

# REQUEST FOR LEGAL SERVICES

**RECEIVED**

By Corporation Counsel at 11:10 am, May 08, 2026

**Date:** May 7, 2026  
**From:** Tamara Paltin, Chair

**Disaster Recovery, International Affairs, and Planning Committee**

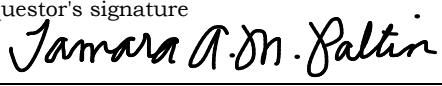
TRANSMITTAL  
**Memo to:**

**DEPARTMENT OF THE CORPORATION COUNSEL**  
**Attention: Michael J. Hopper, Esq.**

**Subject: BILL 163 (2025), BILL 164 (2025), AND BILL 165 (2025), TO AMEND THE MAUI ISLAND PLAN'S DIRECTED GROWTH MAP C5 (PULEHU ROAD), AMEND THE WAILUKU-KAHULUI COMMUNITY PLAN DESIGNATION, AND CHANGE THE ZONING FOR 166.511 ACRES SITUATED AT KAHULUI, HAWAI'I (HO'ONANI VILLAGE) (DRIP-19)**

**Background Data:** Please see proposed CD1 versions of Bills 163 and 164. Please submit your response to [drip.committee@mauicounty.us](mailto:drip.committee@mauicounty.us) with a reference to DRIP-19.

**Work Requested:**     FOR APPROVAL AS TO FORM AND LEGALITY  
                                  OTHER:

Requestor's signature  <hr/> Tamara Paltin, Chair	Contact Person  <u>Jarret Pascual and Carla Nakata</u> (Telephone Extension: <u>7141 or 5519, respectively</u> )
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- ROUTINE (WITHIN 15 WORKING DAYS)                       RUSH (WITHIN 5 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)                       URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): May 18, 2026  
REASON: For consideration at the May 20, 2026, DRIP Committee meeting.

**FOR CORPORATION COUNSEL'S RESPONSE**

ASSIGNED TO: <u>MJH</u>	ASSIGNMENT NO. <u>2025-0175</u>	BY: <u>maa</u>
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TO REQUESTOR:  APPROVED  DISAPPROVED  OTHER (SEE COMMENTS BELOW)  
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date 5/18/26

By MJH

(Rev. 7/03)

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

BILL NO. 163, CD1 (2025)

A BILL FOR AN ORDINANCE TO AMEND THE MAUI ISLAND PLAN'S DIRECTED GROWTH MAP C5 (PULEHU ROAD) BY INCLUDING WITHIN THE URBAN GROWTH BOUNDARY, A 163.443-ACRE PORTION OF A PARCEL IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 3-8-006:004-0005, KAHULUI, HAWAII

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

SECTION 1. By Resolution 25-132, FD1, adopted on June 6, 2025, the Council referred to the Maui Planning Commission a proposed bill to amend the Maui Island Plan's Directed Growth Map C5 (Pulehu Road) for a 166.511-acre portion of a parcel identified for Real Property Tax purposes as Tax Map Key (2) 3-8-006:004-0005, Kahului, Hawai'i.

Section 8-8.6(2), Revised Charter of the County of Maui (1983), as amended, provides a 120-day period after receipt of the referral within which the planning commission must make its report. By County Communication 192-25, dated September 29, 2025, the Planning Director advised the Council that the Maui Planning Commission was unable to provide a recommendation within that timeframe.

At its meeting of November 6, 2025, the Council's Disaster Recovery, International Affairs, and Planning Committee was advised by the Department of the Corporation Counsel to receive a recommendation from the Maui Planning Commission on the proposed bill before taking legislative action.

By correspondence dated December 22, 2025, the Chair of the Council's DRIP Committee notified the Planning Director that a 3.068-acre portion of the property is already within the MIP Urban Growth Boundary and requested that the amendment apply to a reduced, 163.443-acre portion of the property.

On January 13, 2026, the Maui Planning Commission scheduled a public hearing on the proposed bill.

By County Communication 86-26, dated April 10, 2026, the Planning Director transmitted the Maui Planning Commission's recommendations on the bill to the Council. The Maui Planning Commission recommended deferral of the amendment until the Draft Environmental Impact Statement is submitted to the State Land Use Commission, and an island-wide inventory of existing land uses is updated and indicates that urban density land is necessary to provide for the needs of projected population growth.

Under the Charter, because the planning commission did not meet its 120-day deadline to make its report, the Council may pass the bill by an affirmative vote of at least two-thirds of its membership.

SECTION 2. Under Chapter 2.80B, Maui County Code, the Maui Island Plan's Directed Growth Map C5 (Pulehu Road) is amended to include within the Urban Growth Boundary, a 163.443-acre portion of a parcel identified for Real Property Tax purposes as Tax Map Key (2) 3-8-006:004-0005, Kahului, Hawai'i, as described in Exhibit "A" and depicted in Exhibit "B," Maui Island Plan Directed Growth Map Amendment MIP-1.

