

MAUI PLANNING COMMISSION

PURSUANT TO CHAPTER 92, PART I, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR REMOTE PUBLIC MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: NOVEMBER 7, 2022 (MONDAY)

TIME: 9:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans
Videoconferencing: **Meeting ID: 748 230 685**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Planning Department Conference Room, Kalana Pakui Building 250 South High Street, Wailuku, Maui, Hawaii 96793. Note: The Commission Members may not be physically present at this location.

Members: P Denise La Costa (Chairperson), Kellie Pali (Vice-Chairperson), Kawika Freitas, Dale Thompson, Mel Hipolito, Jr., Ashley Lindsey, Kim Thayer, Dr. Mark Deakos

A. CALL TO ORDER AND ROLL CALL

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

To watch the meeting or provide video testimony: Click on or use meeting link: <https://maui.bluejeans.com/748230685>

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: 748 230 685**

Testifiers via video are asked to sign-up using the Chat function providing their names and the item they wish to testify on. Testifiers via phone will be called by the Chair after in-person and video testimony is finished.

Testifiers will be called by the Chair to offer their testimony, those participating by phone or video are asked to **mute** their audio and video when they are not testifying.

To provide written testimony: Email testimony to planning@mauicounty.gov or submit written testimony by mail to the Maui Planning Commission c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawaii, 96793. While the Commission requests that written testimony be submitted by noon, one business day before the meeting to ensure distribution to the Commission, testimony submitted after such date and time will still be accepted by the Commission.

Commissioners **shall not** be contacted by the Chat function; the Chat function shall not be used to provide testimony or comments.

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

[Proposed Findings of Fact, Conclusions of Law and Decision and Order](#) on the matter of HONUULA PARTNERS, LLC, requesting Project District Phase II Development Approval for Honuaula, a master planned community comprised of single-family and multi-family homes, village mixed uses, preservation and conservation areas, and recreation/open space areas and related infrastructure improvements on approximately 670 acres in Kihei-Makena Project District 9, located in Wailea, Island of Maui, TMKs: (2) 2-1-008: 056 and 071 (PH2 2018/0002) (A. Cua) ([Applicant's Proposed FOF, COL, D&O – Red Line Version](#))

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

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.

C. PUBLIC HEARINGS

1. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting Council Resolution 22-217 referring to the Maui Planning Commission a proposed bill for an ordinance to amend the State Land Use District classification from Agricultural District to Urban District (Conditional Boundary Amendment) for the proposed Kuikahi Affordable Housing Community, located on a 14.9 acre parcel of land adjacent to Kuikahi Drive, Wailuku, Maui, Hawaii, Tax Map Key: (2) 3-5-002:003 (portion) (ZPA2022-00004) (D. Dias) ([Report](#)) ([Final EA Vol I](#)) ([Final EA Vol II](#)) ([Documents Received After Posting](#))

2. CHARLENE SHIBUYA FOR MUNEKIYO HIRAGA on behalf of COUNTY OF MAUI DEPARTMENT OF PUBLIC WORKS requesting a Special Management Area Use Permit and Shoreline Setback Variance for proposed improvements in two areas. Area 1: Dickenson Street to Lahainaluna Road includes replacing concrete wave deflector, wooden railings, deteriorated sidewalks, concrete planters, overgrown trees, existing light fixtures and street amenities; repairs to beach access stairs and railings; and removal of wooden bollards. Area 2: Papalaua Road to Baker Street includes replenishing boulders in stacked seawall, located at Front Street, Lahaina, Island of Maui, TMK: (2) 4 5-002: 999 and 002 (por.) and (2) 4 6-009 :999 (SM1 2020/0011) (SSV 2020/0002) (C. Thackerson)

MATTER IS RESCHEDULED FOR THE NOVEMBER 22, 2022 AGENDA

D. UNFINISHED BUSINESS

NOTE: the Maui County Council adopted a proposed bill on first reading on Friday, October 21; if the Council adopts the bill on second and final reading before November 7, then this item will be removed from the agenda.

MICHELE CHOUREAU MCLEAN, AICP, Planning Director, transmitting Resolution No. 22-70, CD1, FD1, referring to the Maui Planning Commission a proposed bill to amend chapters 19.11, 19.12, 19.14, 19.15, 19.18, 19.20, 19.22, 19.32 and 19.52, Maui County Code to: (1) cap the number of transient accommodation units to the existing levels for properties in the Apartment and Hotel Districts; (2) remove transient accommodations as a permitted use in the SBR Service Business Residential, B-CT Country Town Business, B-3 Central Business, B-R Resort Commercial, Planned Development, and Lahaina Historic Districts; and (3) prohibit transient accommodations of more than 20 bedrooms in the B-2 Community Business District; the bill also proposes to amend Chapter 19.36B to prohibit temporary parking of camper vans and recreational vehicles used for transient accommodations unless authorized by zoning and permit, and to amend Chapter 19.37 to limit transient accommodations to B-2 District only. The Department is also proposing minor revisions to the bill. (J. Takakura) (Matter is deferred from the 8/9/22 meeting) ([Report](#))

