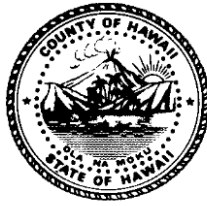


Mitchell D. Roth
Mayor

Deanna S. Sako
Managing Director



Barbara DeFranco, Chair
Mahina Paishon-Duarte, Vice Chair
Dean Au
Michael Dela Cruz
Clement "CJ" Kanuha III

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

NOTICE OF CONTINUANCE OF MEETING

ORIGINALLY CONVENED ON April 18, 2024, AT 9:30 A.M.

See attached agenda for original meeting.

TO BE CONTINUED TO:

DATE: Wednesday, May 22, 2024
TIME: 12:00 P.M. (Noon)
PLACE: West Hawai'i Civic Center, Council Chambers, Building A
74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i

Bill No. 121; Agenda Item #7

X Public testimony has concluded, and no further testimony will be allowed on this item described in the attached agenda. The commission will discuss, deliberate, decide, and/or act upon this item described in the attached agenda.

Bill No. 122 and Bill No. 123; Agenda Items #8 and #9

X Public testimony will be allowed in the manner described on this meeting continuance notice for these items shown on the attached agenda as being continued.

Public Participation: 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 by noon on the day prior to the meeting:

<https://www.zoomgov.com/meeting/register/vJltduqrrjsiGrh06IABUr3LgPYwi88QJZM>

Optional Alternative to View Meeting on YouTube:

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 Friday, May 17, 2024, by: (1) email to LPCtestimony@hawaiiicounty.gov; (2) mail to the Leeward 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 forty-eight (48) hours 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.hawaiiicounty.gov/about-us/boards-committees/planning-commission-applications. This information can also be requested by sending an email to LPCtestimony@hawaiiicounty.gov or by calling (808) 961-8288.

This notice has been physically posted at the following location(s):

☒ Board Office

☒ Meeting Site

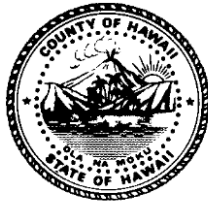
This notice has been electronically posted at:

<https://records.hawaiiicounty.gov/weblink/Browse.aspx?startid=11634&dbid=1>

(This notice is not subject to the filing requirements of HRS Sec. 92-7.)

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director



Barbara DeFranco, Chair
Dean Au
Michael Dela Cruz
Clement "CJ" Kanuha III
Mahina Paishon-Duarte

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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, April 18, 2024

TIME: 9:30 a.m.

LOCATION: West Hawai'i Civic Center, Council Chambers, Building A
74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i

Public Participation: 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.

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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 April 15, 2024**, by: (1) email to LPCtestimony@hawaiicounty.gov; (2) mail to the Leeward 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 forty-eight (48) hours 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 LPCtestimony@hawaiicounty.gov or by calling (808) 961-8288.

CALL TO ORDER

APPROVAL OF MINUTES

Review and Approval of the February 29, 2024 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: AHU POHAKU HO‘OMALUHIA LLC (FORMERLY ROBERT WATKINS AND JEAN SUNDERLAND) (PL-SMA-2022-000018)**

Application for an amendment to Special Management Area (SMA) Use Permit No. 417 to increase the number of guest rooms from 16 to 36 by constructing 20 additional guest rooms at Hawai‘i Island Retreat, on an approximately 5.0-acre portion of a 14.5-acre parcel of land situated in the Special Management Area. The subject property is located at 54-250 Lokahi Road, approximately 1.2 miles northeast (makai) of Akoni Pule Highway, Hanaula and Honopueo, North Kohala, Hawai‘i, TMK: (3) 5-4-009:014 (por).

2. **APPLICANT: AHU POHAKU HO‘OMALUHIA LLC (FORMERLY ROBERT WATKINS AND JEAN SUNDERLAND) (PL-SPP-2022-000018)**

Application for an amendment to Special Permit No. 1117 to increase the number of guest rooms from 16 to 36 by constructing 20 additional guest rooms at Hawai‘i Island Retreat, on an approximately 5.0-acre portion of a 14.5-acre parcel of land situated in the State Land Use Agricultural District. The subject property is located at 54-250 Lokahi Road, approximately 1.2 miles northeast (makai) of Akoni Pule Highway, Hanaula and Honopueo, North Kohala, Hawai‘i, TMK: (3) 5-4-009:014 (por).

NEW BUSINESS

3. **APPLICANT: RYAN LEESE (PL-REZ-2023-000055)**
Application for a Change of Zone from an Agricultural-20 acre (A-20a) to a Family-Agricultural-5 acre (FA-5a) zoning district for 21.942 acres of land. The subject property is located at the southwest corner of the Kaloko Drive/Haō Street intersection, Kaloko Mauka Subdivision, Kaloko, North Kona, Hawai‘i, TMK: (3) 7-3-024:003.
4. **APPLICANT: ACKERMAN RANCH INC (PL-SPP-2023-000056)**
Application for a Special Permit to establish and operate an event venue to host weddings and other similar gatherings on an approximately 4-acre portion of two properties totaling 195.91 acres in the State Land Use Agricultural District. The subject properties are located on the west (makai) side of Ali‘i Drive, approximately 2,000 feet north of its intersection with Haleki‘i Street, Por. Honuaino 3rd Kanaeue 1st-2nd, North Kona, Hawai‘i, TMKs: (3) 7-9-012:004 (por.) and :031 (por.).
5. **APPLICANT: SCOTT GRAINGER (PL-SMA-2024-000051)**
Application for a Special Management Area Use Permit to demolish an existing single-family dwelling and construct a new single-family dwelling on a 14,000 square foot shoreline parcel within the Special Management Area. The subject property is located on the makai side of Puakō Beach Drive, approximately 2.7 miles southwest of its intersection with Queen Ka‘ahumanu Highway, Por. of Puakō Beach Lots, Lalamilo, South Kohala, Hawai‘i, TMK: (3) 6-9-006:016.
6. **APPLICANT: MAKUA LANI CHRISTIAN ACADEMY (FORMERLY KONA CHRISTIAN ACADEMY) (PL-SPP-2023-000060)**
Application to amend Special Permit No. 549 to expand the permit area for the elementary school to include the adjacent, 1.196-acre parcel to the east and to amend Condition No. 8 to increase enrollment cap from 180 students to 210 students. The subject properties are located at 74-4907 and 74-4889 Palani Road, Por. Pāpa‘akoko & Honokōhau 1st & 2nd, North Kona, Hawai‘i, TMKs: (3) 7-4-006:037 and :046.

NEW BUSINESS – 2:00 p.m.

7. **INITIATOR: COUNTY COUNCIL (PL-CCI-2024-000003) CONTINUED**
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.
8. **INITIATOR: COUNTY COUNCIL (PL-CCI-2024-000004) CONTINUED**
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.

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

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 Leeward Planning Commission's next regular meeting is scheduled for Thursday, May 23, 2024 at the County Council Chambers in Kona 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 Item Nos. 4, 5, and 6 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-energopub.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 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
Barbara DeFranco, Chair

(Hawai'i Tribune Herald: Friday, March 22, 2024)
(West Hawai'i Today: Friday, March 22, 2024)