

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, AND THE GOVERNOR'S EMERGENCY PROCLAMATIONS RELATED TO THE COVID-19 CRISIS, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA  
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: JULY 13, 2021  
TIME: 9:00 A.M.  
PLACE: Online only via BlueJeans; **Meeting ID: 375 864 204**

Members: Christian Tackett (Chairperson), P Denise La Costa (Vice-Chairperson), Jerry Edlao, Kawika Freitas, Mel Hipolito, Jr., Ashley Lindsey, Kellie Pali, Kim Thayer, Dale Thompson

A. CALL TO ORDER

Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three (3) minutes.**

To listen to the meeting or provide oral testimony via phone, dial 1-888-748-9073 (toll free) or 1-408-915-6290 or 1-408-740-7256 and enter **Meeting ID: 375 864 204**

To watch the meeting or provide video testimony, use meeting link: <https://bluejeans.com/375864204>

To provide written testimony, email comments to [planning@mauicounty.gov](mailto:planning@mauicounty.gov) by noon, one business day before the meeting to ensure distribution to the commission.

Testifiers will be called by the Chair to offer their testimony and are asked to mute their audio and video when they are not testifying.

Testifiers via video are asked to sign-up using the Chat function providing your name and the item you're wishing to testify on. Testifiers via phone will be called by the Chair after video testimony is finished.

Commissioners shall not be contacted by the Chat function

B. PUBLIC HEARINGS

1. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting County Council Resolution 21-66 referring to the Maui Planning Commission a proposed bill to amend Maui County Code Chapter 19.60, Napili Bay Civic Improvement District, to clarify the maximum building height and phase out short-term rental homes for properties outside the 3.2-foot sea level rise exposure area. Some minor revisions and updates are also proposed. (J. Takakura) [\(Report\)](#) [\(Documents Received After Posting\)](#)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/126849/Draft-Bill-for-Ordinance-relating-to-Chapter-1960-Napili-Bay-Civic-Improvement-District-?bidId=>

2. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting Resolution 21-55 referring to the three Planning Commissions a proposed bill to amend Maui County Code Chapter 19.12, Apartment Districts, to establish transient registration numbers. Some minor revisions and updates are also proposed. (J. Takakura) ([Report](#)) ([Documents Received After Posting](#))

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/126257/Draft-Bill-for-Ordinance-Relating-to-Chapter-1912-Apartment-District-Vacation-Rentals?bidId=>

3. MR. KAUANOE BATANGAN of MUNEKIYO HIRAGA, on behalf of COUNTY OF MAUI, DEPARTMENT OF PUBLIC WORKS requesting a Special Management Area Use Permit and a Shoreline Setback Variance for the proposed sidewalk, railing, and seawall repair project along two areas: Area 1: Dickenson Street to Lahainaluna Road; and Area 2: Papalaua Road to Baker Street, located at Front Street, Lahaina, Island of Maui, TMKs: (2) 4-5-002:999 and 002 (por.) and (2) 4 6-009:999 (SM12020/0011) (SSV 2020/0002) (EAC 2020/0011) (C. Thackerson) ([Documents Received After Posting](#))

**PUBLIC HEARING TO BE RENOTICED TO A FUTURE AGENDA AT THE REQUEST OF THE APPLICANT – the Commission will take testimony on this matter but will not take any action**

4. MR. CARY SHEWMAKER requesting a State Land Use Commission Special Permit in order to operate Haiku Hideaway, a two-bedroom bed and breakfast home located in the State Agricultural District at 249 Kaokoa Way, Haiku, Maui, TMK (2)2-8-002:119 (SUP2 2020/0002) (K. Willenbrink)

**PUBLIC HEARING TO BE RENOTICED TO A FUTURE AGENDA DUE TO A NOTICING ERROR – the Commission will take testimony on this matter but will not take any action**

#### C. COMMUNICATIONS

1. MAUI WAIOHULI PARTNERS requesting approval of a five-year time extension on an existing Special Management Area Use Permit to initiate construction of the Hoonani Subdivision, a 27-lot residential subdivision and related improvements on 12.88 acres located at Hoonani Street, Kihei, Island of Maui, TMK: 3-9-001: 007 (SM1 2008/0024) (P. Fasi) ([Report](#)) ([Documents Received After Posting](#))