SECTION 3. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

drip:misc:019amipbill01:jpp

INTRODUCED BY:

*Nohelani U'u-Hodgins*

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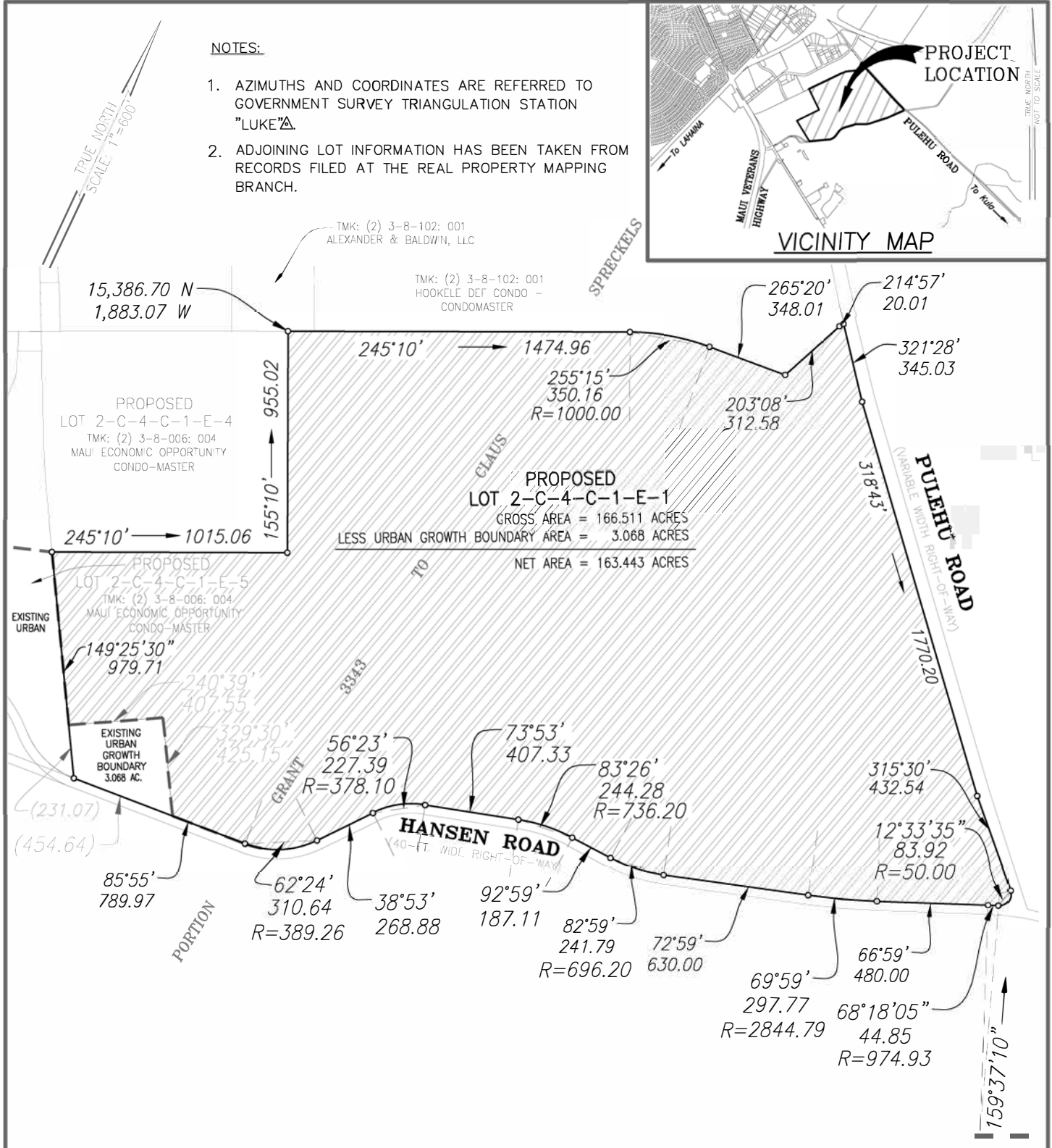
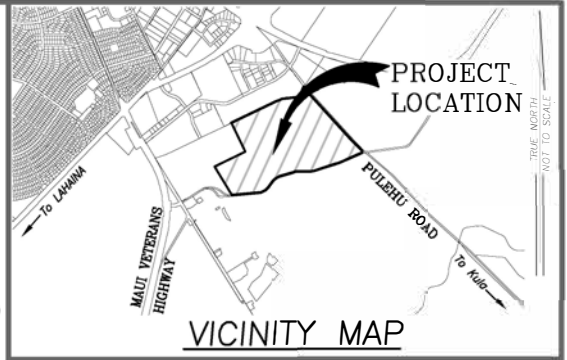
NOHELANI U'U-HODGINS

## **Exhibit “A”**

**Metes and bounds description to  
be provided**

**NOTES:**

1. AZIMUTHS AND COORDINATES ARE REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKE"  $\Delta$
2. ADJOINING LOT INFORMATION HAS BEEN TAKEN FROM RECORDS FILED AT THE REAL PROPERTY MAPPING BRANCH.



