

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 INFORMATION PURPOSES ONLY

DATE: APRIL 10, 2018  
TIME: 9:00 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Lawrence Carnicelli, Stephen Castro, Tina Gomes, Richard Higashi, Kahu Alalani Hill, Larry Hudson, P. Denise LaCosta, Keaka Robinson, Christian Tackett

- A. CALL TO ORDER
- B. INTRODUCTION OF NEW MEMBER – P. Denise LaCosta
- C. ELECTION OF OFFICERS FOR THE 2018-2019 BOARD YEAR – Chair and Vice-Chair
- D. PUBLIC TESTIMONY - Public testimony will be taken when each 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. COMMUNICATIONS (To begin at 1:00 p.m. or soon thereafter.)
  - 1. Appointment of a Hearings Officer to consider the remanded contested case hearing on the County Special Use Permit application from SEASHORE PROPERTIES for the proposed nine (9) room transient vacation rental on the property referenced as the Paia Inn located at 93 Hana Highway, TMK: (2) 2-6-002: 027, Paia, Island of Maui. (CUP 2015/0006) (CTB 2015/0009) (SMX 2015/0522) (K. Wollenhaupt) [MEMORANDUM](#)

The Commission will consider only the appointment of a hearings officer, and not the substance of the previously noticed application, although public testimony will be permitted and notice of the meeting was given to property owners within 500 feet of 93 Hana Highway, Paia, Island of Maui.

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.

The Commission may act to appoint a Hearings Officer.

G. DIRECTOR'S REPORT

1. MR. WILLIAM SPENCE, Planning Director requesting pursuant to the provisions of Section 19.32.020.C of the Maui County Code, Planned Developments that the Maui Planning Commission waive its review on the Planned Development Step III application for the following:

CHRIS HART & PARTNERS on behalf of WAILEA LAND CORPORATION requesting a Planned Development Step III approval for the proposed Makalii at Wailea (Wailea MF-15) Multi-Family Development at the corner of Wailea Alanui Drive and Kaukahi Street at TMK: (2) 2-1-008: 120, Wailea, Island of Maui. (PD3 2018/0002) (SM1 2013/0016) (PD1 2013/0004) (PD2 2013/0004)(T. Furukawa) [APPLICATION](#)

The Commission may act to waive or not waive its review.

2. SMA Minor Permit Report
3. SMA Exemptions Report
4. Discussion of Future Maui Planning Commission Agendas
  - a. April 24, 2018 agenda items

H. NEXT REGULAR MEETING DATE: APRIL 24, 2018

I. 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 10, 2018 was on March 23, 2018.

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 RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT [www.mauicounty.gov](http://www.mauicounty.gov), UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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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