

## LANA‘I PLANNING COMMISSION

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

### AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

**DATE:** September 21, 2022

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

**REMOTE MEETING LOCATION:** Interactive conference technology via BlueJeans Videoconferencing: Meeting ID: 936 628 764

**PHYSICAL LOCATION:** Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Current Planning Division Conference Room, One Main Plaza, 2200 Main Street, Suite 619, Wailuku, Maui, Hawaii 96793. The Commission Members may not be physically present at this location and COVID-19 pandemic restrictions may limit capacity.

**COURTESY TESTIMONY SITE:** Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Maui County Council, Lanai District Office, 814 Fraser Avenue (entrance on Gay Street), Lanai City, Hawaii 96763. Note: The Commission Members may not be physically present at this location and COVID-19 pandemic restrictions may limit capacity.

Members: Reynold Gima (Chair), Sally Kaye (Vice-Chair), Nicole Alboro, Erin Atacador, Zane de la Cruz, Elisabeth Grove, Sherry Menze, Shelly Preza, 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 Meeting ID: 936 628 764

To watch the meeting or provide video testimony, use meeting link: <https://bluejeans.com/936628764> or [www.bluejeans.com](http://www.bluejeans.com), click "Join Meeting," and enter Meeting ID: 936 628 764

To provide written testimony: Email testimony to [planning@mauicounty.gov](mailto:planning@mauicounty.gov) or submit written testimony by mail to Lanai Planning Commission, c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793. While the Commission requests that written testimony be submitted by noon, one business day prior to the meeting, to allow time for it to be transmitted and reviewed by the Commission, testimony submitted after such date and time will still be accepted.

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 and phone testimony are finished.

Commissioners shall not be contacted by the Chat function.

B. ORIENTATION WORKSHOP NO. 1

1. Lanai Planning Commission's Roles and Responsibilities
2. Robert's Rules and how to properly conduct a planning commission meeting
3. The Sunshine Law (Chapter 92, Hawaii Revised Statutes)
4. Ethics
5. Contested Cases
6. Property Rights
7. Rational Nexus and Rough Proportionality

[Power Point](#)

[Documents Received After Posting](#)

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

1. A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.12, MAUI COUNTY CODE, RELATING TO CONVERTING APARTMENT BUILDINGS FROM TRANSIENT VACATION RENTAL USE TO LONG-TERM RESIDENTIAL USE

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 19.12 – Apartment Districts, to allow property owners of buildings located in the Apartment Districts to permanently convert property from transient vacation rental use to long-term residential use. (J. Takakura)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/134354/Bill-for-Ordinance-amending-Chapter-1912-relating-to-converting-vacation-rentals-to-long-term-use>

[Department's Memorandum](#)

[Documents Received After Posting](#)

D. DIRECTOR'S REPORT

1. [Open Lanai Applications Report](#) as distributed by the Planning Department with the September 21, 2022 agenda.
2. [Table of Permit Types](#) for the Lanai Planning Commission.
3. Agenda Items for the October 19, 2022.

E. NEXT REGULAR MEETING DATE: October 19, 2022

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

**INTERRUPTION IN VIDEO/AUDIO:** IF THE CONNECTION BETWEEN ANY TESTIFIER AND THE VIDEO CONFERENCE IS LOST, THE MEETING WILL CONTINUE. A MEETING HELD BY INTERACTIVE CONFERENCE TECHNOLOGY SHALL BE AUTOMATICALLY RECESSED FOR UP TO 30 MINUTES TO RESTORE COMMUNICATION WHEN AUDIOVISUAL COMMUNICATION CANNOT BE MAINTAINED WITH COMMISSION MEMBER PARTICIPATING IN THE MEETING OR WITH THE PUBLIC LOCATION IDENTIFIED ABOVE. IF CONNECTION CANNOT BE RESTORED WITHIN 30 MINUTES, THE MEETING IS AUTOMATICALLY TERMINATED.

