

## **LANA'I PLANNING COMMISSION**

PURSUANT TO CHAPTER 92, PART I, OF THE HAWAII REVISED STATUTES AS AMENDED; NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE LANA'I PLANNING COMMISSION

### **AMENDED AGENDA**

**NOTE:** The Lana'i Planning Commission agenda filed on July 8, 2014 for a meeting on July 16, 2014 has been canceled. This new agenda filed on July 9, 2014 replaces the canceled agenda. New Item C-1 has been added to this agenda.

**DATE:** **JULY 16, 2014**

**TIME:** **5:30 P.M.**

**PLACE:** **Lana'i Senior Center  
309 Seventh Street  
Lana'i City, Lana'i, Hawaii 96763**

**Members:** John Ornellas (Chair), Stacie Lee Koanui Nefalar (Vice-Chair), Joelle Aoki, Shelly Barfield, Kelli Gima, Stuart Marlowe, Bradford Oshiro, Beverly Zigmond

**A. CALL TO ORDER**

**B. PUBLIC TESTIMONY** - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

**C. COMMUNICATIONS**

- 1. MR. CRAIG NAKAMURA of CARLSMITH BALL LLP, attorney for PULAMA LANAI, requesting by letter dated July 8, 2014 that the Lana'i Planning Commission amend its decision concerning condition no. 23 of the State Land Use Commission Special Use Permit approved by the Commission at its June 18, 2014 meeting regarding PULAMA Lana'i's Reverse Osmosis Desalination Facility and Distribution System including the development of reverse osmosis desalination plant facility, administration building, water generation facility, and related improvements within the Manele Project District at TMK: 4-9-002: 001 (por.), 4-9-017: 009 (por.) and 010 (por.), Manele, Island of Lana'i. (SUP2 2013/0028) (PH2 2013/0001) (B. Sticka)**

**AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5(a)(4), HRS.**

**The Commission may consider a Motion to Rescind or a Motion to Amend the**

above-referenced State Land Use Commission Special Use Permit approved by the Lana'i Planning Commission on June 18, 2014. If either motion is approved by majority vote, the Commission may take action related to the State Land Use Commission Special Use Permit.

D. PUBLIC HEARING (Action to be taken after public hearing.)

1. MR. WILLIAM SPENCE, Planning Director transmitting the Planning Department's Report with comments, recommendations, and proposed amendments to the planning commissions for review and transmittal to the Council relating to Chapter 19.65 of the Maui County Code relating to Short-Term Rental Homes. (G. Flammer)

The Report contains a Proposed Bill for an Ordinance containing the Planning Department's proposed amendments to the Short-Term Rental Home Ordinance No. 3941.

2. MR. WILLIAM SPENCE, Planning Director transmitting the Planning Department's Report with comments, recommendations, and proposed amendments to the planning commissions for review and transmittal to the Council relating to Chapter 19.64 of the Maui County Code relating to Bed and Breakfast Homes. (G. Flammer)

The Report contains a Proposed Bill for an Ordinance containing the Planning Department's proposed amendments to the Bed and Breakfast Home Ordinance No. 3611.

Both reports are available on the County website at: [www.mauicounty.gov](http://www.mauicounty.gov)  
( <http://www.mauicounty.gov/index.aspx?nid=121> )

E. DIRECTOR'S REPORT

1. Open Lana'i Applications Report as distributed by the Planning Department with the July 16, 2014 agenda
2. Agenda Items for the August 20, 2014 Lana'i Planning Commission meeting.
3. December meeting to be held at the Lana'i School Cafeteria as the Lana'i Senior Center is unavailable.

F. NEXT REGULAR MEETING DATE: AUGUST 20, 2014

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

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DOCUMENTS ARE ON FILE WITH THE DEPARTMENT OF PLANNING. THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 619, WAILUKU, MAUI, HAWAII 96793.

UNLESS OTHERWISE SPECIFIED BY ANOTHER SPECIFIC PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE 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 for an item where the first public hearing date was on July 16, 2014 was on July 1, 2014.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

WRITTEN TESTIMONY AND FAXES SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE COMMISSION. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE REQUESTED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE 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.

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 (Lana'i) 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.

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