

COUNCIL OF THE COUNTY OF MAUI

HOUSING AND LAND USE COMMITTEE

September 26, 2025

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Housing and Land Use Committee, having met on September 3, 2025, makes reference to Bill 78 (2025), entitled “A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 1550 NUKUNA PLACE, WAILUKU, MAUI, HAWAII, TAX MAP KEY (2) 3-6-007:010.”

Bill 78’s purpose is to grant a Change in Zoning from Agricultural District to R-2 Residential District for 0.7099 acres at 1550 Nukuna Place, Wailuku, Hawai‘i, identified for Real Property Tax purposes as Tax Map Key (2) 3-6-007:010. The requested zoning change is consistent with the property’s current use and its Community Plan designation of Single-Family.

Your Committee notes the land use designations for the subject property are as follows:

- State Land Use District: Urban District
- Maui Island Plan: Small Town/Outside Protected Areas
- Community Plan: Single-Family
- Maui County Zoning: Agricultural District
- Other: Outside of the Special Management Area

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Your Committee notes that the Maui Planning Commission, at its meeting of November 12, 2024, recommended approval of the requested Change in Zoning without conditions.

Your Committee received a presentation from the Owner and Applicant, including an overview and history of the subject property and intended uses.

The Applicant confirmed they reside on the property, noting other units on the property are used as long-term rentals.

The Applicant also said there are no objections to the proposed Change in Zoning from neighbors. The property has no current agricultural operations. Additionally, a representative from the Department of Planning said that the property is not large enough for the Agricultural District, which requires lots of two acres or more.

Your Committee notes that if the Change in Zoning is granted, the Applicant will be able to proceed with renovations. The Planning representative explained that R-2 Residential District zoning would allow up to four main dwellings and eight accessory dwelling units on the property, contingent on meeting all State and County requirements.

Your Committee notes that granting the Change in Zoning would support the following Land Use policy of the Wailuku-Kahului Community Plan: "All zoning applications and/or proposed land uses and developments shall conform with the planned use designations, as specified in the adopted Community Plan Land Use Map, and be consistent with the Community Plan policies." (Page 27)

Your Committee voted 9-0 to recommend passage of Bill 78 (2025), on first reading. Committee Chair Kama, Vice-Chair U'u-Hodgins, and members Cook, Johnson, Lee, Paltin, Rawlins-Fernandez, Sinenci, and Sugimura voted "aye."

Your Committee is in receipt of Bill 78, CD1 (2025), entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL

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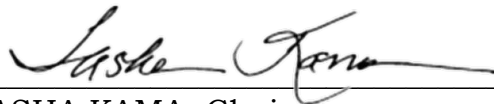
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DISTRICT TO R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 1550 NUKUNA PLACE, WAILUKU, MAUI, HAWAI'I, TAX MAP KEY (2) 3-6-007:010," approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

Your Housing and Land Use Committee RECOMMENDS that Bill 78, CD1 (2025), attached, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 1550 NUKUNA PLACE, WAILUKU, MAUI, HAWAI'I, TAX MAP KEY (2) 3-6-007:010," be PASSED ON FIRST READING and be ORDERED TO PRINT.

This report is submitted in accordance with Rule 3 of the Rules of the Council.



TASHA KAMA, Chair

hlu:cr:25007aa:ebm

ORDINANCE NO. _____

BILL NO. 78, CD1 (2025)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 1550 NUKUNA PLACE, WAILUKU, MAUI, HAWAI‘I, TAX MAP KEY (2) 3-6-007:010

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

SECTION 1. Under Chapters 19.08 and 19.510, Maui County Code, a Change in Zoning from Agricultural District to R-2 Residential District is granted for the parcel of land situated at 1550 Nukuna Place, Wailuku, Maui, Hawai‘i, identified for Real Property Tax purposes as Tax Map Key (2) 3-6-007:010, composed of 0.7099 acres, and more particularly described in the attached Exhibit "A" and in Land Zoning Map L-427, attached as Exhibit "B."

SECTION 2. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:



NĀHULU NUNOKAWA
Department of the Corporation Counsel
County of Maui

hlu:misc:007abill01:jgk

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee", is written over a horizontal line.

Upon the request of the Mayor.