**MAUI ISLAND PLAN DIRECTED GROWTH  
 MAP AMENDMENT NO. MIP-1  
 URBAN GROWTH BOUNDARY AMENDMENT - PUUNENE, MAUI, HAWAII**

APPROVAL: _____ County Clerk	PUBLIC HEARING DATE: _____ ADOPTED BY COUNTY COUNCIL: ADOPTED BY MAYOR: _____ ORDINANCE NO. _____
APPROVAL: _____ Planning Director	DATE: _____

SCALE: 1" = 600'

**OFFICE OF THE COUNTY CLERK**  
 200 S. HIGH ST., WAILUKU, MAUI, HAWAII, 96793

**LAND**  
 TMK: (2) 3-8-006: POR. 004

**AREA**  
 163.443 ACRES

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

BILL NO. 164, CD1 (2025)

A BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI  
COMMUNITY PLAN DESIGNATION FROM AGRICULTURE TO  
BUSINESS/MULTI-FAMILY FOR A 163.443-ACRE PORTION OF A PARCEL  
IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY  
(2) 3-8-006:004-0005, SITUATED AT KAHULUI, HAWAII

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

SECTION 1. By Resolution 25-132, FD1, adopted on June 6, 2025, the Council referred to the Maui Planning Commission a proposed bill to amend the Wailuku-Kahului Community Plan designation from Agriculture to Business/Multi-Family for a 166.511-acre portion of a parcel identified for Real Property Tax purposes as Tax Map Key (2) 3-8-006:004-0005, Kahului, Hawai'i.

Section 8-8.6(2), Revised Charter of the County of Maui (1983), as amended, provides a 120-day period after receipt of the referral within which the planning commission must make its report. By County Communication 192-25, dated September 29, 2025, the Planning Director advised the Council that the Maui Planning Commission was unable to provide a recommendation within that timeframe.

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By correspondence dated December 22, 2025, the Chair of the Council's DRIP Committee notified the Planning Director that a 3.068-acre portion of the property is already within the MIP Urban Growth Boundary and requested that the amendment apply to a reduced, 163.443-acre portion of the property.

On January 13, 2026, the Maui Planning Commission scheduled a public hearing on the proposed bill.

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Under the Charter, because the planning commission did not meet its 120-day deadline to make its report, the Council may pass the bill by an affirmative vote of at least two-thirds of its membership.

SECTION 2. Under Chapter 2.80B, Maui County Code, the Wailuku-Kahului Community Plan designation is amended from Agriculture to Business/Multi-Family for a 163.443-acre portion of a parcel identified for Real Property Tax purposes as Tax Map Key (2) 3-8-006:004-0005, Kahului, Hawai'i, as described in Exhibit "A" and depicted in Exhibit "B," Community Plan Map CP-436.

SECTION 3. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

drip:misc:019acpabill01:jpp

INTRODUCED BY:

