



ORDINANCE NO. \_\_\_\_\_

BILL NO. 132, CD1 (2025)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE 3889 (2011), RELATING TO THE CHANGE IN ZONING (CONDITIONAL ZONING) FOR WEST MAUI PROJECT DISTRICT 5 (PULELEHUA) FOR PROPERTY SITUATED AT LAHAINA, HAWAI'I

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. By Resolution 24-174, FD1, adopted on October 25, 2024, the Council referred to the Maui Planning Commission a proposed bill to amend the Conditions of Zoning for West Maui Project District 5 (Pulelehua) by repealing Conditions 2 and 15.

Since Ordinance 3889 was enacted, property ownership has transferred to Maui Oceanview LP. As a function of the Ordinance's unilateral agreement, the Conditions of Zoning run with the land and bind subsequent owners and assigns, including Maui Oceanview LP.

By correspondence dated September 9, 2025, the Planning Director transmitted the Maui Planning Commission's recommendations on the bill to the Council. The Maui Planning Commission recommended that Condition 2 be amended, rather than repealed, and that the proposed repeal of Condition 15 be denied. This Ordinance incorporates the Maui Planning Commission's recommendations, with technical and nonsubstantive revisions.

SECTION 2. Under Chapters 19.45 and 19.510, Maui County Code, Ordinance 3889 (2011), relating to the Change in Zoning (Conditional Zoning)

for West Maui Project District 5 (Pulelehua), for real property situated in Lahaina, Hawai'i, identified for Real Property Tax purposes as Tax Map Keys (2) 4-3-001:082 and (2) 4-3-001:083, comprising 153.207 acres and 151.048 acres, respectively, is amended as described in Section 3.

SECTION 3. Condition 2 of Exhibit "C" (Conditions of Zoning) of Ordinance 3889 (2011) is amended to read as follows:

"2. [Maui Land & Pineapple Company, Inc.] Maui Oceanview LP shall provide potable and non-potable water source, storage, and transmission improvements necessary to serve Pulelehua in accordance with the requirements of the County of Maui Department of Water Supply[.], except that this condition shall not preclude Pulelehua from availing itself of any exemption from the requirements of Chapter 14.12, Maui County Code, for which it qualifies under Code Section 14.12.030, or from receiving, under the exemption, subdivision approval and civil permits for infrastructure construction."

SECTION 4. Under Section 19.510.050, Maui County Code, the zoning granted by this Ordinance is subject to:

- The Conditions of Zoning in Ordinance 3889's Exhibit "C," as amended by this Ordinance's Section 3; and
- This Ordinance's Exhibit "1," the First Amendment to Unilateral Agreement and Declaration for Conditional Zoning.

SECTION 5. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 6. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Michael J. Hopper

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Department of the Corporation Counsel  
County of Maui

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INTRODUCED BY:

Tamara A.M. Paltin  
TAMARA PALTIN

## DRIP Committee

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**From:** Melody A. Andrion <Melody.Andrion@co.maui.hi.us>  
**Sent:** Friday, December 19, 2025 4:19 PM  
**To:** DRIP Committee  
**Cc:** Jarret P. Pascual; Carla M. Nakata; michael.hopper@co.maui.hi.us  
**Subject:** DRIP-17 Bill 132 CD1 (2025) CIZ Pulelehua  
**Attachments:** DRIP-17 2025-12-19 RAFL Closing Bill 132 CD1 CIZ Pulelehua.pdf

**Importance:** High

See attached closing of RFLS received on 12/19/25 e-signed by Michael Hopper regarding the subject matter [A Bill For An Ordinance Amending Ordinance 3889 (2011), Relating to the Change in Zoning (Conditional Zoning) for West Maui Project District 5 (Pulelehua) for property situated at Lahaina, Hawaii] **Bill No. 132, CD1 (2025)**. Please confirm receipt of this e-mail. Thanks!

**\*For posting on the January 9, 2026, Council meeting agenda.\***

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