

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

**AMENDED AGENDA**

(HYPERLINKS TO MEETING MATERIALS ADDED)

**The order of public hearing items has been rearranged.**

DATE: NOVEMBER 23, 2021  
TIME: 9:00 A.M.  
PLACE: Online only via BlueJeans; **Meeting ID: 294 249 347**

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: 294 249 347**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/294249347>

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. The address to provide testimony via USPS mail is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawaii, 96793 and should also be received by the Department of Planning by noon, one business day before the meeting to ensure distribution to the board.

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

The Chat function shall not be used to provide testimony or comments.

B. PUBLIC HEARINGS

1. JADE T. BUTAY, Director of Transportation, Hawaii State Department of Transportation, requesting a Special Management Area Permit, for the

rehabilitation of the one-lane Honolua Bridge, and construction of a temporary detour to be decommissioned after completion of bridge rehabilitation, located on Honoapiilani Highway between mileposts 32.40 and 32.51, adjacent to TMK: (2) 4-1-001:010, West Maui, Island of Maui. (SM1 2020/0013) (K. Willenbrink) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#))

**The Department is recommending that this matter be deferred in order to have the Cultural Resources Commission provide their recommendations to the Commission. Presentation and discussion will occur when it is scheduled on a future agenda. Public testimony will be taken at this meeting.**

2. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, referring to the Maui Planning Commission a proposed bill to amend Maui County Code Chapter 19.04 – General Provisions and Definitions, and Chapter 19.08 – Residential Districts, to revise definitions and clarify code provisions regarding yards and setbacks, increase housing options and sustainability, and codify practices regarding the uses and standards of residential zoning districts. (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/129345/Draft-Bill-for-Ordinance-amending-1904---General-Provisions--Definitions-1908-Residential-Districts-09282021>

3. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, referring to the Maui Planning Commission a proposed bill to amend Maui County Code Chapter 19.26 - M-2 Heavy Industrial District, to allow apartments when located on the same lot as business or industrial uses and when located within 500 feet of any property with existing residential use; transient vacation rental use is prohibited. (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/129722/Bill-for-Ordinance-updating-Chapter-1926---M-2-Heavy-Industrial>

4. PAUL LAUB requesting a Short-Term Rental Home (STRH) permit in order to operate Happiness House, a three-bedroom STRH located on a 5,280 square foot oceanfront lot in the R-2 Residential District. The property address is 1003 Front Street, Lahaina, Island of Maui, TMK: (2) 4-5-003:001-0000. (STWM T2021/0003) (K. Wollenhaupt) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#)) ([Addendum Report and Revised Recommendation](#))

The matter is brought before the Maui Planning Commission for review because there are at least two permitted short-term rental home operations located within 500 feet of the subject property

C. NEW BUSINESS

1. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, requesting comments on the Draft Environmental Assessment (DEA) prepared for the proposed Kuikahi Affordable Housing Community to be processed for compliance with Maui County Code Chapter 2.97. The project is located on a 14.9-acre portion of a parcel adjacent to Kuikahi Drive, Wailuku, Island of Maui, TMK: (2) 3-5-002:003 (por.). (EAC 2021/0007) (J. Burkett) ([Memorandum](#)) ([Documents Received After Posting](#))

The entire text of the Draft Environmental Assessment and Anticipated Finding of No Significant Impact is available at:

[http://oegc2.doh.hawaii.gov/Doc\\_Library/2021-10-08-MA-DEA-Kuikahi-Affordable-Housing-Project.pdf](http://oegc2.doh.hawaii.gov/Doc_Library/2021-10-08-MA-DEA-Kuikahi-Affordable-Housing-Project.pdf)

The County of Maui, Department of Housing and Human Concerns is the approving agency for the DEA.

The Commission may provide its comments for this project.

2. LEILANI PULMANO, H2R, LLC, requesting approval of the Final Environmental Assessment (FEA) in support of the Special Management Area Use Permit for the proposed H-2 Residential Project, consisting of 53 condominium residential lots, beach parking, rock walls, and related infrastructure improvements, located on approximately 28 acres of land along Makena Alanui Road in the H-M Hotel District and PK-Golf Course District, TMK's (2) 2-1-005:085 and 120 (por), Makena, Island of Maui (EA 2020/0001) (SM1 2019/0008) (A. Cua) ([Memorandum](#)) ([Final EA Volume I of III](#)) ([Final EA Volume II of III](#)) ([Final EA Volume III of III](#)) ([Final EA Summary](#)) ([Documents Received After Posting](#))

The Commission may accept the Final EA and issue a Finding of No Significant Impact (FONSI) or take some other action.

