

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 June 27, 2013 for a meeting on July 9, 2013 has been canceled. This new agenda filed on July 2, 2013 replaces the canceled agenda. **Item F-2 has been added to the agenda.**

DATE: JULY 9, 2013

TIME: 9:00 A.M.

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

Members: Ivan Lay (Chair), Warren Shibuya (Vice-Chair), John "Keone" Ball, Sandra Duvauchelle, Jack Freitas, Wayne Hedani, Jason Medeiros, Max Tsai, 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 each public hearing item.)

1. MR. WILLIAM SPENCE, Planning Director, transmitting A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.04, MAUI COUNTY CODE, TO INCLUDE A DEFINITION OF "WET BAR." (J. Alueta)

- a. Public Hearing
- b. Action

2. MS. AHULANI VON HAMM requesting a State Land Use Commission Special Use Permit in order to operate the Haiku Malu Estate Short-Term Rental Home, a six (6)-bedroom short-term rental home located in the State Agricultural District at 1555 West Kuiaha Road, TMK: 2-7-012: 053, Haiku, Island of Maui. (SUP2 2012/0017) (D. Dias)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. JEFF and SHARYN STONE requesting a five (5) year time extension of their State Land Use Commission Special Use Permit for the continued operation of a four (4)-bedroom bed and breakfast known as the Huelo Point Lookout Bed and Breakfast located in the State Agricultural District at 222 Door of Faith Road, TMK: 2-9-007: 058, Huelo, Island of Maui. (SUP2 2001/0027) (J. Prutch)

The Commission may take action on this request.

2. CHRIS and SUSAN GEBB requesting a five (5)-year time extension on their State Land Use Commission Special Use Permit to continue to operate the Windward Garden Bed and Breakfast on approximately 1.1 acres of land in the State Agricultural District located at 435 Hoolawa Road, TMK: 2-9-001: 042, Haiku, Island of Maui. (SUP2 2009/0006) (J. Prutch)

The Commission may take action on this request.

3. BEN K. AZMAN, M.D. on behalf of URGENT CARE WEST MAUI requesting a use determination in order to operate a medical office in the B-R Resort Commercial District at the Fairway Shops, TMK: 4-4-008: 017, Kaanapali, Island of Maui. (ACC 2013/0002) (C. Thackerson)

The Commission may take action on this request.

4. MR. JASON WEXLER requesting a Step III Planned Development Approval for the Wailea SF-11 Project, a sixteen (16) single-family residential lots only and related improvements at TMK: 2-1-008: 118 (por.), Wailea, Island of Maui. (PD3 2013/0001) (SM1 2008/0011) (J. Buika)

The Commission may review and take final action on the Step III unified site and building program or waive its review and allow the planning director to take final action pursuant to the provisions of Section 19.32.020.C, Maui County Code.

D. ORIENTATION WORKSHOP NO. 2 (previously scheduled for the April 23, 2013 and May 14, 2013 meetings)

1. Coastal Zone Management Introduction - Jim Buika, Coastal Resources Planner
2. Sea Level Rise and the Future of Our Shorelines - Tara Owens, Sea Grant agent
3. Special Management Area (SMA) Rules - Jim Buika, Coastal Resources Planner
4. Shoreline Rules - Jim Buika, Coastal Resources Planner

E. ACCEPTANCE OF THE ACTION MINUTES OF THE JUNE 25, 2013 MEETING

F. DIRECTOR'S REPORT

1. MR. WILLIAM SPENCE, Planning Director, notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of his intent to process the following time extension request administratively:

- a. SAM and JON GARCIA requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Garcia Family Subdivision and related improvements on approximately 5.49 acres of land located at TMK: 2-1-007: 067, Makena, Island of Maui. (SM1 2002/0016) ©. Thackerson)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting.

- b. MR. RICK ARMOUR requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the 12-lot Kalama Hills Subdivision and related improvements at TMK: 3-9-017: 023, Kihei, Island of Maui. (SM1 2005/0042) ©. Thackerson)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting

2. June 28, 2013 request letter from MR. JORDAN HART , President of CHRIS HART & PARTNERS for the scheduling of a workshop on various land use entitlement applications for a community plan amendment (CPA) and change in zoning (CIZ) for the proposed Maui Research & Technology Park (MRTP) Master Plan Update at TMK: 2-2-024: 1-9, 14-18, 31, 32, 34, 36-46 and 2-2-002: 054 (por.), Kihei, Island of Maui. (K. Wollenhaupt)

The Commission may take action to establish the date, time, and place of the workshop.

3. Planning Commission Projects/Issues
4. EA/EIS Report
5. SMA Minor Permit Report
6. SMA Exemptions Report
7. Discussion of Future Maui Planning Commission Agendas
  - a. July 23, 2013 meeting agenda items

G. NEXT REGULAR MEETING DATE: JULY 23, 2013

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 DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene was on June 24, 2013.

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 (2) 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 DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST SIX (6) 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\070913.2age)