

ORDINANCE NO. _____

BILL NO. **171, CD1, FD1** (2024)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.90A,
MAUI COUNTY CODE, RELATING TO KĪHEI-MĀKENA PROJECT
DISTRICT 9 (WAILEA 670)

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

SECTION 1. Section 19.90A.010, Maui County Code, is amended to read
as follows:

“19.90A.010 – Purpose and intent. A. The purpose and intent of [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670) at Paeahu, Palauea, Keauhou, [Honuaula,] Honua‘ula, District of Makawao, Maui, [Hawaii,] Hawai‘i, is to establish permissible land uses and appropriate standards of development for a residential community consisting of single-family and multifamily dwellings complemented with village mixed uses, all integrated with [an eighteen-hole golf course and other] recreational amenities.

B. The objectives of [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670) are as follows:

1. Provide a mix of single-family and multifamily housing[;].
2. Emphasize community development with single-family, zero lot line, and multifamily units complemented with village mixed uses primarily serving the residents of the community[;].
3. Integrate [the golf course and] recreational amenities with the different uses comprising the project[;].
4. Integrate bicycle/pedestrian recreation ways into the project’s parks, and include buffer zones between residential areas and the [Piilani] Pi‘ilani Highway extension corridor.

C. This chapter [shall apply] applies to the area designated as project district 9 [(Maui Wailea 670)] (Wailea 670) in the [Kihei-Makena] Kihei-Mākena community plan, being those certain parcels of land east of Wailea Resort, south of Maui Meadows, and north of Seibu Mauka, and located at Paeahu, Palauea, Keauhou, [Honuaula] Honua‘ula, District of Makawao, Maui, [Hawaii.] Hawai‘i.”

SECTION 2. Section 19.90A.020, Maui County Code, is amended by amending subsection B to read as follows:

“B. The number of dwelling units that may be constructed in [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670)[, together with any associated off-site residential workforce housing units, shall] may not exceed [one thousand four hundred; provided] 1,150; except that[,] no more than [one hundred] 100 market rate units per year, cumulatively, commencing from project district phase I approval, [shall] may be constructed within the project district, with no limitations on the number of affordable housing units that can be constructed each year. [Four hundred fifty affordable units shall be within the project district.]”

SECTION 3. Section 19.90A.030, Maui County Code, is amended to read as follows:

“19.90A.030 – General standards of development. Except as provided in this chapter, [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670) [shall be] is subject to all federal, state, and municipal statutes, ordinances, rules, and regulations, and [shall be] is further subject to the following standards:

A. Environment.

1. Existing natural drainageways [shall] must remain as open spaces and their hardening [shall] must be discouraged, provided that landscaping, walkways, bikeways, roadways, fences, drainage, and minor recreational and other structures, which do not either detract from the natural environment or adversely affect drainageways and improvements, [shall be] are permitted.

2. The drainage master plan [shall] must incorporate [the golf course and] open spaces as areas for stormwater retention and desilting basins.

3. Grading of the project site [shall be] is encouraged to retain the existing rolling topography and natural drainageways.

4. Traditional native Hawaiian beach and mountain access trails across the property [shall] must be provided, to include the Kanaio Kalama Park Road, as shown on the map [attached to the] in ordinance 3553's [codified in this chapter as] exhibit “2,” which is adopted and made a part of this section by reference.

B. Energy [Efficiency] efficiency. The requirements of [chapter 16.16 of this code shall] the energy code apply.

C. Infrastructure and [Public Services] public services.

1. [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670) [shall] must not burden government agencies by requiring the provision of major infrastructure improvements or public services.

2. Private, nondedicable, resort-residential roadway and pedestrian access standards that meet health and safety requirements [shall] must be reviewed for purposes of phase II approval.

3. Roadways [shall] must incorporate landscaped bike/pedestrian ways as part of a comprehensive system of landscape roads and bike/pedestrian ways within the project. A conceptual circulation plan, including[, but not limited to,] design concepts and circulation patterns, [shall] must be reviewed for purposes of phase II approval.

[4. Nonpotable water shall be used for golf course irrigation unless otherwise authorized by the council of the County of Maui.]

[5][4. A conceptual engineering report for the project, including[, but not limited to,] an identification of pre- and post-development impacts, on- and off-site improvements, and design and systems plans, [shall] must be reviewed for purposes of phase II approval.

[6][5. A conceptual recreational plan identifying [the golf course,] recreational amenities[, and access ways, including[, but not limited to,] locations, integration with bike/pedestrian ways, and design concepts, [shall] must be reviewed for purposes of phase II approval.

D. Design.

1. Each building or structure [shall] must be designed by a licensed architect in conformance with the intent of [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670).

