

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
NOVEMBER 23, 2021**

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

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

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

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

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

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

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

[\(HYPERLINK TO CHAPTER 8 AUDIO RECORDING OF THE MEETING\)](#)

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Christian Tackett at approximately 9:02 a.m., Tuesday, November 23, 2021, online via BlueJeans; **Meeting ID: 294 249 347**

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)

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.

(Item B.1 begins at approximately 00:02:34 of Chapter 1 of the audio recording.)

There being no objections from the Commission, the matter was deferred.

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)

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>

(Item B.2 begins at approximately 00:27:27 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:15:02 of Chapter 1 of the audio recording.)

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

(Vote was taken at approximately 01:17:40 of Chapter 3 of the audio recording.)

VOTED: To Recommend Approval of the Proposed Bill to the County Council as Recommended by the Department and with the Commission's Comments as Discussed.
(Assenting – P D. La Costa, K. Thayer, K. Freitas, J. Edlao, M. Hipolito, A. Lindsey, D. Thompson, C. Tackett)
(Excused – K. Pali)

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)

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>

(Item B.3 begins at approximately 01:18:49 of Chapter 1 of the audio recording.)

(Motion was made at approximately 00:49:59 of Chapter 2 of the audio recording.)

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

(Vote was taken at approximately 00:52:14 of Chapter 2 of the audio recording.)

VOTED: To Recommend Approval of the Proposed Bill to the County Council as Recommended by the Department and with the Commission's Comments as Discussed.
(Assenting – K. Thayer, P D. La Costa, K. Freitas, J. Edlao, M. Hipolito, A. Lindsey, C. Tackett)
(Dissenting – D. Thompson)
(Excused – K. Pali)

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)

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

(Item B.4 begins at approximately 00:00:05 of Chapter 3 of the audio recording.)

(Motion was made at approximately 00:35:32 of Chapter 3 of the audio recording.)

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

(Vote was taken at approximately 00:40:15 of Chapter 3 of the audio recording.)

VOTED: To Approve the Short-Term Rental Home Permit as Recommended by the Department.
(Assenting – P D. La Costa, K. Freitas, J. Edlao, M. Hipolito, A. Lindsey, K. Thayer, D. Thompson, C. Tackett)
(Excused – K. Pali)

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)

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

http://oeqc2.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.

(Item C.1 begins at approximately 00:42:34 of Chapter 3 of the audio recording.)

(Motion was made at approximately 00:26:29 of Chapter 4 of the audio recording.)

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

(Vote was taken at approximately 00:27:49 of Chapter 4 of the audio recording.)

VOTED: To Forward the Commission's Comments as Expressed and Documented by Staff.
(Assenting – P D. La Costa, K. Thayer, K. Freitas, J. Edlao, M. Hipolito, A. Lindsey, D. Thompson, C. Tackett)
(Excused – K. Pali)

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)

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

(Item C.2 begins at approximately 00:00:25 of Chapter 5 of the audio recording.)

The following motions were made:

(Motion was made at approximately 01:03:10 of Chapter 7 of the audio recording.)

It was moved by Mr. Freitas, seconded by Ms. La Costa, and

(Vote was taken at approximately 01:29:17 of Chapter 7 of the audio recording.)

The Motion to Require an Environmental Impact Statement (EIS), FAILED.
(Assenting –K. Freitas, P D. La Costa)
(Dissenting - J. Edlao, M. Hipolito, A. Lindsey, K. Thayer, D. Thompson, C. Tackett)
(Excused – K. Pali)

(Motion was made at approximately 01:48:15 of Chapter 7 of the audio recording.)

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

(Vote was taken at approximately 01:51:51 of Chapter 7 of the audio recording.)

**The Motion to Issue a Finding of No Significant Impact (FONSI), FAILED.
(Assenting - J. Edlao, D. Thompson, M. Hipolito - Abstained,
C. Tackett)
(Dissenting –K. Freitas, P D. La Costa, A. Lindsey, K. Thayer)
(Excused – K. Pali)**

(Motion was made at approximately 1:53:32 of Chapter 7 of the audio recording.)

It was moved by Ms. Thayer, seconded by Mr. Hipolito, then

(Vote was taken at approximately 01:56:10 of Chapter 7 of the audio recording.)

**VOTED: To Defer the Matter in Order for the Applicant to Provide Additional Information.
(Assenting – K. Thayer, M. Hipolito, K. Freitas, A. Lindsey, D. Thompson)
(Dissenting - J. Edlao, P D. La Costa, C. Tackett)
(Excused – K. Pali)**

D. DIRECTOR’S REPORT

(Item D begins at approximately 01:58:36 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.
3. Discussion of Future Maui Planning Commission Agendas
 - a. December 14, 2021 agenda items

Ms. McLean went over the items scheduled for the December 14, 2021 meeting.

E. NEXT REGULAR MEETING DATE: December 14, 2021

F. ADJOURNMENT

The meeting was adjourned at approximately 7:39 pm

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Jerry Edlao
Kawika Freitas
Mel Hipolito, Jr.
P Denise La Costa, Vice-Chair
Ashley Lindsey
Christian Tackett, Chair
Kim Thayer
Dale Thompson

Excused

Kellie Pali

Others

Jordan Hart, Deputy Director, Department of Planning (9:00 a.m. – 11:37 a.m.)
Michele McLean, Director, Department of Planning (11:47 a.m. – 7:39 p.m.)
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Jordan Molina, Deputy Director, Department of Public Works