

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: OCTOBER 12, 2021  
TIME: 9:00 A.M.  
PLACE: Online only via BlueJeans; **Meeting ID: 895 508 942**

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: 895 508 942**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/895508942>

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. MAUI OCEANVIEW LP, requesting Project District Phase II Development approval for Pulelehua, a mixed-use development including 800 multi-family units, (consisting of 100 affordable for-sale units, 400 market rate units, and 300 workforce rentals), 100 single family lots with the potential for 100 additional ohana units, approximately 70,000 sq. ft. of commercial and retail floor space, a 13-acre school site, a 10-acre community park site, open spaces, and related infrastructure improvements on approximately 310 acres in West Maui Project District 5, located on Akahahele Street and Honoapiilani Highway, Lahaina, Maui, Hawaii, TMK (2) 4 3-001:082 and 083. (PH2 2020/0003) (A. Cua) ([Report](#))

[\(Exhibits 1-4\)](#)

[\(Exhibits 5-7\)](#)

[\(Exhibits 8-31\)](#)

[\(Exhibits 32-37\)](#)

[\(Exhibits 38\)](#)

[\(Exhibit 39-43\)](#)

[\(Exhibit 44-45\)](#)

[\(Application\)](#)

[\(Documents Received After Posting\)](#)

[\(Application part 2\)](#)

2. LIZYA ESPINOZA requesting a Land Use Commission Special Permit and Bed and Breakfast Home Permit in order to operate Hookoana, a three-bedroom bed and breakfast home located in the State and County Agricultural Districts at 135 Hohani Place at TMK (2) 2-7-013:194 in Haiku, Island of Maui. (SUP2 2020/0008) (BBPH T2020/0004) (T. Furukawa) [\(Report\)](#) [\(SUP2 Application\)](#)  
[\(BBPH Application\)](#) [\(Documents Received After Posting\)](#)

The Commission is reviewing the Bed and Breakfast Application because there is at least one permitted bed and breakfast located within 500 feet of the subject property.

3. MICHELE CHOUREAU MCLEAN, AICP, Planning Director, transmitting a proposed bill relating to the digital zoning map for the Island of Maui, respectively described as follows: A proposed bill entitled "A BILL FOR AN ORDINANCE ADOPTING DIGITAL ZONING MAP (4) AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI." The purpose of the proposed bill is to adopt an amended digital zoning map for the Island of Maui. (K. Aoki) [\(Report\)](#)  
[\(Documents Received After Posting\)](#)

4. MICHELE CHOUREAU MCLEAN, AICP, Planning Director, transmitting Resolution No. 21-114 referring to the Maui Planning Commission a proposed bill to amend Maui County Code Chapters 19.18 – B-2 Community Business District, 19.20 – B 3 Central Business District, and 19.31 – Public/Quasi-Public District to lower the maximum building heights. (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/128226/Resolution-21-114-proposing-to-lower-building-heights-in-B2-B3-and-P2-districts>

5. MICHELE CHOUREAU MCLEAN, AICP, Planning Director, transmitting Resolution No. 21-113 referring to the three planning commissions a proposed bill to amend Maui County Code Chapter 19.29 – Rural District, to prohibit instruments of conveyance from restricting the growing and harvesting of any agricultural crop or product. (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/128227/Resolution-21-113-proposing-to-prohibit-instruments-of-conveyance-from-restricting-agriculture-in-Rural-district>

C. CONSIDERATION AND ADOPTION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER

**Pursuant to Chapter 91, Hawaii Revised Statutes, and Maui Planning Commission Rule 12-201-119, no public testimony will be taken.**

1. [Proposed Findings of Fact, Conclusions of Law and Decision and Order](#) denying the request for a two-year time extension by MR RYAN SHULTZ, VICE PRESIDENT OF DEVELOPMENT OF VERSA REAL ESTATE representing MAKAI V, LLC on the Special Management Area Use Permit condition to initiate construction of the Nalu Ola West subdivision at TMK (2) 2-5-004:055, 068, 069, 070 and (2) 2-7-004:007, 022, 048, 049, 052, 053, 054, 056, 058, Haiku, Island of Maui (SM1 2014/0004) (C. Thackerson)

[\(Documents Received After Posting\)](#)

The Commission may take action to adopt, adopt with modifications, or take some other action regarding the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

D. 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. [Proposed Meeting Schedule](#) for the Calendar Year 2022.

The Commission may take action to approve or modify the proposed meeting schedule.

4. Report from members who attended the 2021 HCPO Conference

5. Discussion of Future Maui Planning Commission Agendas

- a. October 26, 2021 agenda items

E. NEXT REGULAR MEETING DATE: October 26, 2021

F. 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 October 12, 2021 was on September 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.

