

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: NOVEMBER 17, 2021
TIME: 5:00 P.M.
PLACE: Online only via BlueJeans: Meeting ID: 589 607 544

Members: Shelly Preza (Chair), Sally Kaye (Vice-Chair), John de la Cruz, Zane de la Cruz, Elisabeth Grove, Sherry Menze, Natalie Ropa, Shirley Samonte, Chelsea Trevino

A. CALL TO ORDER

To listen to the meeting or provide oral testimony via phone, dial 1-888-748-9073 (toll-free) or 1-408-915-6290 and enter code 589 607 544

To watch the meeting or provide video testimony, use meeting link: <https://bluejeans.com/589607544>

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 by 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 MAUI COUNTY CODE CHAPTERS 19.04 – GENERAL PROVISIONS AND DEFINITIONS, AND 19.08 – RESIDENTIAL DISTRICTS

MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, referring to the Maui, Molokai, and Lanai Planning Commissions a proposed bill to amend Maui County Code Chapter 19.04 – General Provisions and Definitions, and Chapter 19.08 Residential Districts, to revise definitions and clarify code provisions

regarding yards and setbacks; increase housing options and sustainability, and codify practices regarding the uses and standards of residential zoning districts. (J. Takakura)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/129345/Draft-Bill-for-Ordinance-amending-1904---General-Provisions--Definitions-1908-Residential-Districts-09282021>

[Memorandum](#) [Documents Received After Posting](#)

2. A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.26, MAUI COUNTY CODE, RELATING TO M-2 HEAVY INDUSTRIAL DISTRICT

MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, referring to the Maui, Molokai, and Lanai Planning Commissions a proposed bill to amend Maui County Code Chapter 19.26 – M-2 Heavy Industrial District, to allow apartments when located on the same lot as business or industrial uses, and when the property is located within 500 feet of any property with existing residential use; transient vacation rental use is prohibited. (J. Takakura)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/129722/Bill-for-Ordinance-updating-Chapter-1926---M-2-Heavy-Industrial>

[Memorandum](#) [Documents Received After Posting](#)

3. **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.**

COUNTY SPECIAL USE PERMIT

T-MOBILE WEST LLC, requesting a County Special Use Permit for modifications of an existing telecommunications facility, located HI05004A Lanai City, TMK (2) 4-9-002:001(por.), Island of Lanai (CUP 2021/0001) (K. Willenbrink)

C. UNFINISHED BUSINESS (Action to be taken)

1. A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO CONDITIONAL PERMIT AMENDMENTS

Ms. Michele Chouteau McLean, AICP, Planning Director, transmitting Resolution No. 21-92 referring to the Lanai Planning Commission a proposed bill to amend Maui County Code Chapter 19.40, Conditional Permits, to remove the planning director's authority to approve non-substantive amendments that do not result in significant impacts above what would result from the approved conditional permit. (J. Takakura) *(Public Hearing was conducted at the September 15, 2021 meeting, and discussed at the October 20, 2021 meeting.)*

[Memorandum \(Copy distributed with the September 15, 2021 packet\)](#)

[Department's Transmittal to County Council dated 09-17-21](#)

[County Council's Response Letter dated 11-04-21](#)

[Documents Received After Posting](#)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/127556/Resolution-21-92-Referring-to-the-Planning-Commissions-a-Proposed-Bill-Relating-to-Conditional-Permit-Amendments>

D. DIRECTOR'S REPORT

1. [Open Lanai Applications Report](#) as distributed by the Planning Department with the November 17, 2021 agenda.
2. Highlights from the Lanai Planning Commissioners who attended the Virtual 2021 Hawaii Congress of Planning Officials (HCPO) Conference, October 4-8, 2021.
3. Agenda Items for the December 15, 2021.

E. NEXT REGULAR MEETING DATE: December 15, 2021

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 INVALIDATE 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 315, WAILUKU, MAUI, HAWAII 96793, OR MAY BE FOUND ON THE OFFICIAL COUNTY OF MAUI WEBSITE AT 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 NOVEMBER 17, 2021 WAS ON NOVEMBER 2, 2021.

