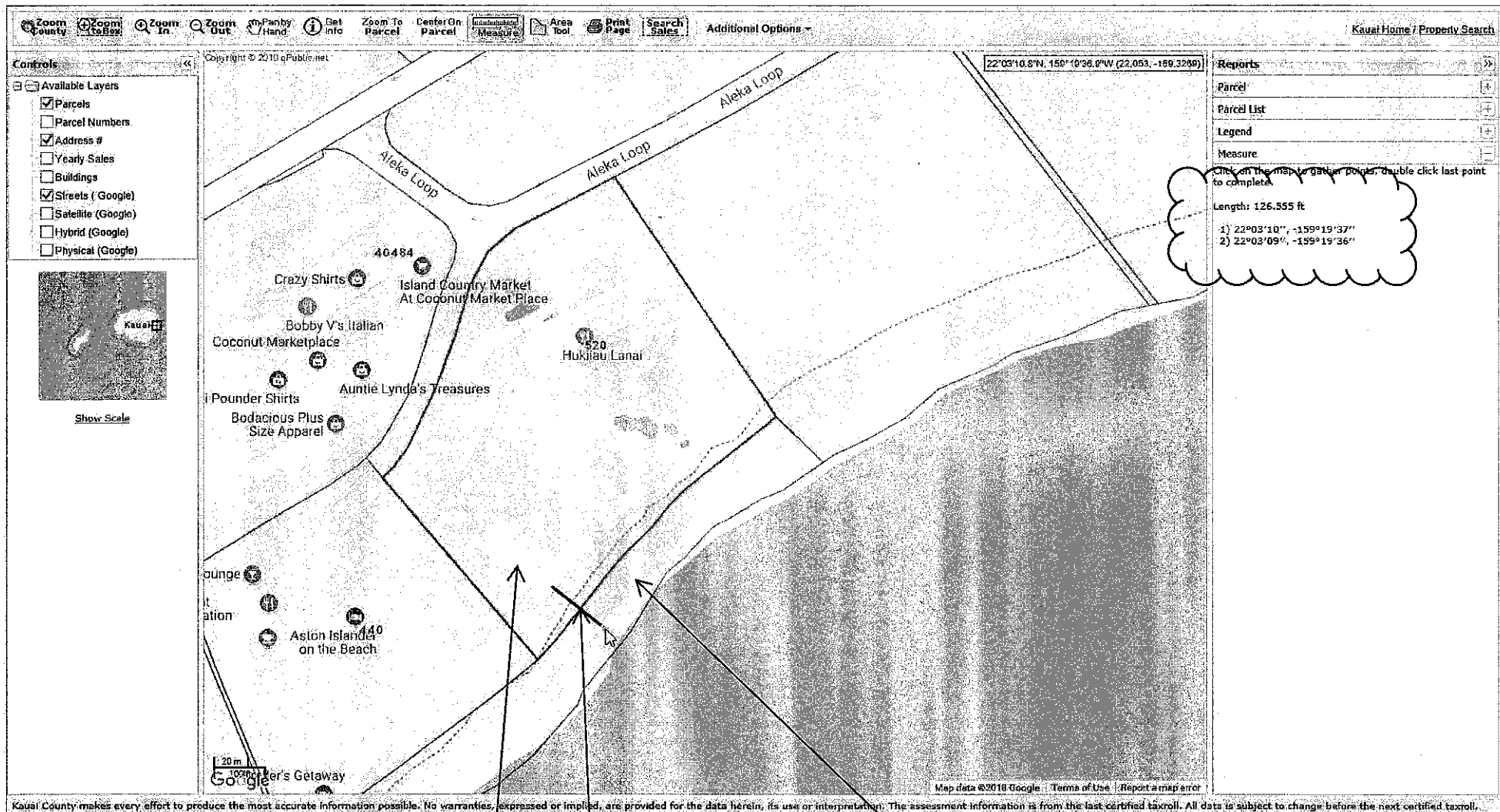
Ankrom Moisan Architects

PORTLAND
38 NW Davis Street
Suite 300
Portland, OR 97209
503.245.7100

SEATTLE
1505 5th Avenue
Suite 300
Seattle, WA 98101
206.576.1600

SAN FRANCISCO
1014 Howard Street
San Francisco, CA 94103
415.252.7063

- REMOVAL OF EXISTING TUB/ROLL-IN SHOWERS REPLACING THEM WITH AN ADA COMPLIANT TUB/SHOWER
- REMOVAL OF NON ADA TUBS, REPLACING WITH WALK-IN PREFAB SHOWERS IN STANDARD UNITS AND WALK-IN TILE SHOWERS IN PENTHOUSE / PRESIDENTIAL UNITS
- MINOR RELOCATION OF INTERIOR UNIT PARTITION WALLS TO ACHIEVE ADA CLEARANCES
- REVISIONS TO KITCHEN UPPER AND LOWER CABINETS TO PROVIDE CLEARANCES COMPLYING WITH NEW 2010 ADA CODE
- REPLACEMENT OF KITCHEN CABINET KNOBS WITH LOOP PULLS
- ADJUSTMENT OF LIGHT FIXTURES EFFECTED BY WALL CHANGES
- ADJUSTMENT OUTLETS AND SWITCHES EFFECTED BY WALL CHANGES, AND AS REQUIRED TO MEET ADA HEIGHT REQUIREMENTS.
- ADDITION OF ADA COMPLIANT SHELVING IN ACCESSIBLE CLOSETS



Kauai County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

$$Z$$

Accrual Path

Historical shoreline positions are marked every 50 ft along the shoreline. These marks are oriented by yellow stake-perpendicular turnpicks. Changes in the positions of the turnpicks through time are used to calculate the shoreline change rates (lyr) at each transect location.

Feb 15 7:41 AM

1957	Feb	1957	Feb	1957	Feb
1958	May	1958	May	1958	May
1959	May	1959	May	1959	May
1960	May	1960	May	1960	May
1961	May	1961	May	1961	May
1962	May	1962	May	1962	May
1963	May	1963	May	1963	May
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1965	May	1965	May	1965	May
1966	May	1966	May	1966	May
1967	May	1967	May	1967	May
1968	May	1968	May	1968	May
1969	May	1969	May	1969	May
1970	May	1970	May	1970	May
1971	May	1971	May	1971	May
1972	May	1972	May	1972	May
1973	May	1973	May	1973	May
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1988	May	1988	May	1988	May