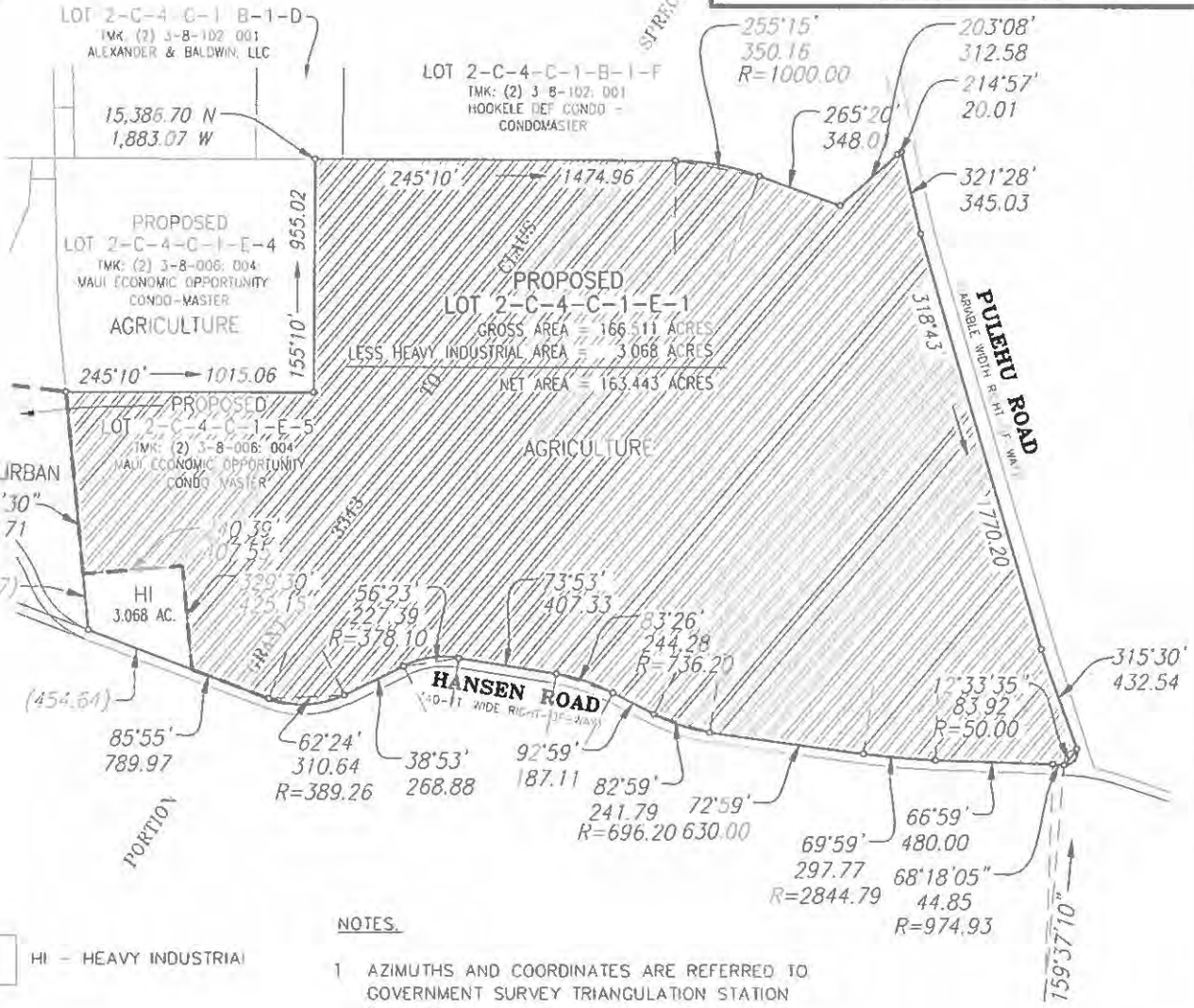
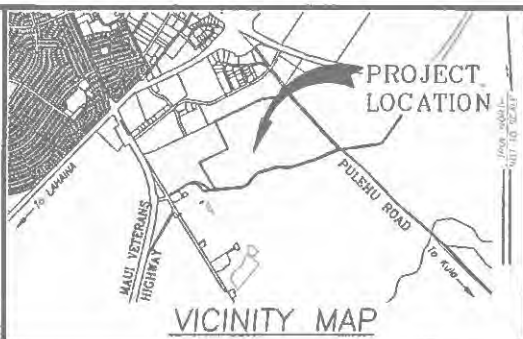
*Nohelani U'u-Hodgins*

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NOHELANI U'U-HODGINS

## **Exhibit “A”**

**Metes and bounds description to  
be provided**



**NOTES.**

- 1 AZIMUTHS AND COORDINATES ARE REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKEYA".
- 2 ADJOINING LOT INFORMATION HAS BEEN TAKEN FROM RECORDS FILED AT THE REAL PROPERTY MAPPING BRANCH.

HI - HEAVY INDUSTRIAL

DATE: 12/10/2025  
**TAX MAP KEY**  
 TMK: (2) 3-8-006 POR. 004

**AREA**  
 163.443 ACRES

# COMMUNITY PLAN MAP NO. CP-436

COMMUNITY PLAN AMENDMENT - PUUNENE, MAUI, HAWAII  
 FROM AGRICULTURE TO BUSINESS/MULTI-FAMILY

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

BILL NO. 163, CD1 (2025)

A BILL FOR AN ORDINANCE TO AMEND THE MAUI ISLAND PLAN'S DIRECTED GROWTH MAP C5 (PULEHU ROAD) BY INCLUDING WITHIN THE URBAN GROWTH BOUNDARY, A 163.443-ACRE PORTION OF A PARCEL IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 3-8-006:004-0005, KAHULUI, HAWAI'I

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SECTION 3. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Michael J. Hopper

Department of the Corporation Counsel  
County of Maui

drip:misc:019amipbill02:jpp

INTRODUCED BY:

*Nohelani U'u-Hodgins*

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NOHELANI U'U-HODGINS

# EXHIBIT "A"

## URBAN GROWTH BOUNDARY AMENDMENT - PUUNENE, MAUI, HAWAII

### "AREA OF URBAN GROWTH BOUNDARY AMENDMENT"

Being a portion of Lot 2-C-4-C-1-E of The First Assembly of God Subdivision (Subdivision File No. 3.2208), being also a portion of Grant 3343 to Claus Spreckels.

