

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

AGENDA

DATE: JANUARY 24, 2012 (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 proposing amendments to Chapter 19.10 of the Maui County Code regarding the Two-Family Duplex District. (J. Alueta)
 - a. Public Hearing
 - b. Action
2. MR. WILLIAM SPENCE, Planning Director proposing amendments to Chapter 19.12 of the Maui County Code regarding the Apartment District. (J. Alueta)
 - a. Public Hearing
 - b. Action
3. MR. WILLIAM SPENCE, Planning Director proposing amendments to Chapter 19.14 of the Maui County Code regarding the Hotel District. (J. Alueta)
 - a. Public Hearing
 - b. Action

C. NEW BUSINESS

1. PACIFIC RIM LAND, INC. requesting an Environmental Assessment Determination on the Final Environmental Assessment (FEA) prepared in support of the Community Plan Amendment, District Boundary Amendment, Change in Zoning, and County Special Use Permit for the existing Kihei Rock Crushing Facility and related improvements including upgrade of an existing waterline located at 500 East Welakahao Road, TMK: 2-2-002: 078, Kihei, Island of Maui. (EA 2011/0004) (CPA 2011/0001) (DBA 2011/0004) (CIZ 2011/0004) (CUP 2011/0006) (K. Wollenhaupt)

The accepting authority of the Environmental Assessment is the Maui Planning Commission.

The EA trigger is the community plan amendment.

The project needs a Community Plan Amendment (CPA), a State Land Use District Boundary Amendment (DBA), a Change in Zoning (CIZ), and a County Special Use Permit (CUP). The public hearing on the CPA, DBA, CIZ, and CUP applications will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may accept the Final Environmental Assessment and issue a Findings of No Significant Impact (FONSI) on the Final EA or take some other action.

D. COMMUNICATIONS

1. KEVIN and CLAUDIA LEDESMA requesting a time extension until March 31, 2017 on the State Land Use Commission Special Use Permit in order to continue to operate the Hale Mauka Makai Bed and Breakfast in the State Agricultural District at 279 Pauwela Road, TMK: 2-7-008: 142, Haiku, Island of Maui. (SUP2 2007/0001) (G. Flammer)

The Commission may take action on this request.

2. MS. KAREN Y. SHINMOTO, Business Manager of BIG ISLAND SCRAP METAL requesting an amendment to the Special Accessory Use Approval to allow for the acceptance of ferrous metals, including white goods, and vehicle batteries at its redemption and recycling center in the B-2 Community Business District located at 883 Lower Main Street, TMK: 3-8-036: 092, Wailuku, Island of Maui. (ACC 2006/0003) (K. Wollenhaupt)

The Commission may take action on this request.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE JANUARY 10, 2012 MEETING

F. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
 - a. Revising the SMA Boundaries
2. EA/EIS Report
3. SMA Minor Permit Report
4. SMA Exemptions Report
5. Discussion of Future Maui Planning Commission Agendas
 - a. February 14, 2012 meeting agenda items

G. NEXT REGULAR MEETING DATE: FEBRUARY 14, 2012

H. 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 January 9, 2012.**

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.

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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\012412.age)