

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

AGENDA

DATE: OCTOBER 25, 2011 (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: Kent Hiranaga (Chair), Warren Shibuya (Vice-Chair), John "Keone" Ball, Donna Domingo, Jack Freitas, Ivan Lay, Ward Mardfin, Lori Sablas, Penny Wakida

Public testimony will be taken at the start of the meeting on any agenda item, except for contested cases under Chapter 91, HRS, 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 HEARING (Action to be taken after public hearing.)

1. MR. WILLIAM SPENCE, Planning Director, transmitting Council Resolution No. 11-77 containing A Bill for an Ordinance to Amend the State Land Use District Classification from Agricultural District to Rural District with proposed conditions for Tax Map Key Number 2-1-005: 117, Makena, Kihei, Island of Maui. (DBA 2011/0002) (Ke Kani Kai 2-Lot Subdivision) (P. Fasi)

- a. Public Hearing
- b. Action

2. MR. WILLIAM SPENCE, Planning Director, transmitting Council Resolution No. 11-85 referring a Bill for an Ordinance to Amend the State Land Use District Classification from Agricultural District to Rural District with proposed conditions for Tax Map Key Number 2-1-005: 118, Makena, Kihei, Island of Maui. (DBA 2011/0003) (Iwa Ike 4-lot subdivision) (J. Prutch)

- a. Public Hearing
- b. Action

3. MS. LANI WEIGERT of ALII KULA LAVENDER FARM requesting a State Land Use Commission Special Use Permit in order to conduct agricultural tourism activities on an existing working farm including a gift shop, agriculturally-related classes and workshops, tea parties, wedding ceremonies and catered receptions in the State Agricultural District at 1100 Waipoli Road, TMK: 2-2-006: 108 and 109 (por. ), Kula, Island of Maui. (SUP2 2009/0011) (L. Callentine)
  - a. Public Hearing
  - b. Action

C. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 11, 2011 MEETING

D. DIRECTOR'S REPORT

1. WILLIAM SPENCE, Planning Director notifying the Maui Planning Commission of his intent pursuant to the provisions of the Section 19.40.080.D of the Maui County Code to approve the following amendment to the Conditional Permit as the amendment is deemed to be non-substantive and would not result in significant impacts above what would result from the approved conditional permit:

MR. JUD CUNNINGHAM, Chief Executive Officer of MAUI YOUTH AND FAMILY SERVICES, INC. requesting an amendment to their Conditional Permit to operate a residential treatment program and related structures for adolescents to include providing for social social service programs which include residential, non-residential, and administrative services for Maui's disadvantaged youth, families, and adults with special needs at the 1931 Baldwin Avenue, TMK: 2-5-004: 006, Makawao, Island of Maui. (CP 990012) (L. Callentine)

The commission may take action to waive its review or review the proposed non-substantive amendment at a subsequent meeting.

2. Requesting Comments from the Hana Advisory Committee to the Maui Planning Commission on the following proposed legislation:

MR. WILLIAM SPENCE, Planning Director, transmitting Council Resolution No. 11-97 referring to the Lanai, Maui, and Molokai Planning Commissions A Draft Bill Amending Title 19, Maui County Code, and Section 3.48.305 of the Maui County Code Relating to Home-Based Businesses. (J. Alueta )

- a. September 27, 2011 letter from Council Member Don Couch requesting that the draft bill be referred to the Hana Advisory Committee for review and comment.

The Commission may take an action to refer the draft bill to the Hana Advisory Committee for review and comment.

3. Planning Commission Projects/Issues
    - a. Revising the SMA Boundaries
  4. EA/EIS Report
  5. SMA Minor Permit Report
  6. SMA Exemptions Report
  7. Discussion of Future Maui Planning Commission Agendas
    - a. November 8, 2011 meeting agenda items
- E. NEXT REGULAR MEETING DATE: NOVEMBER 8, 2011
- F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

UNLESS OTHERWISE SPECIFIED BY ANOTHER SPECIFIC PLANNING COMMISSION RULE, 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 to file a timely Petition to Intervene was on October 11, 2011.

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 SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

Maui Planning Commission Agenda  
October 25, 2011  
Page 4

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\102511.age)