

PSLU Committee

From: Michele McLean <Michele.McLean@co.maui.hi.us>
Sent: Thursday, December 2, 2021 3:23 PM
To: Angela R. Lucero; PSLU Committee; Tamara A. Paltin; Wilton A. Leauanae
Cc: Avis Teshima-Wong; Carolyn Takayama-Corden; Jacky Takakura; Jordan Hart
Subject: Re: Moratorium on New Transient Accommodations on Maui, PSLU-28
Attachments: 092821_summary minutes with hyperlinks to audio recordings of meeting.pdf

Aloha PSLU Team,

Attached are the summary minutes to the September 28 Maui Planning Commission meeting, which also provide the hyperlinks to the audio recording and the time at which discussion occurred and action was taken.

As you know, the meeting is also available for viewing on Akaku at <https://www.akaku.org/boards-commissions>, where you can scroll to and select the September 28, 2021 meeting. Again, the summary minutes show the times when the moratorium bill was discussed so you can fast forward to that part.

The commission secretary is still transcribing the verbatim minutes and we will send them as soon as they are finished.

Aloha,
Michele.

>>> PSLU Committee <PSLU.Committee@mauicounty.us> 12/2/2021 3:03 PM >>>

Ms. McLean: Please see attached correspondence from Committee Chair Paltin, dated December 2, 2021.

Michelle/Zeke: Please forward attached correspondence to Mayor for his information.

Mahalo, PSLU Committee

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
SEPTEMBER 28, 2021**

([HYPERLINK TO CHAPTER 1 AUDIO RECORDING OF THE MEETING](#))

([HYPERLINK TO CHAPTER 2 AUDIO RECORDING OF THE MEETING](#))

([HYPERLINK TO CHAPTER 3 AUDIO RECORDING OF THE MEETING](#))

([HYPERLINK TO CHAPTER 4 AUDIO RECORDING OF THE MEETING](#))

([HYPERLINK TO CHAPTER 5 AUDIO RECORDING OF THE MEETING](#))

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Christian Tackett at approximately 9:00 a.m., Tuesday, September 28, 2021, online via BlueJeans; **Meeting ID: 530 143 294**

B. PUBLIC HEARINGS

1. MS. LIZYA ESPINOZA requesting a Land Use Commission Special Permit in order to operate Hookeoana, a three-bedroom bed and breakfast home located in the State and County Agricultural Districts at 135 Hohani Place at TMK: (2) 2 7-013:194 in Haiku, Island of Maui. (SUP2 2020/0008) (T. Furukawa)

Public testimony will not be accepted and the Commission will not have any discussion or take action on this request. This matter is rescheduled to the October 12, 2021 agenda to correct notification defects.

Item B.1 is rescheduled to the October 12, 2021 agenda.

2. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting Resolution No. 21-92 referring to the Maui 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)

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>

(Item B.1 begins at approximately 00:03:56 of Chapter 1 of the audio recording.)

(Motion was made at approximately 00:23:55 of Chapter 1 of the audio recording.)

It was moved by Ms. La Costa, seconded by Mr. Freitas, then

(Vote was taken at approximately 00:25:10 of Chapter 1 of the audio recording.)

VOTED: To Recommend Denial of Resolution No. 21-92 to the County Council.
(Assenting – P D. La Costa, K. Freitas, J. Edlao, A. Lindsey, K. Pali, K. Thayer, D. Thompson, C. Tackett)
(Excused – M. Hipolito)

3. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting Resolution No. 21-98 referring to the Maui Planning Commission a proposed bill to amend Maui County Code by adding Chapters 19.98 and 20.41 to temporarily stop the approval of new transient accommodations to provide time to address related impacts of tourism. The moratorium will remain in effect and maintain the number of current transient accommodation units until the County Council enacts responsive legislation or two years from enactment, whichever is sooner. (J. Takakura)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/127726/Resolution-21-98-referring-to-the-Maui-Planning-Commission-a-bill-for-ordinance-declaring-moratorium-on-new-transient-accommodations>

(Item B.2 begins at approximately 00:26:22 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:01:52 of Chapter 5 of the audio recording.)

It was moved by Ms. Thayer, seconded by Ms. Lindsey, then

(Vote was taken at approximately 01:11:10 of Chapter 5 of the audio recording.)

VOTED: To Recommend Denial of the Bill Transmitted by the County Council and to Recommend Approval of the Bill Prepared by the Planning Department Including the Two Amendments of the Commission Regarding the Change of the Housing Exception from a one-for one requirement to a 25 percent requirement, and that the units have to be provided, credits would not be used, and also to change the language to applications that are properly filed with the County prior to the effective date of the ordinance, but removing the language about being complete. Also, to Transmit the List of Comments and Concerns of the Commission as Discussed.
(Assenting – K. Thayer, A. Lindsey, K. Freitas, K. Pali, P D. La Costa, D. Thompson)
(Dissenting – J. Edlao, C. Tackett)
(Excused – M. Hipolito)

C. DIRECTOR'S REPORT

(Item C begins at approximately 01:13:35 of Chapter 5 of the audio recording.)

1. SMA Minor Permit Report

This is for notification and review purposes. No action is anticipated.

2. SMA Exemptions Report

This is for notification and review purposes. No action is anticipated.

Commissioner Freitas inquired what was approved for the surf meet in Peahi. Ms. McLean went over the approval conditions for the permit.

3. Discussion of Future Maui Planning Commission Agendas

a. October 12, 2021 agenda items

Ms. McLean went over the items scheduled for the October 12, 2021 agenda.

D. NEXT REGULAR MEETING DATE: October 12, 2021

E. ADJOURNMENT

The meeting was adjourned at approximately 3:51 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Jerry Edlao
Kawika Freitas
P Denise La Costa, Vice-Chair
Ashley Lindsey
Kellie Pali
Christian Tackett, Chair
Kim Thayer
Dale Thompson

Excused

Mel Hipolito, Jr.

Others

Michele McLean, Director, Department of Planning
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Jordan Molina, Deputy Director, Department of Public Works