

**A BILL FOR AN ORDINANCE AMENDING ZONING MAPS AND
DESIGNATIONS IN THE SOUTH KAUA'I COMMUNITY PLAN**

(County of Kaua'i Planning Department, Applicant)

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. The South Kaua'i Community Plan (2015) (incorporated by reference in Chapter 10, Article 6, Kaua'i County Code 1987, as amended) is hereby amended by amending the specified pages of the plan's Appendix C (South Kaua'i Form-Based Code) as shown in Exhibit A of this Ordinance, which is attached hereto and incorporated herein.

SECTION 2. The South Kaua'i Community Plan is hereby amended by amending the mapping requirements within Special Planning Area "I," commonly referred to as the Kalāheo Town Walkable Mixed Use District (SPA-I), by making the following changes to Zoning Map ZM-KL-300 as shown in Exhibit B of this Ordinance, which is attached hereto and incorporated herein:

The Zoning Designation for certain areas in Kalāheo Town Walkable Mixed Use District, identified as Tax Map Keys: 2-3-003: 3, 4, 13, 14, 15, 16, 17, 18, 19, 26, 27, 29, 41, 43, 50, 51, 53, and 61; 2-3-012: 10, and 31; 2-3-013: 12, 37, 38, 39, 40, and 41; 2-3-014: 22, 24, 28, and 29, a portion of which is shown on Zoning Map ZM-KL-300 and on the map attached hereto and incorporated herein as Exhibit B, is hereby amended from Transect "T3 Village Neighborhood 1" (T3VN.1) to "T4 Village Center" (T4VC) and "T4 Neighborhood" (T4N).

SECTION 3. The Planning Department is directed to note the changes on the official Zoning Maps on file with the Department.

SECTION 4. If any provision of this Ordinance or the application thereof to any person or property or circumstances is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 5. Regarding Exhibit A of this Ordinance: material to be repealed is bracketed and new material is underscored.

SECTION 6. This Ordinance shall take effect upon its approval.

Introduced by: /s/ MASON K. CHOCK
(By Request)

DATE OF INTRODUCTION:

July 31, 2019

Līhu'e, Kaua'i, Hawai'i

V:\BILLS\2018-2020 TERM\Bill 2757 Draft 2 SKCP Form-Based Code Zoning MapsMC_CT_jy.docx

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2757, Draft 2, which was adopted on second and final reading by the Council of the County of Kaua'i at its meeting held on October 23, 2019 by the following vote:

FOR ADOPTION:	Chock, Cowden, Evslin, Kagawa, Kualii, Kaneshiro	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawai'i
October 23, 2019



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

ATTEST:


Arryl Kaneshiro
Chairman & Presiding Officer

DATE OF TRANSMITTAL TO MAYOR:

October 23, 2019

Approved this 30th day of
October, 2019.



Derek S.K. Kawakami,
Mayor
County of Kaua'i

SEP 27 1972

19 OCT 31 A8:22

MT. COWEN L. E. J.
COUNTY OF MOUNTAIN

T3 Village Edge (T3VE)

G. T3VE Use Table

Land Use Type ¹	Specific Use Regulations	T3VE
Residential		
Single-Family Dwelling Units		
Detached		P
Two Attached		P [P ³]
More than Two Attached		P [U ^{2, 3}]
Multiple Family Dwelling Units		P
[Up to Two]		[U ^{2, 3}]
[More than Two]		[U ^{2, 3}]
Accessory Structures and Uses, except with the following features:		P
Two or More Guest Houses		—
Adult Family Boarding and Family Care Homes		P
Home Businesses		P
Dormitories, Guest and Boarding Houses		U
Hotels and Motels		—
Transient Vacation Rentals		—
Residential Care Homes		P [U]
Adult Family Group Living Home		P [U]

Land Use Type ¹	Specific Use Regulations	T3VE
Recreation, Education & Public Assembly		
Public and Private Parks		P
Botanical and Zoological Gardens		U
Cemeteries, Mortuaries and Crematoriums		U
Churches, Temples, and Monasteries		U
Clubs, Lodges and Community Centers		U
Golf Courses		U
Museums, Libraries and Public Services and Facilities		U
School and Day-care Centers		U

Key

P	Permitted Use
U	Use Permit Required
—	Use Not Allowed

End Notes

¹ A definition of each listed use type is in Article 7 (Definitions). Any other use or structure which the Planning Director finds to be similar in nature to those listed in this Section and appropriate to the District is allowed.

² [Use Permit required for a parcel of record as of June 30, 1980. Not permitted on other parcels.]

³ Permitted when developed pursuant to a federal, state or county housing program.]

² [⁴] Use not allowed on the ground floor, except when located behind an allowed ground floor use.

