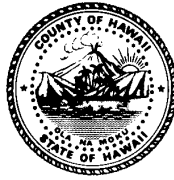


Mitchell D. Roth
Mayor



Michael Vitousek, Chair
Barbara DeFranco, Vice Chair
Michael Dela Cruz
Clement "CJ" Kanuha III
Zaheva Knowles
Mahina Paishon-Duarte

County of Hawai'i

LEEWARD 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 Leeward 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, November 17, 2022

TIME: 9:30 a.m.

LOCATION: West Hawai'i Civic Center, Community Center, Building G,
74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i

This is an in-person meeting, and the Leeward 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, no later than noon on the day prior to the meeting:

<https://www.zoomgov.com/meeting/register/vJlscOivpjqHmlc83aZlvpUMVKMS460Bs>

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.)

The Planning Director's background report (including application) and recommendation report for each agenda item will be available for review at www.planning.hawaiicounty.gov prior to the meeting. This information can also be requested by sending an email to LPCtestimony@hawaiicounty.gov or by calling 961-8288.

CALL TO ORDER

APPROVAL OF MINUTES

Review and Approval of the October 20, 2022 Leeward Planning Commission Minutes.

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 – 9:30 a.m.

1. **APPLICANT: SUNSHINE HOLDINGS, LLC (PL-REZ-2022-000032)**
Application for a five (5)-year time extension to Condition D (Final Subdivision Approval), Amend Condition E (Restrictive Covenants) and Condition F (Restrictive Covenants) to prohibit condominium property regimes (CPR) and to delete the requirement to provide a copy of the recorded covenant prior to receipt of final subdivision approval, deletion of Condition G (Requirement of Conservation Plans to be Filed with the Kona Soil and Water Conservation District), amendment to Condition I (Drainage Study), addition of a condition requiring compliance with Chapter 10 of the Hawai‘i County Code (Erosion and Sedimentation Control), deletion of Condition J (Archaeological Survey), and amendment to Condition M (Fair Share Requirements) of Ordinance No. 98 91, which reclassified 21.353 acres of land from an Agricultural 20-acres (A-20a) to an Agricultural 5-acres (A-5a) zoned district. The subject property is located at 73-1735 Kaloko Drive, approximately 720 feet southeast of its intersection with Kaloko Loa Place, Kaloko Mauka Subdivision, Kaloko, North Kona, Hawai‘i, TMK: (3) 7-3-025:012.

NEW BUSINESS – 10:00 a.m.

2. **APPLICANT: SHAWN MAILE NAKOA, ESQ. (PL-REZ-2022-000017)**
Application for a Change of Zone from an Agricultural-5 acres (A-5a) to a Family Agricultural-1 acre (FA-1a) zoning district for 5.29 acres of land. The subject property is located at 77-6632 A Kuakini Highway, approximately 0.25 miles northwest of its intersection with Kamehameha III Road, Pāhoehoe 1st-Kapalaalaea 2nd (Beach Sec.), North Kona, Hawai‘i, TMK: (3) 7-7-008:062.

PLANNING DIRECTOR’S REPORT

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

AGENDA ITEMS FOR NEXT MEETING

ANNOUNCEMENTS

The Leeward Planning Commission's next monthly meeting is scheduled for Thursday, December 15, 2022 at the West Hawai'i Civic Center, Community Center, Building G conference room and the public can also testify via Zoom.

ADJOURNMENT

Submitting Written Testimony: Pursuant to Hawai'i County Planning Commission Rules of Practice and Procedure (PC), Rule 1, General Rules, a person desiring to submit written testimony shall indicate her/his name; address; and whether the testimony is on her/his behalf or as a representative of an organization or individual. If testimony is being submitted on behalf of an organization, documentation showing membership ratification should accompany the testimony. Public testimony can be submitted by mail or email. Those submitting written testimony by mail should provide one copy for distribution. Public testimony submitted by mail, should be mailed to the Leeward Planning Commission at the Planning Department office addresses in Hilo and Kona listed below under Board Packet. It is preferable that mailed testimony should be provided at least one week prior to the hearing date to allow for thorough Commission review. Public testimony that is submitted by email to LPCtestimony@hawaiicounty.gov, should be submitted before 4:30 p.m. two (2) business days prior to the Commission meeting. Public attendees may present written testimony at the meeting without prior submission. Additionally, pursuant to Rule 1, the Chairperson may limit testimony that is irrelevant or unduly repetitious.

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.

Board Packet. Pursuant to Hawai'i Revised Statutes Section 92-7.5, the board packet provided to members of this board for this meeting is available for public inspection forty eight (48) hours before the meeting date during regular business hours at the Hilo office of the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i and at the Kona office of the Planning Department, West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Building E, 2nd Floor, Kailua-Kona, Hawai'i.

Anyone who requires an auxiliary aid or service, or other accommodation due to a disability, please contact the Planning Department at 961-8288 or LPCTestimony@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

LEEWARD PLANNING COMMISSION
Michael Vitousek, Chair

(Hawai'i Tribune Herald: Friday, October 28, 2022)
(West Hawai'i Today: Friday, October 28, 2022)