2. Conceptual architectural and landscape architectural plans, including lighting and mechanical plans, [shall] must be reviewed by the Maui County urban design review board for purposes of phase II approval.

3. Conceptual design guidelines [shall] must be reviewed by the Maui County urban design review board for purposes of phase II approval.

4. The height of any structure within the project site [shall] must be measured in accordance with section 19.04.040 [of this code].

E. Landscape [Planting] planting.

1. Comprehensive landscaping [shall] must be provided for all community common areas, including along streets and drainageways, and in improved open spaces.

2. Landscaping [shall] must be considered an integral element of the project and [shall] must be used for visual screening, shade, definition, and environmental control.

3. Existing native Hawaiian species [shall] must be retained or relocated, to the extent practicable.

4. Use of native Hawaiian species [shall be] is encouraged.

5. A minimum [one hundred foot wide] 100-foot-wide fire buffer area, with a minimum [fifty-foot wide] 50-foot-wide landscape buffer area within it, [shall] must be provided between the southern boundary of the Maui Meadows subdivision and [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670). No structures, except rear and side boundary walls or fences, [shall be] are permitted in the buffer.

6. A minimum [twenty-foot wide] 20-foot-wide landscape buffer area [shall] must be provided for single-family and multifamily development adjoining the [Piilani] Pi'ilani Highway extension corridor.

F. Signs. A comprehensive sign program consistent with chapter 16.12A [of this code], as amended, [shall be] is established for all signs within [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670). The comprehensive sign program, [shall] must include[, but not be limited to,] type, number allowable, area, format, conceptual design, color scheme, building materials, lighting, and installation. The sign program [shall] must be reviewed by the Maui County urban design review board.

G. Housing. [Kihei-Makena] Kihei-Mākena project district 9 (Wailea 670) [shall] must develop at least 288 residential workforce housing units or comply with [affordable] the number of residential workforce housing [requirements] units required by an ordinance duly adopted by the County of Maui[.], whichever is greater. The units must be onsite."

SECTION 4. Section 19.90A.060, Maui County Code, is amended by amending subsection A to read as follows:

"A. Permitted [Uses] uses and [Structures] structures. The following uses and structures [shall be] are permitted in the recreation and open space/utility subdistrict:

1. Principal uses and structures:

a. Athletic courts and fields[;].

b. Community, cultural, educational, and recreation centers[;].

c. Drainage, utility, and erosion control systems[;].

- [d. Golf course and golf driving ranges;]
- [e.]d. Greenhouses and nurseries, limited to the propagation of plants[;].
- [f.]e. Historic buildings, structures, and sites[;].
- [g.]f. Open land recreation[;].
- [h.]g. Parks, playgrounds, and landscaped common or open space areas[;].
- [i.]h. Swimming pools[;].
- [j.]i. Trails and bike-pedestrian ways[;].
- [k.]j. Utility facilities, major and minor[; and].
- [l.]k. Wells and reservoirs.

2. Accessory [Uses] uses and [Structures] structures. Accessory uses and structures located on the same lot and incidental and customarily found in connection with the principal uses, including[, but not limited to]:

[a. One caretaker's dwelling unit, accessory to the golf course, with a total gross floor area of not more than one thousand five hundred square feet and as approved by the planning director;

b. Accessory uses and facilities normally associated with golf courses, including, but not limited to, cart barns, equipment, storage and maintenance facilities, instructional and practice courses and facilities, driving ranges, comfort and shelter stations, and other uses determined by the planning director to be accessory or compatible. Appropriate mitigative measures shall be implemented to minimize impacts from noise, lighting, and noxious odors on surrounding land uses, including, but not limited to, landscape screening, noise barriers, insulation, shielded and downward projected light fixtures, and other reasonable and appropriate measures;]

[c.]a. Comfort and shelter stations[;].

[d.]b. Greenhouses[;].

[e.]c. Maintenance and storage facilities[;].

[f.]d. Off-street parking and loading[;].

[g.]e. Park furniture and equipment[; and].

[h.]f. Other uses and structures [as] determined by the planning director as meeting the intent of this section.

3. Special [Uses] uses. Uses and structures that are similar to, and compatible with, the principal uses or structures and which conform to the intent of this chapter may be approved by the Maui planning commission."

SECTION 5. Section 19.90A.070, Maui County Code, is amended to read

as follows:

“19.90A.070 – Village mixed-use subdistrict. The village mixed-use subdistrict envisions a community center comprised of a mix of residential, commercial, and recreational and community facilities serving the needs of residents and guests. The intent of the village mixed-use subdistrict is to create community identity and character with landmark buildings and a grouping of services within a central core that includes a mix of uses.

