



# 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, November 17, 2022**

**9:00 a.m.**

MEETING SITE:

Online via BlueJeans:

<https://bluejeans.com/149341846>

Phone testimony: 1-408-915-6290, code 149 341 846  
In-person testimony and viewing: Council Chamber, Kalana O  
Maui Building, 8th Floor, 200 South High Street, Wailuku,  
Hawaii

## AGENDA

### RENEWALS FOR CONDITIONAL PERMITS (PSLU-26)

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

1. County Communication 19-67, from the Planning Director, transmitting a proposed bill to conditionally allow for a grace period to temporarily extend various permits while applications for extension or renewal are being processed.
2. Correspondence dated December 12, 2019, to the Department of the Corporation Counsel, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO EXTENSIONS FOR CONDITIONAL PERMITS." The purpose of the proposed bill is to conditionally allow for a grace period to temporarily extend a Conditional Permit while an application for the permit's extension is being processed.

**Status:** The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication 19-67 and other related action.

[County Communication 19-67](#)

[Correspondence to Corp Counsel 12-12-2019](#)

**MORE →**

## 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.
6. County Communication 22-129, from the Planning Director, relating to the status of all active conditional permits as of March 31, 2022.
7. County Communication 22-213, from the Planning Director, relating to the status of all active conditional permits as of June 30, 2022.
8. County Communication 22-278, from the Planning Director, relating to the status of all active conditional permits as of September 30, 2022.

**Status:** The Committee may discuss the status of active conditional permits and 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](#)

[County Communication 22-129](#)

[County Communication 22-213](#)

[County Communication 22-278](#)

## RESOLUTION 22-240, RELATING TO NUISANCE IN THE RESIDENTIAL DISTRICTS (PSLU-70)

**Description:** The Committee is in receipt of Resolution 22-240, entitled “REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL TO AMEND CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO NUISANCE IN THE RESIDENTIAL DISTRICTS.” Resolution 22-240’s purpose is to refer to the Lāna‘i, Maui, and Moloka‘i Planning Commissions a proposed bill, entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO NUISANCE IN THE RESIDENTIAL DISTRICTS.”

**Status:** The Committee may consider whether to recommend adoption of Resolution 22-240, with or without revisions. The Committee may also consider the filing of Resolution 22-240 and other related action.

**MORE →**

[Resolution 22-240](#)

**NOTE: THE COMMITTEE MAY RECOMMEND THE FOLLOWING COMMUNICATIONS BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2, 2023, IN ACCORDANCE WITH RULE 22 OF THE RULES OF THE COUNCIL**

**Items:**

**DISTRICT BOUNDARY AMENDMENT AND CHANGE IN ZONING FOR MOLOKAI EDUCATION CENTER (KAUNAKAKAI) (PSLU-27)**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
06/18/2021	CC 21-286	Planning Director, relating to the District Boundary Amendment and Change in Zoning applications filed by the University of Hawaii Community Colleges for the Molokai Education Center at 375 Kamehameha V Highway, Kaunakakai, Molokai.

1. "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT FOR PROPERTY SITUATED AT KAUNAKAKAI, MOLOKAI, HAWAII, TAX MAP KEY NOS. (2) 5-3-003:013 AND (2) 5-3-003:014";
2. "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT KAUNAKAKAI, MOLOKAI, HAWAII, TAX MAP KEYS (2) 5-3-003:013 AND (2) 5-3-003:014"; and
3. Other related documents.

**INCREASING THE SIZE ALLOWANCE FOR SECOND FARM DWELLINGS IN THE AGRICULTURAL DISTRICT (PSLU-42)**

**MORE →**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
12/03/2021	CC 21-555	Councilmember Sugimura, transmitting a proposed resolution entitled "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKA'I PLANNING COMMISSIONS A PROPOSED BILL RELATING TO FARM DWELLINGS."

**COMPLIANCE REPORTS (PSLU-54)**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-Item (1)	ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR WAI'ALE PROJECT DISTRICT SOUTH (ORDINANCE 4385)

01/15/2021	GC 20-7	Carol K. Reimann, A&B Properties Hawaii, LLC., submitting the Wai'ale Project District South annual compliance report in accordance with Condition 2 of Ordinance 4385.
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12/17/2021	GC 21-7	Carol K. Reimann, A&B Properties Hawaii, LLC., submitting the Wai'ale Project District South annual compliance report in accordance with Condition 2 of Ordinance 4385.
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<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-Item (2)	ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR WAILEA 670 (ORDINANCE 3554)

06/19/2020	GC 20-3	Charles Jencks, Honua'ula Partners, LLC, submitting the Honua'ula Annual Compliance Report, CIZ 2000/009 and Ph1 2000/0001 in accordance with Condition 29 of Ordinance 3554.
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<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-Item (3)	ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR MAUI BUSINESS PARK PHASE II (ORDINANCE 3559)

07/24/2020	GC 20-4	Carol K. Reimann, Vice President, A&B
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**MORE →**

Properties Hawaii, LLC, submitting the annual compliance report on the change in zoning for Maui Business Park Phase II in accordance with Condition 19 of Ordinance 3559.

08/05/2022 GC 22-3 Carol K. Reimann, Vice President, A&B Properties Hawaii, LLC, submitting the annual compliance report on the change in zoning for Maui Business Park Phase II in accordance with Condition 19 of Ordinance 3559.