Situate at Puunene, Wailuku, Maui, Hawaii.

Beginning at the Southwest corner of the area of amendment, being also a point along the West side of Hansen Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 3,987.21 feet South and 15,818.41 feet East thence running by azimuths measured clockwise from true South:

1. 149° 30' 425.15 feet along the remainder of Lot 2-C-4-C-1-E of The First Assembly of God Subdivision, also along the remainder of Grant 3343 to Claus Spreckels;
2. 60° 39' 407.55 feet along same;
3. 149° 25' 30" 748.64 feet along same;
4. 245° 10' 1015.06 feet along same;
5. 155° 10' 955.02 feet along same;
6. 245° 10' 1474.96 feet along Lots 2-C-4-C-1-B-1-D and 2-C-4-C-1-B-1-F of The First Assembly of God Subdivision, also along the remainder of Grant 3343 to Claus Spreckels;

Thence along Lot 2-C-4-C-1-B-1-F of The First Assembly of God Subdivision, also along the remainder of Grant 3343 to Claus Spreckels, on a curve to the right with a radius of 1000 feet, the chord azimuth and distance being:

7. 255° 15' 350.16 feet;
8. 265° 20' 348.01 feet along same;



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

501 SUMNER STREET, SUITE 521  
HONOLULU, HAWAII 96817-5031

CIVIL ENGINEERS • SURVEYORS  
1871 WILI PA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 96793

100 PAUHAH STREET, SUITE 207  
HILO, HAWAII 96720

9. 203° 08' 312.58 feet along same;
10. 214° 57' 20.01 feet along same;
11. 321° 28' 345.03 feet along the South side of Pulehu Road;
12. 318° 43' 1770.20 feet along same;
13. 315° 30' 432.54 feet along same;

Thence along same, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

14. 12° 33' 35" 83.92 feet;

Thence along West side of Hansen Road, on a curve to the left with a radius of 974.93 feet, the chord azimuth and distance being:

15. 68° 18' 05" 44.85 feet;

16. 66° 59' 480.00 feet along same;

Thence along same, on a curve to the right with a radius of 2844.79, the chord azimuth and distance being:

17. 69° 59' 297.77 feet;

18. 72° 59' 630.00 feet along same;

Thence along same, on a curve to the right with a radius of 696.20 feet, the chord azimuth and distance being:

19. 82° 59' 241.79 feet;

20. 92° 59' 187.11 feet along same;



Thence along same, on a curve to the left with a radius of 736.20 feet, the chord azimuth and distance being:

21. 83° 26' 244.28 feet;

22. 73° 53' 407.33 feet along same;

Thence along same, on a curve to the left with a radius of 378.10 feet, the chord azimuth and distance being:

23. 56° 23' 227.39 feet;

24. 38° 53' 268.88 feet along same;

Thence along same, on a curve to the right with a radius of 389.26 feet, the chord azimuth and distance being:

25. 62° 24' 310.64 feet;

26. 85° 55' 335.33 feet along same, to the point of beginning and containing an area of 163.443 Acres.



Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964  
Exp. 04/28

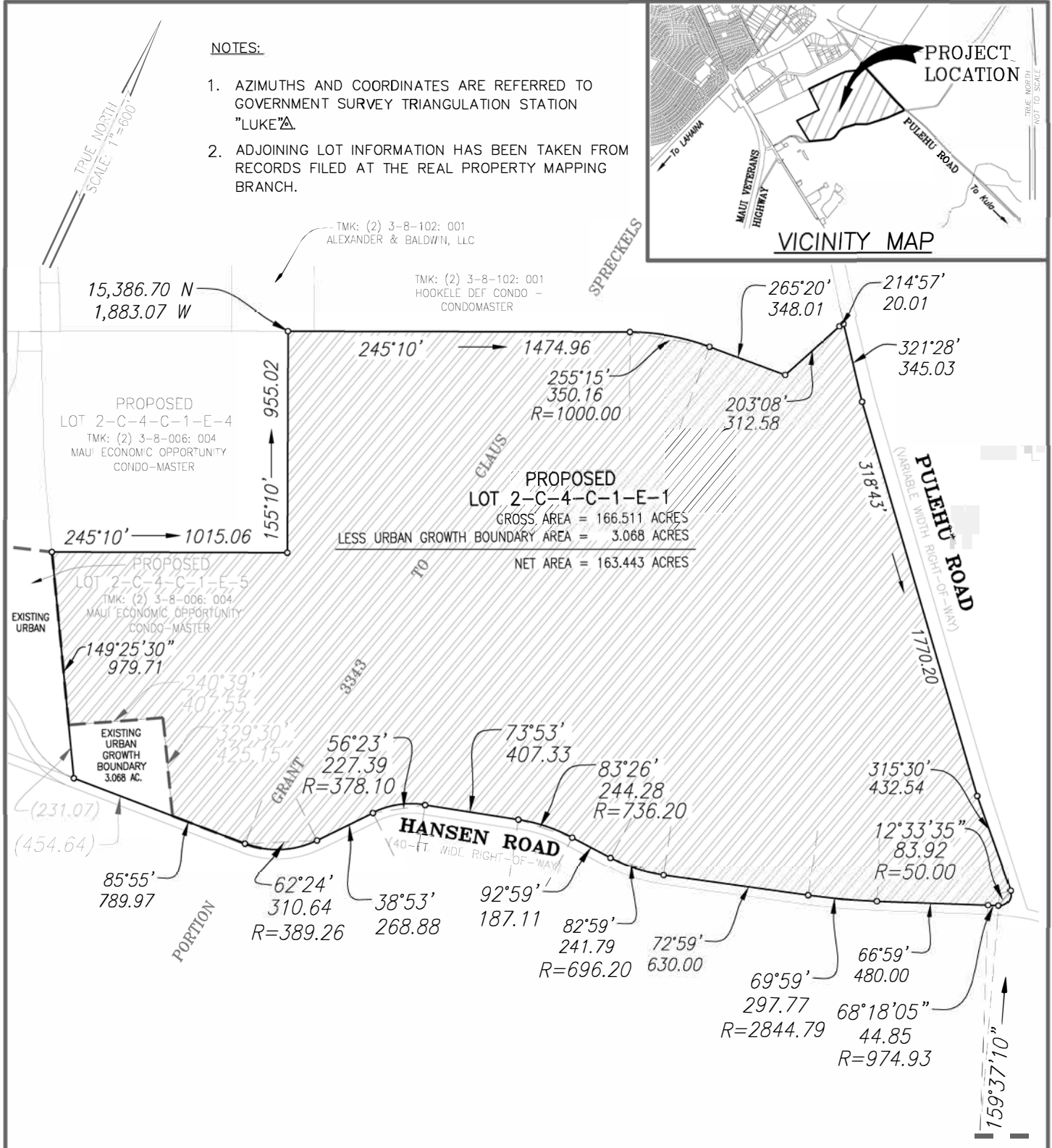
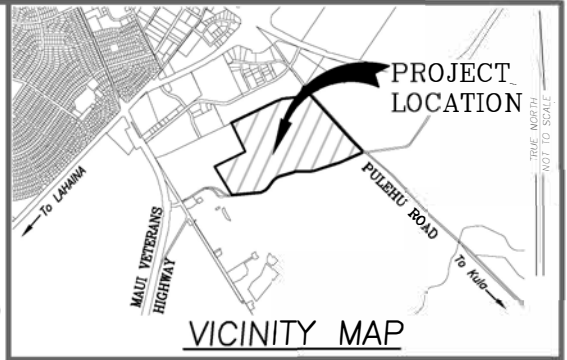
Wailuku, Hawaii  
May 11, 2026

TMK: (2) 3-8-006: POR. 004



**NOTES:**

1. AZIMUTHS AND COORDINATES ARE REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKE"  $\Delta$ .
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**MAUI ISLAND PLAN DIRECTED GROWTH  
MAP AMENDMENT NO. MIP-1**  
URBAN GROWTH BOUNDARY AMENDMENT - PUUNENE, MAUI, HAWAII

APPROVAL: _____ County Clerk	PUBLIC HEARING DATE: _____ ADOPTED BY COUNTY COUNCIL: ADOPTED BY MAYOR: _____ ORDINANCE NO. _____
APPROVAL: _____ Planning Director	DATE: _____

SCALE: 1" = 600'

OFFICE OF THE COUNTY CLERK  
200 S. HIGH ST., WAILUKU, MAUI, HAWAII, 96793

**LAND**  
TMK: (2) 3-8-006: POR. 004

**AREA**  
163.443 ACRES

**EXHIBIT "B"**

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

BILL NO. 164, CD1 (2025)

A BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI  
COMMUNITY PLAN DESIGNATION FROM AGRICULTURE TO  
BUSINESS/MULTI-FAMILY FOR A 163.443-ACRE PORTION OF A PARCEL  
IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY  
(2) 3-8-006:004-0005, SITUATED AT KAHULUI, HAWAII

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SECTION 3. 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  
drip:misc:019acpabill02:jpp

INTRODUCED BY:

*Nohelani U'u-Hodgins*

---

NOHELANI U'U-HODGINS

# EXHIBIT "A"

## COMMUNITY PLAN AMENDMENT - PUUNENE, MAUI, HAWAII FROM AGRICULTURAL TO BUSINESS/MULTI-FAMILY

### "AREA OF COMMUNITY PLAN AMENDMENT"

Being a portion of Lot 2-C-4-C-1-E of The First Assembly of God Subdivision (Subdivision File No. 3.2208), being also a portion of Grant 3343 to Claus Spreckels.

