

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

**UNOFFICIAL AGENDA - HYPERLINKS TO MEETING MATERIALS
ADDED FOR INFORMATIONAL PURPOSES ONLY**

DATE: APRIL 11, 2017
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Pua Canto, Lawrence Carnicelli, Stephen Castro, Sandra Duvauchelle,
Tina Gomes, Richard Higashi, Larry Hudson, Keaka Robinson, Christian Tackett

- A. CALL TO ORDER
- B. INTRODUCTION OF NEW MEMBERS – Tina Gomes and Christian Tackett
- C. ELECTION OF OFFICERS FOR 2017-2018 COMMISSION YEAR
 - 1. Chairperson
 - 2. Vice-Chairperson
- D. 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. **Testimony will be limited to a maximum of three (3) minutes.**
- E. ORIENTATION WORKSHOP NO. 1
 - 1. Opening Remarks by the Planning Director – William Spence
 - 2. The Planning Framework
 - 3. Zoning
 - 4. Chapter 343, HRS, Environmental Assessments and Environmental Impact Statements
 - 5. Bed and Breakfast Homes and Short-Term Rental Homes
 - 6. Sunshine Law
 - 7. Ethics
 - 8. Contested Cases
 - 9. Property Rights
 - 10. Rational Nexus and Rough Proportionality
- F. DIRECTOR’S REPORT (To begin at 1:00 p.m. or soon thereafter)
 - 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 requests administratively:

MR. KAALA BUENCONSEJO, Director, DEPARTMENT OF PARKS AND RECREATION requesting a [two \(2\)-year time extension](#) on the Special Management Area Use Permit condition to complete construction of the 1.907 acre expansion and related improvements to Paani Maui Park located along Hana Highway at TMK: 1-4-006: 025, Hana, Island of Maui. (SM1 2008/0010) (R. Quigless)

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.

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

1. MS. DEBBIE MITCHELL, consultant, requesting [Short-Term Rental Home Permits](#) for the current owners of the following units at the International Colony Club in the R-3 Residential District at 2750 Kalapu Drive, Unit #22, 29, 38, and 45, TMK: 4-4-006: 006, (0021, 0028, 0037, and 0044), Lahaina, Island of Maui. (STWM T2016/0030, STWM T20160031, STWM T2017/0002, STWM T2017/0007) (K. Wollenhaupt)

These applications require a public hearing because there are at least two (2) permitted short-term rental home operations located within 500 ft. of the subject property.

H. UNFINISHED BUSINESS

1. MR. RORY FRAMPTON of RORY FRAMPTON CONSULTING, INC. on behalf of MAKILA RANCHES, INC. requesting deletion of Condition Numbers 17 and 20 of the previously approved Special Management Area Use Permit for the Makila Ranches Phase 2 Agricultural Subdivision creating eleven (11) agricultural lots, one (1) non-developable greenway lot, and two (2) roadway lots with associated improvements and infrastructure at TMK: 4-7-014: parcels 1-14 (formerly TMK: 4-7-001:026), Launiupoko, Lahaina, Island of Maui. (SM1 2009/0014) (K. Wollenhaupt) (Deferred at the January 24, 2017 meeting.)

Condition Nos. 17 and 20 related to the County of Maui's anticipated acquisition of Lot 12, a non-developable greenway lot and public use of the subdivision roadway to access Lot 12.

The SMA Use Permit was approved by the Commission on [December 9, 2014](#).

The Commission may take action on this request.

[Document #1](#) [Document #2](#) [Document #3](#) [Document #4](#) [Document #5](#)

- I. ACCEPTANCE OF THE [ACTION MINUTES OF MARCH 28, 2017 MEETING](#) AND PORTION OF THE JANUARY 24, 2017 MEETING, ITEM E-1.

J. DIRECTOR'S REPORT

1. SMA Minor Permit Report
2. SMA Exemptions Report
3. Discussion of Future Maui Planning Commission Agendas
 - a. April 25, 2017 agenda items

K. NEXT REGULAR MEETING DATE: APRIL 25, 2017

L. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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

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 for an item where the first public hearing date is on April 11, 2017 was on March 28, 2017.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST TWO MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY.

WRITTEN AND/OR EMAILED TESTIMONY REQUESTED SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED 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.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

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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 AND/OR EMAILS SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO ENSURE THAT IT IS CIRCULATED TO THE COMMISSION.

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.
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