D. UNFINISHED BUSINESS

1. Presentation on Kahana Bay Steering Committee Draft Environmental Impact Statement dated April 2021 to outline preferred alternatives for the Kahana Bay erosion mitigation in order for the commission to provide comments. The project involves ten TMKs along the Kahana Bay shoreline. The Draft EIS is an informational document only supporting and informing of future permits. In the future, the Maui Planning Commission may hear SMA Use permits and Shoreline Setback Assessment permits associated with the final project. (J. Buika) [\(Memorandum\)](#) [\(Documents Received After Posting\)](#)

The entire text of the Draft Environmental Impact Statement is available at:

[http://oegc2.doh.hawaii.gov/EA\\_EIS\\_Library/2021-04-23-MA-DEIS-Kahana-Bay-Erosion-Mitigation.pdf](http://oegc2.doh.hawaii.gov/EA_EIS_Library/2021-04-23-MA-DEIS-Kahana-Bay-Erosion-Mitigation.pdf)

Fact Sheets regarding the DEIS can be found at:

<https://www.oceanit.com/project/kahana-bay-erosion-mitigation-eis/>

The State of Hawaii, Department of Land and Natural Resources, Office of Conservation and Coastal Lands is the approving agency of the Draft Environmental Impact Statement.

The commission will provide comments on the Draft EIS and will take no other action on the project

E. DIRECTOR'S REPORT

1. SMA Minor Permit Report

This is for notification and review purposes. No action is anticipated.

2. SMA Exemptions Report

This is for notification and review purposes. No action is anticipated.

3. Discussion of Future Maui Planning Commission Agendas

- a. July 27, 2021 agenda items
- b. Special Meeting to Consider Resolution No. 21-98

F. NEXT REGULAR MEETING DATE: July 27 2021

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SECTION 92-5(a)(4), HAWAII REVISED STATUTES.

UNLESS OTHERWISE SPECIFIED BY PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN A PROCEEDING BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines of ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O the DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. **The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is on July 13, 2021 was on June 28, 2021.**

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY. PLEASE NOTE THAT ANYONE WISHING TO PROVIDE ORAL TESTIMONY PERTAINING TO AN AGENDA ITEM THAT IS A "CONTESTED CASE" PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES, MAY BE ASKED TO TESTIFY UNDER OATH OR AFFIRMATION, AND MAY BE SUBJECT TO LIMITED CROSS-EXAMINATION IN ACCORDANCE WITH SECTION 91-10(3), HAWAII REVISED STATUTES.

**WRITTEN TESTIMONY, WHETHER SENT VIA FAX, EMAIL, OR USPS MAIL SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY NOON, ONE BUSINESS DAY BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD.** FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

THE LINKS FOR DOCUMENTS RECEIVED AFTER POSTING WILL BE UPDATED PERIODICALLY WHEN TESTIMONY IS RECEIVED, UP TO 12:00 PM ONE BUSINESS DAY PRIOR TO THE MEETING.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT [www.mauicounty.gov](http://www.mauicounty.gov), UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

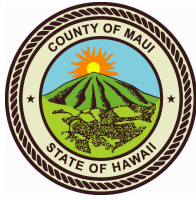
THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN

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PLAZA 2200 MAIN STREET SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634  
AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

**PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.**  
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County of Maui  
 Kalana O Maui Building  
 200 South High Street,  
 Wailuku, HI 96793-2155

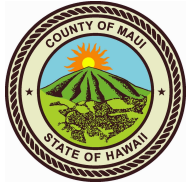
## PD-Approved SMA Minor Projects for Maui

