

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AMENDED AGENDA

NOTE: The Maui Planning Commission agenda filed on November 25, 2009 for a meeting on December 8, 2009 has been canceled. This new agenda filed on December 2, 2009 replaces the canceled agenda. (Addition of Item C -Minutes)

DATE: DECEMBER 8, 2009 (Tuesday)

TIME: 9:00 A.M.

PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Wayne Hedani (Chair), Bruce U'u (Vice-Chair), Donna Domingo, Kent Hiranaga, Ward Mardfin, Lori Sablas, Warren Shibuya, Jonathan Starr

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

B. PUBLIC HEARINGS (Action to be taken after each public hearing.)

For Public Hearing Nos. 1-5, the proposed bills provide for the Planning Department's update and simplification of the County's business district. The updates provide for improved useability, adding mixed uses to commercial districts, and including transient vacation rental, small scale energy facilities, and residential uses.

1. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting A Bill for an Ordinance Amending Title 19.15, Maui County Code, relating to Country Town Business Districts and Amending Title 19.510, Maui County Code, relating to Application and Procedures. (J. Alueta)

- a. Public Hearing
- b. Action

2. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting A Bill for an Ordinance Amending Title 19.16, Maui County Code relating to B-1 Neighborhood District. (J. Alueta)

- a. Public Hearing
 - b. Action
3. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting A Bill for an Ordinance Amending Title 19.18, Maui County Code relating to B-2 Community Business District. (J. Alueta)
- a. Public Hearing
 - b. Action
4. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting A Bill for an Ordinance Amending Title 19.20, Maui County Code, relating to B-3 Central Business District. (J. Alueta)
- a. Public Hearing
 - b. Action
5. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting A Bill for an Ordinance Amending Title 19.22, Maui County Code, relating to B-R Commercial District. (J. Alueta)
- a. Public Hearing
 - b. Action
6. MS. SYLVIA LINDIG requesting a State Land Use Commission Special Use Permit for the Haiku Hale Bed and Breakfast, a 3-bedroom bed and breakfast in the State Agricultural District at 1640 Kokomo Road, TMK: 2-7-033: 007, Haiku, Island of Maui. (SUP2 2009/0010) (L. Callentine)
- a. Public Hearing
 - b. Action
7. MS. EDITH BLAS requesting a State Land Use Commission Special Use Permit and a Bed and Breakfast Permit to operate the Kula Glen Estate Bed and Breakfast, a 3-bedroom bed and breakfast located in the State Agricultural District at 24 Ohelo Place, TMK: 2-3-060: 066, Kula, Island of Maui. (SUP2 2009/0012) (BBMP T2009/0006) (L. Callentine)

Commission review of the bed and breakfast permit is needed because a permitted bed and breakfast operation is located within 500 ft. of the subject property.

- a. Public Hearing
- b. Action

C. APPROVAL OF REGULAR MINUTES OF THE OCTOBER 27, 2009 MEETING

D. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
 2. Discussion of Future Maui Planning Commission Agendas
 - a. January 12, 2010 meeting agenda items
 3. EA/EIS Report
 4. SMA Minor Permit Report
 5. SMA Exemptions Report
- E. NEXT REGULAR MEETING DATE: January 12, 2010
- F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene was November 23, 2009.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation. (S:\all\carolyn\120809.age)