

PLANNING DEPARTMENT
COUNTY OF KAUAI

GENERAL SUBMITTAL REQUIREMENTS

The following is a list of General Application requirements for Class III and IV Zoning Permits, Use Permits, Project Development Use Permits, Variance Permits, Special Permits, and Special Management Area Permits (SMA). In preparing Applications for permit applications or petitions, please provide an exhibit and/or page reference for the application submittal, information, and documents requested. Zoning Permit Application Forms, Special Management Assessment Forms, and Special Treatment District Checklist are also available at the Planning Department, 4444 Rice Street, Suite A473, Lihu'e, Hawai'i 96766.

Pre-permit application consultation with the Planning Department and various County and State Agencies are recommended.

Instructions for Petitions for General Plan Amendments, State Land Use District Boundary Amendments (15 acres or less) and Zoning Amendments, are also available at the Planning Department.

An original plus one copy of the following items shall be submitted for review by the Planning Department for suitability for processing based on the attached checklist. Upon deeming the application suitable for agency review, the Planning Department will contact the applicant to request the additional number of application packets needed to complete the land use application for processing. The applicant shall provide 12 copies of the final application form and supporting information to complete the application for processing in accordance with Section 8-3.1(f) of the Kauai County Code, 1987, as amended.

Application shall be deemed complete when the above requirements have been satisfied and the following have been received:

1. Twelve (12) copies of the *FINAL* application.
2. Non-refundable filing fee payable to the COUNTY OF KAUAI, DIRECTOR OF FINANCE.
3. The filing fees are as follows:
 - o State Land Use District Boundary Amendment = \$150.00
 - o General Plan Amendment = \$600.00
 - o Zoning Amendment = \$300.00
 - o Special Permit = \$150.00
 - o Use Permit, Project Development Use Permit, Variance Permit = \$300.00
 - o Class III Zoning Permit = \$200.00
 - o Class IV Zoning Permit = \$800.00
 - o Special Management Area Use Permit = \$1,776.46
 - o Special Management Area Minor Permit = \$150.00
 - o Shoreline Setback Variance Permit = \$300.00
4. Digital copy (.PDF preferred) of entire transmittal including documents & exhibits.

Incomplete _____

Application Deemed Complete as all information has been submitted and necessary fees have been paid.

By: _____ Date: _____

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

GENERAL CLASS III & IV ZONING REQUIREMENTS CHECKLIST

Project Name:	TMK: (4)
Applicant(s):	Permit Nos.

REQUIRED INFORMATION

APPLICANT & PROPERTY INFORMATION		Exhibit and/or Page Number	Staff Comments
1	Zoning Permit Application Form or Petition for Amendments. The Application Form or Petition shall be completed and provide the required information pertaining to the property, such as: Tax Map Key number(s), State Land Use District Designation (SLUD), General Plan Designation, and County Zoning Designation.		
2	Documents that verify ownership of the property under the subject application(s), or that the Applicant is the Authorized Agent of the property owner(s).		
3	If the Applicant is not the owner(s) of the subject parcel, then a notarized written authorization for the application by the owner shall be included. Said authorization shall include the owner's name, mailing addresses, contact information (i.e. phone number, cell number, email address)		
4	Agent's name, mailing address, and contact information (i.e. phone number, cell number, email address)		

GRAPHIC & SCHEMATIC REQUIREMENTS		Exhibit and/or Page Number	Staff Comments
5	Location Map identifying the project site, adjacent roadway, and identifying landmarks.		
6	Schematic Site Development Plan of Plot Plans drawn to scale that identify the following:		
	○ Property lines and easements with its dimensions, total land or parcel area calculations;		
	○ County and SLUD Zoning and General Plan Designation areas of the property and applicable densities;		
	○ Flood Zone(s) and required elevations;		
	○ Location, size, and dimensions of all existing and proposed buildings, structures, improvements and uses;		
	○ Building setback distances to property lines, between buildings, right-of-ways, and parking lots;		
	○ Proposed Lot Coverage calculations and areas;		
	○ Topographic information showing existing features, conditions and drainage patterns, and proposed grading & finished grade elevations, and drainage patterns;		
	○ Location of environmentally sensitive areas, habitat and botanical features which include, but are not limited to, wetlands, streams, rock outcroppings, endangered plants and animals, and exceptional trees;		
	○ Existing and proposed landscaping which depicts open spaces, plantings and trees;		
○ Existing and proposed roadways, and accesses to the project site; and			
○ Certified Shoreline, shoreline setback lines, stream and other setback lines.			

