

**MAUI PLANNING COMMISSION  
SUMMARY MINUTES  
DECEMBER 13, 2022  
RECONVENED FROM DECEMBER 6, 2022**

[\(HYPERLINK TO CHAPTER 1 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 2 AUDIO RECORDING OF THE MEETING\)](#)

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Vice-Chairperson Kellie Pali at approximately 8:04 a.m., Tuesday, December 6, 2022, in the Planning Conference Room, 250 South High Street, Wailuku, Maui, Hawaii 96768 and online via BlueJeans; **Meeting ID: 256 402 086**

**B. UNFINISHED BUSINESS**

1. Proposed amendments to TITLE MC-12, DEPARTMENT OF PLANNING, SUBTITLE 02, MAUI PLANNING COMMISSION, CHAPTER 202, SPECIAL MANAGEMENT AREA RULES and Proposed amendments to TITLE MC-12, DEPARTMENT OF PLANNING, SUBTITLE 02, MAUI PLANNING COMMISSION, CHAPTER 203, SHORELINE RULES FOR THE MAUI PLANNING COMMISSION

The proposed rule amendments are summarized as follows:

SUMMARY OF THE PROPOSED AMENDMENTS TO CHAPTER 202 (SPECIAL MANAGEMENT AREA RULES): provide new and revised definitions; streamline application requirements and procedures; clarify and revise procedures for intervention, enforcement and appeals; require assessments for sea level rise; revise procedures for emergency permits, requiring a long-term plan and the removal of temporary measures; add “categorical exemptions” that are considered exempt and will not need an assessment.

SUMMARY OF THE PROPOSED AMENDMENTS TO CHAPTER 203 (SHORELINE RULES): provide new and revised definitions; amend how the setback is established, changing the depth in many cases to follow the erosion hazard line (EHL) with 3.2 feet of sea level rise where the EHL is mapped; clarify and expand structures and activities allowed in the setback; prohibit shoreline hardening in most cases while allowing repairs; clarify repairs allowed for nonconforming structures; clarify and revise procedures for enforcement.

*(Item B.1 begins at approximately 00:01:57 of Chapter 1 of the audio recording.)*

*(Motion was made at approximately 01:15:20 of Chapter 2 of the audio recording.)*

**It was moved by Ms. La Costa, seconded by Mr. Thompson, then**

*(Vote was taken at approximately 01:31:30 of Chapter 2 of the audio recording.)*

**VOTED: To Defer the Matter to the January 10, 2023 Meeting.**  
**(Assenting – K. Freitas, D. Thompson, K. Thayer, K. Pali,**  
**P D. La Costa)**  
**(Dissenting – M. Deakos**  
**(Excused - A. Lindsey, M. Hipolito)**

**C. NEXT REGULAR MEETING DATE: December 13, 2022**

**D. ADJOURNMENT**

The meeting was adjourned at 9:26 a.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN  
Secretary to Boards and Commissions II

**RECORD OF ATTENDANCE**

Present

P Denise La Costa, Chair – via BlueJeans  
Kawika Freitas – in person  
Kellie Pali, Vice-Chair – in person  
Dale Thompson – in person  
Kim Thayer – via BlueJeans  
Mark Deakos – via BlueJeans

Excused

Mel Hipolito, Jr.  
Ashley Lindsey

Others

Michele McLean, Director, Dept. of Planning – in person  
Michael Hopper, Deputy Corporation Counsel, Dept. of the Corporation Counsel – in person  
Gary Ambrose, Deputy Director, Dept. of Public Works – via BlueJeans