G. T3VE Use Table (continued)

Land Use Type ¹	Specific Use Regulations	T3VE	Land Use Type ¹	Specific Use Regulations	T3VE
Retail			Transportation & Infrastructure		
Retail Shops and Stores, except with the following features:		U	Private and Public Utilities and Facilities		U
Alcoholic beverage sales		—	Transportation Terminals and Docks		U
On-site Production of Items Sold >5,000 sf		—	Telecommunication Facilities		
Floor Area >10,000 sf		—	Communication Facilities		U [—]
Restaurants and Food Services		U [—]	Industrial, Manufacturing & Processing		
Agricultural			Construction Material Storage		—
Diversified and Specialized Agriculture and Nurseries		U	Food Processing and Packaging		—
Services			Light Manufacturing		—
Medical and Nursing Facilities		U	Warehouse		—
Household Services		U [—]			
Personal Services		U [—]			
Professional Offices		U [—]			
Animal Hospital		—			
Vehicle Sales and Services					
Automobile Sales		—			
Automobile Services		—			
Automobile Repair		—			
Automobile Storage		—			

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⁴ [Use not allowed on the ground floor, except when located behind an allowed ground floor use.

T3 Village Neighborhood 1 (T3VN.1)

G. T3VN.1 Use Table

Land Use Type ¹	Specific Use Regulations	T3VN.1	Land Use Type ¹	Specific Use Regulations	T3VN.1
Residential			Recreation, Education & Public Assembly		
Single Family Dwelling Units			Public and Private Parks		P
Detached		P	Botanical and Zoological Gardens		U
Two Attached		P [P ³]	Cemeteries, Mortuaries and Crematoriums		U
More than Two Attached		P [U ^{2, 3}]	Churches, Temples, and Monasteries		U
Multiple Family Dwelling Units		P	Clubs, Lodges and Community Centers		
[Up to Two]		[U ^{2, 3}]	≤3,000		P
[More than Two]		[U ^{2, 3}]	>3,000		U
Accessory Structures and Uses, except with the following features:		P	Golf courses		U
Two or More Guest Houses		—	Museums, Libraries and Public Services and Facilities		U
Adult Family Boarding and Family Care Homes		P	School		U
Home Businesses		P	Day-care Center		P
Dormitories, Guest and Boarding Houses		U	Studio: Dance or Exercise		
Hotels and Motels		—	<600 sf		P
Transient Vacation Rentals		—			
Residential Care Homes		P [U]			
Adult Family Group Living Home		P [U]			

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G. T3VN.1 Use Table (continued)

Land Use Type ¹	Specific Use Regulations	T3VN.1
Retail		
Retail Shops and Stores, except with the following features:		U
Alcoholic beverage sales	—	
On-site Production of Items Sold >5,000 sf	—	
Floor Area >10,000 sf	—	
Restaurants and Food Services		U [—]
Agricultural		
Diversified and Specialized Agriculture and Nurseries		U
Services		
Medical and Nursing Facilities		U
Household Services		U [—]
Personal Services		U [—]
Professional Offices		U [—]
Animal Hospital		—
Vehicle Sales and Services		
Automobile Sales		—
Automobile Services		—
Automobile Repair		—
Automobile Storage		—

Land Use Type ¹	Specific Use Regulations	T3VN.1
Transportation & Infrastructure		
Private and Public Utilities and Facilities		U
Transportation Terminals and Docks		U
Telecommunication Facilities		
Communication Facilities		U [—]
Industrial, Manufacturing & Processing		
Construction Material Storage		—
Food Processing and Packaging		—
Light Manufacturing		—
Warehouse		—

Key

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T4 Neighborhood (T4N) and Neighborhood—Flex (T4N-F)

G. T4N & T4N-F Use Table

Land Use Type ¹	Specific Use Regulations	T4N	T4N-F
Residential			
Single Family Dwelling Units			
Detached		P	P
Two Attached		P	P
More than Two Attached		P	P
Multiple Family Dwelling Units			
Up to Two		P	P
More than Two		P	P
Accessory Structures and Uses, except with the following features:		P	P
Two or More Guest Houses		—	—
Adult Family Boarding and Family Care Homes		P	P
Home Businesses		P	P
Dormitories, Guest and Boarding Houses		P [U]	P [U]
Hotels and Motels		—	—
Transient Vacation Rentals		—	—
Residential Care Homes		P [U]	P [U]
Adult Family Group Living Home		P [U]	P [U]
Recreation, Education & Public Assembly			
Public and Private Parks		P	P
Botanical and Zoological Gardens		U	U
Cemeteries, Mortuaries and Crematoriums		U	U
Churches, Temples, and Monasteries		U	U
Clubs, Lodges and Community Centers			
≤3,000 sf		P	P
>3000 sf		U	U
Golf courses.		U	U
Museums, Libraries and Public Services and Facilities		U	U
School		U	U
Day-care Center		P	P

