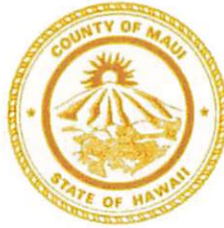


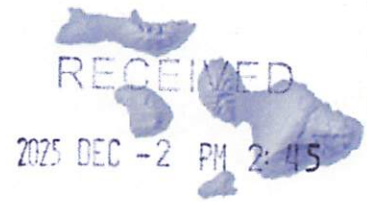
RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793



OFFICE OF THE
COUNTY CLERK

November 25, 2025

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

12-2-25
Mayor Date

For Transmittal to:

Honorable Alice Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Council Chair Lee and Councilmembers:

**SUBJECT: A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 5334
(2021), WEST MAUI COMMUNITY PLAN**

The Department of Planning (Department) is proposing to amend the West Maui Community Plan (Ordinance 5334), as amended December 23, 2024 (Ordinance 5748), to revise the design policies for new construction in the Lahaina National Historic Landmark District (NHLD). The bill proposes to revise page 47 of the West Maui Community Plan (WMCP) to increase the height limit from 30 to 35 feet. Structures that were greater than 35 feet in height and used for public/quasi-public purposes may be rebuilt to their previously approved height if they were destroyed in the August 8, 2023, wildfires.

Background Information

Height limits are included in Maui County Code, Title 19. Each zoning district has its own development standards which includes height limits. By including a height restriction in a community plan, a conflict is created for any zoning district that allows a structure taller than allowed in the community plan. If reduced height limits are desired, the zoning code should be amended; however, for the NHLD, a consistent height limit of 35 feet is recommended. For zoning districts with a lower height limit, such as Residential which limits height to 30 feet, the lower height shall prevail.

The table below lists the different zoning districts in the NHLD, and their allowed maximum heights. A map of the zoning districts in NHLD is attached.

Honorable Richard T. Bissen, Jr.
For transmittal to:
Honorable Alice L. Lee
November 25, 2025
Page 2

<u>Chapter</u>	<u>Zoning District</u>	<u>Maximum Building Height</u>
19.08	Residential	Building height must not exceed 30 feet
19.10	Two-Family (Duplex)	35 feet
19.12	A-1 Apartment	35 feet
19.14	H-1 Hotel	35 feet
19.14	HM Hotel	90 feet
19.14	H Hotel	160 feet
19.18	B-2 Business-Community	45 feet for West Maui community plan area
19.26	M-2 Heavy Industrial	90 feet
19.30A	Agriculture	The maximum height of any dwelling shall be 30 feet, except that vent pipes, fans, chimneys, antennae and solar collectors on roofs shall not exceed 40 feet. Any non-dwelling structure such as a barn or silo that is over 35 feet in height shall be set back one additional foot for each foot in structure height.
19.52	Historic Districts 1 & 2	No building may be more than two stories high, and more than 35 feet in height, except for single-family dwellings and duplexes, which are limited to 30 feet in height.

WEST MAUI COMMUNITY PLAN

The WMCP, approved by County Council on December 17, 2021, and amended on December 23, 2024, includes Design Policies specific to the NHLHD area. Page 47 includes amongst the Design Policies for Lahaina Town item 3.c. “New buildings must be limited to 30 feet in height.”

At the time of adoption, it was not envisioned that the NHLHD would burn and need to be rebuilt. These rebuilds are considered new construction and are subject to the Design Policies on page 47 of the WMCP. The height limit mentioned above is complicating the rebuild of Front Street Apartments (A-1 Apartment zoning). This project is a state-sponsored, workforce housing project proposed to be 32 feet tall.

The redeveloped property could have as many as 200 rental units, priced for residents earning up to 140% of the area median income. The Department worked closely with the developer on the design and height issues for this project, but to create livable units, the height could not be decreased any more without sacrificing an entire floor of workforce housing. The Special Management Area permit required for this project must show consistency with the WMCP, and the proposed project would not meet these standards.

Note that the existing height limit in the WMCP will affect other structures in the NHLHD, such as Hale Aloha, the Lahaina Courthouse, and many of the older churches that burned down.

Typically, it would not be appropriate to include height limitations in a community plan as development standards should be left to zoning. The NHLHD, however, is unique in that the policies in

Honorable Richard T. Bissen, Jr.
For transmittal to:
Honorable Alice L. Lee
November 25, 2025
Page 3

the WMCP are the key protection against development reaching its maximum height potential until design guidelines can be adopted. The proposed change to the WMCP increasing the height limitation to 35 feet would ensure continued protection for the character of the NHLD while matching the height limits set for two-family and A-1 zoning designations throughout the NHLD. The Department believes aligning these standards is good policy.


Commission Recommendation

The Maui County Cultural Resources Commission reviewed the proposed bill on September 4 and October 2, 2025. They provided useful insight, including allowing exceptions only for public/quasi-public uses, to avoid a proliferation of taller structures while allowing historic structures such as Waiola Church, Hale Aloha, and Lahaina Hongwanji Church to be rebuilt. Responses to their concerns are addressed in the attached October 2 memo report to them. They unanimously voted to recommend approval of the revised bill.

A public hearing was held before the Maui Planning Commission on October 14, 2025 and the commission unanimously supported recommending approval of the bill, with a modification for further consistency with the zoning code, to allow for vent pipes, fans, elevator and stairway shafts, chimneys, cellular or other antennae, and equipment used for small-scale energy systems on roofs may extend an additional 10 feet above the building roof from which it extends. Please refer to the attached draft bill for the final recommended wording.

Thank you for your attention and consideration on this matter to allow for construction of affordable housing and for rebuilding cherished historic structures in Lahaina Town. Should further clarification be necessary, please feel free to contact me.

Sincerely,



KATE L. K. BLYSTONE
Director

Attachments

1- 251119 Signed Ord Update West Maui Community Plan.pdf
KLKB:JMCT:rh1
S:\ALL\JackyT\LRDfrom2023\CPACs\2023WestMauiCPA\HeightIncrease\251016WMCPA_NHLD_Height_CouncilTransmittal.pdf

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director




DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

October 14, 2025

MEMORANDUM

TO: MEMBERS OF THE MAUI PLANNING COMMISSION

FROM: KATE L. K. BLYSTONE, DIRECTOR 

SUBJECT: A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 5334 (2021),
WEST MAUI COMMUNITY PLAN

REQUEST

The Department of Planning requests the Maui Planning Commission's (Commission) recommendation on a proposed bill to amend Ordinance 5334 (2021) to revise the West Maui Community Plan (WMCP), relating to a building height restriction for new construction in the Lahaina National Historic Landmark District (NHLD). The bill proposes to revise the Design Policies for Lahaina Town: 3. New Construction, on page 47 to increase the height limit from 30 to 35 feet. Structures that were greater than 35 feet in height and used for public/quasi-public purposes may be rebuilt to their previously approved height if they were destroyed in the August 8, 2023, wildfires.

