

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

Members: Reynold "Butch" Gima (Chair), Lawrence Endrina (Vice-Chair), James Elliott, Dwight Gamulo, Beverly Zigmond, Sally Kaye, Alberta de Jetley, Matthew Mano

AGENDA

DATE: OCTOBER 17, 2007, WEDNESDAY
TIME: 6:00 p.m.
PLACE: Lanai High and Elementary School Cafeteria
555 Fraser Avenue
Lana`i City, Lana`i 96763

- A. CALL TO ORDER
- B. APPROVAL OF THE MINUTES OF SEPTEMBER 19, 2007
- C. UNFINISHED BUSINESS
 - 1. MR. JEFFREY S. HUNT, AICP, Planning Director, transmitting the 2030 Countywide Policy Plan (Plan) to the Lana`i Planning Commission pursuant to the provisions of Chapter 2.80B of the Maui County Code. The Lana`i Planning Commission may review and provide recommendations on Section IV (Goals, Objectives, & Policies) of the Plan, which was revised to reflect the recommendations of the Maui, Molokai and Lana`i General Plan Advisory Committees. Emphasis will be placed on the revised **Improve Physical Infrastructure, Improve Parks and Public Facilities, and Diversify Transportation Options** Sections.

The Maui, Lana`i, and Molokai's Planning Commissions are being asked to provide recommendations and proposed revisions to Section IV of the draft Countywide Policy Plan. The Planning Commissions have 120 days to complete their review, with the Lana`i Planning Commission's 120-day period beginning on September 5, 2007. *(Plan was mailed previously. Commissioners: Please bring your copy. To view Section IV, (Goals, Objectives, & Policies) see Maui County website at: http://www.co.maui.hi.us/departments/Planning/pdf/Full_Directors_Report.pdf)*
 - a. Public Testimony
 - b. Action
 - 2. MR. RALPH MASUDA, Vice-President of Planning and Zoning of CASTLE & COOKE RESORTS, LLC requesting an amendment to the Special Management Area Use Permit and Project District Phase 2 Approvals for a 5-year time extension on the period to complete construction of the Manele Residential and Multi-Family Development at TMK: 4-9-017: 001, 002, 003, 004, 005, and 4-9-002: 049, Manele, Island of Lana`i. (95/SM1-015) (95/PH2-001) (P. Fasi) (A time extension was previously granted by the Lana`i Planning Commission in 2003.) (Previously discussed

at the March 21, 2007 meeting.) (Public hearing conducted on September 19, 2007 and further discussed on October 3, 2007.)

The Commission may take action on this request.

D. PUBLIC HEARING (To begin no earlier than 7:00 pm)

1. MR. JEFFREY S. HUNT, AICP, Planning Director transmitting the following bills for ordinances addressing the issues of bed and breakfast operations and transient vacation rentals (TVRs). (J. Alueta)

The proposed bills can be viewed on line at:

<http://www.mauicounty.gov/departments/Planning/pdf/Revised092107TVRBill.pdf>

- a. A Bill for an Ordinance to Amend the Bed and Breakfast Ordinance, Chapter 19.64 of the Maui County Code regarding Bed and Breakfast Homes.

The proposed amendments add that breakfast shall be made available to onsite guests and that bed and breakfast operations within the residential and rural districts shall be limited to existing single-family structures; a 16 sq. ft. project notice sign shall be posted at the front of the property along the main access road; the application shall be subject to 19.510.20, the planning director shall approve or deny the bed and breakfast permit application; conditions under which the appropriate planning commission would approve or deny the permit; and provisions for renewal of bed and breakfast permits.

- b. A Bill for an Ordinance to Amend Chapter 19.40, Conditional Permits prohibiting transient vacation rental operations from being established via the conditional permit process.

- c. A Bill for an Ordinance Relating to the Permitting of Transient Vacation Rentals.

The purpose of the ordinance is to allow transient vacation rentals only in the following instances: (a) in zoning districts where they are a permitted use (currently in the airport and hotel districts), (b) in business zoning districts, and (c) in the destination resort areas of Wailea, Makena, Kaanapali, and Kapalua.

- d. A Bill for an Ordinance to Amend Section 19.30A.060, Special uses of the Maui County Code, relating to the Agricultural District.

The Bill would include bed and breakfast operations that are operated

in conjunction with: 1. A bonafide agricultural operation with an annual gross income from agricultural products of \$35,000 as a accessory use. 2. Located in a structure that is listed on a State or National Register of Historic Sites. Bed and Breakfast operations shall be subject to the provisions found in Chapter 19.64 and shall be subject to Chapter 205, Hawaii Revised Statutes.

- e. A Bill for an Ordinance to Amend Chapter 19.29.030, relating to the Rural District.

The Bill would include bed and breakfast operations subject to the provisions and restrictions of Chapter 19.64 of the Maui County Code as a permitted use.

- 1) Public Hearing on the various proposed bills
- 2) Action on the various proposed bills

E. COMMUNICATIONS

- 1. Discussion on the processing of SMA exemptions.

The Commission may look to direct staff to produce draft legislation regarding amending the current process. (previously discussed at the October 3, 2007 meeting.)

F. DIRECTOR'S REPORT

- 1. Commission Chair's request to discuss the following:

The feasibility of changing the zoning of the remaining 65 acres of land donated to the County of Maui by Castle & Cooke for affordable housing. The change would go from its current zoning to the appropriate type of zoning that would make the land ready to be improved.

- 2. Chair's request to consider the implementation of zoning for properties designated Open Space in the Lana`i Community Plan.
- 3. 2008 Meeting Schedule
- 4. Open Lana`i Applications Report.
- 5. November 7, 2007 Presentation by the State Office of Planning on the Coastal Zone Management Program.

G. NEXT REGULAR MEETING DATE: November 7, 2007

H. ADJOURNMENT

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE LANA'I PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE SUBMITTED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE DEPARTMENT OF PLANNING.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI COUNTY DEPARTMENT OF PLANNING, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI COUNTY DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lana`i) OR NOTIFY THE MAUI COUNTY DEPARTMENT OF PLANNING IN WRITING AT 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

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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