Key

P Permitted Use

U Use Permit Required

— Use Not Allowed

End Notes

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G. T4N & T4N–F Use Table (continued)

Land Use Type ¹	Specific Use Regulations	T4N	T4N–F
Studio: Dance or Exercise		U	P
Retail			
Retail Shops and Stores, except with the following features:		U	P
Alcoholic beverage sales		—	P [U]
On-site Production of Items Sold >5,000 sf		—	U
Floor Area >10,000 sf		—	U
Restaurants and Food Services		P [—]	P [U]
Agricultural			
Diversified and Specialized Agriculture and Nurseries		—	U
Services			
Medical and Nursing Facilities		U	P
Household Services		P [—]	P
Personal Services		P [—]	P
Professional Offices		P [—]	P
Animal Hospital		U [—]	U
Vehicle Sales and Services			
Automobile Sales		—	—
Automobile Services		—	—

Land Use Type ¹	Specific Use Regulations	T4N	T4N–F
Automobile Repair		—	—
Automobile Storage		—	—
Transportation & Infrastructure			
Private and Public Utilities and Facilities		U	U
Transportation Terminals and Docks		U	U
Telecommunication Facilities			
Communication Facilities		U [—]	U
Industrial, Manufacturing & Processing			
Construction Material Storage		—	—
Food Processing and Packaging		—	—
Light Manufacturing		—	—
Warehouse		—	—

Key

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T4 Village Center (T4VC) and Village Center–Flex (T4VC–F)

G. T4VC & T4VC–F Use Table

Land Use Type ¹	Specific Use Regulations	T4VC	T4VC-F
Residential			
Single Family Dwelling Units			
Detached	P ²	—	
Two Attached	—	—	
More than Two Attached	—	P	
Multiple Family Dwelling Units	P ²	P	
[Up to Two]	[—]	[—]	
[More than Two]	[P ⁴]	[P]	
Accessory Structures and Uses, except with the following features:	P	P	
Two or More Guest Houses	—	—	
Adult Family Boarding and Family Care Homes	P ^{[4]2}	P	
Home Businesses	P ^{[4]2}	P	
Dormitories, Guest and Boarding Houses	P ^{[4]2}	P	
Hotels and Motels	U[—]	U[—]	
Transient Vacation Rentals	—	—	
Residential Care Homes	P ^{[4]2}	P	
Adult Family Group Living Home	P ^{[4]2}	P	

Land Use Type ¹	Specific Use Regulations	T4VC	T4VC-F
Recreation, Education & Public Assembly			
Public and Private Parks		P	P
Botanical and Zoological Gardens		U	U
Cemeteries, Mortuaries and Crematoriums		—	—
Churches, Temples, and Monasteries		P	P
Clubs, Lodges and Community Centers		P	P
Golf courses.		—	—
Museums, Libraries and Public Services and Facilities		P	P
School and Day-care Centers		U	U
Studio: Dance or Exercise		P	P

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G. T4VC & T4VC–F Use Table (continued)

Land Use Type ¹	Specific Use Regulations	T4VC	T4VC-F
Retail			
Retail Shops and Stores, except with the following features:		P	P
Alcoholic beverage sales		P	P
On-site Production of Items Sold >5,000 sf		U	U
Floor Area >10,000 sf		U	U
Restaurants and Food Services		P	P
Agricultural			
Diversified and Specialized Agriculture and Nurseries		U	U
Services			
Medical and Nursing Facilities		P ^{[4]2}	P
Household Services		P	P
Personal Services		P	P
Professional Offices		P	P
Animal Hospital		U	U
Vehicle Sales and Services			
Automobile Sales		U	U
Automobile Services		P ^{[4]2}	P
Automobile Repair		U	U
Automobile Storage		U	U

Land Use Type ¹	Specific Use Regulations	T4VC	T4VC-F
Transportation & Infrastructure			
Private and Public Utilities and Facilities		U[–]	U
Transportation Terminals and Docks		U[–]	U
Telecommunication Facilities			
Communication Facilities		U[–]	U
Industrial, Manufacturing & Processing			
Construction Material Storage		–	–
Food Processing and Packaging		–	–
Light Manufacturing		–	–
Warehouse		–	–

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**Map Showing South Kaua'i
Regulating Plan and
County Zoning Map**



Kalaheo

Legend

 Zoning Map ZM-KL-300 Kalaheo
(2016 COK PD)

State Land Use Urban District
(2014 State LUC)

 Parcels Proposed to be Amended

Transect Zones

Civic

T3VE

 T3VN.1

T4N

T4N-F

T4VC

T4VC-F