1989	May	1989	May	1989	May
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1997	May	1997	May	1997	May
1998	May	1998	May	1998	May
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2001	May	2001	May	2001	May
2002	May	2002	May	2002	May
2003	May	2003	May	2003	May
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2010	May	2010	May	2010	May
2011	May	2011	May	2011	May
2012	May	2012	May	2012	May
2013	May	2013	May	2013	May
2014	May	2014	May	2014	May
2015	May	2015	May	2015	May
2016	May	2016	May	2016	May
2017	May	2017	May	2017	May
2018	May	2018	May	2018	May
2019	May	2019	May	2019	May
2020	May	2020	May	2020	May
2021	May	2021	May	2021	May
2022	May	2022	May	2022	May
2023	May	2023	May	2023	May
2024	May	2024	May	2024	May
2025	May	2025	May	2025	May
2026	May	2026	May	2026	May
2027	May	2027			

The vehicle study area (pavement shoulders) is composed of cartons

[illegible]

transsects (spaced every 66 ft) is used to calculate erosion rates.

PROJECT SITE

Scale 1:3000

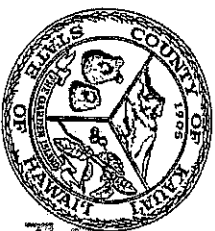
Kauai

Wpalił



Bernard P. Carvalho Jr.
Mayor

Wallace G. Rezentes Jr.
Managing Director



COUNTY of KAUAI
PLANNING DEPT

Lyle Tabata
Acting County Engineer

COPY

DEPARTMENT OF PUBLIC WORKS
County of Kauai, State of Hawaii
18 MAR 29 09:05

4444 Rice Street, Suite 275, Lihue, Hawaii 96766
TEL (808) 241-4992 FAX (808) 241-6604

RECEIVED

March 6, 2018

Ankrom Moisan Architects
38 NW Davis St. Suite 300
Portland, OR 97209
Attn: Alan Taylor

Subject: SHORELINE SETBACK APPLICATION
SUBSTANTIAL IMPROVEMENT DETERMINATION
INTERIOR REMODEL KAUAI COAST BEACHBOY – BUILDING C
TMK: (4) 4-3-002:014-0079 to 0086

Dear Mr. Taylor,

The Kaua'i County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 979) Section 8-27.2 defines substantial improvement as "any cumulative series of repairs, reconstruction, improvements, or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure."