7	Conceptual Building Plans (drawn to scale):		
	○ All existing and/or proposed building elevations with finished material called out. Exterior Elevations shall identify the existing and finished grade;		
	○ Building heights, maximum wall plate height, cross sections that are drawn to scale and clearly define the architectural character of the development; and		
	○ Floor plans of all buildings and typical unit types for multi-family projects;		

WRITTEN REQUIREMENTS		Exhibit and/or Page Number	Staff Comments
8	A Report or Statement addressing the following:		
	○ Description of the proposed project and proposed uses, operations and management of the proposed use which includes, but is not limited to, proposed employee housing plan, hours of operation;		
	○ Summary of Permits (i.e. Use Permit, Variance Permit, Special Permit, Class IV Zoning etc.) or Land Use Amendments requested, and the application section of the Kaua'i County Code or regulation citing the specific standards and criteria for granting of the permit or amendment being requested;		
	○ Policies and Objectives of the General Plan; the provisions of the Community Development Plan applicable to the application (including design standards and application requirements); the provisions of the applicable zoning district; and an analysis of the extent to which the application, if granted, conforms to these provisions of the applicable district; and an analysis of the extent to which the application, if granted, conforms to these policies, objectives and provisions;		
	○ Detailed land use history of the parcel, which includes but is not limited to, former and existing State and County land use designations, violations and uses;		
	○ Status reports of all Zoning Amendment ordinance conditions, existing Land Use Permit conditions, and Subdivision Application conditions pertaining to the project site;		
	○ Analysis of the secondary impacts of the proposed use on the surrounding area, which includes but is not limited to, increases in property value, population, housing, community services and facility needs, secondary jobs and employment generated, and compatibility with the surrounding uses;		
	○ Water source, supply and distribution system analysis, which includes but is not limited to, methods of irrigation that exists on the parcel and proposed for the application, location and use of groundwater and non-potable water sources;		
	○ Sewage Disposal Analysis – A description of a proposed method of sewage disposal;		
	○ Solid Waste Disposal Analysis – A description of a proposed method of solid waste disposal, including methods for recycling, reclamation and waste stream diversion; and		
	○ Description of environmentally sensitive areas, habitat and botanical features, which includes but is not limited to, wetlands streams, rock outcroppings, endangered plants and animals, and exceptional trees.		
○ Ka Pa'akai Assessment – A detailed description that address a three-part analytical framework to assist the State and Counties in fulfilling their constitutional obligation to preserve and protect traditional and customary practices (TCP) exercised by Native Hawaiians, to the extent feasible. The analytical framework was established by the Hawaii Supreme Court and developed to assist with balancing both the rights of Native Hawaiians to exercise their TCPs, and the private landowners. It should provide information for the department staff to apply the Ka Pa'akai 3-step analytical framework as set forth below:			
<ul style="list-style-type: none"> ▪ Identify whether any valued cultural, historical, or natural resources are present within the project area, and identify the extent to which Native Hawaiian TCP rights are exercised ▪ Determine the extent to which the identified resources and rights will be affected or impaired by the proposed project. ▪ Specify any feasible action, if any, to be taken to reasonably protect Native Hawaiian rights if they are found to exist, either currently or possibly in the past. 			
(Please refer to the Planning Department Worksheet for Ka Pa'akai Assessment for details)			

9	A completed evaluation form or written comments from the County Housing Division relative to the County's housing requirements, pursuant to Ordinance No. 860.		
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**ADDITIONAL INFORMATION
(SUBJECT TO DIRECTOR'S DETERMINATION)**

APPLICANT & PROPERTY INFORMATION		Exhibit and/or Page Number	Staff Comments
10	Title Report necessary for the project site. Title Insurance will be mandatory for all affected Kuleana parcel(s).		

