

MOLOKAI PLANNING COMMISSION

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES, AS AMENDED, AND THE GOVERNOR'S EMERGENCY PROCLAMATIONS RELATED TO THE COVID-19 CRISIS, NOTICE IS HEREBY GIVEN OF A MEETING OF THE MOLOKAI PLANNING COMMISSION

AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: MAY 13, 2020
TIME: 11:00 AM
PLACE: Online only via BlueJeans: Meeting I.D.: 366 458 332

Members: Lori Buchanan (Chair), Laakea Poepoe (Vice-Chair), Julie-Ann Bicoy, Leonora Espaniola, William Moore, Bridget Mowat, John Pele, John Perez III, John Sprinzel

Public testimony will be taken when each agenda item is discussed. Testimony will be limited to a maximum of three (3) minutes with 30 seconds to conclude.

To listen to the meeting or provide oral testimony via phone: Dial 1-888-748-9073 and enter code **366 458 332**

To watch the meeting or provide video testimony: Click on or use meeting link <https://bluejeans.com/366458332>

To provide written testimony: Email testimony to planning@mauicounty.gov at least two business days prior to the meeting by 5:00pm; written testimony will be distributed to commission members and will be reviewed at the meeting.

Testifiers will be called by the Chair to offer their testimony and are asked to mute their audio and video when they are not testifying.

Testifiers via video are asked to sign-up using the Chat function to send a Direct Message to Suzette Esmeralda, Secretary to Boards and Commissions, providing your name, and the item you are testifying on. Testifiers via phone will be called by the Chair after video testimony is finished.

Commissioners shall not be contacted by the Chat function.

- A. CALL TO ORDER
- B. WAIVER OR NON-WAIVER OF SPECIAL MANAGEMENT AREA (SMA) ASSESSMENT REVIEW

1. MS. MICHELE MCLEAN, Planning Director, notifying the Commission pursuant to the provisions of Section 12-302-13.1(a) of the Molokai Planning Commission's Special Management Area Rules that the following proposed action located within the Special Management Area is not a "development" and therefore exempt from the requirements of the Molokai Planning Commission's Special Management Area Rules:

- a. MRS. JANICE KALANIHUIA, Director, Molokai General Hospital requesting to remove and replace the existing air conditioning equipment on the roof and ceiling of the Molokai General Hospital located at 280 Home Olu Place, Kaunakakai, Molokai, TMK (2) 5-3-009:017 (SMX 2020/0112) (Valuation: \$2,584,077) (S. Lopez)
[\(SMA Assessment\)](#)

The Commission may act to waive or not waive its review or defer. If the Commission votes to not waive its review, it may review the subject SMA assessment and act to approve or disapprove a SMA exemption, or defer

- b. MRS. LISA TAKATA requesting after the fact approval for re-roofing, replaced laminate floor and installed baseboards on a single family residence located at 377 Ilio Road, Ranch Camp Subdivision, Kaunakakai, Molokai, TMK (2) 5-3-010:019 (SMX 2020/0097) (Valuation: \$18,000) (S. Lopez)
[\(SMA Assessment\)](#)

The Commission may act to waive or not waive its review or defer. If the Commission votes to not waive its review, it may review the subject SMA assessment and act to approve or disapprove a SMA exemption, or defer.

C. PUBLIC HEARING (Action to be taken after public hearing)

1. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code, Chapter 19.69 relating to Urban Reserve District regarding permitted uses, minimum development standards and height regulations. (J. Takakura)
[\(Memorandum\)](#)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/1127/Legislation---Proposed>

SUMMARY:

1. Section 19.69.020.B: Permitted uses.

- Amends language regarding uses and structures that are accessory to a single-family dwelling and language regarding accessory dwellings
 - Removes short-term rental homes and adds bed and breakfast rental homes as a permitted use
 - Adds buildings or premises used by federal, state, or county governments for public purposes.
 - Moved language from 19.69.020.C regarding structures used for public purposes and on land which the community plan designates as open space or park.
2. Section 19.69.020.D.1: Minimum development standards.
 - Amends language regarding subdivisions
 3. Section 19.69.020D.2: Height regulations.
 - Removes language regarding two stories.
2. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code, Chapter 19.35 relating to Accessory Dwellings and Fire Code requirements. (J. Takakura) [\(Memorandum\)](#)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/1127/Legislation---Proposed>

Section 19.35.090.C is proposed to be amended regarding fire code requirements for fire apparatus access roads to require that lots meet fire code requirements for fire apparatus access roads instead of requiring a minimum road width of 20 feet.

D. UNFINISHED BUSINESS

1. MR. SHANE VISITACION, on behalf of VERIZON WIRELESS, requesting a County Special Use Permit in order to operate and modify a telecommunications facility located at the Maunaloa Ranch Rodeo Grounds, TMK (2) 5-1-002:023 (por.), Maunaloa (CUP 2019/0003) (S. Lopez) [\(Application\)](#) [\(01/06/2020 DOH Letter\)](#)

Public hearing was conducted on February 26, 2020. The Commission deferred the matter.

The Commission may take action to approve or deny the County Special Use Permit, or choose to defer the item.

E. DIRECTOR'S REPORT

1. Open Molokai Applications Report generated by the Planning Department with the May 13, 2020 Agenda Packet (Appendix-A)
2. Completed Molokai Applications Report generated by the Planning Department with the May 13, 2020 Agenda Packet (Appendix-B)
3. Agenda Items for the May 27, 2020 meeting

F. NEXT SCHEDULED REGULAR MEETING DATE: MAY 27, 2020

G. ADJOURNMENT

Agenda items are subject to cancellation.

An executive session may be called in order for the Commission to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities, Pursuant to Sec. 92-5(a)(4), Hawaii Revised Statutes.

Petitions to intervene shall be in conformity with Section 12-301-25 of the Rules of Practice and Procedure for the Molokai Planning Commission and shall be filed with the Commission and served upon the applicant no less than ten (10) days before the first public hearing date. Filing of all documents to the Commission is c/o the Maui County Department of Planning, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793 and P.O. Box 526, Kaunakakai, Hawaii 96748. The deadline to file a timely Petition to Intervene, if the first public hearing date is February 26, 2020, is February 11, 2020.

Documents relating to this meeting may be found on the County of Maui official website at <https://www.mauicounty.gov/>, under Boards and Commissions, Molokai Planning Commission.

Documents relating to this meeting are also on file with the Department of Planning.

The address of the Commission is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793.

Oral or written testimony will be received on any agenda item subject to the provisions of Chapter 92, Hawaii Revised Statutes, the Commission's Rules of Practice and Procedure, and the

Governor's Emergency Proclamations. In accordance with these rules, maximum time limits of at least three minutes may be established by the Commission on individual testimony. Please note that anyone wishing to provide oral testimony pertaining to an agenda item that is a "contested case" pursuant to Chapter 91, Hawaii Revised Statutes, may be asked to testify under oath or affirmation, and may be subject to limited cross examination in accordance with Section 91-10(3), Hawaii Revised Statutes.

Written testimony, whether sent via fax, email, or USPS mail, should be received by the Department of Planning by 5:00pm at least **two business days** before the meeting to ensure distribution to the Commission. Testimony can be faxed to the Department of Planning at (808) 270-7634, or emailed to planning@mauicounty.gov. Fifteen copies of written testimony are required if testimony is delivered to the Department of Planning immediately prior to 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.

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 1-800272-0125 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.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Department of Planning at least one day prior to the meeting date. Thank you for your cooperation. S:\ALL\SUZETTE\MoPC\AGENDAS\2020 Agendas\051320 Mopc Agenda.docx