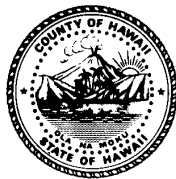


Mitchell D. Roth
Mayor



Dennis Lin, Chair
Louis Daniele III, Vice Chair
Lauren Balog
John Cross
Wayne De Luz
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: Friday, July 7, 2023

TIME: 9:00 a.m.

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

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, no later than noon on the day prior to the meeting:

https://www.zoomgov.com/meeting/register/vJItduqspj4vGEagFCetK14_ro0Hgw85Spc

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 WPCtestimony@hawaiicounty.gov or by calling 961-8288.

CALL TO ORDER

APPROVAL OF MINUTES

Review and Approval of the June 2, 2023 Windward 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.

NEW BUSINESS – 9:00 a.m.

1. **APPLICANT: DENNIS SCHMITZ (PL-SMA-2023-000029)**
Application for a Special Management Area Use Permit to allow for the development of a four (4) lot agricultural subdivision on 20.027 acres of land. The subject property is located to the north (makai) of Old Māmalahoa Highway approximately 270 feet east of its intersection with Milo Street, Por. Of Humu‘ula and ‘O‘ōkala, North Hilo, Hawai‘i, TMK: (3) 3-9-001:024.
2. **APPLICANT: DENNIS SCHMITZ (PL-REZ-2023-000041)**
Application for a Change of Zone from an Agricultural (A-20a) zoning district to an Agricultural (A-5a) zoning district for 20.027 acres of land. The subject property is located to the north (makai) of Old Māmalahoa Highway approximately 270 feet east of its intersection with Milo Street, Por. Of Humu‘ula and ‘O‘ōkala, North Hilo, Hawai‘i, TMK: (3) 3-9-001:024.
3. **APPLICANT: LELAND TRAYLOR (PL-USE-2023-000009)**
Application for a Use Permit to operate a 3-bedroom bed and breakfast establishment within an existing 3-bedroom dwelling and an existing 2-bedroom ‘ohana dwelling situated on approximately 33,006 square feet of land within the Single-Family Residential-20,000 square feet (RS-20) zoning district. The subject property is located at 11-3789 Pearl Avenue, on the south corner of its intersection with 12th Street, Mauna Loa Estates, Volcano, Puna, Hawai‘i, TMK: (3) 1-1-012:037.
4. ~~**APPLICANT: ROBERT J. SILBER (PL-SPP-2022-000016)**~~ **WITHDRAWN**
Application for a Special Permit to legitimize the operation of a holistic education center on approximately 8.134 acres of land in the State Land Use Agricultural District. The subject property is located at 13-2060 Lolua Place, approximately 0.3 miles northwest (mauka) of its intersection with Kalapana-Kapoho Beach Road, Pohoiki, Puna, Hawai‘i, TMK: (3) 1-3-002:140.

PLANNING DIRECTOR’S REPORT

Report on Special Management Area (SMA) determinations and minor permits issued by the Planning Director for the month of June 2023.

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 monthly meeting is scheduled for Thursday, August 3, 2023 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

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 Windward 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 WPCtestimony@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.

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 Item Nos. 1, 3, & 4 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.

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 WPCtestimony@hawaiiicounty.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, June 9, 2023)
(West Hawai‘i Today: Friday, June 9, 2023)