

PLANNING AND SUSTAINABLE LAND USE COMMITTEE  
Amendment Summary Form

Legislation: Bill related to Change in Zoning for the proposed Kilohana Makai Project.

Proposer: Tamara Paltin, Chair *Tamara M. Paltin*  
Planning and Sustainable Land Use Committee

Description: Amend Exhibit "C" to delete the one existing condition and add 15 new conditions.

Motion: Move to amend the bill's Exhibit "C" by deleting the existing condition and adding the following new conditions:

1. Ferreira Family Partners, LP must develop the property to include only residential workforce housing units and no other dwelling units.
2. Ferreira Family Partners, LP must ensure each unit on the property is owner-occupied for a period of 20 years from the date of the unit's initial purchase date.
3. Ferreira Family Partners, LP must ensure that all units in the project are only used for long-term residential use.
4. Ferreira Family Partners, LP may not allow the conversion of the project or any unit into a condominium or further subdivision of any lot.
5. Ferreira Family Partners, LP may not allow accessory dwelling units.
6. Ferreira Family Partners, LP must maintain Lot 14, approximately 7,900 square feet, as identified on the Conceptual Subdivision Plan below, for open space or park use.
7. Ferreira Family Partners, LP may not place any restriction on homebuyers in their choice of lenders or in the pre-qualification process.

8. To minimize the need for lengthy commutes and promote smart-growth development and jobs-housing balance, Ferreira Family Partners, LP may give homebuyer preference to applicants employed or residing in the Kihei-Makena Community Plan Area.
9. To lessen the traffic burden on Wela Street caused by the project, Ferreira Family Partners, LP must provide a second ingress and egress to and from the project by extending Wela Street to Kilohana Drive prior to the issuance of the first Certificate of Occupancy for the first unit of the project.
10. Ferreira Family Partners, LP must comply with all applicable laws in developing and managing the project.
11. Ferreira Family Partners, LP must develop and manage the project in substantial compliance with all representations made to the Council and its Planning and Sustainable Land Use Committee to obtain this Change in Zoning.
12. Ferreira Family Partners, LP must construct one or more publicly accessible footpaths, at least four feet wide, connecting the project with the surrounding neighborhood. Ferreira Family Partners, LP must inform the Department of Planning, prior to final subdivision approval, of the footpaths' precise location. Ferreira Family Partners, LP must construct the footpaths prior to the issuance of the first Certificate of Occupancy for the first unit of the project.
13. Ferreira Family Partners, LP must inform the Department of Planning, prior to final subdivision approval, of the location of fencing and landscaping around the project to maintain residents' privacy and security. Ferreira Family Partners, LP must install the fencing and landscaping prior to the issuance of the first Certificate of Occupancy for the first unit of the project.
14. Ferreira Family Partners, LP must ensure a homeowners' association is established in accordance with Chapter 421J, Hawaii Revised Statutes.
15. Ferreira Family Partners, LP must construct a rough-in for a future photovoltaic system for each unit of the project prior to the issuance of the first Certificate of Occupancy for the first unit of the project.

July 16, 2020 Planning and Sustainable Land Use Committee meeting  
PLSU-56

Effect: See attached revised version of Exhibit "C."

Attachment: Revised version of Exhibit "C."

