

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

SUPPLEMENT #1 TO THE PLANNING DIRECTOR'S REPORT

DATE: FEBRUARY 18, 2026

PERMIT NUMBER(S): Z-IV-2026-9; PDU-2026-7

APPLICANT(S): SK INVESTORS LLC.

I. SUMMARY AND BACKGROUND:

At its January 13, 2026 meeting, the Planning Commission voted to defer the subject application due to concerns raised by community members regarding the number of proposed residential units. During the meeting, the applicant agreed to work with the community to hold an additional meeting with the community in Kōloa Town.

II. EVALUATION:

The applicant is conducting a community meeting in Kōloa Town on February 18th, 2026. The applicant has also submitted a supplemental proposal. They are proposing to remove four (4) 4-plexes, for a total of sixteen (16) residential units. The original application proposed a total of one hundred and sixty-four (164) units. This reduction will bring the proposed project to a total of one hundred and forty-eight (148) units.

The revision responds to concerns raised by the community members regarding the originally proposed amount of residential units.

III. CONCLUSION:

Based on the additional information submitted, the revised proposal is still compatible with the South Kaua'i Community Plan.

IV. PRELIMINARY RECOMMENDATION:

Based on the foregoing evaluation and conclusion, it is hereby recommended Class IV Zoning Permit Z-IV-2026-9 and Project Development Use Permit PDU-2026-7, be **approved** subject to the following conditions as amended:

1. The project shall be constructed as represented. Any changes to the operation and/or the respective structures shall be reviewed by the Planning Director to determine whether Planning Commission review and approval is warranted.
2. The Applicant shall consolidate all of the lots involved with the project prior to occupancy of the completed buildings along Hapa Road.

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3. The applicant shall incorporate Wildfire Wildland Urban Interface (WUI) Construction Standards attached as Exhibit A into the development and construction of all structures on the subject property.
4. The applicant shall incorporate WUI Structure Maintenance and Defensible Space Standards as defined by the attached Exhibit B into the Covenants, Conditions, and Restrictions (CC&Rs) for the subject property. A Homeowners Association (HOA) shall be established that implements the requirements and standards of Exhibit B. Should these standards not be implemented, the HOA shall be subject to the Enforcement, Legal Procedures, and Penalties established under Section 8-3.5 of the Kauai County Code.
5. The applicant shall coordinate an annual inspection of the site by the Planning Department and Fire Department to ensure compliance with Condition 2 and 3 concerning WUI Construction Standards and WUI Structure Maintenance and Defensible Space Standards.

The Applicant shall resolve and comply with all agency requirements as recommended in the permit application review, including but not limited to the permit requirements for the County DPW-Engineering Division, water requirements for the County Department of Water, and regulations involving environmental concerns as administered by the State Department of Health.

6. The Applicant shall develop and utilize Best Management Practices (BMP's) to ensure that the development does not generate impacts that may affect the health, safety, and welfare of those in the surrounding area of the proposal.
7. The Applicant shall implement to the extent possible sustainable building techniques and operational methods for the project, such as Leadership in Energy and Environmental Design (L.E.E.D.) standards or another comparable state-approved, nationally recognized, and consensus-based guideline, standard, or system, and strategies, which may include but is not limited to recycling, natural lighting, extensive landscaping, solar panels, low-energy fixtures, low energy lighting and other similar methods and techniques. All such proposals shall be reflected on the plans submitted for building permit review.
8. In order to minimize adverse impacts on the Federally Listed Threatened Species, Newell's Shearwater and other seabirds, if external lighting is to be used in connection with the proposed project, all external lighting shall be only of the following type: downward-facing, shielded lights. Spotlights aimed upward or spotlighting of structures shall be prohibited.
9. To the extent possible within the confines of union requirements and applicable legal prohibitions against discrimination in employment, the Applicant shall seek to hire Kaua'i contractors as long as they are qualified and reasonably competitive with other contractors, and shall seek to employ residents of Kaua'i in temporary construction and permanent jobs. It is recognized that the Applicant may have to employ non-Kaua'i residents for particular skilled jobs where no qualified Kaua'i resident possesses such skills. For the purposes of this condition, the Commission shall relieve the

Applicant of this requirement if the Applicant is subjected to anti- competitive restraints on trade or other monopolistic practices.

Should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the Applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures. The Applicant is advised that prior to construction and/or use, additional government agency conditions may be imposed. It shall be the Applicant's responsibility to resolve those conditions with the respective agency(ies).

1. The Planning Commission reserves the right to revise, modify, add or delete conditions of approval in order to address or mitigate unforeseen impacts this project may create, or revoke the permits through the proper procedures should conditions of approval be violated or adverse impacts be created that cannot be properly addressed.

By Kaple
KRISTEN N. ROMUAR-CABICO
Planner

Approved & Recommended to Commission:

By Ka'aina S. Hull
KA'AINA S. HULL
Director of Planning

Date: 2/18/2020