The Department of Public Works (DPW) Engineering Division has reviewed the proposed interior remodel to Units 3103, 3014, 3105, 3106, 3107, 3108, 3109 and 3110 in Building C of the Kaula'i Coast Beachboy. Building C is a 3-story structure and contains 36 units. DPW has determined that the proposed improvements do not constitute a substantial improvement. A summary of the calculations follows.

Market Value

There were no building permits for the structure within the past 10 years. The market value used in the calculations is the current Replacement Cost New Less Depreciation (RCNLD) value for the structure as determined by the County's Real Property Assessment Division. The 2018 RCNLD was determined to be \$3,676,800. If the owner chooses to dispute this value, then an appraisal of the structure must be provided at the owner's expense. The appraisal shall be prepared by a professional appraiser licensed in the State of Hawai'i and the market value shall be based on the "Cost Approach" (or Replacement Cost New Less Depreciation).

Cost of Improvements

The total cost of improvements for the proposed interior renovations for eight (8) units in Building C was taken from the Building Divisions estimated construction value as shown on the current building permit. The total cost was estimated to be \$144,000. The total cost of improvements for the past ten years is summarized as follows:

BP 17-2578	Unit 3103	\$18,000
BP 17-2577	Unit 3104	\$18,000
BP 17-2576	Unit 3105	\$18,000
BP 17-2575	Unit 3106	\$18,000
BP 17-2574	Unit 3107	\$18,000
BP 17-2572	Unit 3108	\$18,000
BP 17-2571	Unit 3109	\$18,000
BP 17-2570	Unit 3110	\$18,000
TOTAL COST		\$144,000

Summary


The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$144,000}{\text{Market Value (Real Property): } \$3,676,800} = 0.03916 \text{ or } 3.92\%$$