GRAPHIC & SCHEMATIC REQUIREMENTS		Exhibit and/or Page Number	Staff Comments
11	Schematic Site Development Plans of Plot Plans drawn to scale, which identify the following: <ul style="list-style-type: none"> o Location of existing or required access to shoreline or traditional site either on property or adjacent to; and o Certified Shoreline, shoreline setback lines, stream and other setback lines. 		
12	Three (3) dimensional drawings of models, which clearly indicates the relation of the proposed development to other uses and structure within the surrounding area, and show the development in the context of significant viewplanes.		
13	Dated photographs of the project site, existing structures, and the surrounding area.		

WRITTEN REQUIREMENTS		Exhibit and/or Page Number	Staff Comments
14	Additional information to be included in the required report: <ul style="list-style-type: none"> o Preliminary archaeological and historical data; o A preservation/mitigation plan; o Traffic Impact analysis showing level of service with and without the project, when required by the State Department of Transportation OR County Department of Public Works; o A Transportation Master Plan, which includes vehicle, pedestrian and other forms of circulation to adjacent services and destinations; o For parcel located in SLUD Agricultural or County Agriculture zoning district, an assessment of the impact which the proposed use may have on agricultural use of the parcel, which includes but is not limited to, feasibility analysis of potential agricultural uses suited for the project site; o A Water Master Plan, which aligns to the goals of the 2020 Water Plan for Kaua'i; o A baseline study and preservation/mitigation plan for environmentally sensitive areas and endangered species habitat; o A summary of all meetings held between the Applicant and any community or residential group that may be impacted by the Applicant's proposal, the issues raised at these meetings, and any proposed mitigation measures by the Applicant to deal with the raised concerns; o For properties adjacent to the shoreline or containing traditional access or sites requiring access – A Preservation/Mitigation Plan detailing how access will be allowed and managed; o For projects near the shoreline, riparian areas or wetlands, or those involving intensive landscaping or turf management, such as golf courses – Identification and assessment of chemicals and fertilizers used, including but not limited to, detailing effects upon surface, underground and marine water resources and neighboring properties and surrounding flora & fauna. If applicable, provide a mitigation plan and maintenance program and schedule; o For properties listed on the Kaua'i Historic and Non-Historic Resource Inventory – An inventory and description of historic features on the property; o Proposed Employee Housing Plan; and 		

<ul style="list-style-type: none"> ○ Description of sustainable strategies incorporated into project, including but not limited to, strategies to reduce water and energy and material consumption, promote alternative forms of transportation, reduce wastewater and storm runoff, waste stream diversion and encourage the preservation of function ecosystem, i.e. LEEDS, Los Impact Design, Green Building principles, recycling, composting, BMP's, etc.. 		
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ADDITIONAL PERMITS		Exhibit and/or Page Number	Staff Comments
15	For projects located within the Special Treatment District – The Applicant shall comply with necessary requirements of Section 8-11.5 of the KCC, and provide information noted in the Special Treatment District Checklist.		
16	For projects located within the Special Management Area (SMA) – The Applicant shall complete & submit an SMA Assessment application of the proposed development.		
17	For properties located within 500 feet of the shoreline – The Applicant shall comply with the requirements of Section 8-27 of the KCC, entitled “Shoreline Setback and Coastal Protection,” and provide the necessary information contained in the Shoreline Setback checklist.		
18	If applicable, the petition requirements and content for a Special Permit, pursuant to Chapter 13 of the Rules of Practice and Procedures of the Planning Commission, and Chapter 205 of the Hawai’i Revised Statutes (HRS).		
19	A Finding of No Significant Impact (FONSI) or Final Environmental Impact Statement (EIS), when required by Chapter 343 of the Hawai’i Revised Statutes (HRS).		