

REQUEST FOR LEGAL SERVICES

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 with a reference to DRIP-19.

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

Requestor's signature  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:	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)

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:

Department of the Corporation Counsel
County of Maui

drip:misc:019amipbill01:jpp

INTRODUCED BY:

Nohelani U'u-Hodgins

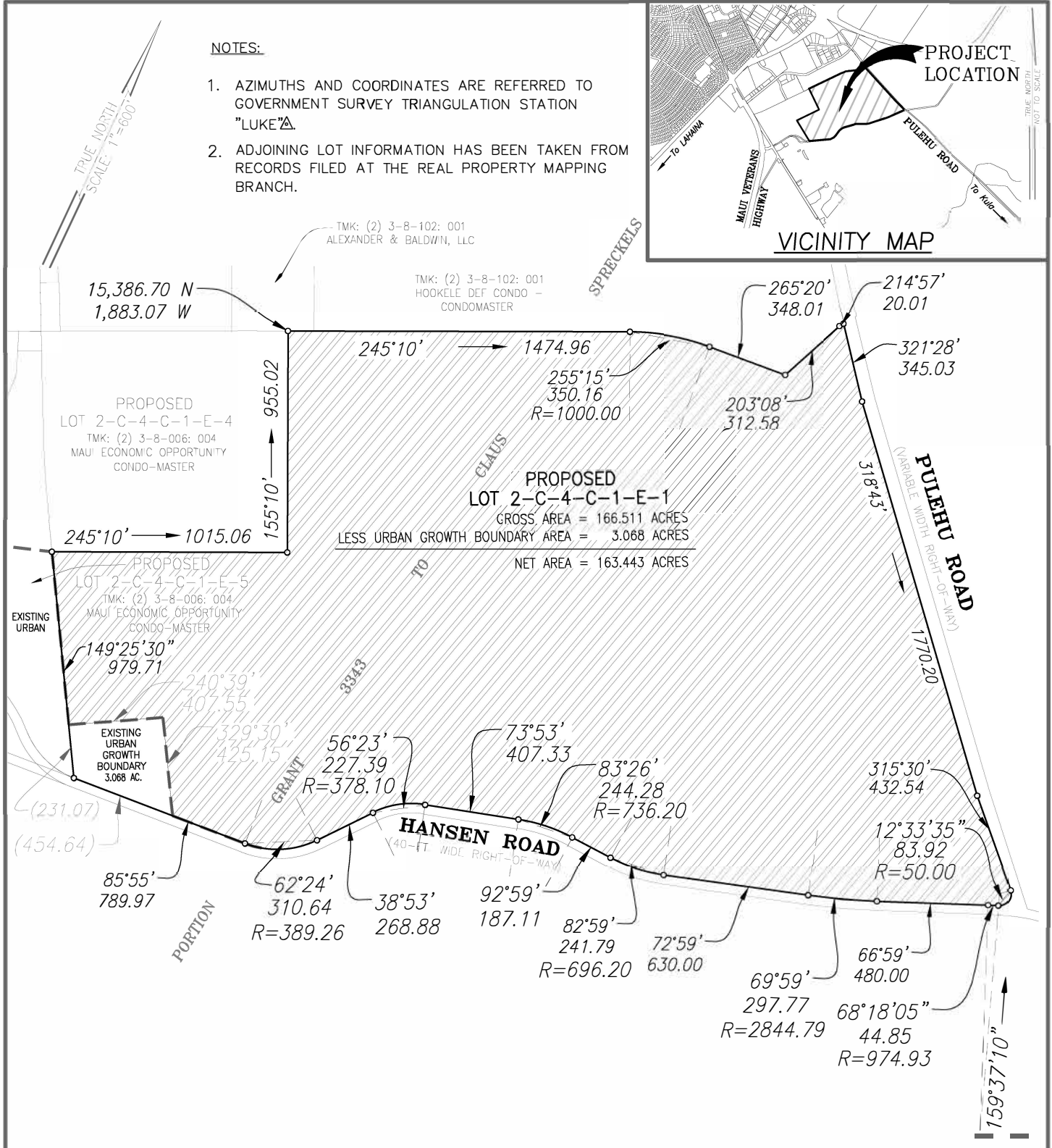
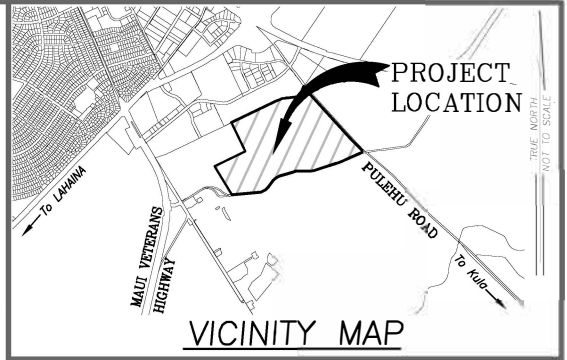
NOHELANI U'U-HODGINS

Exhibit “A”

**Metes and bounds description to
be provided**

NOTES:

1. AZIMUTHS AND COORDINATES ARE REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKE" Δ
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

MIP-

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

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.