BACKGROUND INFORMATION

Height limits are included in Maui County Code, Title 19. Each zoning district has its own development standards which includes height limits. By including a height restriction in a community plan, a conflict is created for any zoning district that allows a structure taller than allowed in the community plan. If reduced height limits are desired, the zoning code should be amended; however, for the NHLD, a consistent height limit of 35 feet is recommended. For zoning districts with a lower height limit, such as Residential which limits height to 30 feet, the lower height shall prevail.

The table below lists the different zoning districts in the NHLD, and their allowed maximum heights. A map of the zoning districts in NHLD is attached.

Chapter	District	Maximum Building Height
19.08	Residential	Building height must not exceed 30 feet
19.10	Two-Family (Duplex)	35 feet
19.12	A-1 Apartment	35 feet
19.14	H-1 Hotel	35 feet
19.14	HM Hotel	90 feet

19.14	H Hotel	160 feet
19.18	B-2 Business-Community	45 feet for West Maui community plan area
19.26	M-2 Heavy Industrial	90 feet
19.30A	Agriculture	The maximum height of any dwelling shall be 30 feet, except that vent pipes, fans, chimneys, antennae and solar collectors on roofs shall not exceed 40 feet. Any non-dwelling structure such as a barn or silo that is over 35 feet in height shall be set back one additional foot for each foot in structure height;
19.52	Historic Districts 1 & 2	No building may be more than two stories high, and more than 35 feet in height, except for single-family dwellings and duplexes, which are limited to 30 feet in height.

WEST MAUI COMMUNITY PLAN

The West Maui Community Plan, approved by County Council on December 17, 2021, and amended on December 23, 2024, includes Design Policies specific to the NHLD area. Page 47 includes amongst the Design Policies for Lahaina Town item 3.c. “New buildings must be limited to 30 feet in height.”

At the time of adoption, it was not envisioned that the NHLD would burn and need to be rebuilt. Unfortunately, with the fires on August 8, 2023, the Department is having to utilize the WMCP now more than ever and we are noticing some difficulty with some aspects of the WMCP. The height limit expressed in Design Policies for Lahaina Town 3.c. is now complicating the rebuild of Front Street Apartments (A-1 Apartment zoning), for example. This project is a state-sponsored, workforce housing project proposed to be approximately 32 feet tall.

The redeveloped property could have as many as 200 rental units, priced for residents earning up to 140 percent of the area median income. The Department worked closely with the developer on the design and height issues for this project, but in order to make livable units, the height could not be decreased any more without sacrificing an entire floor of workforce housing. A Special Management Area permit required for this project must show consistency with the WMCP, and the proposed project would not meet these standards.

Typically, it would not be appropriate to include height limitations in a community plan as development standards should be left to zoning. The NHLD, however, is unique in that the policies in the WMCP are the key protection against development reaching its maximum height potential until design guidelines can be adopted. The proposed change to the WMCP increasing the height limitation to 35 feet would ensure continued protection for the character of the NHLD while matching the height limits set for two-family and A-1 zoning designations throughout the NHLD. The Department believes aligning these standards is good policy.

The Maui County Cultural Resources Commission reviewed the proposed bill on September 4

and October 2, 2025. They provided useful insight, including allowing exceptions only for public/quasi-public uses, to avoid a proliferation of taller structures while allowing historic structures such as Waiola Church, Hale Aloha, and Lahaina Hongwanji Church to be rebuilt. Responses to their concerns are addressed in the attached October 2 memo report to them. They unanimously voted to recommend approval of the revised bill.

ACTION BY THE COMMISSION

Regarding the proposed amendment to the West Maui Community Plan, the Commission has the following options:

1. Recommend approval of the proposed bill to the Maui County Council.
2. Recommend approval of the proposed bill with amendments to the Maui County Council.
3. Recommend denial of the proposed bill to the Maui County Council.
4. Vote to defer action on the proposed bill to gather specific additional information.

