

**LANA'I PLANNING COMMISSION
SUMMARY MINUTES
JANUARY 16, 2019**

([HYPERLINK TO AUDIO RECORDING OF THE MEETING](#))

A. CALL TO ORDER

The regular meeting of the Lanai Planning Commission (Commission) was called to order by Ms. Caron Green, Chair, at approximately 5:00 p.m., Wednesday, January 16, 2019, in the Lanai Senior Center, Lanai City, Hawaii.

A quorum of the Commission was present (see Record of Attendance).

- B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.**

(Item B.1. begins at 00:00:20 of the Audio Recording)

C. UNFINISHED BUSINESS

1. **ALICIA ALCANTARA BRANDT requesting a Short-Term Rental Home Permit in order to operate 444 Lanai, a three-bedroom short-term rental located in the R-1 Residential District at 444 Lanai Avenue, TMK: (2) 4-9-010:014, Lanai City, Island of Lanai. (STLA T2018/0003) (J. Burkett) (The Lanai Planning Commission conducted a public hearing and acted to approve the permit request on October 17, 2018.) (Deferred from the November 28, 2018 meeting.)**

(Commissioners: Please bring the materials that were previously distributed in prior meeting packets.) [Exhibit](#)

The Commission reviewed the application because there are at least two permitted short-term rental home operations located within 500 feet of the subject property.

Related to the approval of a Short Term Rental Home Permit for 444 Lanai Avenue, Lanai City, STLA T2018/0003, on October 17, 2018, by the Lanai Planning Commission.

The Lanai Planning Commission is being notified of an apparent error made by the applicant in the certified mail notices required pursuant to Sections 19.65.050.B and 19.65.050.D.4, which relate to notification of the

owners or lessees of record within the 500 foot radius of a proposed short term rental home. The Planning Department recommends that the Lanai Planning Commission rescind its approval of said permit.

The Lanai Planning Commission may consider rescission of the STRH permit approval for STLA T2018/0003, related to 444 Lanai Avenue, Lanai City.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County and the Commission.

(Item C.1. begins at 00:11:30 of the Audio Recording)

(Public Testimony for Item C.1. begins at 00:26:18 of the Audio Recording)

(Motion was made at 00:40:29 of the Audio Recording)

It was moved by Ms. Shelly Preza, seconded by Mr. John Delacruz, then unanimously

(Vote was taken at 00:40:40 of the Audio Recording)

VOTED: To let the October decision to approve the STHR permit stand.

2. **Discussion of establishing caps for [Short-Term Rental Homes and Bed and Breakfast Homes on Lanai](#). (Previously scheduled for the November 28, 2018 meeting. Discussed at the December 12, 2018 meeting and deferred.) *(Commissioners: Please bring the copy of the [September 28, 2016 Lanai Planning Commission meeting minutes](#) and the materials previously distributed in prior meeting packets.)***

The Commission may determine whether a cap(s) should be established and if so what the suggested cap(s) should be proposed in future legislation. The Commission may then direct the Planning Department and the Department of the Corporation Counsel to draft such a bill for public hearing at a future Commission meeting.

(Item C.2. begins at 00:41:57 of the Audio Recording)

(Public Testimony for Item C.2. begins at 00:50:40 of the Audio Recording)

(Lanai Planning Commission recessed at 6:30 p.m. and reconvened at 6:38 p.m.)

(Motion was made at 01:44:55 of the Audio Recording)

It was moved by Mr. John Delacruz, seconded by Mr. Gerald Rabaino, then unanimously

VOTED: To defer the discussion of caps for short term rental homes to the April 2019 meeting on the condition that during the March 2019 meeting, the Lanai Planning Commission will decide whether or not to continue discussion at the April 2019 meeting to allow the Commissioners time to think about it and whether or not to establish a cap.

D. DIRECTOR'S REPORT

- 1. Reports from members who attended the Native Hawaiian Law Training on December 7, 2018.**

(Item D.1. begins at 01:47:56 of the Audio Recording)

Commissioners Roxanne Catiel, Sherry Menze, Mililani Martin and John Delacruz attended the Native Hawaiian Law Training and provided their input and takeaways to the Commission.

- 2. [Open Lanai Applications Report](#) as distributed by the Planning Department with the October 17, 2018 agenda.**
- 3. [Open Lanai Applications Report](#) as distributed by the Planning Department with the November 28, 2018 agenda.**
- 4. [Open Lanai Applications Report](#) as distributed by the Planning Department with the December 12, 2018 agenda.**
- 5. [Open Lanai Applications Report](#) as distributed by the Planning Department with the January 16, 2019 agenda.**

(Items D.2. through D.5 begins at 01:54:53 of the Audio Recording)

Commissioner Shelly Preza questioned when the affordable housing project would be brought before the Commission. Mr. Yoshida responded that the affordable housing projects that Pulama Lanai is considering will be 201H, and it will be transmitted from the State Housing Agency or the County of Maui Department of Housing and Human Concerns to the Council. It may also need to go through a District Boundary reclassification with the State Land Use Commission. Therefore it will not be brought to the Lanai Planning Commission, but will

probably go to the Council who will probably have meetings on Lanai to hear from the residents.

E. NEXT REGULAR MEETING DATE: FEBRUARY 20, 2019

(Items E.1. begins at 01:56:37 of the Audio Recording)

Tentatively scheduled for the February 20, 2019 meeting are the enforcement penalties for illegal short-term rental home, the no setback for accessory structures in Lanai City, and the Lanai Adventure Park which were deferred from previous meetings.

F. ADJOURNMENT

There being no further discussion brought forward to the Commission, the meeting was adjourned at 7:10 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Roxanne Catiel
John Delacruz
Caron Green, Chair
Mililani Martin (from ~ 5:05 p.m.)
Sherry Menze
Shelly Preza, Vice-Chair
Gerald Rabaino
Shirley Samonte (from ~ 5:12 p.m.)
Chelsea Trevino (from ~ 5:05 p.m.)

OTHERS:

Clayton Yoshida, Planning Program Administrator, Current Planning Division
Jared Burkett, Staff Planner
Richelle Thomson, Deputy Corporation Counsel