

# MOLOKAI PLANNING COMMISSION

PURSUANT TO CHAPTER 92, PART 1, OF THE HAWAII REVISED STATUTES AS AMENDED; NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MOLOKAI PLANNING COMMISSION

COMMISSIONERS: DeGray Vanderbilt (Chair); Steven Chaikin (Vice-Chair); Lynn DeCoite; Kip Dunbar; Bill Feeter; Joseph Kalipi; Linda Kauhane; Sherman Napoleon, Jr.; Mikiala Pescaia,

## AGENDA

**DATE: December 12, 2007 (Wednesday)**

**TIME: 10:30 a.m.**

**PLACE: Mitchell Pauole Center Small Conference Room, Kaunakakai, Molokai. The meeting will begin in the Small Conference Room at 10:30 am and recess to the larger meeting hall after 12:00 pm.**

A. CALL TO ORDER

B. PUBLIC TESTIMONY ON ANY AGENDA ITEM FOR THOSE WHO HAVE TO GET BACK TO WORK OR HAVE OTHER SCHEDULING CONFLICTS

Public testimony will also be taken when the agenda item comes up before the Molokai Planning Commission. A person testifying at the beginning of the meeting will not be allowed to testify again when the agenda item comes up before the Commission, unless you are able to offer new or additional information. Maximum time limits on individual testimony may be established by the Commission.

C. APPROVAL OF MINUTES OF THE OCTOBER 24, 2007 MEETING

D. CONTINUED PUBLIC HEARING (Action to be taken after public hearing.) (Initial public hearing conducted on October 10, 2007 and continued on October 24, 2007 and November 14, 2007.)

1. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting the following bills for ordinances addressing the issues of bed and breakfast (B&B) operations and transient vacation rentals (TVRs) operations, including the expansion of B&B operations into the rural and agricultural zoned lands and the expansion of TVRs into business district zoned areas such as Kaunakakai. (J. Alueta, Administrative Planning Officer) *(Department Staff Report was distributed at the October 10, 2007 meeting. Commissioners: Please bring your copy.)*

The proposed bills can be viewed at the Molokai Planning Commission office at the Mitchell Pauole Center (contact Nina at 553-3221) or at the Molokai Library. The proposed bills can also be viewed on line at:

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<http://www.mauicounty.gov/departments/Planning/pdf/Revised092107TVRBill.pdf>

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- a. A Bill for an Ordinance to Amend the Bed and Breakfast Ordinance, Chapter 19.64 of the Maui County Code regarding Bed and Breakfast Homes.

The proposed amendments add that breakfast shall be made available to onsite guests and that bed and breakfast operations within the residential and rural zoning districts (currently B&Bs are permitted by B&B permit only in residential zoned districts) shall be limited to existing single-family structures; a 16 sq. ft. project notice sign shall be posted at the front of the property along the main access road; the application shall be subject to 19.510.20, the planning director shall approve or deny the bed and breakfast permit application; conditions under which the appropriate planning commission would approve or deny the permit; and provisions for renewal of bed and breakfast permits.

- b. A Bill for an Ordinance to Amend Chapter 19.40, Conditional Permits prohibiting transient vacation rental operations from being established via the conditional permit process.
- c. A Bill for an Ordinance Relating to the Permitting of Transient Vacation Rentals.

The purpose of the ordinance is to allow transient vacation rentals only in the following instances: (a) in zoning districts where they are a permitted use (currently in the airport and hotel districts), (b) in business zoning districts, and (c) in the destination resort areas of Wailea, Makena, Kaanapali, and Kapalua. The Planning Department is also recommending that the operation of TVRs be expanded within the resort destination area of Kaluakoi.

- d. A Bill for an Ordinance to Amend Section 19.30A.060, Special uses of the Maui County Code, relating to the Agricultural District.

The bill would include bed and breakfast operations that are operated in conjunction with: 1. A bonafide agricultural operation with an annual gross income from agricultural products of \$35,000 as a

accessory use. 2. Located in a structure that is listed on a State or National Register of Historic Sites. Bed and Breakfast operations shall be subject to the provisions found in Chapter 19.64 and shall be subject to Chapter 205, Hawaii Revised Statutes. Currently B&B operations on Molokai are allowed in residential zoned districts by B&B permit.