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** RELATING TO THIS MEETING ARE ON FILE WITH THE DEPARTMENT OF PLANNING AND MAY BE FOUND BY CLICKING ON THE LINKS PROVIDED ON THIS AGENDA, AND ON THE OFFICIAL COUNTY OF MAUI WEBSITE AT [WWW.MAUICOUNTY.GOV](http://WWW.MAUICOUNTY.GOV) UNDER BOARDS AND COMMISSIONS, LANAI PLANNING COMMISSION.

THE **ADDRESS OF THE COMMISSION** IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793, PHONE NUMBER IS 808-270-7735, AND EMAIL IS [planning@mauicounty.gov](mailto:planning@mauicounty.gov).

THE LINKS FOR DOCUMENTS RECEIVED AFTER POSTING WILL BE UPDATED PERIODICALLY WHEN TESTIMONY OR DOCUMENTS ARE RECEIVED.

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 FILING OF ALL DOCUMENTS TO 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 21, 2022 WAS ON SEPTEMBER 7, 2022.**

**ORAL TESTIMONY** WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, AND THE BOARD'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES, MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY. PLEASE NOTE THAT ANYONE WISHING TO PROVIDE ORAL TESTIMONY PERTAINING TO AN AGENDA ITEM THAT IS A "CONTESTED CASE" PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES, WILL BE ASKED TO TESTIFY UNDER OATH OR AFFIRMATION, AND MAYBE BE SUBJECT TO LIMITED CROSS EXAMINATION IN ACCORDANCE WITH SECTION 91-10(3), HAWAII REVISED STATUTES.

**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.

**SPECIAL ASSISTANCE**: 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 Lanai

09/13/2022

Entry Date: 09/13/2020 to 09/13/2022

<u>TMK</u>	<u>Project Name</u>	<u>Short Project Description</u>	<u>Permit Number</u>	<u>Applicant Name</u>	<u>Entry Date</u>	<u>Status</u>	<u>Apply Date</u>	<u>Project Lead</u>
2490010210000-50796	KOELE PROJECT	Koele Project District Amendment	PH120210001	LANAI RESORTS LLC	06/08/2021	In Review	06/08/2021	Kurt Wollenhaupt
	KOELE PROJECT	Koele Project District Amendment	CPA20210001	LANAI RESORTS LLC	06/08/2021	In Review	06/08/2021	Kurt Wollenhaupt
	KOELE PROJECT	Koele Project District Amendments	CIZ20210001	LANAI RESORTS LLC	06/08/2021	In Review	06/08/2021	Kurt Wollenhaupt
2490020010000-50809	Kaumālapa‘u Harbor Mooring Improvements	State of Hawaii, Department of Transportation, Harbors Division	SMX2022-00025	Tiffanie Whitworth	06/15/2022	In Review	04/28/2022	Wesley Bradshaw
2490050900000-50979	Fleet Yard Repair and Maintenance	Fleet Yard Repair and Maintenance	CTB2022-00001	Sharon Thom	06/16/2022	In Review	06/15/2022	Aliki Biniaris
2490060580000-51006	843 Lanai Ave Renovation and Addition	Repair and renovation existing structure	CTB2022-00003	CHARLES PALUMBO	08/09/2022	In Review	08/05/2022	Scott Forsythe

**Grand Total: 6**

PERMIT NAMES:  
 CIZ - CHANGE IN ZONING  
 CPA - COMMUNITY PLAN AMENDMENT  
 CTB - COUNTRY TOWN BUSINESS APPROVAL  
 PH1 - PROJECT DISTRICT PHASE 1  
 RFC - REQUEST FOR COMMENTS



COUNTY OF MAUI  
Kalana O Maui Building  
200 South High Street  
Wailuku, HI 96793-2155

# PD - Approved Projects for Lanai

09/13/2022

Permit Completion Date: 06/13/2022 - 09/13/2022

## CP Request for Comment

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
RFC2022-00068		Lanai Resorts LLC, request for permit to scrape, grub and excavate sand from attached exhibits.		Wesley Bradshaw	09/01/2022	Completed	2490170020000-86467
RFC2022-00031		Request for Consultation: Lanai District Resurfacing FY2022 & FY 2023 DPW Job No. 22-12 / Due by 6/30/22		Aliki Biniaris	07/01/2022	Completed	

Grand Total: 2

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