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 COMMISSION. TESTIMONY CAN BE FAXED TO THE DEPARTMENT OF PLANNING AT (808) 270-7634 OR EMAILED TO 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 REQUIRING AN AUXILIARY AID OR SERVICE OR AN ACCOMMODATION 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 **THREE (3)** 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

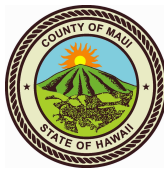
11/08/2021

Entry Date: 11/08/2019 - 11/08/2021

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>
2490010210000	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CIZ - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CPA - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	EA - 20210002	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	PH1 - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
2490010240000	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CIZ - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CPA - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	EA - 20210002	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	PH1 - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
2490010250000	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CIZ - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CPA - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	EA - 20210002	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	PH1 - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
2490010270000	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CIZ - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	CPA - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	EA - 20210002	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
	KOELE PROJECT	KOELE PROJECT DISTRICT AMENDMENT/LANAI	PH1 - 20210001	LANAI RESORTS LLC	06/08/2021		OPEN	WOLLENHAUPT
2490020010000	T-MOBILE HIO5004A	T-MOBILE HI05004A\HI05005A/LANAI	CUP - 20210001	T-MOBILE	03/06/2021		OPEN	WILLENBRINK
2490020610000	HOKUAO 201H HOUSING	AG LAND USE TO URBAN LAND USE\LANAI	A - 21-810	PULAMA LANAI	08/26/2021		OPEN	WOLLENHAUPT
	MIKI BASIN INTERIM	MIKI BASIN INTERIM INDUSTIRAL	SUP2 - 20210008	KURT MATSUMOTO	08/16/2021		OPEN	WOLLENHAUPT



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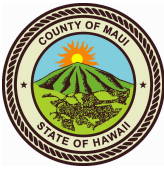
TMK: 249%

<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>
2490020610000		USES/LANAI						
2490060310000	419 7TH STREET	419 7TH STREET RENOVATION/LANAI	CTB - 20200001	LANAI RESORTS, LLC DBA PULAMA LANAI	05/18/2020		OPEN	BURKETT
2490080080000	BACALSO, LEMUEL & MA	BVA VARIANCE- TITLE 19-SETBACK- LANAI	BVAV - 20200002	LEMUEL BACALSO	07/08/2020		OPEN	DIAS
2490140010000	HOKUAO 201H HOUSING	AG LAND USE TO URBAN LAND USE\LANAI	A - 21-810	PULAMA LANAI	08/26/2021		OPEN	WOLLENHAUPT
2490140020000	LANAI YOUTH CENTER	LPAP/LANAI YOUTH CENTER/LANAI	LPAP - 20200026	ERIN JOHNSON & PETER NIESS	07/30/2020		OPEN	WAIKIKI
2490140090000	HOKUAO 201H HOUSING	AG LAND USE TO URBAN LAND USE\LANAI	A - 21-810	PULAMA LANAI	08/26/2021		OPEN	WOLLENHAUPT

Grand Total: 10

PERMIT TYPES:

A - LAND USE COMMISSION DISTRICT BOUNDARY AMENDMENT
 BVAV - BOARD OF VARIANCES/APPEALS - VARIANCE
 CIZ - CHANGE IN ZONING
 CPA - COMMUNITY PLAN AMENDMENT
 CTB - COUNTRY TOWN BUSINESS APPROVAL
 CUP - COUNTY SPECIAL USE PERMIT
 EA - ENVIRONMENTAL ASSESSMENT/DETERMINATION
 LPAP - LANDSCAPE PLANTING APPROVAL - OFF STREET PARKING
 PH1 - PROJECT DISTRICT PHASE 1
 SUP2 - LUC SPECIAL USE <15 ACRES



County of Maui
 Kalana O Maui Building
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Planning Department - Completed Projects by TMK Report

Completion Date: 08/08/2021 - 11/08/2021

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							