

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 24, 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: Richard Higashi (Chair), Keaka Robinson (Vice-Chair) Lawrence Carnicelli, Stephen Castro, Tina Gomes, Kahu Alalani Hill, Larry Hudson, P. Denise LaCosta, 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. ORIENTATION WORKSHOP NO. 2

1. Special Management Area Rules and Shoreline Setback Rules
2. Managing Maui's Shorelines
3. Flood Hazards
4. County's Policy Against Discrimination
5. Update of the General Plan – Long Range Division and Plan Implementation

D. PUBLIC HEARINGS (To begin at 1:00 p.m. or soon thereafter.) (Action to be taken after each public hearing.)

1. MR. WILLIAM SPENCE, Planning Director transmitting proposed amendments to Chapter 19.35 of the Maui County Code relating to Accessory ("Ohana") Dwellings (M. McLean and D. Raatz) [MEMORANDUM](#)
2. MR. WILLIAM SPENCE, Planning Director transmitting proposed amendments to Chapter 19.36A of the Maui County Code relating to the Off-Street Parking and Loading Ordinance (M. McLean and D. Raatz) [MEMORANDUM](#)

E. UNFINISHED BUSINESS

1. PETER LORD and LISA LORD requesting a State Land Use Commission Special Permit in order to operate the Aloha Spirit Maui Short-Term Rental Home, a two (2)-bedroom short-term rental home located in the State Agricultural District at 915 Kai Hele Ku Street #B, TMK: 4-7-010: 026-0002, Launiupoko, Lahaina, Island of Maui. (SUP2 2017/0015) (K. Willenbrink) (Public hearing conducted on January 9, 2018.)

The Commission may take action on this request. The 120-day deadline to take action on the request is May 9, 2018.

F. COMMUNICATIONS

1. MR. GALE NOTESTONE, Chair of the Hana Advisory Committee to the Maui Planning Commission transmitting: the Committee's recommendations on the request from ROBERT HOREN and WENDY HOREN for a State Land Use Commission Special Permit in order to operate Hale Nanea, a 2-bedroom Short-Term Rental Home located in the State Agricultural District at 5440 Hana Highway, TMK: 1-4-003: 051, Hana, Island of Maui. (SUP2 2017/0016) (R. Quigless) [REPORT](#)

The Commission may take action on this request.

2. 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) [REPORT](#)

The Commission previously reviewed this application at its April 10, 2018 meeting and decided not waive its review and review the request.

The Commission may take action on the application.

G. ADOPTION OF WRITTEN DECISION AND ORDER

1. Having voted at its June 13, 2017 meeting to deny the request by MR. GAL COHEN for a Short-Term Rental Home Permit for the Halama Beach Villa, a 3-bedroom short-term rental home located in the R-3 Residential District at 1543 Halama Street, TMK: 3-9-010: 031, Kihei, Island of Maui. (STKM T2017/0002) (T. Furukawa) [PROPOSED DECISION AND ORDER](#)

The subject application was 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 Commission may take action to adopt, adopt with modifications, or take some other action regarding the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

H. DIRECTOR'S REPORT

1. MR. WILLIAM SPENCE, Planning Director, notifying the Maui Planning Commission pursuant to Commission's SMA Rules of the following Special Management Area (SMA) Emergency Permit:

MR. MICHAEL R. BURR, General Manager of the MAUI KAI RESORT obtaining a Special Management Area Emergency Permit by letter dated March 29, 2018 to implement temporary measures to address significant subsidence on the makai lanai for property located at 106 Kaanapali Shores Place, TMK: (2) 4-4-001: 100, Kaanapali, Lahaina, Island of Maui. (SM3 2018/0007) (K. Scott) [LETTER](#)

This is for notification and review purposes.

2. SMA Minor Permit Report
3. SMA Exemptions Report
4. Discussion of Future Maui Planning Commission Agendas
 - a. May 8, 2018 agenda items

I. NEXT REGULAR MEETING DATE: MAY 8, 2018

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.

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, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

Maui Planning Commission Agenda
April 24, 2018
Page 4

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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