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. Discussion of Future Maui Planning Commission Agendas
  - a. December 14, 2021 agenda items

E. NEXT REGULAR MEETING DATE: December 14, 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, HAWAII 96793. **The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is on November 23, 2021 was on November 8, 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 ADDRESS OF THE COMMISSION TO PROVIDE WRITTEN TESTIMONY IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, HAWAII 96793.

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

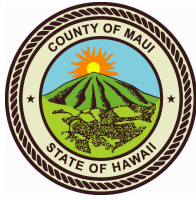
approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

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.

IF YOU REQUIRE AN AUXILIARY AID OR SERVICE OR ACCOMMODATION DUE TO A DISABILITY, PLEASE CONTACT THE COMMISSION STAFF NO LATER THAN THREE BUSINESS DAYS PRIOR TO THE SCHEDULED MEETING DATE AT (808) 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai)

**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

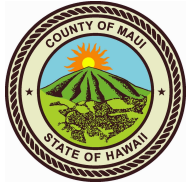
## PD-Approved SMA Minor Projects for Maui

11/10/2021

Permit Completion Date: 10/27/2021 - 11/10/2021

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20210084	POLE RELOCATION	UTILITY RELOCATION & TREE REMOVAL	SMX/MEHANA LOT 10 POLE RELOCATION/HAIKU	SALVADOR HOMES LLC		10/28/2021	A W/COND-APPROVED WITH CONDITIONS	2280040020000
SM2 - 20210085	GONSER RES IMPROVE	GONSER RESIDENTIAL ACCESSORY IMPROVEMENTS	GONSER RESIDENTIAL IMPROVEMENTS/KIHEI	TOM GONSER		11/08/2021	A W/COND-APPROVED WITH CONDITIONS	2210120130000
SM2 - 20210086	PINEAPPLE HILL TELCO	PINEAPPLE HILL-TELCOM MOD TMO GEN	MODIFICATION TO TELECOM FACILITY/KAPALUA	CROWN CASTLE OBO T-MOBILE		11/08/2021	A W/COND-APPROVED WITH CONDITIONS	2420040490000

**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

11/10/2021

Permit Completion Date: 10/27/2021 - 11/10/2021

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20210244	GAYLE WENTWORTH	SMX/GAYLE WENTWORTH SWIMMING POOL/KIHEI	GAYLE WENTWORTH		10/27/2021	A-APPROVED	2390550270000
SM5 - 20210245	DOFA/KAOPUIKI		CHARLES & BARBARA DOFA		10/27/2021	A-APPROVED	2430031400000
SM5 - 20210246	MIKE HERMANSON OHANA	MIKE HRMANSON OHANA/WAILUKU	MICHAEL HERMANSON	WILLENBRINK	10/29/2021	A-APPROVED	2330010620000
SM5 - 20210247	KIHEI BAY SURF	SMX/KIHEI BAY SURF/KIHEI	SHARON WRIGHT		11/01/2021	A-APPROVED	2390011070000
SM5 - 20210248	KARMA HILL PV	SMX/KARMA HILL PV/KIHEI	RISING SUN SOLAR		11/01/2021	A-APPROVED	2390600230000
SM5 - 20210249	BRAD THOMAS SWIMMING	SMX/BRAD THOMAS SWIMMING POOL/KIHEI	BRAD THOMAS		11/01/2021	A-APPROVED	2390370810000
SM5 - 20210250	CLOSURE OF CESSPOOL	CLOSURE OF CESSPOOL/KAHULUI	A & B PROPERTIES INC		11/04/2021	A-APPROVED	2370110170000
SM5 - 20210251	BLISS, RICH/BARBARA	SMA/ATF CONV 2ND FL DECK/NEW STAIRS-KIHE	PERMIT SERVICES		11/05/2021	A-APPROVED	2210260240000
SM5 - 20210252	GUERRERO, HENRY	2 ATF RETAINING WALLS	NICK WAGNER	CORTEZ	11/05/2021	A-APPROVED	2320200440000
SM5 - 20210253	DA KINE SHAVE ICE	SMA/40 GLN GREASE INTERCEPTOR/AC-KIHEI	DA KINE SHAVE ICE		11/05/2021	A-APPROVED	2390200240000

**Grand Total : 10**