DATE REFERRED      REFERENCE      SUBJECT  
 Sub-Item (4)      ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR PULELEHUA (ORDINANCE 3889)

01/15/2021 GC 21-2 Paul Cheng, President, Maui Oceanview GP, Inc., submitting the annual compliance report on the change in zoning for Maui Oceanview in accordance with Condition 17 of Ordinance 3889.

DATE REFERRED      REFERENCE      SUBJECT  
 Sub-Item (5)      ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR KAPALUA MAUKA (ORDINANCE 3358)

09/25/2020 CC 20-485 Councilmember Paltin, relating to annual compliance reports for zoning conditions for Kapalua Mauka in accordance with Ordinance 3358.

DATE REFERRED      REFERENCE      SUBJECT  
 Sub-Item (7)      ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR KIHEI HIGH SCHOOL (ORDINANCE 4135)

11/05/2021 GC 21-5 Keith T. Hayashi, Interim Superintendent, Hawaii State Department of Education, on behalf of Kihei High School, submitting a copy of their 2021 annual report in accordance with Condition 3 of Ordinance 4135.

**MORE →**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-Item (8)	ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR KAMALANI SUBDIVISION IN KIHEI (ORDINANCE 4146)
11/05/2021	GC 21-6	Daniel Y. Yasui, Vice-President, A&B Properties Hawaii, LLC, Series T, submitting a copy of their 2021 annual report in accordance with Condition 3 of Ordinance 4146.
11/04/2022	GC 22-8	Francisco Gutierrez, Senior Vice-President, Development, A & B Properties Hawaii, LLC, Series T, submitting the 2022 Annual Report in accordance with Condition No. 3 of Ordinance 4146.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-Item (11)	ANNUAL COMPLIANCE REPORT ON LILOA HALE SENIOR AFFORDABLE HOUSING PROJECT (RESOLUTION 20-123)
09/02/2022	GC 22-5	Yukino Uchiyama, AICP, Senior Associate, Munekiyo Hiraga, on behalf of Liloa Senior Housing, LP, submitting a copy of their 2022 annual report in accordance with Section 2.97.180, Maui County Code.

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-Item (12)	ANNUAL COMPLIANCE REPORT ON HALE PILINA FAMILY AFFORDABLE RENTAL HOUSING PROJECT (RESOLUTION 21-177)
10/21/2022	GC 22-6	Kari Luna Nunokawa, Senior Manager, Munekiyo Hiraga, on behalf of Hale Pilina Family Affordable Rental Housing Project, submitting a copy of their 2022 annual report in accordance with Section 2.97.180, Maui County Code.

**MORE →**

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
	Sub-Item(13)	ANNUAL COMPLIANCE REPORT ON THE CONDITIONS OF ZONING FOR A SUBDIVISION IN HALI'IMAILE, MAUI (ORDINANCE 3312)
11/04/2022	GC 22-7	Howard Kihune Jr., President, Aina Lani Pacific, LLC, Hoku'ula Partners LLC., submitting an annual status report in accordance with Condition 17 of Ordinance 3312.

CONTACT INFORMATION

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

COMMITTEE STAFF

Wilton Leauanae, Paige Greco, 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.

CONNECTIVITY

This meeting is being conducted in accordance with Section 92-3.7, HRS. Nothing said in the meeting or included in the agenda is intended to create obligations in excess of those required under Section 92-3.7, HRS.

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 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.

OFFICIAL LOCATIONS

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

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

In-person testimony and viewing: Council Chamber, Kalana O Maui Building, 8th Floor, 200 South High Street, Wailuku, Hawaii

If audiovisual connection is lost at the official location for in-person testimony and viewing, the committee will be in recess for up to 30 minutes to restore connectivity. If connectivity cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., at the same official location for in-person testimony and viewing, unless the Committee announces a different date, time, and location.

Written testimony via eComment. Search for the meeting date on [mauicounty.us/agendas](http://mauicounty.us/agendas), click on the eComment link, then select the agenda item to submit comments on.

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

COURTESY TESTIMONY SITES - COUNCIL RESIDENCY AREA OFFICES

South Maui	Lāna'i	West Maui
MEDB Building	Lāna'i District Office	Old Lahaina Center
1305 North Holopono, Suite 9, Kihei	814 Fraser Avenue, Lāna'i City	845 Wainee Street, Suite 205, Lahaina
(808) 793-0012	(808) 565-7094	(808) 856-0123
Molokai	East Maui	Makawao-Ha'ikū-Pā'ia
Molokai District Complex	Hāna Cultural Center & Museum	Heritage Hall
100 Ainoa Street, Kaunakakai	4974 Uakea Road, Hāna	401 Baldwin Avenue, Suite 102, Pā'ia
(808) 553-3888	(808) 248-7513	(808) 793-0099

Councilmembers may or may not participate from Courtesy Testimony Sites. If any Courtesy Testimony Site loses its audio connection to the meeting, the meeting will continue without that location, irrespective of whether a Councilmember is participating from there.

Subject to change and staffing availability without notice. Visit [mauicounty.us](http://mauicounty.us) for more information.

COURTESY LIVE CABLECAST AND WEBCAST VIEWING

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mauicounty.us/agendas to access meeting videos  
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If Akaku prematurely ceases broadcasting the meeting, the meeting will continue via interactive conference technology and a recording will be sent to Akaku to be included with 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.