

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 ADDED TO MEETING MATERIALS
FOR INFORMATIONAL PURPOSES ONLY**

DATE: JULY 25, 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: Sandra Duvauchelle (Chair), Richard Higashi (Vice-Chair), Pua Canto,
Lawrence Carnicelli, Stephen Castro, Tina Gomes, Larry Hudson,
Keaka Robinson, Christian Tackett

A. CALL TO ORDER

B. PUBLIC TESTIMONY - Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three (3) minutes.**

C. PUBLIC HEARINGS (action to be taken after each public hearing.)

1. MR. WILLIAM SPENCE, Planning Director, transmitting [alternative proposed bills](#) relating to Short-Term Rental Homes in the Pa`ia-Ha`iku Community Plan Area, respectively described as follows:

a) A proposed bill titled "A BILL FOR AN ORDINANCE AMENDING THE PA`IA-HA`IKU COMMUNITY PLAN RELATING TO VISITOR ACCOMMODATIONS." The purpose of the proposed bill to amend the Pa`ia-Ha`iku Community Plan, adopted by Ordinance 2415 (1995), to confirm Short-Term Rental Homes are allowed in Pa`ia-Ha`iku Community Plan Area, consistent with Ordinance 3941 (2012).

b) A proposed bill titled "A BILL FOR AN ORDINANCE RELATING TO SHORT-TERM RENTAL HOMES IN THE PAIA-HAIKU COMMUNITY PLAN AREA." The purpose of the proposed bill to amend Chapter 19.65, Maui County Code, to prohibit new Short-Term Rental Homes in the Pa`ia-Ha`iku Community Plan Area.

2. FRANCISCO GOYA, TAMARA CATZ, and EMANUEL MATTIELLO requesting a Short-Term Rental Home Permit in order to operate the Paia Beach Home, a 3-bedroom in one dwelling short-term rental home located in the R-1 Residential District at 36 Ae Place, TMK: 2-6-002: 028, Paia, Island of Maui. (STPH T2017/0002) (E. Aako)

The [subject application](#) is being brought to the Maui Planning Commission for review because there are at least two (2) permitted short-term rental home operations located within 500 ft. of the subject property. The applicant's previous STRH Permit expired prior to the applicant renewing it so a new permit is required.

D. NEW BUSINESS

1. VINTAGE RENTALS, LLC requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Community Plan Amendment request from Single Family Residential to Business/Commercial for the Paia Trade Center project for the proposed renovation of an existing single family to a commercial building located at 150 Luna Place, TMK: 2-6-005: 005, Paia, Island of Maui. (EA 2016/0001) (CPA 2016/0002) (CIZ 2016/0001) (SMX 2016/0003) (C. Thackerson) (Draft Environmental Assessment was reviewed by the Commission at its November 7, 2016 meeting.)

The Chapter 343, HRS trigger for the Environmental Assessment is the community plan amendment.

The applicant has also submitted applications for a community plan amendment, a change in zoning, and a Special Management Area Assessment. These applications will be scheduled for further review after the Chapter 343, HRS process has been completed.

The Commission may act to accept the Final Environmental Assessment as a Findings of No Significant Impact (FONSI) or take some other action.

E. UNFINISHED BUSINESS

1. MR. PETER SULLIVAN of HAWAII MATERIALS RECYCLING LLC requesting a State Land Use Commission Special Permit in order to establish and operate a construction materials recycling facility to accept and process inert construction and demolition wastes including concrete, rock, and asphalt on approximately ten acres of land located in the Agricultural District at TMK: 2-2-002: 084 (por.), Kihei, Island of Maui. SUP2 2016/0014) (L. Callentine) (Public hearing was conducted at the July 11, 2017 meeting and the matter was later deferred.)

The Commission may act on the [subject application](#).

2. Notification of Mediator and Selection of Hearing Officer on the following contested case:

ISAAC HALL, attorney on behalf of JACK and LYNN MUEGGE, MENEHUNE VENTURES, LLC, WORTHY CLAY SCOTT, and MARY JACQUELINE SCHEIBEL intervening on the applications by MS. KATHY DAVEY requesting a State Land Use Commission Special Permit and a Bed and Breakfast Home Permit in order to operate the Kaanapali Coffee Cottage, a 2-bedroom bed and breakfast home in the State Agricultural District at 2950 Aina Mahiai Place, TMK: 4-4-020: 052, Kaanapali, Lahaina, Island of Maui. (SUP2 2017/0006)

(BBWM T2017/0002) (T. Furukawa) (Public hearing was conducted on the applications and intervention was granted at the June 27, 2017 meeting)

The Commission may take action to acknowledge the agreed upon mediator and select the Hearings Officer/Hearings body.

- F. Workshop on Managing Maui's Dynamic Shoreline: Coastal Processes, Impacts, and Responses – Tara Owens, Maui Sea Grant Agent

The workshop is for information purposes.

- G. ACCEPTANCE OF THE [ACTION MINUTES](#) OF THE JULY 11, 2017 MEETING AND REGULAR MINUTES OF THE NOVEMBER 7, 2016 MEETING

- H. DIRECTOR'S REPORT

1. Designation of the Hana Advisory Committee to review and provide their recommendation on the following request:

MS. BRIANNA EVERETT requesting a State Land Use Commission Special Permit amendment for Hana's Tradewind Cottages to utilize two (2) two-bedroom farm dwellings for short-term rental use on approximately 2.164 acres of land situated in the State Agricultural District at 143 Alahele Place, TMK: 1-3-009: 107, Hana, Island of Maui. (SUP2 2012/0034) (R. Quigless)

The applicant currently has a State Special Permit and a Bed and Breakfast Home Permit (BBHA 2013/0005) to operate a two-bedroom bed and breakfast home on the property. The Applicant has also applied for a Short-Term Rental Home Permit.

The Commission may designate the Hana Advisory Committee to the Maui Planning Commission to conduct a public hearing and provide its recommendation on the request.

2. SMA Minor Permit Report
3. SMA Exemptions Report
4. Discussion of Future Maui Planning Commission Agendas
- a. August 8, 2017 agenda items

- I. NEXT REGULAR MEETING DATE: AUGUST 8, 2017

- J. 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 July 25, 2017 was on July 11, 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.

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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