

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: SEPTEMBER 26, 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), 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. UNFINISHED BUSINESS

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: (Public Hearing conducted on July 25, 2017.)

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.

The Commission may take action on this item.

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

1. EDIC SLIVA and LISA TOLLNER-SLIVA requesting a Short-Term Home Permit for the Lahaina Palms, a four (4)-bedroom short-term rental home in one dwelling located in the R-2 Residential District at 36 Kai Pali Place, TMK: 4-5-004: 053, Kaanapali, Lahaina, Island of Maui. (STWM T2017/0018) (T. Furukawa)

[Report](#)

[Exhibits](#)

[Recommendation](#)

[Testimony](#)

E. COMMUNICATIONS

1. KENNETH & ANJALI DESURE requesting an amendment to their State Land Use Commission Special Permit to replace DANI NUESCA with TROY WAGNER as a co-permit holder for the Maui Ocean Breezes Bed and Breakfast Home in the State Agricultural District at 240 Holokai Road, TMK: 2-8-004: 104, Haiku, Island of Maui. ( SUP2 2012/0004) (T. Furukawa)

The Commission may take action on this request. [Report & Recommendation](#)

F. COMMUNICATIONS

[Exhibits](#)

1. MR. DAVID GOODE, Director, DEPARTMENT OF PUBLIC WORKS requesting comments on the Draft Environmental Assessment for the proposed Napili Culvert Replacement Project, TMK: 4-3-001: 003 (por.), 4-3-002: 023 (por.) and 045 (por.), and the 40-foot County right-of-way. (J. Buika) (previously scheduled for the September 12, 2017 meeting.)

The Department of Public Works is the approving agency for the Environmental Assessment. (EAC 2017/0003)

The Commission may provide their comments on the Draft Environmental Assessment.

- G. ACCEPTANCE OF THE [ACTION MINUTES OF THE AUGUST 22, 2017 MEETING](#) AND REGULAR MINUTES OF THE NOVEMBER 22, 2016, DECEMBER 13, 2016, JUNE 13, 2017, JULY 11, 2017, AUGUST 22, 2017 MEETINGS AND PORTION OF THE REGULAR MINUTES OF THE FEBRUARY 28, 2017 MEETING-ITEM C-1 AND PORTION OF THE JULY 25, 2017 MEETING-ITEM C-1

H. DIRECTOR'S REPORT

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. TODD LIEBL, CEO of VICTORY DEVELOPMENT HAWAII, INC. requesting a [two \(2\)-year Special Management Area Use Permit time extension](#) on the period to initiate construction of the Cove Beach Village Project in the A-2 Apartment District at 82 Kanani Road, TMK: 3-9-16: 004, Kihei, Island of Maui. (K. Scott)

The Commission is being asked to waive or not waive its review.

The Commission may take action on this request.

2. Meeting Schedule for Calendar Year 2018

The Commission may take action to accept or amend the proposed meeting schedule.

3. Reports from Commissioners who attended the 2017 Hawaii Congress of Planning Officials Conference (September 20-22, 2017) at the Alohilani Resort, Honolulu, Island of Oahu.

This is for information purposes.

4. SMA Minor Permit Report

5. SMA Exemptions Report

6. Discussion of Future Maui Planning Commission Agendas

a. October 10, 2017 agenda items

I. NEXT REGULAR MEETING DATE: October 10, 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 September 26, 2017 was on September 12, 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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