

# MOLOKAI PLANNING COMMISSION

NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MOLOKAI PLANNING COMMISSION

## AGENDA

Members: Joseph Kalipi (Chair), Steven Chaikin (Vice-Chair), Nathaniel Bacon, Lori Buchanan, Napua Leong, Joseph Kalipi, Mikiala Pescaia, John Sprinzel, Teri Waros, Don Williams

**DATE:** February 10, 2010 (*Wednesday*)

**TIME:** 12:00 p.m.

**PLACE:** Mitchell Paule Center, Meeting Hall, Kaunakakai, Molokai

- A. CALL TO ORDER
- B. PUBLIC TESTIMONY ON ANY PLANNING OR LAND USE ISSUE, except Contested Cases as defined in Hawaii Revised Statutes Section 91
- C. ANNOUNCEMENTS
  - 1. Formation of Subcommittee to Review the Rules of the Molokai Planning Commission
- D. UNFINISHED BUSINESS
  - 1. MR. STEPHEN MORGAN appealing the Director's decision to exempt the "Zappacosta Farm Dwelling" from the Special Management Area (SMA) permit requirements on property located at 4300 Papohaku Road, TMK: 5-1-008: 049, Papohaku Ranchlands Subdivision, Kaluakoi, Island of Molokai. (APPL 2009/0002) (C. Cortez) ( The Commission concurred with the SMA exemption at its April 22, 2009 meeting.)
    - a. MR. BRIAN T. MOTO, Corporation Counsel and MS. JANE E. LOVELL, Deputy Corporation Counsel, DEPARTMENT OF THE CORPORATION COUNSEL, attorneys for the Director of the DEPARTMENT OF PLANNING submitting the County's Proposed Findings of Fact, Conclusions of Law, and Decision and Order granting the Motion to Dismiss the Appeal dated January 21, 2010 per action taken by the Molokai Planning Commission on January 13, 2010.

*The Commission may take action on this matter to approve the Decision and Order, approve with modifications, or take some other action.*

For the following bills, 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.

*The proposed bills can be found on the County Website at:*  
<http://www.mauicounty.gov/index.aspx?nid=1127>

2. 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) (The public hearing was conducted on December 9, 2009. **Commissioners: Please bring your document.**)

*The Commission may take action on this request.*

3. 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) (The public hearing was conducted on December 9, 2009. **Commissioners: Please bring your document.**)

*The Commission may take action on this request.*

4. Status Report on the June 2009 request by MS. MALIA AKUTAGAWA to coordinate a Molokai Planning Commission Workshop on the historical, archaeological, and cultural laws and regulations.
5. Discussion that the Molokai Planning Commission be a consulted party on permits issued by various State and County agencies such as water use permits.

*The Commission may take action on this item.*

6. Discussion on appointing a committee to review the rules of the Molokai Planning Commission.

*The Commission may take further action on this item.*

#### E. CHAIRPERSON'S REPORT

1. Improvements to the Planning Commission's and Planning Department's service to the community.

F. DIRECTOR'S REPORT

1. Pending Molokai Applications
2. Closed Molokai Applications
3. Agenda Items for the February 24, 2010 meeting.

G. NEXT REGULAR MEETING DATE: February 24, 2010

H. ADJOURNMENT

- Agenda items are subject to cancellation
- Maximum time limits on individual testimony may be established by the commission.
- Each applicant is requested to provide responsible representation at the meeting.
- Documents are on file with the Molokai and Maui Department of Planning offices.
- Oral, written, e-mailed, or faxed testimony will be received on any agenda item subject to the provisions of chapter 92, Hawaii Revised Statutes, and the Molokai Planning Commission Rules of Practice and Procedure. Written, e-mailed, or faxed testimony should be submitted at least two business days prior to the meeting to ensure distribution to the commission. If written testimony is presented within two days of the meeting, fifteen (15) copies are needed to ensure distribution at the meeting to the commissioners.
- Those persons requesting special accommodations due to disabilities, please call the Maui Department of Planning at least two (2) business days before the scheduled meeting.
- 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.
- Commission members: If you are unable to attend the scheduled meeting, please contact the Department of Planning at least **two** days prior to the meeting date.
- Mahalo for your cooperation.

**Molokai Planning Commission Contact Information:**

(Molokai)

Molokai Planning Commission  
P. O. Box 526  
Kaunakakai, HI 96748  
(tel) 808 553-3221

(Maui)

Molokai Planning Commission  
c/o Maui Department of Planning  
250 S. High Street  
Wailuku, HI 96793  
(tel) 808 270-7735  
(fax) 808 270-7634

email address: [Planning@mauicounty.gov](mailto:Planning@mauicounty.gov)

web site: <http://www.mauicounty.gov/index.aspx?NID=193>

The Molokai Planning Commission's office is located in the Mitchell Pauole Center and is open from 8:00 a.m. to 4:30 p.m, Monday through Friday except holidays.

(S:\ALL\SUZETTE\MoPC\2009\_Agendas\021010mopc\_age)