

## LANA'I PLANNING COMMISSION

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

### AGENDA (HYPERLINKS TO MEETING MATERIALS ADDED)

**DATE: SEPTEMBER 16, 2020**

**TIME: 5:00 P.M.**

**Online only via BlueJeans: Meeting ID: 731082245**

Members: Shelly Preza (Chair), Chelsea Trevino (Vice-Chair), Roxanne Catiel, John Delacruz, Sally Kaye, Sherry Menze, Natalie Ropa, John Ornellas, Shirley Samonte

#### A. CALL TO ORDER

To listen to the meeting or provide oral testimony via phone, dial **1-888-748-9073** and enter code **731082245**

To watch the meeting or provide video testimony, use meeting link: <https://bluejeans.com/731082245>

To provide written testimony, email comments to [planning@mauicounty.gov](mailto:planning@mauicounty.gov) by noon, one business day before the meeting to ensure distribution to the commission.

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

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 providing your name and the item you're wishing to testify on. Testifiers via phone will be called by the Chair after video testimony is finished.

Commissioners shall not be contacted by the Chat function.

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

1. A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.35, 19.64 AND 19.65, MAUI COUNTY CODE, RELATING TO ACCESSORY DWELLINGS, BED AND BREAKFAST HOMES AND SHORT-TERM RENTAL HOMES

MS. MICHELE COUTEAU MCLEAN, AICP, Planning Director, referring to the Lanai Planning Commission a Proposed Bill to Amend Chapters 19.35, 19.64 and 19.65, Maui County Code, Relating to Accessory Dwellings, Bed and Breakfast Home Permits and Short-Term Rental Home Permits.

[MEMORANDUM](#)

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

Chapters 19.35, 19.64, and 19.65 are proposed to be amended to allow bed and breakfast and short term rental home operations in accessory dwellings, subject to restrictions that encourage long-term occupancy; limit short-term rental homes to one per property and per applicant; clarify trusts and ownership requirements; expand notification requirements to neighbors of the property; and other minor revisions. (Jacky Takakura)

2. A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO CANOPY TOURS AND ZIPLINE OPERATIONS

MS. MICHELE COUTEAU MCLEAN, AICP, Planning Director, transmitting County Council Resolution 20-90 referring to the Lanai Planning Commission a Proposed Bill to Amend the Comprehensive Zoning Ordinance Relating to Canopy Tours and Zipline Operations.

[MEMORANDUM](#)

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

Per Council Resolution No. 20-90, adopted on June 19, 2020, transmitting the proposed bill, the Council proposes to amend Chapter 19.30A and establish Chapter 19.97, Maui County Code, to require a Conditional Permit for canopy tour and zipline operations to enable the Council to evaluate the appropriateness of the uses in various zoning districts. (Jacky Takakura)

C. COMMUNICATIONS

1. August 7, 2020 [Q1 through Q2 2020 Semi-Annual Report \(Condition 14\)](#) submitted by MS. KEIKI-PUA S. DANCIL, Ph.D., Senior Vice-President of Governmental Affairs, PULAMA LANAI regarding the project irrigation demand associated with the Residential and Multi-Family Development at Manele, TMK: 4-9-017-001, 002, 003, 004, 005 and 4-9-002:049, Manele, Island of Lanai. (95/SM1-015) (95/PH2-001)

The Report is provided to the Lanai Planning Commission for its review.

2. August 7, 2020 [Second quarter of 2020 Report from mid-February through mid-June \(Condition 15\) water usage reports for the project site](#) submitted by MS. KEIKI-PUA S. DANCIL, Ph.D., Senior Vice-President of Governmental Affairs, PULAMA LANAI for Project District Phase II Application for the Four Seasons Resort, Lanai, Koele Proposed Improvements (PH2 2017/0001).

The Report is provided to the Lanai Planning Commission for its review.