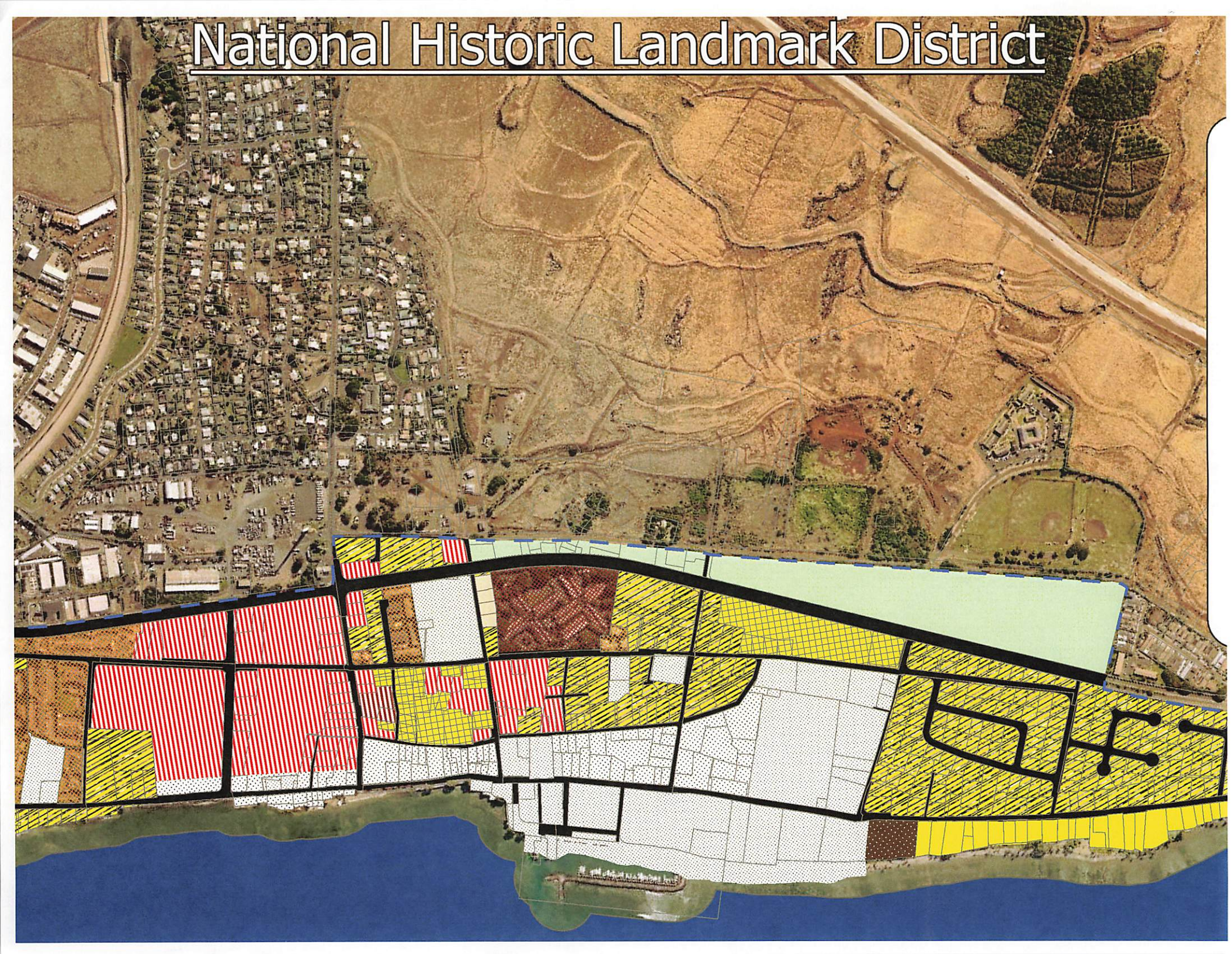
Attachments

- 1- Map
- 2- Bill for ordinance
- 3- CRC memo reports

KLKB:JMCT:KKF:rhI

S:\ALL\Jacky T\LRD from 2023\CPACs\2023WestMauiCPA\Height Increase\251014MemoRpt2MPC.pdf

National Historic Landmark District



ORDINANCE NO. _____

BILL NO. _____ (2025)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5334 (2021),
THE WEST MAUI COMMUNITY PLAN, RELATING TO BUILDING HEIGHT FOR
NEW CONSTRUCTION

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

SECTION 1. In accordance with Chapter 2.80B of the Maui County Code, Exhibit "1", titled Design Policies for Lahaina Town: 3. New Construction, page 47, of the West Maui Community Plan, adopted by Ordinance No. 5334 (2021) and amended by Ordinance 5748 (2024), relating to building height for new construction in the Lahaina National Historic Landmark District, is amended to read as follows:

"c. New buildings must be limited to [30] 35 feet in height. Structures used for public/quasi-public purposes and greater than 35 feet in height, that were destroyed in the August 8, 2023 wildfires may be rebuilt to their previously approved height."

SECTION 2. 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 3. This ordinance shall take effect upon its approval.

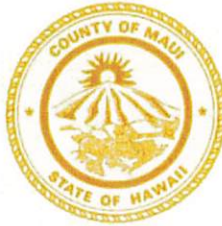
APPROVED AS TO FORM AND LEGALITY:

NĀHULU NUNOKAWA
Deputy Corporation Counsel
Department of the Corporation Counsel, County of Maui

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director




DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

September 4, 2025

MEMORANDUM

TO: MEMBERS OF THE MAUI COUNTY CULTURAL RESOURCES COMMISSION

FROM: KATE L. K. BLYSTONE, DIRECTOR 

SUBJECT: A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 5334 (2021),
WEST MAUI COMMUNITY PLAN

REQUEST

The Department of Planning requests the Cultural Resources Commission's (Commission) comments on a proposed bill to amend Ordinance 5334 (2021) to revise the West Maui Community Plan (WMCP), relating to a building height restriction for new construction in the Lahaina National Historic Landmark District (NHLHD). The bill proposes to revise the Design Policies for Lahaina Town: 3. New Construction, on page 47 to increase the height limit from 30 to 35 feet.

AUTHORITY

The Commission is authorized to review amendments to current laws relating to historic sites under Subsection 2.88.060.M.2., Maui County Code. The Commission's recommendation will be shared with the Maui Planning Commission at its public hearing.

BACKGROUND INFORMATION

Height limits are included in Maui County Code, Title 19. Each zoning district has its own development standards which includes height limits. By including a height restriction in a community plan, a conflict is created for any zoning district that allows a structure taller than allowed in the community plan. If reduced height limits are desired, the zoning code should be amended; however, for the National Historic Landmark District, a consistent height limit of 35 feet is recommended. For zoning districts with a lower height limit, such as Residential which limits height to 30 feet, the lower height shall prevail.

The table below lists the different zoning districts in the NHLHD, and their allowed maximum heights. A map of the zoning districts in NHLHD is attached.

Chapter	District	Maximum Building Height
19.08	Residential	Building height must not exceed 30 feet
19.10	Two-Family (Duplex)	35 feet
19.12	A-1 Apartment	35 feet
19.14	H-1 Hotel	35 feet
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19.18	B-2 Business-Community	45 feet for West Maui community plan area
19.26	M-2 Heavy Industrial	90 feet
19.30A	Agriculture	The maximum height of any dwelling shall be 30 feet, except that vent pipes, fans, chimneys, antennae and solar collectors on roofs shall not exceed 40 feet. Any non-dwelling structure such as a barn or silo that is over 35 feet in height shall be set back one additional foot for each foot in structure height;
19.52	Historic Districts 1 & 2	No building may be more than two stories high, and more than 35 feet in height, except for single-family dwellings and duplexes, which are limited to 30 feet in height.

The West Maui Community Plan, approved by County Council on December 17, 2021, and amended on December 23, 2024, includes Design Policies specific to the NHLD area. Page 47 includes amongst the Design Policies for Lāhainā Town item 3.c. “New buildings must be limited to 30 feet in height.”

