

**MAUI PLANNING COMMISSION
ACTION MINUTES
APRIL 11, 2017**

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Director Will Spence at approximately 9:10 a.m., Tuesday, April 11, 2017, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

A quorum of the Commission was present. (See Record of Attendance.)

B. INTRODUCTION OF NEW MEMBERS – Tina Gomes and Christian Tackett

C. ELECTION OF OFFICERS FOR 2017-2018 COMMISSION YEAR

1. Chairperson – Sandra Duvauchelle was nominated and voted as Chairperson
2. Vice-Chairperson – Richard Higashi was nominated and voted as 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

Presentations were given by Planning Staff and Deputy Corporation Counsel.

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.

It was moved by Mr. Robinson, seconded by Mr. Carnicelli, then

VOTED: To Waive Review of the Time Extension Request.
(Assenting – K. Robinson, L. Carnicelli, L. Hudson, P. Canto,
T. Gomes, C. Tackett, S. Castro)
(Excused – S. Duvauchelle)

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.

It was moved by Mr. Hudson, seconded by Mr. Robinson, then

VOTED: To Defer the Matter Until the Planning Commission Meeting Just
Preceding the Expiration of a 120 Days.
(Assenting – L. Hudson, K. Robinson, P. Canto, T. Gomes,
C. Tackett, S. Castro)
(Dissenting – L. Carnicelli)
(Excused – S. Duvauchelle)

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.

After Commission discussion, the applicant withdrew his request requesting the deletion of Condition Numbers 17 and 20 of the previously approved Special Management Area Use Permit for the Makila Ranches Phase 2 Agricultural Subdivision.

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

It was moved by Mr. Robinson, seconded by Mr. Carnicelli, then

**VOTED: To Accept the Action Minutes of the March 28, 2017 Meeting and Portion of the January 24, 2017 Meeting, Item E-1.
(Assenting – K. Robinson, L. Carnicelli, L. Hudson, P. Canto,
T. Gomes, C. Tackett, S. Castro)
(Excused – S. Duvauchelle)**

J. DIRECTOR'S REPORT

1. SMA Minor Permit Report
2. SMA Exemptions Report

No questions or comments on the SMA Minor or SMA Exemption Reports.

3. Discussion of Future Maui Planning Commission Agendas
 - a. April 25, 2017 agenda items

Mr. Spence went over the items scheduled for the April 25, 2017 agenda.

K. NEXT REGULAR MEETING DATE: APRIL 25, 2017

L. ADJOURNMENT

The meeting was adjourned at 4:08 p.m.

Submitted by,

Carolyn Takayama-Corden
Secretary to Boards & Commissions II

RECORD OF ATTENDANCE

Present

Pua Canto
Lawrence Carnicelli
Stephen Castro
Sandy Duvauchelle
Tina Gomes
Richard Higashi, Vice Chairperson
Larry Hudson
Keaka Robinson
Christian Tackett

Excused

Sandy Duvauchelle, Chairperson

Others

Will Spence, Director, Planning Department
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works (on-call)