A. Permitted uses and structures. The following uses and structures ~~[shall be]~~ are permitted in the mixed-use subdistrict:

1. Principal uses and structures:

a. Any use or structure permitted in the single-family residential subdistrict or the ~~[multi-family]~~ multifamily residential subdistrict.

b. Automobile service stations.

~~c.~~ Charitable organizations.

~~[c.]d.~~ Day care facilities.

~~[d.]e.~~ Eating and drinking establishments.

~~[e.]f.~~ Education, general.

~~[f.]g.~~ Education, specialized.

~~[g.]~~ Eleemosynary organizations.]

h. Food and beverage, retail.

i. General merchandising.

j. General office.

k. Medical center, minor.

l. Parking area, public; provided the parking lot or building ~~[shall]~~ must be appropriately screened in accordance with chapter 19.36B ~~[of this code]~~, and exterior lighting ~~[shall]~~ must be shielded from adjacent residential properties.

m. Personal and business services.

n. Private clubs or fraternal organizations.

o. Public facility or public use.

p. Quasi-public use or quasi-public facility.

q. Recreation, indoor.

r. Religious institutions.

s. Religious, benevolent, and philanthropic societies.

t. Self-storage, provided it is within an enclosed building.

u. Shopping center.

v. Utility facilities, minor.

w. Laundry facilities.

[w.] x. Other uses and structures as determined by the director as meeting the intent of this section.

2. Accessory uses and structures. Accessory uses and structures located on the same lot and incidental and customarily found in connection with the principal uses, including:

a. Accessory uses or structures permitted in the single-family residential subdistrict or the [multi-family] multifamily residential subdistrict.

[b. One clubhouse for the golf course with snack bars, restaurants with bars, locker room facilities, weight rooms, pro shops for the sale and service of equipment and materials used for or relating to golf, tennis, or other recreational activities, and other accessory facilities as approved by the director.]

[c.] b. Other uses and structures as determined by the director as meeting the intent of this section.

3. Special uses. Uses and structures that are similar to, and compatible with, the principal uses or structures and that conform to the intent of this chapter may be approved by the Maui planning commission.

B. Development standards. The following development standards [shall] apply to the uses and structures in the village mixed-use subdistrict:

1. For those uses and structures permitted in the single-family residential subdistrict and incorporated by reference into other districts, the development standards for the single-family residential subdistrict [shall] apply.

2. For those uses and structures permitted in the [multi-family] multifamily residential subdistrict and incorporated by reference in other districts, the development standards for the [multi-family] multifamily residential subdistrict [shall] apply.

3. For those uses and structures permitted in the village mixed-use subdistrict, but not in the single-family residential subdistrict or the [multi-family] multifamily residential subdistrict, the following development standards [shall] apply:

a. Minimum lot area: [six thousand] 6,000 square feet.

b. Minimum lot width: [sixty] 60 feet.

c. Minimum yards: no yard setbacks [shall be] are required, except:

i. That required for off-street parking.

ii. If the lot abuts a lot in the single-family residential subdistrict or the [multi-family] multifamily residential subdistrict, the side or

rear yard setbacks of the abutting district [shall] apply.

d. Maximum height: [fifty] 50 feet or four stories, except that[:

i. Elevator] elevator shafts, air conditioning equipment, vent pipes, fans, antennae, and solar collectors may exceed [such] the height limitation by not more than [ten] 10 feet.

[ii. The golf clubhouse structure may have a height not to exceed fifty-five feet, subject to design approval by the director.]

e. Maximum lot coverage ratio: 35 percent.

f. Maximum floor area-lot area ratio: 90 percent.

4. A project development plan for the village mixed-uses that is consistent with an approved phase II preliminary site plan [shall] must be reviewed and approved by the director [pursuant to] in accordance with section 19.510.090 [of this code].”

SECTION 6. Ordinance 3553 is amended by replacing the conceptual land use map attached to the Ordinance as Exhibit “1” with the phase II approved site plan attached to this Ordinance as Exhibit “1.”