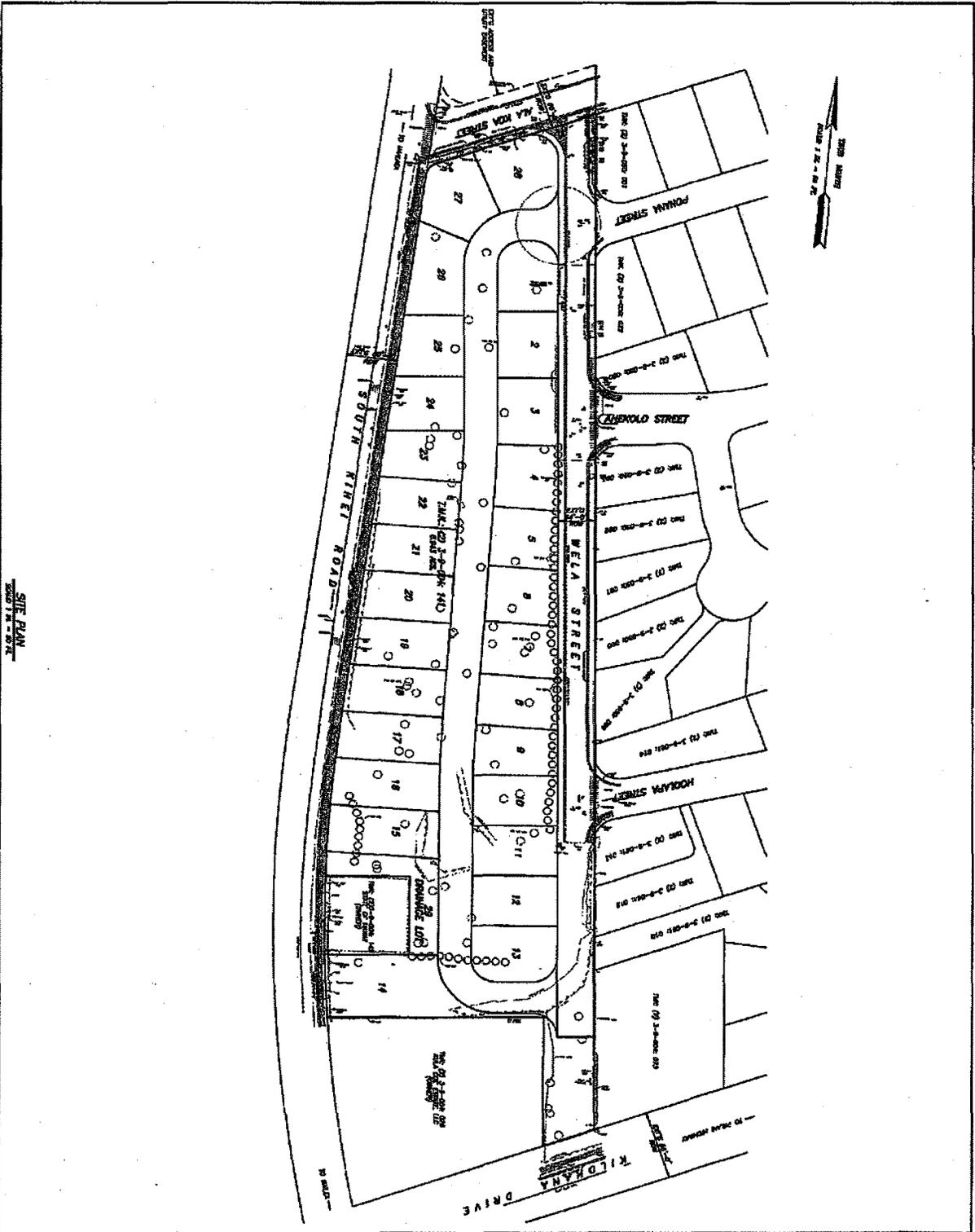
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SITE PLAN  
SCALE 1" = 20'

PROJECT NO.	
DATE	
DESIGNED BY	
DRAWN BY	
CHECKED BY	
APPROVED BY	
DATE	
SCALE	
PROJECT NO.	1
DATE	11/15/2011

**CONCEPTUAL SUBDIVISION PLAN**  
 T.M.K.: (2) 3-8-004: 141  
 KIHAI, MAUI, HAWAII  
 SITE PLAN

NOT TO SCALE  
 THIS PLAN IS A CONCEPTUAL SUBDIVISION PLAN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.  
 ENGINEER: [Signature]  
 LICENSE NO. [Number]