- e. A Bill for an Ordinance to Amend Chapter 19.29.030, relating to the Rural District.

The bill would expand bed and breakfast operations into rural zoned districts on Molokai subject to the provisions and restrictions of Chapter 19.64 of the Maui County Code as a permitted use. Currently, B&B operations on Molokai are allowed by B&B permit in residential zoned districts.

- 1) Continued Public Hearing on the various proposed bills
- 2) Action on the various proposed bills

- E. PUBLIC HEARING (Action to be taken after public hearing. Public hearing to begin no earlier than 1230 pm)

- 1. MR. JEFFREY S. HUNT, Planning Director transmitting Council Resolution No. 07-108 referring A Bill for an Ordinance to Prohibit Superstores in Maui County to the Lanai, Maui, and Molokai Planning Commissions. (RFC 2007/0099) (J. Alueta)

- a. Public Hearing
- b. Action

- F. UNFINISHED BUSINESS

- 1. MR. JEFFREY S. HUNT, AICP, Planning Director, transmitting the 2030 Countywide Policy Plan (Plan) to the Molokai Planning Commission pursuant to the provisions of Chapter 2.80B of the Maui County Code. The Molokai Planning Commission may review and provide recommendations on Sections I - V of the Plan, which was revised to reflect the recommendations of the Maui, Molokai and Lana`i General Plan Advisory Committees. Emphasis will be placed on the revised **Vision Statement**, and **Core Values and Principles** Sections, and on the **Implementation** Chapter. (Chapter V). The Commission may also discuss convening a special meeting at a later date to complete any unfinished business under this item.

***First public hearing was conducted on August 22, 2007.***

***To view Section IV, (Goals, Objectives, & Policies) and revisions proposed by the three General Plan Advisory Committees see Maui County website at:***

***[http://www.co.maui.hi.us/departments/Planning/pdf/Full\\_Directors\\_Report.pdf](http://www.co.maui.hi.us/departments/Planning/pdf/Full_Directors_Report.pdf)***

***A copy of the draft Policy Plan may also be reviewed on Molokai at the Molokai Library, and at the Department of Planning Office at the Mitchell Pauole Center (553-3221). The draft Policy Plan is divided into 11 sections: Education, Social and Health Care Services, Natural Environment, Local Culture and Traditions, Land Use and Population, Infrastructure, Housing, Parks and Public Facilities, Good Governance, and Transportation. The public is permitted to testify on any section of the draft Policy Plan at any of the Commission's meetings when the Policy Plan is reviewed.***

- a. Public Testimony***
- b. Action***

**G. CHAIRPERSON'S REPORT**

- 1. Discussion of process for Commission to wrap up its work on Molokai Properties Limited's Laau Point/ Master Plan Environmental Review Process.

**H. DIRECTOR'S REPORT**

- 1. Open Molokai Applications List
- 2. Closed Molokai Applications List

**I. ANNOUNCEMENTS**

**J. NEXT MEETING DATE: JANUARY 9, 2008**

**K. ADJOURNMENT**

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE MOLOKAI AND MAUI DEPARTMENT OF PLANNING OFFICES.

ORAL, WRITTEN, E-MAILED, OR FAXED TESTIMONY WILL BE RECEIVED ON ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, AND THE MOLOKAI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN, E-MAILED, OR FAXED TESTIMONY SHOULD BE SUBMITTED AT LEAST TWO BUSINESS DAYS PRIOR TO THE MEETING TO ENSURE DISTRIBUTION TO THE COMMISSION. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

**THE ADDRESS OF THE COMMISSION IS P.O. BOX 526, KAUNAKAKAI, MOLOKAI, HAWAII 96748, AND/OR c/o MAUI DEPARTMENT OF PLANNING, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793. PHONE: 270-7735 (MAUI); 553-3221 (MOLOKAI); 270-7634 (FAX). E-MAIL ADDRESS: [planning@mauicounty.gov](mailto:planning@mauicounty.gov)**

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, Conditional Permit, Type 3 Bed and Breakfast 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 MAUI DEPARTMENT OF PLANNING AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.***

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least **two days** prior to the meeting date. Thank you for your cooperation.

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