

REQUEST FOR LEGAL SERVICES

D a t e: February 23, 2026
F r o m: Nohelani U'u-Hodgins, Chair
Housing and Land Use Committee

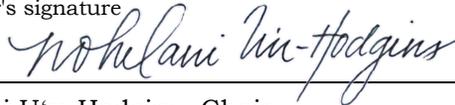
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Nāhulu Nunokawa, Esq.

Subject: BILL 28 (2026), GRANTING APPROVAL TO ANDREA M. KAIO, AS TRUSTEE FOR SPECIFIED TRUSTS, TO CREATE ADDITIONAL LOTS ON PROPERTY IN THE AGRICULTURAL DISTRICT AT 201 HE'AHE'A PLACE, WAILUKU, HAWAI'I, TAX MAP KEY (2) 3-2-008:067 (HLU-9)

Background Data: Please see attached question. Please submit your response to hlu.committee@mauicounty.us with a reference to HLU-9.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER: Response to attached question.

Requestor's signature  Nohelani U'u-Hodgins, Chair	Contact Person <u>James Krueger</u> (Telephone Extension: <u>7761</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): March 4, 2026
REASON: To prepare for March 11, 2026, HLU Committee meeting.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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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 _____

By _____

(Rev. 7/03)

hlu:ltr:009acc01:cmn

Attachment

According to Subsection 19.30A.040(F), Maui County Code, this request for authority to create additional lots for family members must be processed in the same manner as an application for a Conditional Permit under Code Chapter 19.40.

Under Code Section 19.40.100, “Each permit and the ordinance enacting same shall state the duration of the permit and if a specific expiration date is stated such permit shall expire and be repealed on said date without further action.”

Bill 28 (2026) does not include a duration or allow for an extension request under Code Subsection 19.40.090(A).

Please advise whether the Committee should recommend a condition containing the duration of the approval and allowing for an extension request. If you recommend these terms be addressed:

- Would the duration be for the time within which the subdivision must be completed? If not, how would the duration be characterized?
- Is there a recommended number of years that the approval should be valid?
- Please provide language for possible insertion into the bill.