At the time of adoption, it was not envisioned that the entire NHLD would burn and need to be rebuilt. Unfortunately, with the fires on August 8, 2023, the Department is having to utilize the WMCP now more than ever and we are noticing some difficulty with some aspects of the WMCP. The height limit expressed in Design Policies for Lāhainā Town 3.c. is now complicating the rebuild of Front Street Apartments (A-1 Apartment zoning), for example. This project is a state-sponsored, workforce housing project proposed to be 32 feet tall.

The redeveloped property could have as many as 200 rental units, priced for residents earning up to 140% of the area median income. The Department worked closely with the developer on the design and height issues for this project, but in order to make livable units, the height could not be decreased any more without sacrificing an entire floor of workforce housing. A Special Management Area permit required for this project must show consistency with the WMCP, and the proposed project would not meet these standards.

Typically, it would not be appropriate to include height limitations in a community plan as development standards should be left to zoning. The NHLD, however, is unique in that the policies in the WMCP are the key protection against development reaching its maximum height potential until design guidelines can be adopted. The proposed change to the WMCP increasing the height limitation to 35 feet would ensure continued protection for the character of the NHLD while matching the height limits set for two-family and A-1 zoning designations throughout the NHLD. The Department believes

aligning these standards is good policy.

ACTION BY THE COMMISSION

Regarding the proposed change to the West Maui Community Plan, the Commission has the following options:

1. Recommend approval of the proposed bill.
2. Recommend approval of the proposed bill with amendments.
3. Recommend denial the proposed bill.
4. Defer action on the proposed bill to gather specific additional information.

Attachments (*Map. Bill for ordinance*)

KLKB:JMCT:KKF:rhI

S:\ALL\Jacky TLRD from 2023\CPACs\2023WestMauiCPA\Height Increase\250904MemoRpt2CRC.docx

ORDINANCE NO. _____

BILL NO. _____ (2025)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5334 (2021),
THE WEST MAUI COMMUNITY PLAN, RELATING TO BUILDING HEIGHT FOR
NEW CONSTRUCTION

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

SECTION 1. In accordance with Chapter 2.80B of the Maui County Code, Exhibit “1”, titled Design Policies for Lahaina Town: 3. New Construction, page 47, of the West Maui Community Plan, adopted by Ordinance No. 5334 (2021) and amended by Ordinance 5748 (2024), relating to building height for new construction in the Lahaina National Historic Landmark District, is amended to read as follows:

“c. New buildings must be limited to [30] 35 feet in height.”

SECTION 2. 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 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

NĀHULU NUNOKAWA
Deputy Corporation Counsel

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director




DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

October 2, 2025

MEMORANDUM

TO: MAUI COUNTY CULTURAL RESOURCES COMMISSION

FROM: KATE L. K. BLYSTONE, Director 

SUBJECT: **A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 5334 (2021),
WEST MAUI COMMUNITY PLAN**

The Department of Planning (Department) would like to address concerns raised at the Cultural Resources Commission's (Commission) September 4, 2025, meeting regarding a proposed bill to amend Ordinance 5334 (2021) to revise the West Maui Community Plan (WMCP), relating to a building height restriction for new construction in the Lahaina National Historic Landmark District (NHLD). The bill proposes to revise the Design Policies for Lahaina Town: 3. New Construction, on page 47 to increase the height limit from 30 to 35 feet. Please refer to materials provided at the September 4 meeting for background information.

- Concern #1: Will the increase in height allow for "monster homes" in Lahaina?

Response: The height limit for single-family dwellings in Residential and Historic Districts zoning is 30 feet. The bill does not affect single-family dwellings.

- Concern #2: Is there an inventory of structures by height in the NHLD?

Response: The Department does not keep records of structures by building height. If a structure is within the height limit established by zoning, it can be approved. A cursory review of aerial imagery shows the following structures likely greater than 30 feet:

Structure	Address	Estimated Height	Status
Waiola Church	535 Waine'e Street	55 feet	Destroyed
Lahaina Hongwanji Church	551 Waine'e Street	46 feet	Destroyed
United Methodist Church	988 Front Street	50 feet	Destroyed
King's Chapel Lahaina	285 Lahainaluna Road	36 feet	Destroyed
Hale Aloha	636 Luakini Street	55 feet	Destroyed
Lahaina Courthouse	648 Wharf Street	48 feet	Destroyed
Weinberg Court Apartments	615 Honoapi'ilani Hwy	32 to 35 feet	Destroyed

Structure	Address	Estimated Height	Status
Wharf Cinema Center	658 Front Street	40 to 50 feet	Destroyed
Old Lahaina Center	878 Front Street	40 feet	Not destroyed
Lahaina Crossroads Apts.	767 Luakini Street	35 feet	Not destroyed
Lahaina Shores	475 Front Street	7 stories	Not destroyed
Maria Lanakila Church	712 Waine'e Street	90 feet	Not destroyed

- Concern #3: Will the increase of height from 30 feet to 35 feet impact view planes?

Response: The Special Management Area review process considers view planes; however, keep in mind the proposed increase is only five feet. Any impact to view planes will be minimal. As noted in the table above, many historic structures were greater than 30 feet and actually part of the NHLD view plane.

- Concern #4: Will the increase from 30 to 35 feet lead to a proliferation of tall buildings?

Response: The Department proposes revising the bill to limit the applicability to the following uses:

- Public uses, defined in Maui County Code Section 19.04.040 as *"a use conducted by, or a facility or structure owned or managed by, the government of the United States, the State of Hawaii, or the County of Maui which provides a governmental function, activity, or service for public benefit."*
- Quasi-public uses, defined in Section 19.04.040 as *"a use conducted by, or a facility or structure owned or operated by, a nonprofit, religious, or eleemosynary institution which provides educational, cultural, recreational, religious, or other similar types of public services."*

The bill for ordinance is revised as follows:

"c. New buildings must be limited to [30] 35 feet in height. Structures used for public/quasi-public purposes and greater than 35 feet in height, that were destroyed in the August 8, 2023, wildfires may be rebuilt to their previously approved height."

- Concern #5: What was the intent of the WMCP Advisory Committee (WMCPAC)?
- Response: One WMCPAC member did not recall discussing the matter. Another WMCPAC member shared that the proposal was introduced by the department, not the committee. The 1996 WMCP included the following, *"Ensure that new buildings and renovations in areas within or adjacent to the Historic District respect the massing, scale, texture and appearance of old Lahaina and a maximum building height of 2 stories or 35 feet."*

The 1996 policy was consistent with Historic District zoning heights. It is not clear from the record or discussions with past WMCPAC members how the height decreased, or how the affected area increased in the current plan.

