

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
JULY 13, 2020**

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

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

[\(HYPERLINK TO CHAPTER 3 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 4 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 5 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 6 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 7 AUDIO RECORDING OF THE MEETING\)](#)

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Christian Tackett at approximately 9:00 a.m., Tuesday, July 13, 2021, online via BlueJeans; **Meeting ID: 375 864 204**

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)

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=>

(Item B.1 begins at approximately 00:04:04 of Chapter 1 of the audio recording.)

(Motion was made at approximately 00:21:45 of Chapter 2 of the audio recording.)

It was moved by Ms. Pali, seconded by Ms. La Costa, then

(Vote was taken at approximately 00:26:45 of Chapter 2 of the audio recording.)

VOTED: To Adopt and Recommend Approval of Resolution No. 21-66 to the County Council as Recommended by the Department with the Additional Amendment.
(Assenting – K. Pali, P D. La Costa, J. Edlao, M. Hipolito, A. Lindsey, K. Thayer, D. Thompson, C. Tackett)
(Excused – K. Freitas)

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)

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=>

(Item B.2 begins at approximately 00:27:51 of Chapter 2 of the audio recording.)

(Motion was made at approximately 01:24:40 of Chapter 2 of the audio recording.)

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

(Vote was taken at approximately 01:43:04 of Chapter 2 of the audio recording.)

VOTED: To Defer the Matter for Further Information.
(Assenting – P D. La Costa, D. Thompson, M. Hipolito, A. Lindsey, K. Pali, K. Thayer, C. Tackett)
(Dissenting – J. Edlao)
(Excused – K. Freitas)

Items B.3 and B.4 was deferred to the end of the agenda.

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)

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)

(Item C.1 begins at approximately 01:45:22 of Chapter 2 of the audio recording.)

(Motion was made at approximately 00:52:31 of Chapter 5 of the audio recording.)

It was moved by Mr. Edlao, seconded by Mr. Thompson, then

(Vote was taken at approximately 00:55:38 of Chapter 5 of the audio recording.)

VOTED: To Approve the Special Management Area Use Permit Time Extension as Recommended by the Department.
(Assenting – J. Edlao, D. Thompson, M. Hipolito, K. Pali, K. Thayer, C. Tackett)
(Dissenting – P D. La Costa, A. Lindsey)
(Excused – K. Freitas)

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)

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

http://oeqc2.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

(Item D begins at approximately 00:57:00 of Chapter 5 of the audio recording.)

(Motion was made at approximately 00:20:59 of Chapter 7 of the audio recording.)

It was moved by Ms. Thayer, seconded by Ms. Lindsey, then

(Vote was taken at approximately 00:21:18 of Chapter 7 of the audio recording.)

**VOTED: To Approve the Comments of the Commission as Noted by Mr. Buika with the Additional Comments, as Discussed.
(Assenting – K. Thayer, A. Lindsey, J. Edlao, M. Hipolito, K. Pali,
D. Thompson, C. Tackett)
(Excused – K. Freitas, P D. La Costa)**

E. DIRECTOR'S REPORT

(Item E begins at approximately 00:22:29 of Chapter 7 of the audio recording.)

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.

No questions or comments from the Commission.

3. Discussion of Future Maui Planning Commission Agendas

a. July 27, 2021 agenda items

b. Special Meeting to Consider Resolution No. 21-98

Ms. McLean went over the items scheduled for the July 27, 2021 agenda.

Department will be looking at possible dates to schedule Resolution No. 21-98 on a regularly scheduled meeting as some members preferred not to have a special meeting.

B. PUBLIC HEARINGS

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)

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(Items B.3 ad B.4 begins at approximately 00:26:00 of Chapter 7 of the audio recording.)

Items B.3 and B.4 were opened for anyone who wanted to provide testimony. No Action was taken.

F. NEXT REGULAR MEETING DATE: July 27 2021

G. ADJOURNMENT

The meeting was adjourned at approximately 7:50 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Jerry Edlao
Ashley Lindsey
Mel Hipolito, Jr.
Kellie Pali
P Denise La Costa, Vice-Chair (excused @ 5:40 p.m.)
Christian Tackett, Chair
Kim Thayer
Dale Thompson

Excused

Kawika Freitas

Others

Michele McLean, Director, Department of Planning
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Jordan Molina, Deputy Director, Department of Public Works