Situate at Puunene, Wailuku, Maui, Hawaii.

Beginning at the Southwest corner of the area of amendment, being also a point along the West side of Hansen Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 3,987.21 feet South and 15,818.41 feet East thence running by azimuths measured clockwise from true South:

1. 149° 30' 425.15 feet along the remainder of Lot 2-C-4-C-1-E of The First Assembly of God Subdivision, also along the remainder of Grant 3343 to Claus Spreckels;
2. 60° 39' 407.55 feet along same;
3. 149° 25' 30" 748.64 feet along same;
4. 245° 10' 1015.06 feet along same;
5. 155° 10' 955.02 feet along same;
6. 245° 10' 1474.96 feet along Lots 2-C-4-C-1-B-1-D and 2-C-4-C-1-B-1-F of The First Assembly of God Subdivision, also along the remainder of Grant 3343 to Claus Spreckels;

Thence along Lot 2-C-4-C-1-B-1-F of The First Assembly of God Subdivision, also along the remainder of Grant 3343 to Claus Spreckels, on a curve to the right with a radius of 1000 feet, the chord azimuth and distance being:

7. 255° 15' 350.16 feet;



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

501 SUMNER STREET, SUITE 521  
HONOLULU, HAWAII 96817-5031

CIVIL ENGINEERS • SURVEYORS  
1871 WILIPA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 96793

100 PAUAAH STREET, SUITE 207  
HILO, HAWAII 96720

- |     |      |     |              |                                      |
|-----|------|-----|--------------|--------------------------------------|
| 8.  | 265° | 20' | 348.01 feet  | along same;                          |
| 9.  | 203° | 08' | 312.58 feet  | along same;                          |
| 10. | 214° | 57' | 20.01 feet   | along same;                          |
| 11. | 321° | 28' | 345.03 feet  | along the South side of Pulehu Road; |
| 12. | 318° | 43' | 1770.20 feet | along same;                          |
| 13. | 315° | 30' | 432.54 feet  | along same;                          |

Thence along same, on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:

- |     |     |     |     |             |
|-----|-----|-----|-----|-------------|
| 14. | 12° | 33' | 35" | 83.92 feet; |
|-----|-----|-----|-----|-------------|

Thence along West side of Hansen Road, on a curve to the left with a radius of 974.93 feet, the chord azimuth and distance being:

- |     |     |     |     |             |
|-----|-----|-----|-----|-------------|
| 15. | 68° | 18' | 05" | 44.85 feet; |
|-----|-----|-----|-----|-------------|

- |     |     |     |             |             |
|-----|-----|-----|-------------|-------------|
| 16. | 66° | 59' | 480.00 feet | along same; |
|-----|-----|-----|-------------|-------------|

Thence along same, on a curve to the right with a radius of 2844.79, the chord azimuth and distance being:

- |     |     |     |              |
|-----|-----|-----|--------------|
| 17. | 69° | 59' | 297.77 feet; |
|-----|-----|-----|--------------|

- |     |     |     |             |             |
|-----|-----|-----|-------------|-------------|
| 18. | 72° | 59' | 630.00 feet | along same; |
|-----|-----|-----|-------------|-------------|

Thence along same, on a curve to the right with a radius of 696.20 feet, the chord azimuth and distance being:

- |     |     |     |              |
|-----|-----|-----|--------------|
| 19. | 82° | 59' | 241.79 feet; |
|-----|-----|-----|--------------|

- |     |     |     |             |             |
|-----|-----|-----|-------------|-------------|
| 20. | 92° | 59' | 187.11 feet | along same; |
|-----|-----|-----|-------------|-------------|



Thence along same, on a curve to the left with a radius of 736.20 feet, the chord azimuth and distance being:

- 21. 83° 26' 244.28 feet;
- 22. 73° 53' 407.33 feet along same;

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Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