The proposed increase to 35 feet will at least allow for consistency with Maui County Code Section 19.52.090.C., Historic District heights which are, *"Height regulations. No building within historic district no. 1 and historic district no. 2 may be more than two stories high, and more than thirty-five feet in height, except for single-family dwellings and duplexes, which are limited to thirty feet in height."*

ACTION BY THE COMMISSION

Regarding the proposed change to the West Maui Community Plan, the Commission has the following options:

1. Recommend that the Maui County Council approve the proposed bill.
2. Recommend that the Maui County Council approve the proposed bill with amendments.
3. Recommend that the Maui County Council deny the proposed bill.

The Commission's recommendation and comments will be shared with the Maui Planning Commission at its October 14, 2025, public hearing. Mahalo for your consideration on this matter.

Attachment:

WM_CP_Amendment_2025_P47_V3.pdf

KLKB:JMCT:rhI

S:\ALL\Jacky TLRD from 2023\CPACs\2023WestMauiCPA\Height Increase\251002MemoRpt2CRC.pdf

ORDINANCE NO. _____

BILL NO. _____ (2025)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 5334 (2021),
THE WEST MAUI COMMUNITY PLAN, RELATING TO BUILDING HEIGHT FOR
NEW CONSTRUCTION

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

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"c. New buildings must be limited to [30] 35 feet in height. Structures used for public/quasi-public purposes and greater than 35 feet in height, that were destroyed in the August 8, 2023 wildfires may be rebuilt to their previously approved height."

SECTION 2. 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 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

NĀHULU NUNOKAWA
Deputy Corporation Counsel
Department of the Corporation Counsel, County of Maui

**MAUI PLANNING COMMISSION
REGULAR MEETING
ITEM B.1. – B.2. MINUTES
OCTOBER 14, 2025**

[\(AUDIO RECORDING PART 3\)](#)

[\(AUDIO RECORDING PART 4\)](#)

[\(AUDIO RECORDING PART 5\)](#)

[\(TEAMS VIDEO HYPERLINK – CH.3\)](#)

[\(TEAMS VIDEO HYPERLINK – CH.4\)](#)

[\(TEAMS VIDEO HYPERLINK – CH.5\)](#)

CALL TO ORDER AND ROLL CALL

The regular meeting of the Maui Planning Commission was called to order by Chair Kim Thayer at approximately 9:06 a.m., Tuesday, January 14, 2025, in the Planning Department Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793 and online via TEAMS **Meeting ID: 281 492 565 477 6 Password: 2SU66Cm6**

Roll call was taken by Planning Director Kate Blystone. Chair Thayer, Vice-Chair Lindsey and Commissioner Ward, Kealoha, Deakos, Elizares, and Circle-Woodburn were in attendance in-person. Commissioner Lind was in attendance via TEAMS.

Ms. Thayer: All right. Mahalo, everybody. Welcome back to our Maui Planning Commission meeting of Tuesday, October 14th, 2025. Moving through our agenda, we're gonna take up our first public hearing, item B1. Mr. Dias, if you could read us into the record, please.

B. PUBLIC HEARINGS

1. **KATE BLYSTONE, PLANNING DIRECTOR**, referring to the Maui Planning Commission a proposed bill to amend the West Maui Community Plan, Ordinance 5334 (2021), relating to building height for new construction in the Lahaina National Historic Landmark District (ZPA2025-00008) (J.Takakura)

The entire text of the proposed bill for ordinance is available at:
<https://www.mauicounty.gov/DocumentCenter/View/155074>

[\(Memorandum / Report\)](#)

[\(Documents Received After Posting\)](#)

[\(Submit Testimony\)](#)

[\(View Testimony Received\)](#)

Mr. Dias: Thank you, Chair. Item B1 is Planning Director Kate Blystone, referring to this Commission, a proposed bill to amend the West Maui Community Plan. And just Ordinance, relating to building height for new construction in the national. Sorry Lahaina. National Historic District Landmark and I will hand it over to Jacky Takakura.

Ms. Thayer: Just to let everybody know, we'll have the presentation and everything from the department and then public testimony and then Commissioner questions.

Ms. Takakura: Thank you. Thank you, Chair Thayer and Vice-Chair Lindsey and members. Before you today is a bill for an ordinance to amend the West Maui Community Plan. My name is Jacky. I am part of the Long-Range Division and community plans is what we do. So, that's why I'm here. So, this one is to amend the design standards for the Lahaina National Historic Landmark District. The bill proposes to revise the design policies for Lahaina Town. Just a second, second, second, second. OK so. Just need a second to turn the sound off of this laptop.

Ms. Thayer: Yep, no problem.

Ms. Takakura: Can everybody see that, ok? No, Leilani, that looks all right. What you can see? Yeah, Ok. Sorry about that. So, this change that we're proposing is to increase the height limit for new construction from thirty to thirty-five feet, but to have some exceptions for pre-existing public and quasi-public uses, which I'll go into detail a little bit as we go on. This change must be approved by ordinance. So, the Maui Planning Commission will hopefully complete the public hearing on this matter today. And then I'll work on transmitting it to County Council for their approval by ordinance. This FYI, I did take this to the Cultural Resources Commission because part of their kuleana is the National Historic Landmark District, and they had some questions and answers, which I had in the packet that I sent you and they did recommend approval. So, you might have seen this map before. This is the affected area. The black dotted line shows the National Historic Landmark District and the Green, and the Yellow are the the zoning Districts, Historic District one and two for Lahaina Town. And so, the West Maui Community plan approved by the County Council in December 2021, and just amended last December, some of you were here for that. It includes design policies specific to this NHLD area that you see on the map, and it says that new buildings must be limited to thirty feet in height.

