

## 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

### AGENDA

**DATE:** February 18, 2015  
**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, Stephen Ferguson, 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. PUBLIC HEARINGS (Action to be taken after each public hearing)

1. KEPĀ MALY and IRMALEE KAMAKAONAONA POMROY MALY requesting a Bed and Breakfast Home Permit in order to operate the Hale Ho'omaha O Lanai, a one-bedroom bed and breakfast located at 452 Ohi'a Place, TMK: 4-9-001: 033, Lanai City, Island of Lanai. (BBLA T2014/0001) (G. Flammer)
2. Resolution No. 14-114 referred by Councilmember Don Guzman of the Maui County Council to the Maui, Molokai, and Lanai Planning Commissions for an AMENDMENT TO CHAPTER 19.30A - Agricultural District of the Maui County Code, to Allow for the Creation of Agricultural Conservation Lots.

The proposed amendment is intended to provide flexibility in site planning and design to:

- 1) Promote land conservation;
- 2) Preserve agricultural land resources; and
- 3) Maintain district character consistent with the General Plan.

The amendment proposes provisions for the creation of agricultural conservation lots that will be dedicated for agricultural use, in perpetuity, through a conservation easement or a unilateral agreement.

The proposed amendment to the Maui County Code (MCC) Section 19.30A.030, District Standards, provides for the ability to subdivide agriculturally zoned land into lots with a minimum lot area of one (1) acre provided that:

1. For parcels with a lot area of at least 92 acres, at least 70% of the lot area must be placed in an agricultural conservation lot. For parcels with a lot area of less than 92 acres, at least 60% of the lot area shall be placed in an agricultural conservation lot.
2. The design of the subdivision incorporates best management practices that support the purpose and intent of the Agricultural District.
3. Non-substantive grammatical improvements are also proposed.

It is not the intent of the proposed amendment to allow for the creation of agricultural lots beyond the maximum lot limit established under MCC subsection 19.30A.030(G). (J. Summers)

D. DIRECTOR'S REPORT

1. Open Lana'i Applications Report as distributed by the Planning Department with the January 21, 2015 agenda
2. Open Lana'i Applications Report as distributed by the Planning Department with the February 18, 2015 agenda
3. Agenda Items for the March 18, 2015 Lana'i Planning Commission meeting

E. NEXT REGULAR MEETING DATE: MARCH 18, 2015

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

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.

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

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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 February 18, 2015 was on February 3, 2015.

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 (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.

**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.** (S:\ALL\Leilani\LPC\Agenda\2015\021815\_age.wpd)