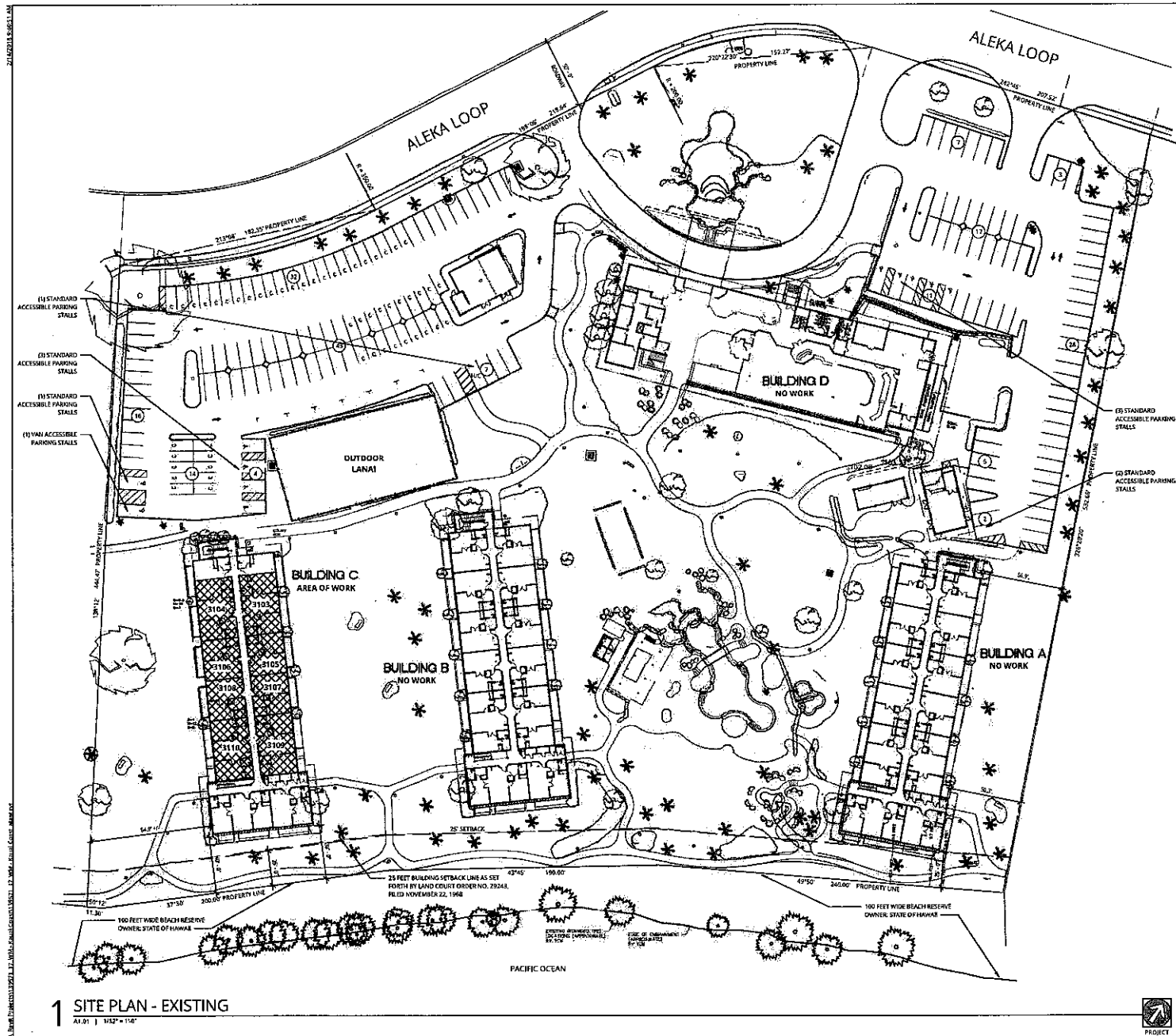
Since the total cost does not exceed 50% of the market value, the improvement is not considered to be substantial. Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated.

If you have any questions or need additional information, contact Stanford Iwamoto at (808) 241-4896 or siwamoto@kauai.gov.