At the time of adoption, it was never envisioned that the NHLD area would burn, and many structures need to be completely built and be considered new construction. Unfortunately, with the fires of 2023, we're having to utilize the West Maui Community plan now more than ever, and we're noticing some conflicts there. With the plan specifically this thirty-foot height limit that's complicating the rebuild of the Front Street apartments, for example. And

I have a screenshot here of what it looked like in 2021 on the left and what it looks like now that it's been completely cleared. This project here, the rebuild of Front Street apartments is a State sponsored workforce housing project proposed to be thirty-two feet tall. Note that it is in the A1 apartment zoning district, which allows structures to be thirty-five feet in height. Just a little bit about building heights. Structure height limits are included in Maui County Code Title 19, and that zoning, district zoning districts and each one has its own development standards, which includes height limits. So, like if you're in, if your property is residential zoning district, the height maximum is thirty. But if you're in any of these others, like duplex apartment and others, it's thirty-five feet or more. B2, business community is forty-five feet, even agriculture. It can be, you know, if you have a barn or a silo and mauka of the highway, you've got AG zoning. It could be thirty-five feet and even for historic districts one and two, if you've got commercial dwelling or structures, those could be thirty-five feet in height. So, this restriction in the Community plan creates a conflict for any zoning district that allows a structure that's taller than allowed in the Community plan.

So, this causes a problem as people are trying to rebuild. This is a map just showing you the variety of zoning districts that are in the National Historic Landmark District. So, yellow the different shades of yellow are the different types of residential zoning, which in the chart that maximum thirty feet. So, that's not affected, but you've got the whitish color area, that's historic districts one and two, the reddish red and white, that's business B2. Some of the browns are the hotel and the orange-ish is apartment zoning district. So, you've got all these different things with different heights and so you know that causes a problem when their properties are trying to rebuild, and you have this this height limit. And to further complicate things, we have Special Management Area permits and as we know they must show consistency with the Community plan. So, if a structure is proposed for thirty-two feet, which it may be consistent with its zoning, but the Community plan says thirty feet, then the project's inconsistent with the community plan and the SMA permit cannot be issued. So, for now we are proposing this amendment so that Front Street apartments and others can apply for the SMA permit and hopefully more housing units can get built soon.

So, Front Street apartments is the kind of the trigger of this, but there are going to be other properties down the line that that may be affected. You're probably familiar with this one. This is just the map of the special management area in West Maui and generally speaking, it goes up to the highway so that the brown area makai of the highway is the special management area. And also coming soon, Lahaina design standards which I think is going to be on your agenda coming up either at the next meeting or one of the future ones. So, in the Community plan we have these design policies. But also, we have the consultants, the Cultural Resources Commission and staff working on design standards for Historic Landmark District, the historic districts and arrival corridors. We've brought this to the CRC

a couple times and we're working with the consultant to work on standards for residential and commercial. When those design standards get adopted and there's a regulating plan overlay, we'll work on another Community plan amendment to remove the design policies from the West Maui Community plan because they won't be needed anymore. Because you would have design standards, and we would just refer to those. And just FYI, those design standards would be approved by CRC, but in the meantime, we are following the West Maui Community plan.

So, like I mentioned, we brought this to the CRC last month and a couple weeks ago this month. Proposing that we increase the height by five feet, but then we also added this limited exception that you can see underlined and that is that structures used for public and quasi-public purposes and greater than thirty-five feet in height that were destroyed in the August 8, 2023 wildfires may be rebuilt to their previously approved height, and I use the term public quasi-public. And that's straight out of County Code 19.04, so public uses are uses conducted by or a facility or structure owned or managed by the government of the United States, the State of Hawaii or the County of Maui, which provides a government function, activity or services for a public benefit. Quasi-public uses also from 19.04, the Maui County Code, are uses conducted by or facility or structure owned or operated by a non-profit, religious or (inaudible) eleemosynary, which is charitable institution that provides educational, cultural, recreational, religious or other similar types of public uses.

So, this would allow any of those churches that have taller steeples to rebuild, and many of them were built before the days of zoning and NHD or even before statehood. And some of them I have in the next slide, I don't have the exact heights. But based on what we could see from aerial imagery, we have some, I have some examples to show you, but the first one that came to mind for me was Waiola Church built in, I have 1951, but that's probably when it was last rebuilt. But that steeple there you see, it could be fifty-five feet tall. Others are Lahaina Hongwanji built in 1933 on Wainee St. That steeple might be about forty-five feet. Lahaina United Methodist Church, which you see in the upper right, built in 1922, built that building is about fifty feet tall and then on the lower right, the King's Chapel, built in 1973. So, it's not that old, but it's getting there. That's on Lahainaluna, Lahainaluna Rd. That height to the top of the steeple is about thirty-six feet and then the bottom left, Hale, Aloha. on Luakini St. first, built in 1858 and restored in the 80's and 90's. That bell tower could be a little over fifty-five feet tall. So, by having this exception oops. Having this exception, this would allow some of those historic structures to be rebuilt, but at the same time anything else having that height limit of thirty-five feet would at least be consistent with a lot of the zoning districts, but not so tall as to allow you know some of these other things to get really tall because like, like with another example that came to mind is Lahaina Shores, which wasn't destroyed, but it is seven stories, so it is kind of tall,

but umm, so we don't want any more buildings like that could be that tall, but thirty-five seems like a good, good height for historic landmark district. And then for as it says, you know, public quasi-public, it could be taller if they were taller before the fire. And then also just keep in mind that if the zoning has a lower height limit like residential which is thirty feet, that lower height always prevails so, it's not gonna allow for like monster homes or anything residential's not affected. So, the Cultural Resources Commission recommended approval of the proposed change that you see here. I hope that the Planning Commission recommends approval, but you have other options. You can recommend approval with amendments, recommend denial or defer if you need more information, and I will take your recommendation to the County Council and hopefully we can get this approved, or at least revised so that things can be rebuilt, and we can have affordable housing like Front Street apartments. So, I don't have anything more to share. I can stop sharing, sharing the screen and

Ms. Thayer: Sure, thank you. Appreciate you providing the slides. They're very helpful. Do we have anybody signed up to testify?

Ms. Ramoran-Quemado: Not for this item Chair.

Ms. Thayer: Ok. Well, if anybody online or in the gallery wishes to testify, you can come up or unmute yourself and say hello or write to staff in the chat or raise your hand using that function. Otherwise, public testimony on this item will close in. three, two, one. Now, then, Commissioners, what questions do you have for the department? Commissioner Circle-Woodburn, go ahead.

Mr. Circle-Woodburn: Hi. Thanks, Chair. Just a question on that. The max height. I believe in other, you know, Community plans, other areas, while there's the max building height, I think zoning or whatnot might allow. For certain elements to be taller, like a elevator chase or a chimney or something like that, would that be the same here?