06/30/2021

Permit Completion Date: 06/09/2021 - 06/30/2021

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20200102	AINAKUKOA WAI OHUI KA	AINAKUKOA WAI OHUI KAI PROJ WAI PUILANI BEACH PRK	AINAKUKOA WAI OHUI KAI PROJ\KIHEI	HUI O AINAKUKO A, MALAMA KAKANILUA		06/17/2021	A W/COND-APPROVED WITH CONDITIONS	2390010010000
SM2 - 20210044	MAKAI-0412016-S	ROOFTOP TELECOMMUNICATIONS FACILITY	SMX/INSTALL ANTENNAS/HYBRID CABLES-KIHEI	ADRIAN CATALAN		06/09/2021	A W/COND-APPROVED WITH CONDITIONS	2390010750000
SM2 - 20210048	DE RHAM SWIMMING POO	CONCRETE WALKWAYS, SWIMMING POOL/PAIA	DE RHAM SWIMMING POOL/PAIA	JEFFREY A LUNDAHL		06/30/2021	A W/COND-APPROVED WITH CONDITIONS	2380010420001

**Grand Total : 3**



County of Maui  
 Kalana O Maui Building  
 200 South High Street,  
 Wailuku, HI 96793-2155

## PD-Approved SMA Exempt Projects for Maui

06/30/2021

Permit Completion Date: 06/09/2021 - 06/30/2021

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20210130	LOLANI HOLDINGS	LOLANI HOLDINGS/LAHAINA	CARY BRANCH		06/14/2021	A-APPROVED	2460320190000
SM5 - 20210131	CRONCE RESIDENCE	CRONCE RESIDENCE COTTAGE RENOVATION/KIHEI	DAVID SELLERS		06/14/2021	A-APPROVED	2390100180000
SM5 - 20210132	RAY BAN WHALERS VILG	RAY BAN WHALERS VILLAGE\LAHAINA	JOHN CASSEL		06/14/2021	A-APPROVED	2440080010000
SM5 - 20210133	SUNGLASS HUT WHALERS	SUNGLASS HUT WHALERS VILLAGE\LAHAINA	JOHN CASSEL		06/14/2021	A-APPROVED	2440080010000
SM5 - 20210134	RIXEY WAGNER POOL	SMX/RIXEY WAGNER POOL/KIHEI	WAGNER,CAROLYN RIXEY TR		06/15/2021	A-APPROVED	2210210370000
SM5 - 20210135	MITCHELL SWIMMING PO	SMX/MITCHELL SWIMMING POOL/LAHAINA	MICHAEL R & ROSEMARY GILLET AGMT TRUST		06/15/2021	A-APPROVED	2420030920000
SM5 - 20210136	JAMES WOOD PV	SMA/INSTALL PV SYSTEM-KIHEI	RISING SUN SOLAR		06/15/2021	A-APPROVED	2210220210000
SM5 - 20210137	SANCHEZ PV INSTALL	SMA/PV INSTALLATION-HAIKU	SCOTT & RHONDA SANCHEZ		06/15/2021	A-APPROVED	2270040460000
SM5 - 20210138	TRELLIS & STORAGE	SMX/TRELLIS & STORAGE/KIHEI	HALVORSON,ROBERT M		06/23/2021	A-APPROVED	2220260660000
SM5 - 20210139	KIHEI RESORT CONDO	KIHEI RESORT CONDO REROOFING PROJECT/KIH	CAMERON TAMBLYN		06/23/2021	A-APPROVED	2390011360001
SM5 - 20210140	MAUIKA MAKAI PV	SMX/MAUIKA MAKAI PV/KIHEI	MAUKA MAKAI OHANA LLC		06/24/2021	A-APPROVED	2210051260000
SM5 - 20210141	#526 PUAMANA 272-6	SMA/INTERIOR ONLY REPAIRS-LAHAINA	BRUCE & SUE SAKASHITA		06/28/2021	A-APPROVED	2460330020000
SM5 - 20210142	ZANGRANDO SEPTICTANK	SEPTIC TANK REPLACEMENT/HAIKU	JOHN ZANGRANDO		06/28/2021	A-APPROVED	2290050520000
SM5 - 20210144	ALOHA PETROLEUM	ALOHA PETROLEUM KAHULUI TERMINAL REPAIR	ALOHA PETROLEUM LTD		06/30/2021	A-APPROVED	2370110080000

**Grand Total : 14**