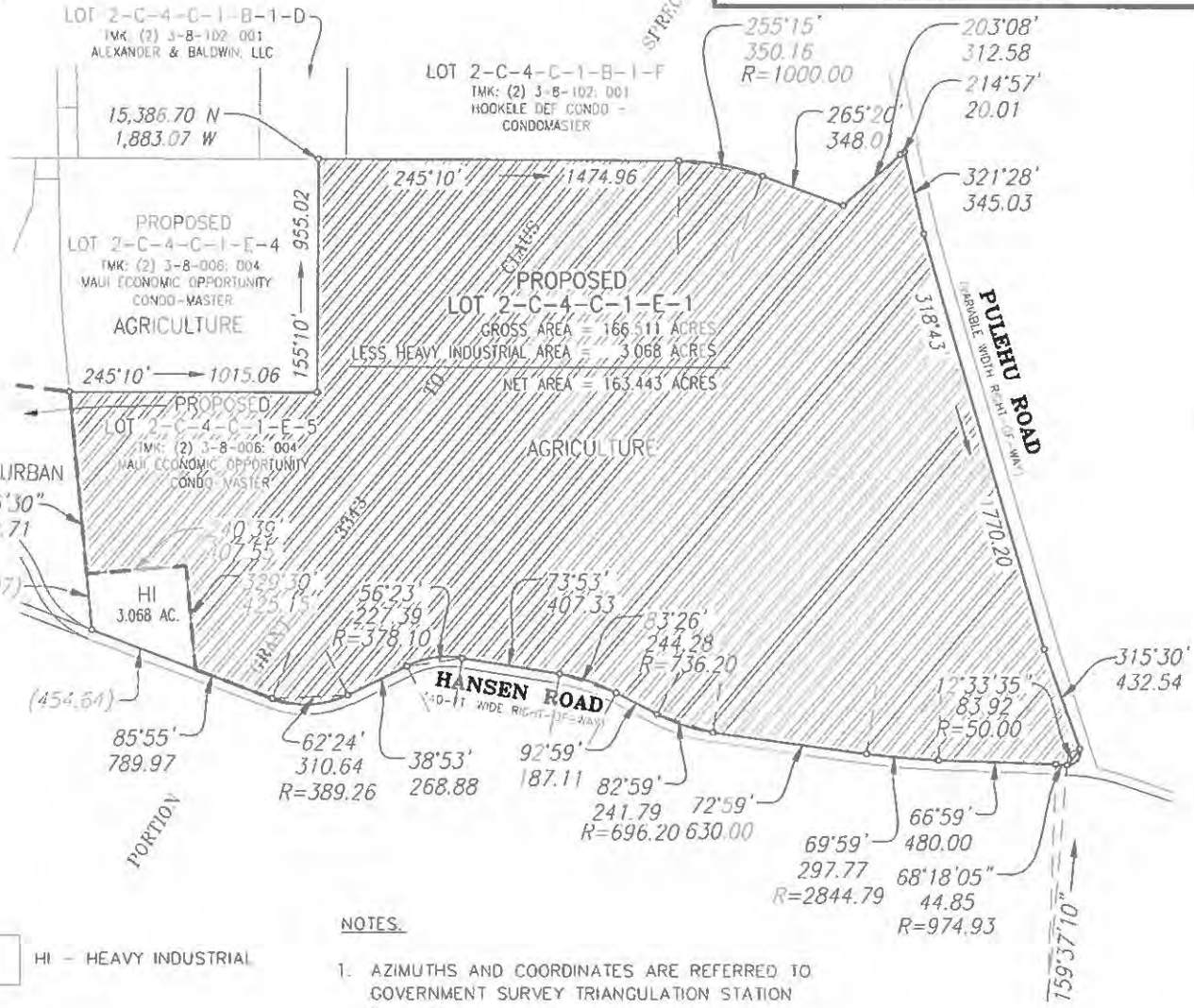
A handwritten signature in blue ink, appearing to read "Justin H. Lapp", written over a horizontal line.

JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964  
Exp. 04/28

Wailuku, Hawaii  
May 11, 2026

TMK: (2) 3-8-006: POR. 004





HI - HEAVY INDUSTRIAL

**NOTES.**

1. AZIMUTHS AND COORDINATES ARE REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKEI'A".
2. ADJOINING LOT INFORMATION HAS BEEN TAKEN FROM RECORDS FILED AT THE REAL PROPERTY MAPPING BRANCH.

DATE: 12/10/2025  
**TAX MAP KEY**  
 TMK: (2) 3-8-006 POR. 004

**AREA**  
 163.443 ACRES

# COMMUNITY PLAN MAP NO. CP-436

COMMUNITY PLAN AMENDMENT - PUUNENE, MAUI, HAWAII  
 FROM AGRICULTURE TO BUSINESS/MULTI-FAMILY

## DRIP Committee

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**From:** Michael J. Hopper <Michael.Hopper@co.maui.hi.us>  
**Sent:** Monday, May 18, 2026 9:16 AM  
**To:** DRIP Committee; Carla M. Nakata; Jarret P. Pascual  
**Cc:** Melody A. Andrion; Candace H. Stahl  
**Subject:** Drip-19 (Bills 163 and 164 Signed)  
**Attachments:** Bill 163 CD1 (CC Signed).pdf; Bill 164 CD1 (CC Signed).pdf; DRIP-19 2026-05-08 RAFL.pdf

I am attaching the above bills approved as to form and legality, please let me know if you have any questions.

Thank You.