D. DIRECTOR'S REPORT

1. Information requested of the Department by the Commission at the Lanai Planning Commission July 15, 2020 meeting (*Deferred from the August 19, 2020 meeting.*):
  - a. SM1 1995-0015 Condition #14:  
Context of the condition.
  - b. Kaluakoi Estates (SM1 2020-0002):  
Brief description of proposed action.
2. Reports from Commissioner(s) who attended the virtual Native Hawaiian Law Training held on August 13 and 14, 2020. (*Deferred from the August 19, 2020 meeting.*)
3. State Office of Planning and American Planning Association (Hawaii Chapter) hosting the 2020 Hawaii Congress of Planning Officials Conference, a virtual lunchtime series, October 19-23, 2020, from 11:30 a.m. – 1:30 p.m. each day. (*Deferred from the August 19, 2020 meeting.*)
4. [Open Lanai Applications Report](#) as distributed by the Planning Department with the September 16, 2020 agenda.
5. Agenda Items for the October 21, 2020 meeting.

E. NEXT REGULAR MEETING DATE: October 21, 2020

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

SOME REQUIREMENTS OF CHAPTER 92, HRS, HAVE BEEN SUSPENDED UNDER GOVERNOR IGE'S SUPPLEMENTARY PROCLAMATION ISSUED ON MARCH 16, 2020. WHILE THE GOVERNOR'S

PROCLAMATION IS IN EFFECT, NO FAILURE TO COMPLY WITH CHAPTER 92, HRS, WILL INVLADATE A PUBLIC AGENCY’S DELIBERATIONS OR ACTIONS TAKEN.

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, OR MAY BE FOUND ON THE OFFICIAL COUNTY OF MAUI WEBSITE AT [WWW.MAUICOUNTY.GOV](http://WWW.MAUICOUNTY.GOV) UNDER BOARDS AND COMMISSIONS, LANAI PLANNING COMMISSION.

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 (10) days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS NOTED ABOVE. THE DEADLINE FOR FILING A TIMELY PETITION TO INTERVENE FOR AN ITEM WHERE THE FIRST PUBLIC HEARING DATE WAS ON SEPTEMBER 16, 2020 WAS ON SEPTEMBER 1, 2020.

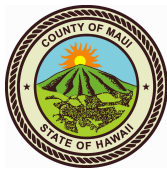
ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, THE GOVERNOR’S EMERGENCY PROCLAMATIONS DUE TO THE COVID-19 CRISIS, AND THE BOARD’S RULES OF PRACTICE AND PROCEDURE, EXCEPT FOR CONTESTED CASES UNDER CHAPTER 91, HRS, AS NOTED ABOVE.

WRITTEN TESTIMONY, WHETHER SENT VIA FAX, EMAIL OR USPS SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY NOON, ONE BUSINESS DAY BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD. TESTIMONY CAN BE FAXED TO THE DEPARTMENT OF PLANNING AT (808) 270-7634 OR EMAILED TO [planning@mauicounty.gov](mailto:planning@mauicounty.gov). 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.

