

LANA'I PLANNING COMMISSION

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

AGENDA (HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: April 17, 2019
TIME: 5:00 P.M.
PLACE: Lana'i Senior Center
309 Seventh Street
Lana'i City, Lana'i, Hawaii 96763

Members: Roxanne Catiel, John Delacruz, Caron Green, Mililani Martin, Sherry Menze, Shelly Preza, Gerald Rabaino, Shirley Samonte, Chelsea Trevino

- A. CALL TO ORDER
- B. ELECTION OF OFFICERS FOR THE 2019-2020 BOARD YEAR – Chair and Vice-Chair
- C. 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.
- D. UNFINISHED BUSINESS
 - 1. MS. MICHELE McLEAN, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to increase the penalty for the operation of a transient accommodation without a necessary permit from the current \$1,000 to a civil fine of up to \$20,000 plus \$10,000 per day for each day the unlawful operation persists. (J. Hart for M. McLean) (Public hearing was conducted at the December 12, 2018 meeting and Commission action was deferred.) [MEMORANDUM](#)

The Commission may take action on this item.
 - 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 and January 16, 2019 meetings and deferred.)

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.

3. Discussion of allowing no building setback in the Residential District in Lanai City for carports, garages and storage buildings. (Previously scheduled for the November 28, 2018 and December 12, 2018 meetings and deferred.)

The Commission may determine whether the front, side and rear yards should be zero feet for carports, garages and storage buildings on properties in Lanai City that are zoned Residential. The Commission may then direct the Planning Department and the Department of Corporation Counsel to draft such a bill for public hearing at a future Planning Commission meeting.

E. PUBLIC HEARINGS (Action to be taken after public hearing.)

1. SHORT-TERM RENTAL HOME PERMIT

BRENDA and MIKE HINTON requesting a Short-Term Rental Home Permit in order to operate Hale Nani, a two-bedroom short-term rental located in the R-1 Residential District at 516 Nani Street, TMK: (2) 4-9-010:050, Lanai City, Island of Lanai. (STLA T2018/0006) (J. Burkett)

The Commission is reviewing the application because there are at least two permitted short-term rental home operations located within 500 feet of the subject property. [REPORT AND RECOMMENDATION](#)

2. **NOTICE: Due to errors in noticing, the public hearing item below will not take place at this time, and no public testimony will be received on this item. A Public Hearing Notice will be republished and this matter will be placed on a future Lanai Planning Commission meeting agenda.**

LORRIE NIELSON requesting a Short-Term Rental Home Permit in order to operate Hale Lanai, a two-bedroom short-term rental located in the R-1 Residential District at 920 Fraser Street, TMK: (2) 4-9-005:029, Lanai City, Island of Lanai. (STLA T2018/0008) (J. Burkett)

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

F. DIRECTOR'S REPORT

1. [Open Lanai Applications Report](#) as distributed by the Planning Department with the April 17, 2019 agenda.
2. Discussion on Commissions annual training. Since the Commission does not have any new members for the 2019-2020 year, what if any training would the Commission like the Department to provide?
3. Agenda Items for the May 15, 2019 meeting

G. NEXT REGULAR MEETING DATE: May 15, 2019

H. 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), HRS.

DOCUMENTS ARE 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 619, 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, LANAI PLANNING COMMISSION.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

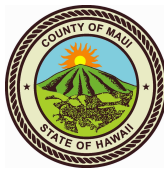
WRITTEN TESTIMONY AND FAXES SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE COMMISSION. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE REQUESTED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

Unless otherwise specified by another planning commission rule, any petition to intervene as a formal party in the proceedings before the 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 was on April 17, 2019 is on April 9, 2019.

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 1-800-272-0125 (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.

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\Leilani\LPC\Agenda\2019\041719age.docx



County of Maui
Kalana O Maui Building
200 South High Street,
Wailuku, HI 96793-2155

Open PD - Projects by TMK Report

04/05/2019

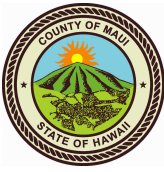
Entry Date: 04/05/2017 - 04/05/2019

Permit Type: %

TMK: 249%

| <u>TMK</u> | <u>Project</u> | <u>Permit Name</u> | <u>Permit #</u> | <u>Applicant Name</u> | <u>Entry Date</u> | <u>Completion Date</u> | <u>Status</u> | <u>Project Lead</u> |
|---------------|-------------------|-------------------------------|------------------|--------------------------|-------------------|------------------------|---------------|---------------------|
| 2490010260000 | DE BRUMS LANAI | DE BRUMS LANAI STRH | STLA - T20190002 | KAREN AND MARTIN DE BRUM | 03/20/2019 | | OPEN | BURKETT |
| 2490040100000 | LANAI SUNSET HALE | STRH\LANAI | STLA - T20180009 | PATRICK S CARUSO | 10/25/2018 | | OPEN | BURKETT |
| 2490050290000 | HALE LANAI | STRH/LANAI | STLA - T20180008 | LORRIE NIELSON | 10/10/2018 | | OPEN | BURKETT |
| 2490070390000 | HALE O LANA'I | STLA/LANA'I | STLA - 20190003 | JAMES COON | 07/24/2018 | | OPEN | BURKETT |
| 2490100500000 | HALE NANI | HALE NANI STRH/LANAI | STLA - T20180006 | BRENDA HINTON | 08/28/2018 | | OPEN | BURKETT |
| 2490130010000 | HALE OHANA | REVIEW FOR COMPLETENESS/LANAI | STLA - T20190001 | RUSSELL NEILSON | 02/27/2019 | | OPEN | BURKETT |
| 2490170010000 | MANELE SIGNAGE | PROPOSED MANELE SIGNAGE | SMX - 20190090 | LANAI RESORTS, LLC | 03/18/2019 | | OPEN | BURKETT |

Grand Total: 7



County of Maui
 Kalana O Maui Building
 200 South High Street,
 Wailuku, HI 96793-2155

Planning Department - Completed Projects by TMK Report

Completion Date: 01/05/2019 - 04/05/2019

Permit Type: %

TMK: 249%

Does not include permit types: LTR, SPC and S.

| <u>TMK</u> | <u>Project</u> | <u>Description</u> | <u>Permit #</u> | <u>Applicant Name</u> | <u>Entry Date</u> | <u>Completion Date</u> | <u>Status</u> | <u>Project Lead</u> |
|---------------------|----------------|--------------------|-----------------|-----------------------|-------------------|------------------------|---------------|---------------------|
| Grand Total: | 0 | | | | | | | |