Ms. Takakura: So, thank you for the question. That's a good question. You are correct in a lot of the development standards we have this exception that things like antennas or that extend from the roof may be ten feet above. We don't have that in here. Just saying thirty-five and that's that. But. If you want, I can make changes that. That's what I'm here for. Whatever changes you recommend, I can include that, but you're correct about that.

Mr. Circle-Woodburn: Ok. Thank you. I guess that might be something for us to consider because if you have an apartment building, I don't know if there's elevators in it, but a lot of times if you get to that top floor, the elevator I think has to be taller to reach that floor so. I.

Ms. Thayer: An ADA. You would need elevator for those solid buildings.

Mr. Circle-Woodburn: Correct. Ok.

Ms. Thayer: Note that down. Any other questions, Commissioners? Commissioner Kealoha.

Ms. Kealoha: Thank you for your presentation. I may have missed this but this I guess I'm thinking this has new buildings so Front Street apartments isn't included in new buildings.

Ms. Takakura: It is because it completely burned down.

Ms. Kealoha: But like we were talking in previous meetings about rebuild walls or something, or pools, or and there was this whole. If it's new, it's only new. If it was never there. But because it's rebuilt then it's not considered new. So, in this case, it's almost like the opposite.

Ms. Takakura: The the areas that burned are completely cleaned up and there's nothing there now. So, the rebuilds are starting from zero and actually the Front St. Apt is a good case. They are rebuilding a little differently and so it is considered new, but that was the thought, you know, nobody thought, oh, these things are going to burn down and you're going to have new construction because Lahaina has been around for, you know, for so long. That like now, we're stuck because everything's new and you're, so you're limited. This is different from, say, a structure that burn that maybe is still partially there like some other structures like there's some walls there, but most of the lots, everything's gone. Ok. It's all new. It's all new.

Ms. Kealoha: I yeah, I I'm trying to remember and maybe somebody can help me, but it was like when the house...

Ms. Thayer: You might be thinking of a swimming pool...

Ms. Kealoha: Or like a house coming in. Maybe somebody can fill me in...

Ms. Thayer: Vice-Chair.

Ms. Kealoha: Blinking.

Ms. Lindsey: I think she was talking about one of the houses we approved on Front St. as a rebuild. The Deal house in particular was rebuilt and not a new build because it was the exact same building that they were building.

Ms. Takakura: Yeah, but that's residential, right? Well, I think it's residential or HD. So, they would be thirty feet maximum. So, they would be ok.

Ms. Lindsey: But what you're referring to in terms of Front St apartments is a new build because you're changing it more than thirty percent. There's a number. That we...

Ms. Takakura: They are changing it. I don't what it looked like before, but I think it's gonna... They're trying three stories so that it because it's, you know, affordable workforce and that's why it's it's proposed to be thirty-two feet. I believe, the residential units that were there before were probably two-story. But now this is a a State project they've taken over and bought it...

Ms. Lindsey: Yeah, I think it, I think it was differentiating between rebuild and new build and how much you need to change. Specifically on the field house. In addition, we did that on the pool. The pool was an existing pool.

Ms. Thayer: Mm-hmm.

Ms. Lindsey: Not a rebuild pool, right?

Ms. Thayer: Yeah, the pool was, yeah. Still in workable condition. So, it wasn't being constructed at all. Commissioner Deakos.

Mr. Deakos: Just in reference to that, I think it was wording as it was referencing the Community plan policy of new, they wanted to say it wasn't new. Even though the application has new build on it that's I think the argument the applicant was making to to get away from complying with the the Community plan. But it sounds like you guys, any rebuild in line is considered new.

Ms. Takakura: Correct.

Mr. Deakos: Yeah.

Ms. Takakura: Yes.

Ms. Thayer: Additional questions. I guess I have a question. Oh, and then, sorry, Vice - Chair after. So, the structures you listed that are taller, like the that aren't churches or religious places like the Wharf Cinema Center, the Old Lahaina Center. Those were able to be built taller because.

Ms. Takakura: So, are you referring to the list that I have in the October 2nd CRC memo? So, one of the questions from the CRC was well, do you have a list of all the buildings that are taller, but for us, we don't, as long as structure is within the allowed height, we don't keep track. You know if you're, if you're good, you're good. So, but I did go through the aerial imagery to kind of look around what was tall and then try to measure and so, not looking at the use like some of the ones that you mentioned. I just found them and then were able to try to guess at the height and so those are gonna be ones that are gonna be affected now. Some of them are churches and they could qualify for, you know, being a public or quasi-public use and some of them are affordable housing and also run by, say, nonprofits or something. So those might be able to qualify under this proposed amendment, but others that are gonna have trouble, yeah, with their rebuilding if they were forty or fifty feet tall, and like the Wharf Cinema Center, so that one is gonna have to go through the whole public process and I don't know what the outcome is gonna be for them. But if you're saying, oh, we should propose something taller. Well. I mean that that's certainly up to you.

Ms. Thayer: No, I was mostly wondering how it came to be.

Ms. Takakura: Yeah. So that's why. Sorry, I'm interrupting. Some of those structures are super old or they're from the 70's. Like maybe before SMA or you know the coastal zone management. I didn't research all of the history of how they got built. But that's hard. It it was hard enough just to find the heights of these ones. You know, they look tall, but there's just not a lot of information. So...

Ms. Thayer: No, thank you, Commissioner Deakos.

Mr. Deakos: I'm just wondering if you removed the first sentence. And just changed the thirty-five feet to thirty. Would that just apply to all? Pre-existing buildings you wouldn't have the concern of future buildings.

Ms. Takakura: Can you repeat that, Sir?

Mr. Deakos: So, you have new buildings, must be limited to thirty. That's being changed to thirty-five feet. If you eliminated that or kept. And just change the thirty-five feet in the next sentence to thirty. Then when that cover all buildings that pre-existed, and you

wouldn't have the concern of new buildings trying to. I don't know if they can add a new floor now with the extra five feet.

Ms. Takakura: Umm. I think we kept that first sentence because initially that was going to be the only proposed revision with that, new buildings must be limited to thirty-five feet in height, period, and that was it. And then we added the the caveat after that. I guess the director had recommended we keep that because she didn't want to see anything that says the zoning allows it to be even taller for NHLD and having that height of thirty-five was was recommended just so that we, you know, it's not overrun with tall buildings. I can work with Corporation Council to make sure that we keep the meaning and intent. Maybe reduce the the wordage. That would help.