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

# Open PD - Projects by TMK Report

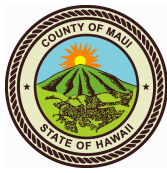
09/01/2020

Entry Date: 09/01/2018 - 09/01/2020

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	BBLA - T20200001	KAREN AND MARTIN DE BRUM	04/08/2020		OPEN	BURKETT
2490020010000	LANAI LANDING REPAIR	LANAI LANDING REPAIR	SMX - 20190203	LANAI RESORTS, LLC DBA PULAMA LANAI	06/12/2019		OPEN	BURKETT
2490030100000	LANAI LANDING REPAIR	LANAI LANDING REPAIR	SMX - 20190203	LANAI RESORTS, LLC DBA PULAMA LANAI	06/12/2019		OPEN	BURKETT
2490060210000	COMMERCIAL BUILDING	COMMERCIAL BUILDING RENOVATION\LANAI	CTB - 20190008	LANAI RESORTS, LLC DBA PULAMA LANAI	11/05/2019		OPEN	BURKETT
2490060310000	419 7TH STREET	419 7TH STREET RENOVATION/LANAI	CTB - 20200001	LANAI RESORTS, LLC DBA PULAMA LANAI	05/18/2020		OPEN	BURKETT
2490060580000	843 LANAI AVE	ANDREA IPPEN EMAIL INQUIRY\LANAI	RFC - 20200122	ANDREA IPPEN	08/18/2020		OPEN	BURKETT
2490070820000	KE HIKI HALE	KE HIKI HALE	STLA - T20190003	ARMEN MAJKUS	05/14/2019		OPEN	BURKETT
2490140020000	LANAI YOUTH CENTER	LPAP/LANAI YOUTH CENTER/LANAI	LPAP - 20200026	ERIN JOHNSON & PETER NIESS	07/30/2020		OPEN	WAIKIKI
2490170010000	MANELE RESORT MF	JORDAN REQUEST FOR REVIEW CRITICAL ITEMS	RFC - 20200123	JORDAN HART	08/25/2020		OPEN	WOLLENHAUPT
2490170020000	MANELE RESORT MF	JORDAN REQUEST FOR REVIEW CRITICAL ITEMS	RFC - 20200123	JORDAN HART	08/25/2020		OPEN	WOLLENHAUPT
2490170030000	MANELE RESORT MF	JORDAN REQUEST FOR REVIEW CRITICAL ITEMS	RFC - 20200123	JORDAN HART	08/25/2020		OPEN	WOLLENHAUPT
2490170040000	MANELE RESORT MF	JORDAN REQUEST FOR REVIEW CRITICAL ITEMS	RFC - 20200123	JORDAN HART	08/25/2020		OPEN	WOLLENHAUPT
2490170050000	MANELE RESORT MF	JORDAN REQUEST FOR REVIEW CRITICAL ITEMS	RFC - 20200123	JORDAN HART	08/25/2020		OPEN	WOLLENHAUPT
2490170080000	MANELE GOLF COURSE	MANELE GOLF COURSE CART PATH	SMX - 20190192	LANAI RESORTS LLC, DBA PULAMA LANAI	06/06/2019		OPEN	THACKERSON
	MANELE GOLF COURSE	MANELE GOLF COURSE CART PATH	SSA - 20190029	LANAI RESORTS LLC, DBA PULAMA LANAI	06/06/2019		OPEN	THACKERSON
2490170140000	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	PH2 - 20200002	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	SM1 - 20200006	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
2490170150000	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	PH2 - 20200002	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	SM1 - 20200006	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT



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## Open PD - Projects by TMK Report

09/01/2020

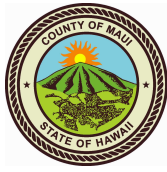
Entry Date: 09/01/2018 - 09/01/2020

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<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>
2490170160000	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	PH2 - 20200002	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	SM1 - 20200006	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
2490170170000	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	PH2 - 20200002	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	SM1 - 20200006	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
2490170180000	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	PH2 - 20200002	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT
	KALUAKOI ESTATES	KALUAKOI ESTATES/LANAI CITY	SM1 - 20200006	LANAI ESTATES, LLC	05/15/2020		OPEN	WOLLENHAUPT

**Grand Total:** 12



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

## Planning Department - Completed Projects by TMK Report

Completion Date: 06/01/2020 - 09/01/2020

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>
2490170010000	MANELE AMPHITHEATER	MANELE AMPHITHEATER/LANAI	PH2 - 20200001	MUNEKIYO HIRAGA	01/02/2020	07/02/2020	DONE	WOLLENHAUPT

**Grand Total:** 1

PERMITS TYPES:

BBLA - BED & BREAKFAST LANAI

CTB - COUNTRY TOWN BUSINESS APPROVAL

LPAP - LANDSCAPE PLANTING APPROVAL - OFF STREET PARKING

PH2 - PROJECT DISTRICT PHASE 2

RFC - REQUEST FOR COMMENTS

SM1 - SMA USE PERMIT

SMX - SMA ASSESSMENT

SSA - SHORELINE SETBACK APPROVAL

STLA - SHORT-TERM RENTAL HOME/LANAI