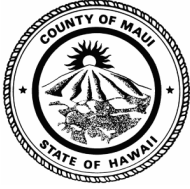


**Reconvened from 11/18/2021 at 9:00 a.m.**



# **PUBLIC MEETING NOTICE**

COUNCIL OF THE COUNTY OF MAUI

[www.MauiCounty.us/PSLU](http://www.MauiCounty.us/PSLU)

Committee Chair  
Tamara Paltin

Committee Vice-Chair  
Kelly Takaya King

Voting Members:  
Gabe Johnson  
Tasha Kama  
Alice L. Lee  
Michael J. Molina  
Keani N.W.  
Rawlins-Fernandez  
Shane M. Sinenci  
Yuki Lei K. Sugimura

## **PLANNING AND SUSTAINABLE LAND USE COMMITTEE (2021)**

**Thursday, December 2, 2021**

**9:00 a.m.**

MEETING SITE:

Online Only

Phone testimony: 1-408-915-6290, meeting code 149 341 846

Video testimony: <https://bluejeans.com/149341846>

View live: Akaku, Channel 53 or [mauicounty.us/agendas](http://mauicounty.us/agendas)

\*Subject to change without notice. Visit [mauicounty.us](http://mauicounty.us) for more information.

## **A G E N D A**

### **MAUI DRAGON FRUIT FARM LLC'S REQUEST FOR A TIME EXTENSION AND FOR THE USES ALLOWED UNDER THE CONDITIONAL PERMIT GRANTED BY ORDINANCE 4295 (LAHAINA) (PSLU-17)**

**Description:** The Committee is in receipt of the following:

1. County Communication 18-34, from the Planning Director, transmitting a proposed bill to grant a request from Lawrence and Crystal Schmitt of Maui Dragon Fruit Farm LLC to amend Ordinance 4295 (2016), to allow transient vacation rental use of a two-bedroom farm dwelling on the property, in addition to the uses allowed under the Conditional Permit granted by Ordinance 4295.
2. Correspondence from the Committee Chair, dated August 13, 2021, transmitting a revised proposed bill to grant a request from Lawrence and Crystal Schmitt of Maui Dragon Fruit Farm LLC, for a time extension and for the uses allowed under the Conditional Permit granted by Ordinance 4295.
3. Correspondence from the Department of the Corporation Counsel,

**MORE →**

dated September 8, 2021, transmitting a revised proposed bill. The purpose of the revised proposed bill is to grant a request from Lawrence and Crystal Schmitt of Maui Dragon Fruit Farm LLC, for a time extension and for the uses allowed under the Conditional Permit granted by Ordinance 4295.

4. Planning and Sustainable Land Use Committee Report 21-85 (recommitted), recommending passage on first reading of a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 4295, GRANTING MAUI DRAGON FRUIT FARM LLC A CONDITIONAL PERMIT TO CONDUCT AGRICULTURAL RELATED ACTIVITIES, SELL NON-AGRICULTURAL RELATED ITEMS AND AGRICULTURAL PRODUCTS NOT GROWN ON THE PROPERTY, AND TO CONDUCT CERTAIN SPECIAL EVENTS WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY SITUATED AT 833 PUNAKEA LOOP, LAHAINA, MAUI, HAWAII."

**Status:** The Committee may discuss the Department of Planning's investigation into Maui Dragon Fruit Farm LLC, and related matters. The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication 18-34 and other related action.

[County Communication 18-34](#)

[Correspondence from Committee Chair 08-13-2021](#)

[Revised bill from Corp Counsel 09-08-2021](#)

[Committee Report 21-85 \(recommitted\)](#)

## STATUS OF ACTIVE CONDITIONAL PERMITS (PSLU-51)

**Description:** The Committee is in receipt of the following:

1. County Communication 20-561, from the Planning Director, relating to the status of all active conditional permits as of October 15, 2020.
2. County Communication 21-121, from the Planning Director, relating to the status of all active conditional permits as of January 4, 2021.
3. County Communication 21-250, from the Planning Director, relating to the status of all active conditional permits as of March 31, 2021.
4. County Communication 21-396, from the Planning Director, relating to the status of all active conditional permits as of June 30, 2021.
5. County Communication 21-519, from the Planning Director, relating to the status of all active conditional permits as of September 30, 2021.

**Status:** The Committee may discuss the matter and other related matters. No legislative action will be taken.

[County Communication 20-561](#)

[County Communication 21-121](#)

[County Communication 21-250](#)

[County Communication 21-396](#)

[County Communication 21-519](#)

## IMPLEMENTATION OF THE COUNTYWIDE POLICY PLAN AND THE MAUI ISLAND PLAN (PSLU-3(1))

**Description:** The Committee is in receipt of County Communication 21-68, from the Planning Director, transmitting the 2020 Annual Status Report on the Implementation of the Countywide Policy Plan and the Maui Island Plan.

**Status:** The Committee may receive a presentation from the Department of Planning and may discuss the matter. The Committee may also consider the filing of County Communication 21-68 and other related action.

[County Communication 21-68](#)

**CONTACT INFORMATION**

Office of Council Services (808) 270-7838 (phone)  
200 South High Street  
Wailuku, Hawaii 96793

**COMMITTEE STAFF**

Wilton Leauanae, Alison Stewart, Clarita Balala, and Richard Mitchell

**BOARD PACKETS**

Board Packets, as defined in Section 92-7.5, HRS, will be electronically posted as soon as practicable under the current conditions.

**CONNECTIVITY**

This online meeting is being conducted in accordance with the Governor's most recent emergency proclamation on COVID-19. The proclamation partially suspends the Sunshine Law, and meetings can be conducted without Councilmembers or members of the public being physically present in the same location. Nothing said today or included in the agenda is intended to create obligations in excess of those required under the Sunshine Law and the emergency proclamation.

If BlueJeans connectivity affecting quorum is lost, the Committee will be in recess. It will not be considered a loss of quorum unless connectivity cannot be restored within 30 minutes. If the BlueJeans connection is prematurely terminated, for whatever reason, please log back into the same link. If Akaku, for whatever reason, prematurely ceases broadcasting the meeting to Channel 53, Akaku will try its best to restore broadcasting. But if its unable to do so in a reasonable amount of time, we will continue with our meeting, record it on BlueJeans, and send it to Akaku to be included with archived meeting videos.

If connectivity affecting quorum cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., using the same virtual connections, unless the Committee announces a different date and time.

**TESTIMONY**

Oral testimony via phone by dialing in to 1-408-915-6290 and entering meeting code 149 341 846

Video testimony via BlueJeans link <https://bluejeans.com/149341846>

Written testimony via eComment. For more information on how to use eComment, please visit

<http://mauicounty.us/ecomment/>

For more information on testifying please visit [www.MauiCounty.us](http://www.MauiCounty.us) or contact the Office of Council Services.

**LIVE CABLECAST**

Live meeting is available on Akaku: Maui Community Media, Channel 53.

Or go to [mauicounty.us/agendas](http://mauicounty.us/agendas) to access live and archived meeting videos.

**DISABILITY ACCESS**

Anyone requesting an auxiliary aid or service or an accommodation due to a disability should contact the Office of Council Services at least three working days prior to the meeting date at (808) 270-7838 or [county.council@mauicounty.us](mailto:county.council@mauicounty.us).

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Agenda items are subject to cancellation.