SECTION 7. 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 8. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Michael J. Hopper

Department of the Corporation Counsel
County of Maui

paf:cmn:25-182a

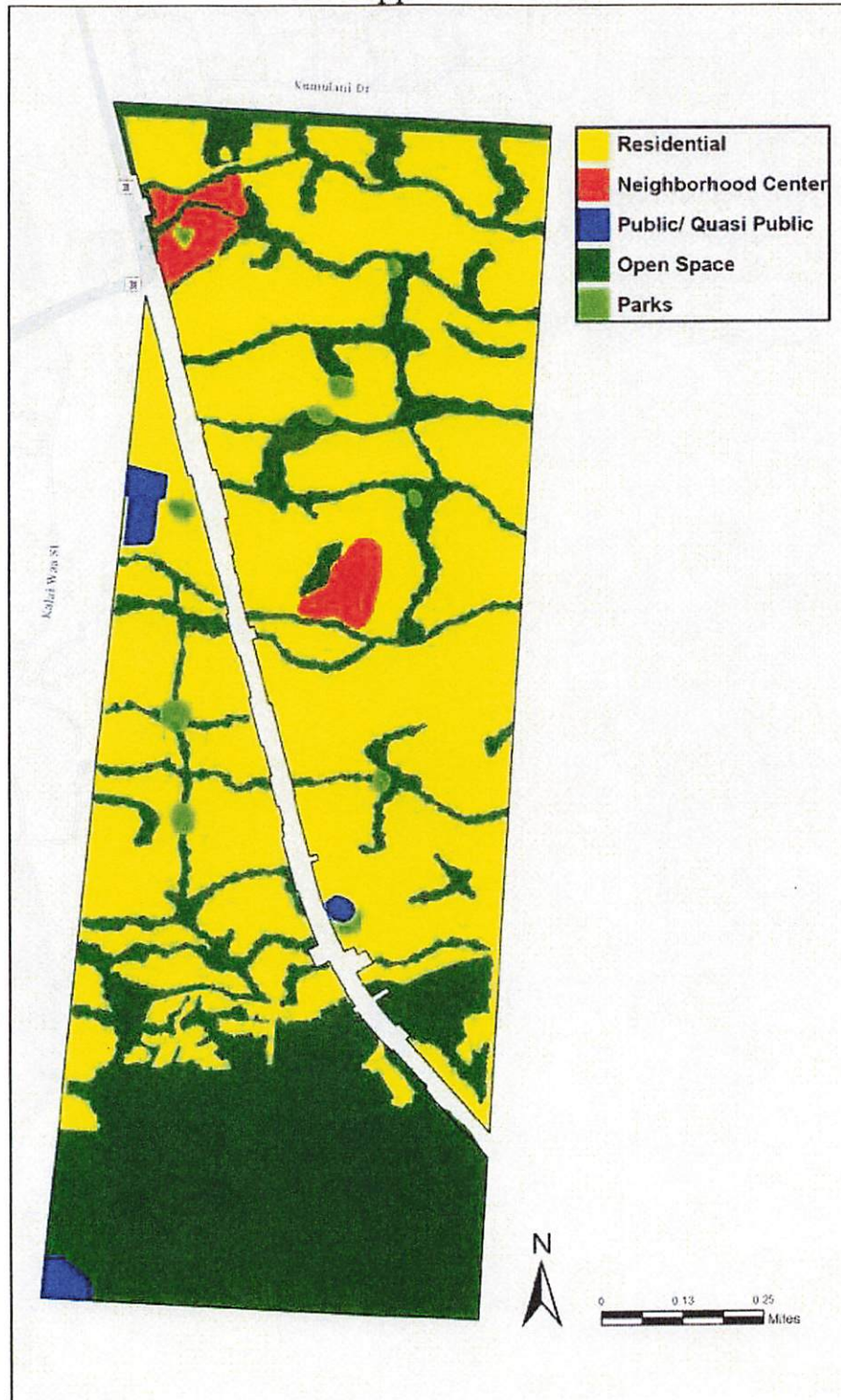
INTRODUCED BY:

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

Upon the request of the Mayor.

Exhibit "1"

Phase II Approved Site Plan



DIGEST

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DISTRICT 9 (WAILEA 670)

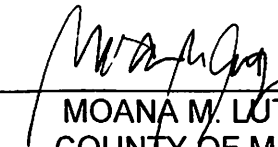
This bill proposes to amend the Project District ordinance for Kīhei-Mākena Project District 9 (Wailea 670) for about 670 acres identified for real property tax purposes as tax map keys (2) 2-1-008:056 and 071.

I, MOANA M. LUTEY, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 171, CD1, FD1 (2024) was passed on
First Reading by the Council of the County of Maui, State of Hawaii, on the 28th day of
June, 2025, by the following vote:

AYES: Councilmembers Tom Cook, Natalie A. Kama, Nohelani
'AE U'u-Hodgins, Vice-Chair Yuki Lei K. Sugimura, and Chair Alice L.
Lee.

NOES: Councilmembers Gabriel Johnson, Tamara A.M. Paltin, Keani N.W.
'A'OLE Rawlins-Fernandez, and Shane M. Sinenci.

DATED at Wailuku, Maui, Hawaii, this 28th of July, 2025.



MOANA M. LUTEY, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,
County of Maui, for use and examination by the public.