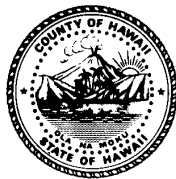


Mitchell D. Roth
Mayor



Dennis Lin, Chair
Louis Daniele III, Vice Chair
Lauren Balog
Wayne De Luz
Matthias Kusch
Chantel Perrin

County of Hawai'i

WINDWARD PLANNING COMMISSION

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

AGENDA

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Windward Planning Commission of the County of Hawai'i in accordance with the provisions of Chapters 91 and 92, Hawai'i Revised Statutes, Section 6-7.5(a) of the Charter of the County of Hawai'i and Planning Commission Rules of Practice and Procedure.

DATE: Thursday, September 5, 2024

TIME: 9:00 a.m.

LOCATION: Hawai'i County Council Chambers in Hilo
25 Aupuni Street, Hilo, HI 96720

Public Participation: This is an in-person meeting, and the Windward Planning Commissioners will participate in person. The primary way to view or testify at this meeting is in-person; however, as a courtesy to the public, the Commission provides the following additional ways to view or testify remotely at this meeting.

Optional Alternative to Provide Remote Oral Testimony: The public has the option to provide verbal testimony at the meeting by joining Zoom. To provide verbal testimony via Zoom, please use the link below to register by noon on the day prior to the meeting:
<https://www.zoomgov.com/meeting/register/vJIsfuqsqDgjHFbghK52IESd3k1z51JT-2E>

Optional Alternative to View Meeting:
https://www.youtube.com/channel/UCAFoRMb3rfWLQMPd6TAkEGA?view_as=subscriber

Please note, as this is an in-person meeting, the hearing will proceed if the Zoom and/or YouTube connections fail.

Submitting Written Testimony: To ensure timely delivery to Commissioners prior to the meeting, written testimony must be submitted no later than 4:30 p.m. on Monday September 2, 2024, by: (1) email to WPCtestimony@hawaiicounty.gov; (2) mail to the Windward Planning Commission at 101 Pauahi Street, Suite 3, Hilo, Hawai'i or (3) drop-off at the Planning Department offices in Hilo at the address above or Kona at 74-5044 Ane Keohokālole Highway, Building E, 2nd Floor, Kailua-Kona, Hawai'i. All written testimony, regardless of time of receipt, will be made part of the permanent record. Please submit separate testimony for each item.

Meeting Materials/Board Packet: Pursuant to Hawai‘i Revised Statutes Section 92-7.5, the meeting materials provided to members of this commission for this meeting is available for public inspection two business days before the meeting date during regular business hours at the Planning Department offices in Hilo and Kona and by clicking ‘Board Packets’ at the following Planning Department website link: www.planning.hawaiicounty.gov/about-us/boards-committees/planning-commission-applications. This information can also be requested by sending an email to WPCtestimony@hawaiicounty.gov or by calling (808) 961-8288.

CALL TO ORDER

APPROVAL OF MINUTES

Review and Approval of July 1, 2024 Windward Planning Commission Minutes.

RECORD OF ORAL TESTIMONY

Review of August 1, 2024 Windward Planning Commission record of oral testimony and summary of record by a Windward Planning Commissioner who was present on August 1, 2024 for those Commissioners who were not present on August 1, 2024.

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

Members of the public may provide public testimony regarding any agenda item now or at the time the agenda item is called to order.

UNFINISHED BUSINESS – 9:00 a.m.

1. PETITIONER: ASSOCIATION OF APARTMENT OWNERS OF COLONY 1 AT SEA MOUNTAIN (PL-CCH-2024-000022)

Consideration and action on a Petition for Standing in a Contested Case Hearing filed by Association of Apartment Owners of Colony 1 at Sea Mountain to contest a Special Management Area Use Permit application submitted by Black Sand Beach LLC to allow for the development of a residential and commercial community consisting of approximately 225 residential and short stay units, village and wellness center, retail uses, rehabilitation and use of golf courses, and dedication of a portion of coastline as a conservation area on an approximately 147 acres portion of a larger 434-acre project site within the Special Management Area. The subject properties are located within the extent of the former Sea Mountain at Punalu‘u resort area, east (makai) of Hawai‘i Belt Road in the vicinity of Nīnole Loop Road, Nīnole, Wailau, Punalu‘u, Ka‘ū, Hawai‘i, TMKs: (3) 9-5-019: 011, 015, 024, 026, 030, 031, 033, 035; 9-6-001: 001-003, 006, 011-013; 9-6-002: 008, 037, 038, 041, and 053.

NEW BUSINESS: 9:00 a.m.