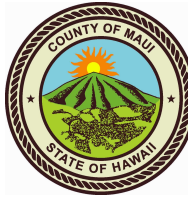
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT [www.mauicounty.gov](http://www.mauicounty.gov), UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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 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.**

(S:\all\carolyn\MPC agendas\2021\101221



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

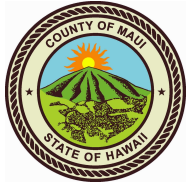
## PD-Approved SMA Minor Projects for Maui

09/29/2021

Permit Completion Date: 09/15/2021 - 09/29/2021

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20180044	WAILEA EKAHI GULCH	WAILEA EKAHI GULCH CLEANING PROJECT	CLEANING TRIMMING CLEARING OF FOLIAGE	SHARON WRIGHT-MWA INC.		09/15/2021	A W/COND-APPROVED WITH CONDITIONS	2210080640000
SM2 - 20200087	WILLIAMS RESIDENCE	WILLIAMS RENOVATIONS\KIHEI	WILLIAMS RENOVATIONS	CDF ENGINEERING LLC		09/15/2021	A W/COND-APPROVED WITH CONDITIONS	2390060040002
SM2 - 20210075	220 KENOLIO ROAD	NEW SEWER LATERAL & PROPERTY MANHOLE	220 KENOLIO ROAD\KIHEI	BRANDON MURR -CDF ENGINEERING LLC		09/17/2021	A W/COND-APPROVED WITH CONDITIONS	2390060230000
SM2 - 20210076	HALE KAIOLA	RETAINING WALL/KIHEI	HALE KAIOLA/KIHEI	LAWRENCE CARNICELLI		09/17/2021	A W/COND-APPROVED WITH CONDITIONS	2390290490000
SM2 - 20210077	KAHANA SUNSET SEAWAL	KAHANA SUNSET SEAWALL REPAIR	KAHANA SUNSET SEAWALL SANDBAGS\LAHAINA	PRES KAHANA SUNSET AOAOA		09/24/2021	A W/COND-APPROVED WITH CONDITIONS	2430030150064

**Grand Total : 5**



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

## PD-Approved SMA Exempt Projects for Maui

09/29/2021

Permit Completion Date: 09/15/2021 - 09/29/2021

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20210203	UNRUH ROOF	SMX/UNRUHROOF/LAHAINA	AMANDA FUNKHOUSER	DIAS	09/15/2021	A-APPROVED	2430120050000
SM5 - 20210204	OELBAUM RESIDENCE	SMX/OELBAUM RESIDENCE/KIHEI	MINO'AKA HALE TRUST, MICHELLE ROTH		09/15/2021	A-APPROVED	2210200240000
SM5 - 20210205	HONUA KAI CONDO	HONUA KAI CONDO ASSOC-NEW LAUND/LAHAINA	HONUA KAI CONDO ASSOCIATION	DERRINGTON	09/16/2021	A-APPROVED	2440140060710
SM5 - 20210206	TROY LEE SPLIT AIR	SMA/INSTALL SPLIT AIR SYSTEM-LAHAINA	TROY LEE		09/16/2021	A-APPROVED	2460300030000
SM5 - 20210207	KALAMA PARK LIGHTING	REPLACE LIGHTS/KALAMA PARK-KIHEI	BRANDIS SARICH		09/17/2021	A-APPROVED	2390050520000
SM5 - 20210208	KAHULUI TOWN SQUARE	SMX/KAHULUI TOWN SQUARE/KAHULUI	PUUONE INVESTORS LLC		09/20/2021	A-APPROVED	2370090120000
SM5 - 20210209	TOURIN-TWOMLEY POOL	SMX/TOURIN-TWOMLEY NEW POOL/KIHEI	HAWAII OFF GRID		09/20/2021	A-APPROVED	2220250640000
SM5 - 20210210	WILLIAM FEY	SMX/WILLIAM FEY/KIHEI	WILLIAM FEY		09/20/2021	A-APPROVED	2220250720000
SM5 - 20210211	CUMMING GRND PV	SMX/CUMMING GRND PV/KIHEI	DAVID SELLERS		09/20/2021	A-APPROVED	2210061080000
SM5 - 20210212	KAPALUA RESORT ASSOC	SMX/KAPALUA RESORT ASSOCIATION/LAHAINA	KAPALUA RESORT ASSOCIATION		09/20/2021	A-APPROVED	2420040120000
SM5 - 20210213	CARLS MAALAEA GAS	CARLS MAALAEA GAS STATION IMPROV/WAILUKU	PAR HAWAII INC		09/20/2021	A-APPROVED	2360080070000
SM5 - 20210214	KOA LAGOON	SMA/REMODEL POOL SIDE RESTROOM	MARIE KIMMEY AIA		09/22/2021	A-APPROVED	2390010130000
SM5 - 20210215	SILVANI RESIDENCE	SMX/SILVANI RESIDENCE/KIHEI	DAVID SELLERS		09/22/2021	A-APPROVED	2390430150000
SM5 - 20210216	TRELLA RESIDENCE	SMA/NEW POOL & SPA/KIHEI	HAWAII OFF GRID LLC		09/22/2021	A-APPROVED	2390180830000
SM5 - 20210217	VLADIMIR KUSH DECK	SMX/VLADIMIR KUSH DECK ADDITION/KIHEI	VLADIMIR KUSH		09/24/2021	A-APPROVED	2210240880000

**Grand Total : 15**