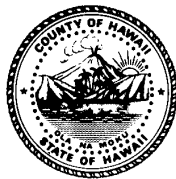


Mitchell D. Roth  
Mayor



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, April 4, 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, no later than noon on the day prior to the meeting:

<https://www.zoomgov.com/meeting/register/vJltd-6orj0tGB1NnFf9vgG4ggiaobGGTvg>

**Optional Alternative to View Meeting:**

[https://www.youtube.com/channel/UCAFoRMb3rfWLQMPd6TAkEGA?view\\_as=subscriber](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](http://www.planning.hawaiicounty.gov) prior to the meeting. This information can also be requested by sending an email to [WPCtestimony@hawaiicounty.gov](mailto:WPCtestimony@hawaiicounty.gov) or by calling (808) 961-8288.

## **CALL TO ORDER**

## **APPROVAL OF MINUTES**

Review and Approval of the March 7, 2024 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**

1. **APPLICANTS: AXEL & MICHELLE KRATEL (PL-SPP-2024-000061)**  
Application for a Special Permit to allow the establishment of a 4-bedroom bed and breakfast operation within an existing dwelling and guest house on a 0.5-acre portion of an approximately 13.618-acre parcel of land in the State Land Use Agricultural District. The subject property is located at 2893 Kaiwiki Road, approximately 0.3 miles west of its intersection with Mailekea Road, Pauka'a Farm Lots, Pauka'a, South Hilo, Hawai'i, TMK: (3) 2-6-011:001.
2. **APPLICANT: TIRTHA LUITEL (PL-SPP-2024-000062)**  
Application for a Special Permit to allow the development and operation of a commercial parking lot on an approximately 18,000-square foot portion of a 98.2850-acre parcel in the State Land Use Agricultural District. The subject property is situated directly makai of Akaka Falls State Park on the south side of Akaka Falls Road, Honomū Homesteads, South Hilo, Hawai'i, TMK: (3) 2-8-010:014 (por.).
3. **APPLICANTS: STEPHEN & CHERYL WINTER (PL-SMA-2023-000043)**  
Application for a Special Management Area Use Permit to develop a farm consisting of a single-family residence, caretakers' cottage, greenhouse, barn, pasture, and related improvements on two (2) shoreline parcels totaling 30.165-acres all within the Special Management Area. The subject parcels are located on Pā'auhau Road approximately 1,200-feet north from its intersection with Nānaina Kai Road, Haina, Portion of Pa'alaea to Lauka, Hāmākua, Hawai'i, TMK's: (3) 4-5-002:016 & :080.
4. **APPLICANT: JEREMY GRAHAM (PL-SMA-2024-000047)**  
Application for a Special Management Area Use Permit to construct a two (2) story, 6,404 square foot single-family residence and related improvements on a 23,958-square foot shoreline parcel within the Special Management Area. The subject property is located on Paradise Ala Kai Road, approximately 200-feet north of the intersection of Paradise Ala Kai Road and Kilika Street, Hawaiian Paradise Park Subdivision, Puna, Hawai'i, TMK: (3) 1-5-059:049.
5. **INITIATOR: COUNTY COUNCIL (PL-CCI-2024-000003)**  
Bill 121, an ordinance amending Chapter 25, Articles 1, 4 and 5, of the Hawai'i County Code 1983 (2016 Edition, as amended), relating to transient accommodation rentals and hosting platforms. Repeals Section 25-4-16 through Section 25-4-16.3 relating to Short -

term Vacation Rentals and establishes new provisions for Transient Accommodation Rentals and Hosting Platforms for Transient Accommodation Rentals.

**6. INITIATOR: COUNTY COUNCIL (PL-CCI-2024-000004)**

Bill 122, an ordinance amending Chapter 25 and Chapter 14, Article 4, Section 14-20, of the Hawai'i County Code 1983 (2016 Edition, as amended), relating to the repeal of bed and breakfast as a permitted use. Repeals all provisions that allow for Bed and Breakfast establishments.

**7. INITIATOR: COUNTY COUNCIL (PL-CCI-2024-000005)**

Bill 123, an ordinance amending Chapter 19, Article 1 and Article 13, Chapter 23, Article 9, and Chapter 25, Article 1, Article 2, Article 5, and Article 6 of the Hawai'i County Code 1983 (2016 Edition, as amended), relating to 'ohana dwelling units. Removes each instance of the term "ohana dwelling" from the County Code and inserts the term "accessory dwelling unit" and adds provisions for the establishment of an accessory dwelling unit.

**PLANNING DIRECTOR'S REPORT**

Report on Special Management Area (SMA) determinations and minor permits issued by the Planning Director for March 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 monthly meeting is scheduled for Thursday, May 2, 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**

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](mailto: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 No. 1 through 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-energypub.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 (808) 961-8288 or [WPCtestimony@hawaiicounty.gov](mailto: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, March 8, 2024)  
(West Hawai'i Today: Friday, March 8, 2024)