EXHIBIT "A"

All of grantor's right, title and interest in and to that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 102, Land Commission Award Number 432, Apana 1 to A. Sylva) situate, lying and being at Lehuapueo, Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 7-A and thus bounded and described as per survey of Robert T. Tanaka, Registered Professional Land Surveyor, dated June 2, 1969, to-wit:

Beginning at a pipe at the Southwest corner of this lot, being also the Northwest corner of Parcel 13-A of this Subdivision, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,156.81 feet South and 3,150.06 feet West and running by azimuth measured clockwise from true South:

1. 177° 05' 29.65 feet along Grant 1146;
2. 184° 14' 160.90 feet along the same to a "+" cut on a stone;
3. 184° 14' 39.08 feet along the land owned by Tokuichi Sakamoto Estate;
4. 288° 32' 35.67 feet along the same;
5. 2° 58' 33.60 feet along land owned by Kazuo Kamasaki and wife Shimoyo;
6. 276° 43' 38.65 feet along the same to a pipe;
7. 2° 20' 56.50 feet along the same;
8. 350° 18' 17.85 feet along the same;
9. 355° 37' 29.65 feet along the same;
10. 293° 47' 26.50 feet along the same;
11. 290° 59' 78.50 feet along the same;
12. 290° 39' 102.60 feet along the same;
13. 6° 53' 64.44 feet along Lot 6 of Waikapu Tract Subdivision;
14. 96° 53' 45.00 feet along Lehuapueo Road;
15. 6° 53' 2.72 feet along the same;

- | | | | | |
|-----|------|-----|-------|---|
| 16. | 109° | 04' | 98.92 | feet along Lot 20 of Waikapu Tract
Subdivision; |
| 17. | 128° | 00' | 53.00 | feet along Parcel 13-A of this Subdivision; |
| 18. | 87° | 05' | 92.41 | feet along the same to the point of beginning
and containing an area of 30,922 square
feet, more or less. |

Together with the free use of the twelve (12) feet Right-of-Way, designated as Lot 20 of the Waikapu Tract Subdivision owned by Russel Newton and wife Helen and described as follows:

Beginning at a pipe at the northwest corner of this lot, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE", being 10,184.74 feet south and 3,016.01 feet west and running by azimuth measured clockwise from true South:

- | | | | | |
|----|------|-----|--------|---|
| 1. | 289° | 04' | 98.92 | feet along Lot 7-A of this Subdivision; |
| 2. | 6° | 53' | 12.28 | feet along Lehuapueo Road; |
| 3. | 109° | 04' | 105.54 | feet along Lot 8 of Waikapu Tract Subdivision; |
| 4. | 217° | 36' | 12.66 | feet along Parcel 13-A of this Subdivision to
the point of beginning and containing an area
of 1,227 square feet, more or less. |

Together with a Right-of-Way designated as Easement "A" upon Lot 13-A of this Subdivision and described as follows:

Beginning at a pipe at the northeast corner of this Easement, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,184.74 feet south and 3,016.01 feet west, and running by azimuth measured clockwise from true South:

- | | | | | |
|----|------|-----|-------|---|
| 1. | 37° | 36' | 12.66 | feet along Lot 20 of Waikapu Tract
Subdivision; |
| 2. | 128° | 00' | 17.00 | feet; |
| 3. | 180° | 00' | 16.06 | feet; |
| 4. | 308° | 00' | 26.80 | feet along Lot 7-A of this Subdivision to the
point of beginning and containing an area of
277 square feet, more or less. |

Together with a perpetual non-exclusive easement and right of access for ingress and egress purposes, over and across all of that certain parcel of land, situate at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, known as Lehuapueo Place and Nukuna Place, being LOT 18 of the Waikapu Tract Subdivision, containing an area of 20,809 square feet, and identified on the Tax Map of the Second Taxation Division as Tax Map Key 3-6-07-6, as granted by instrument dated July 29, 1992, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 92-154221.

Being all of the property conveyed by the following:

Limited Warranty Deed

Grantor	Cynthia Ann McCarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement
Grantee	Brian E. Garner and Robyn M. Garner, husband and wife, as Tenants by the Entirety
Dated	May 18, 2018
Recording Date	May 31, 2018
Recording No.	A67250788

SUBJECT, HOWEVER, to the following:

1. Real property taxes not yet required by law to be paid.
2. Mineral and water rights of any nature in favor of the State of Hawaii
3. An agreement, upon and subject to all of the provisions contained therein.

By and Between	Teruo Kamasaki and Evelyn Kamasaki, husband and wife, and County of Maui, Department of Water Supply
Dated	October 28, 1985
Recording Date	November 4, 1985
Recording No.	Liber 19054, Page 635.

4. Lease

Lessor	Cynthia Ann McCarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement
Lessee	Evelyn N. Kamasaki, widow of Teruo Kamasaki

Dated : July 6, 2012
Recording Date July 24, 2012
Recording No. A-45881176

Said Lease was amended by Amended Lease dated September 26, 2019, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A72090773.

5. All liens, mortgage, encumbrances, assessments, easements, terms, conditions, covenants, restrictions, reservations, and/or other matters affecting title of the said property presently of record, if any.

END OF EXHIBIT "A"
TAX MAP KEY: (2) 3-6-007-010

EXHIBIT "B"