2. **APPLICANTS: SCOTT AND REBECCA MCINTYRE (PL-SMA-2024-000049)**
Application for a Special Management Area Use Permit to construct a one-story 2,204 square foot single-family residence and related improvements on a 2.56-acre shoreline parcel within the Special Management Area. The subject property is located at 35-2084 Hula'ana Place approximately 550 feet northwest of the Hula'ana Place and Old Māmalahoa Highway intersection, Kihalani, North Hilo, Hawai'i, TMK: (3) 3-5-010:005.
3. **APPLICANT: GRAPHIC IMAGES HAWAII, INC. (PL-REZ-2024-000057)**
Application for a Change of Zone from an Agricultural-20 acres (A-20a) zoning district to a Family Agricultural-1 acre (FA-1a) zoning district for 26.762 acres of land. The subject properties are located at 16-790 Kea'au-Pāhoa Road, approximately 125 feet southeast of its intersection with Mamaka Street, Kea'au, Puna, Hawai'i, TMKs: (3) 1-6-003:081 & :129.
4. **APPLICANT: TIELI WANG (PL-SMA-2024-000058)**
Application for a Special Management Area Use Permit to construct three (3), three-story, single-family dwellings and related improvements; one single-family dwelling will be constructed on each parcel. The three (3) parcels total 24,250 square feet and are located within the Special Management Area. The subject properties are located at the end of Machida Lane, approximately 300 feet east of Onekahakaha Road, Keaukaha, South Hilo, Hawai'i, TMKs: (3) 2-1-014:044, 045 and 046.
5. **APPLICANT: NIEL JAYASINGHE (PL-SMA-2024-000060)**
Application for a Special Management Area Use Permit to construct a four-story, 41,600 square-foot apartment building containing seventeen rental units and related improvements on a 0.445-acre parcel within the Special Management Area. The subject property is located on the north side of Kalaniana'ole Street, approximately 350 feet southwest from its intersection with Onekahakaha Road, Keaukaha, South Hilo, Hawai'i, TMK: (3) 2-1-014:002.
6. **APPLICANT: SANDMAN PROPERTIES, LLC (PL-SMA-2024-000061)**
Application for a Special Management Area Use Permit to construct a single-family dwelling and accessory improvements on a 3.355-acre shoreline parcel within the Special Management Area. The subject property is located at 32-1018 Hawai'i Belt Road approximately 4 miles north of Hakalau Bay, North Hilo, Hawai'i, TMK: (3) 3-2-003:017.
7. **APPLICANT: LAMB OF GOD BAPTIST CHURCH (PL-SPP-2024-000071)**
Application for a Special Permit to establish a church and related improvements on a 3-acre property within the State Land Use Agricultural District. The subject property is located at 92-8561 Māmalahoa Highway approximately 0.6 miles west of the junction with Kohala Boulevard in Kahuku, Ka'ū, Hawai'i, TMK: (3) 9-2-189:051

NEW BUSINESS – 1:00 p.m.

8. INITIATOR: PLANNING DIRECTOR (PL-PDI-2024-000008)

The Planning Director has initiated an ordinance to amend Chapter 25 (Zoning), Article 2, Article 4, Article 5, and Article 7 of the Hawai‘i County Code 1983 (2016 Edition, as amended) relating to telecommunication antennas and towers. The purpose is to remove the requirement for a use permit to establish telecommunication antennas and towers in certain zoning districts, add application requirements, and amend standards for the establishment of telecommunication antennas and towers.

PLANNING DIRECTOR’S REPORT

Report on Special Management Area (SMA) determinations and minor permits issued by the Planning Director for July and August 2024.

AGENDA ITEMS FOR NEXT MEETING

The Commissioners will comment on matters not on the current agenda, for consideration for the Commission’s next meeting.

ANNOUNCEMENTS

The Windward Planning Commission’s next regular meeting is scheduled for Thursday, October 3, 2024 at the County Council Chambers in Hilo and the public can also testify via Zoom. The date and venue of the meeting are subject to change.

ADJOURNMENT

Contested Case Procedure: Pursuant to PC Rule 4, Contested Case Procedure, of the County of Hawai‘i Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on Agenda Items Nos. 2, 4, 5, 6, and 7 above is required to file a written request which must be received by the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission’s first public meeting on the matter. Such written request shall conform with the PC Rule 4-6(a), relating to Prehearing Procedure on a form as provided by the Planning Department entitled “Petition for Standing in a Contested Case Hearing.” The notarized petition form and a filing fee of \$200 shall be submitted online via County of Hawai‘i Electronic Processing and Information Center (EPIC) at the following website:

<https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai‘i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai‘i County Code}. A lobbyist means “any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.” {Article 15, Section 2-91.3(a)(6), Hawai‘i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 25 Aupuni Street, Room 1402, Hilo, Hawai‘i 96720.

Anyone who requires an auxiliary aid or service, or other accommodation due to a disability, please contact the Planning Department at (808) 961-8288 or WPCtestimony@hawaiicounty.gov as soon as possible. If a request is received later than five working days prior to the meeting date, we will try to obtain the auxiliary aid/service or other accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

Hawai‘i County is an Equal Opportunity Provider and Employer

WINDWARD PLANNING COMMISSION
DENNIS LIN, Chair

(Hawai‘i Tribune Herald: Friday, August 9, 2024)
(West Hawai‘i Today: Friday, August 9, 2024)