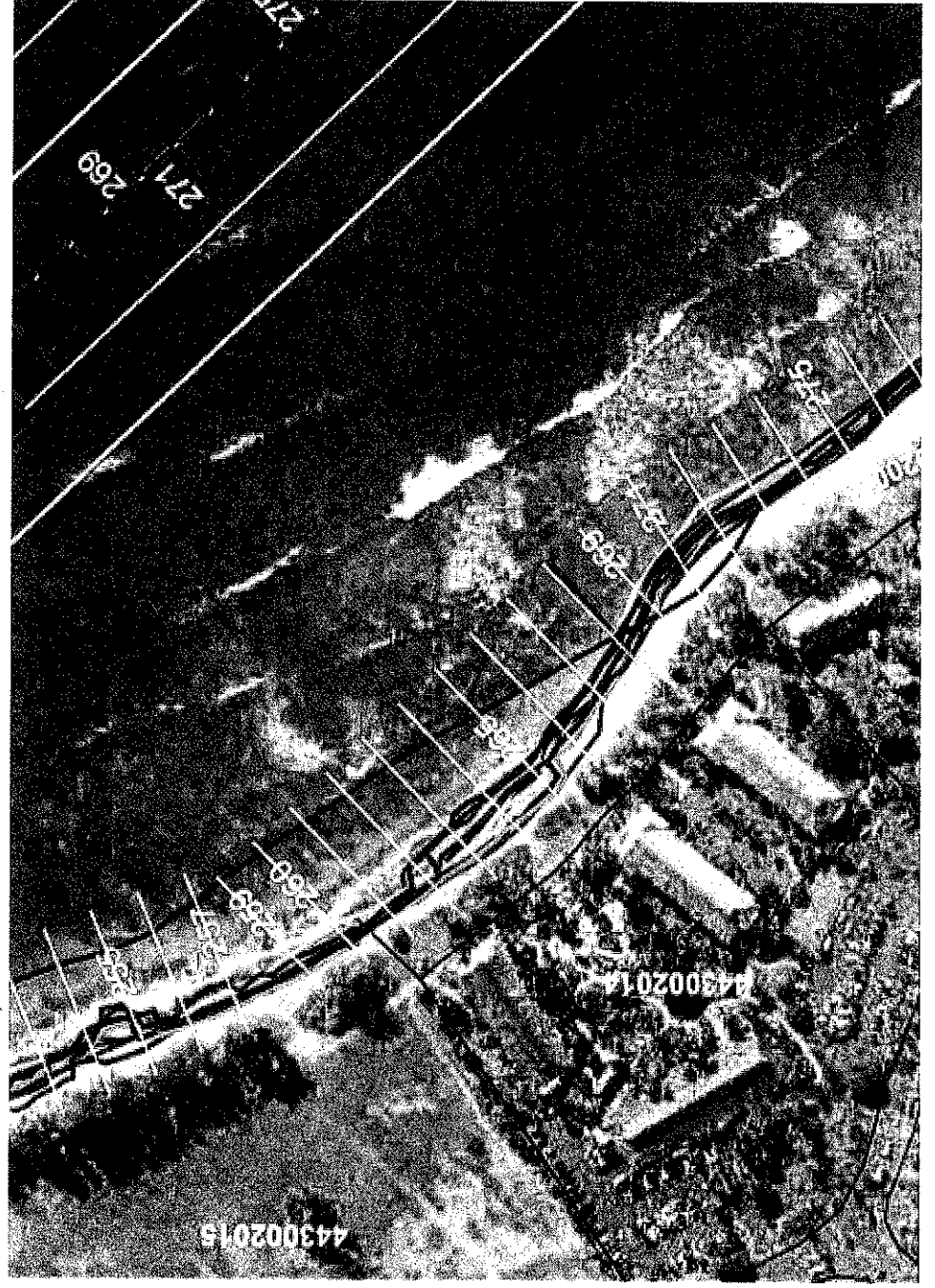
Sincerely,


MICHAEL MOULE, P.E.
Chief, Engineering Division

SI/BV
Copy: Design and Permitting
Planning



A1.01



SHORELINE SETBACK DETERMINATION WORKSHEET

NAME Ankum Naisan Arch.

TMK 4.3.2.14 (79-86)

AVERAGE LOT DEPTH 513

SHORELINE EROSION RATE .50

SHORELINE SETBACK $40 + 20 + 17.5 = 77.5$
 ~~$40 + 20 + 10 = 70$~~

PROPOSED IMPROVEMENT SETBACK 126'

SUBSTANTIAL IMPROVEMENT LETTER YES ^{included} NO

NEEDS SMA NO ^{INTERIOR} WALK YES NO

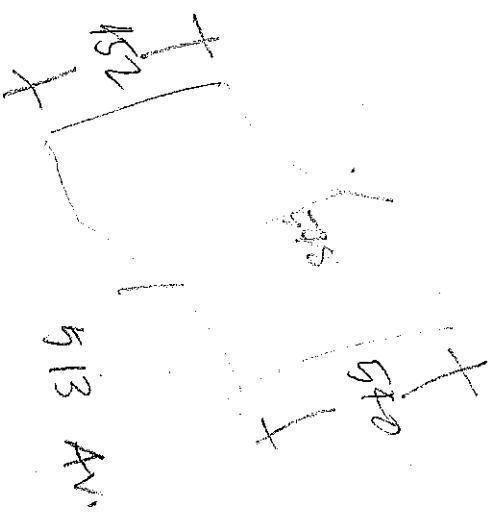
BUILDING PERMIT SUBMITTED YES (NO)

BUILDING PERMIT FORWARDED YES (NO)

ZONING PERMIT (YES) NO

BUILDING PERMIT # _____

PENDING ITEMS/DATE ADVISED



TR 071 ACREAGE 43"

TR -1.0"

TR 265 -1.0"

TR 261 -14"

AVERAGE 7" = .58

TR 268 = 3 inches

= .25