Mr. Deakos: Yeah, I think you. I think you protected it in the other language, it states. It's just it's not residential. It's very specific, so it's probably not needed, but I wasn't. I was just curious if that would prevent any potential abuse of the additional five feet.

Ms. Takakura: That's why I kept the public quasi-public purposes. So, we would look at well, what was the purpose. You know, before the fire and and...

Mr. Deakos: Yeah, I'm good. That's what I care.

Ms. Thayer: Sorry, Vice-Chair. I was supposed to go back to you.

Ms. Lindsey: I was just wondering on following up on on Commissioner Circle-Woodburn's comment, what additional things fall in that category? Is there a general term to see antennas and steeples? I mean, I'm not sure if steeples were considered or elevator shafts. All of these extra things that...

Ms. Takakura: I can look it up because it's standard wording. Oh, Danny has that.

Mr. Dias: Yeah, I looked it up. Depending on the zoning district, there's different wording, but this is from business districts, which I think would would be sufficient for for this issue. So, in the zoning district, you know there's a height limit, but there's also notes and exceptions. And so, in the business district. When it comes to height, it states. You know a height of whatever it is ninety feet, but it says except vent pipes, comma fans, comma elevator and stairway shafts, chimneys, cellular or other antennae and equipment used for small scale energy systems on roofs may extend an additional ten feet above the building roof from which it extends. So, it gives you another ten feet. Others zoning districts. It gives you another ten feet, but you still have to be under the height limit, which

wouldn't be helpful, in this circumstance. But so, I I think this wording would help. It gives people that extra ten feet so.

Ms. Thayer: Vice Chair.

Ms. Lindsey: Does that include solar panels?

Mr. Dias: Yeah, small scale energy system. Sunroofs.

Ms. Lindsey: I think in the Wailuku one, we were working on the Wailuku changes specifically for the parking. That was one of the things that we couldn't fit in because the solar didn't was too tall. So, then they had to take out the solar. It was. It was an issue. That we want to encourage solar use, so yeah.

Ms. Thayer: Any other questions? Commissioner Lind, do you have any good questions? Just checking, Ok. All right, everybody good. Ok recommendation.

Ms. Takakura: Well, first I want to ask should we add that the additional ten feet it's pretty consistent in other zone, I mean it's a zoning thing, but we can, we can, and we can copy the wording that Danny just read just pretty standard in our our zoning.

Ms. Thayer: Yeah, I think we would incorporate that into a motion.

Ms. Takakura: So, I recommend, the Department's recommendation is to recommend approval of the West Maui Community Plan Amendment for the design policies for Lahaina Town, new construction and...

Ms. Thayer: Ok. Thank you, Commissioners. We can entertain a motion to recommend approval, as is. Recommend approval with comments. Or. Conditions amendments. Sounds like we may be leaning towards. Commissioner Circle-Woodburn.

Mr. Circle-Woodburn: I mean, can I make a motion for my own thought?

Mr. Thayer: Yea, Go ahead. I I would like to make a motion to include that language to allow for those specific uses to extend up to ten feet above the max height.

Ms. Thayer: OK, with the language that Mr. Diaz read out to us.

Mr. Circle-Woodburn: Yes. Yeah. Ok, Ok. Motion by Commissioner Circle-Woodburn, second by Vice-Chair Lindsey, would you like to speak to your motion?

Mr. Circle-Woodburn: Not no, I think I did in asking the question. Ok, so thank you.

Ms. Thayer: It's formality.

Mr. Circle-Woodburn: Ok.

Ms. Thayer: Yes.

Ms. Lindsey: No questions. Chair.

Ms. Thayer: Ok. Discussion deliberation, commissioners. Thoughts? Anything you would want to add sound good as is. Any concerns? OK. Yep, OK. Well, yeah, and I guess this effectively memorializes what was there before. So, we're it's not a change in that respect. Yeah. And then hopefully we'll enable. More public, quasi-public and affordable workforce housing to be built. That sounds good. Call for the vote.

Mr. Dias: Thank you, Chair. Commissioner Lind.

Mr. Lind: Yes.

Mr. Dias: Commissioner Circle-Woodburn.

Mr. Circle-Woodburn: Yes.

Mr. Dias: Commissioner Elizares.

Mr. Elizares: Yes

Mr. Dias: Commissioner Ward.

Mr. Ward: Aye.

Mr. Dias: Commissioner Deakos.

Mr. Deakos: Aye.

Mr. Dias: Commissioner Kealoha.

Ms. Kealoha: Aye.

Mr. Dias: Vice-Chair Lindsey.

Ms. Lindsey: Aye.

Mr. Dias: And Chair Thayer.

Ms. Thayer: Yes, but it carries without me anyway. So yes, unanimous vote. All in favor, none opposed. Motion carries. Thank you. It's up to you. Thank you.

It was moved by Mr. Circle-Woodburn, seconded by Ms. Lindsey, then

VOTED: *To recommend approval of the West Maui Community Plan Amendment for the design policies for Lahaina Town, new construction, and to include the following language to allow for those specific uses to extend up to 10 feet above the max height: "Except vent pipes, fans, elevator and stairway shafts, chimneys, cellular or other antennae, and equipment used for small-scale energy systems on roofs may extend an additional 10 feet above the building roof from which it extends."*

(Assenting: C. Lind, J. Circle-Woodburn, C. Elizares, B. Ward, M. Deakos, A. Kealoha, A. Lindsey, K. Thayer)

(Motion carries.)

Ms. Takakura: As chair, there just mentioned this is gonna go a long way for getting those churches. I mean, it's gonna take time for them to fundraise, but that they can because they're part of the landscape of Lahaina. And then also for affordable housing. Thank you very much.

Ms. Thayer: Thank you.

Ms. Kealoha: Thank you, Jacky.

Ms. Thayer: All right on to item B2. Mr. Dias, can you read this into the record, please?

2. A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B AND 19.500 MAUI COUNTY CODE RELATING TO OFF-STREET PARKING SPACE REQUIREMENTS FOR HOUSING

Ms. Kate L.K. Blystone, Planning Director, referring to the Maui Planning Commission, a proposed bill to amend Chapter 19.36B and Chapter 19.500 of the Maui County Code. The proposed bill initiated by the County Council through Resolution No. 25-152 would amend