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 the Maui Island Plan's Urban Growth Boundary is expanded.

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:

Department of the Corporation Counsel
County of Maui

drip:misc:019acpabill01:jpp

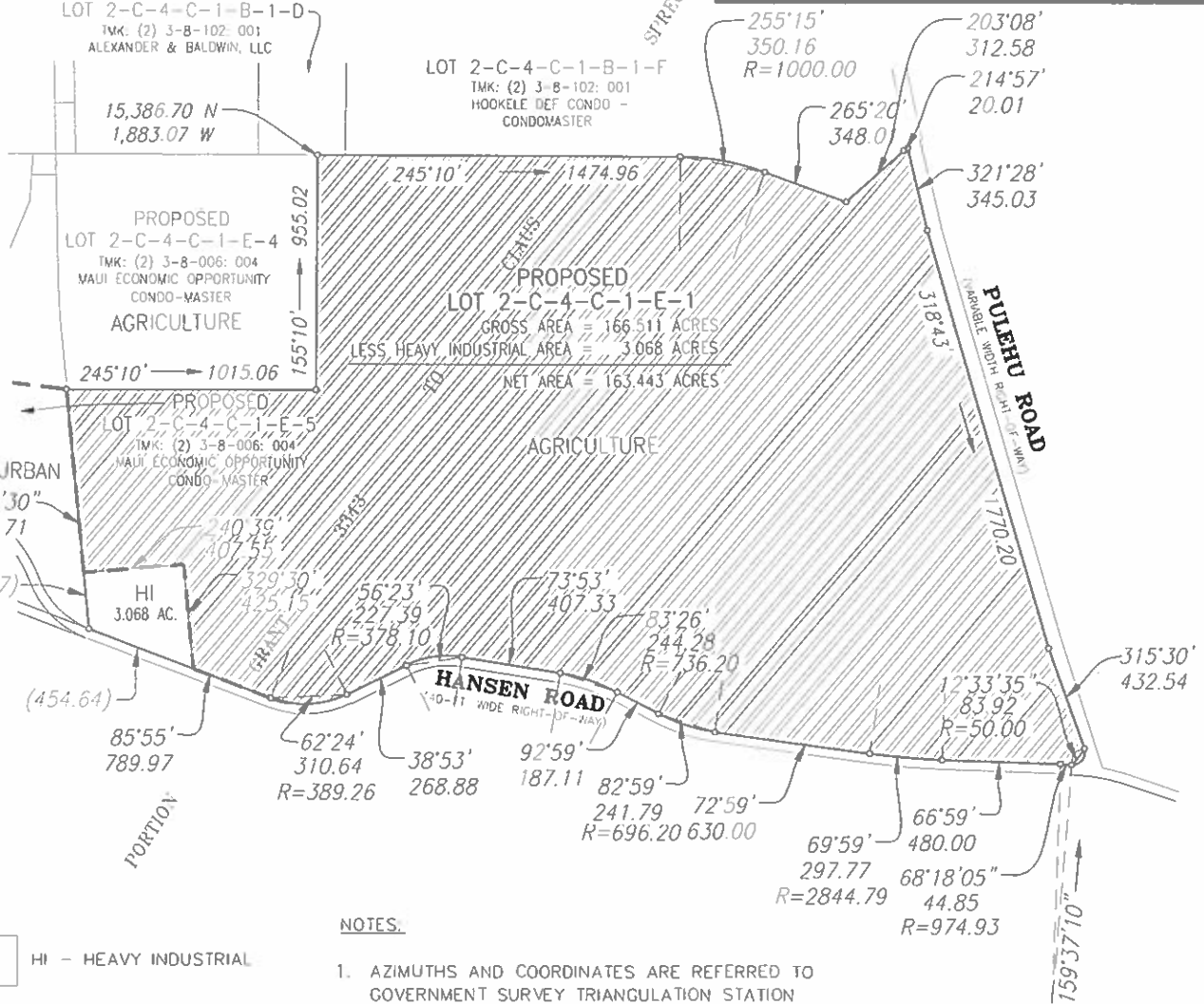
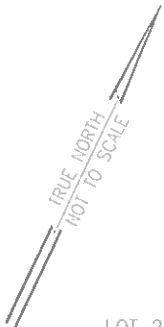
INTRODUCED BY:

Nohelani U'u-Hodgins

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 "LUKEI"Δ
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

From: DRIP Committee
Sent: Thursday, May 7, 2026 6:33 PM
To: 'CorpCounselRFLS'
Cc: DRIP Committee
Subject: RE: (OCS) (DRIP-19)
Attachments: 019acc02 (1).pdf

Please see attached version superseding previous RLS due to formatting error.

Mahalo,
DRIP Committee

From: DRIP Committee
Sent: Thursday, May 7, 2026 5:49 PM
To: CorpCounselRFLS <corpcounselrfls@co.maui.hi.us>
Cc: DRIP Committee <DRIP.Committee@mauicounty.us>
Subject: (OCS) (DRIP-19)

Please see attached.

Mahalo,
DRIP Committee