[\(Documents Received by deadline for 8/9/22 meeting\)](#)

[\(Documents received after deadline for 8/9/22 meeting\)](#)

[\(Documents received after posting\)](#)

The entire text of the proposed bills for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/133475/Resolution-22-70-DD1-FD1-relating-to-Transient-Accommodation-Caps>

E. DIRECTOR'S REPORT

1. Designation of the South Maui Advisory Committee to conduct the public hearing and provide a recommendation on the following application:

RAYMOND CABEBE OF CHRIS HART AND PARTNERS, INC. on behalf of KIHEI MARKETPLACE LLC, requesting a Special Management Area Use Permit to maintain a 300 sq. ft. restaurant, renovate a 4,000 sq. ft. commercial structure, demolish an abandoned wave generating structure and other remaining structures, as well as construct three new structures to be retail, restaurant, parking on lower level, 17 long-term rentals, and two live/work units on upper floors, with all utilities, landscaping and parking improvements, located at

1975 South Kihei Road, Kihei, Island of Maui, TMK: (2) 3-9-003:002 (SM1 2020/0002) (C. Thackerson) ([Information](#))

The Commission may take action to designate that the South Maui Advisory Committee conduct the public hearing and provide a recommendation on the subject application request or take other action.

2. SMA Minor Permit Report

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

3. SMA Exemptions Report

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

4. Discussion of Future Maui Planning Commission Agendas

a. November 22, 2022 agenda items

F. NEXT REGULAR MEETING DATE: NOVEMBER 22, 2022

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with Commission members participating in the meeting or with the public location identified above. If connection cannot be restored within 30 minutes, the meeting is automatically terminated.

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 Sec. 92-5(a)(4), Hawaii Revised Statutes.

Documents relating to this meeting may be found by clicking on the links provided on this Agenda, on the County of Maui official website at <https://www.mauicounty.gov>, under Boards and Commissions, Maui Planning Commission, and are on file with the Department of Planning.

The **address of the Commission** to provide written testimony is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793, phone number is 808-270-7735, and email is planning@mauicounty.gov.

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 is 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 or documents is received, up to 12:00 p.m. on business day prior to the meeting.

Petitions to Intervene: 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.) Filing of all documents to the Commission is c/o the Department of Planning, 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 November 7, 2022 was on October 24, 2022.

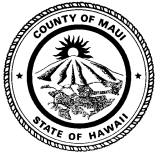
Oral testimony will be received on any agenda item subject to the provisions of Chapter 92, Hawaii Revised Statutes, the Commission's Rules of Practice and Procedure. In accordance with these rules, maximum time limits of at least three minutes may be established by the Commission on individual oral 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, will 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

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.

SPECIAL ASSISTANCE: 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 Projects for Maui

10/26/2022

Permit Completion Date: 10/12/2022 - 10/26/2022

CP Special Management Area Minor Permit - Maui

| Plan # | Project Name | Short Project Description | Applicant Name | Planner | Completed Date | Plan Status | TMK(s) |
|---------------|----------------------------|--|----------------|------------------|----------------|-------------|---------------------|
| SM22022-00051 | New Retaining Wall & Fence | grading, retaining wall & fence & replace old drywell with new drywell | MARC TARON | Collette Cardoza | 10/13/2022 | Completed | 2390170310000-86377 |

Grand Total: 1



COUNTY OF MAUI
 Kalana O Maui Building
 200 South High Street
 Wailuku, HI 96793-2155

PD - Approved Projects for Maui

10/26/2022

Permit Completion Date: 10/12/2022 - 10/26/2022

ZAED Special Management Area Exemption

| Plan # | Project Name | Short Project Description | Applicant Name | Planner | Completed Date | Plan Status | TMK(s) |
|----------------|--|--|-----------------------------|------------------|----------------|-------------|---------------------|
| SM52022-000101 | | SIRY RESIDENCE OHANA: NEW RESIDENCE AND OHANA | PETER JACOBSEN | Wesley Bradshaw | 10/13/2022 | Completed | 2390100790000-92060 |
| SM52022-000111 | Lee-Hansen Covered Lanais ATF | The project involves After-the-Fact (ATF) work for two covered lanais. One 25 feet (ft.) by 10 ft. covered lanai located at the back of house and a | Marsha Hansen | Carolyn Cortez | 10/14/2022 | Approved | 2390480820000-38958 |
| SM52022-000113 | Tim & Angela Fitzgerald Rock Wall and Bamboo Fence | This project involved the installation of rock walls and bamboo fencing. | LIVIT CALLENTINE | Carolyn Cortez | 10/17/2022 | Approved | 2390140480000-35366 |
| SM52022-000112 | Bischoff PV Installation | The project involves the addition of 34 PV panels, 34 Enphase micro inverters on an existing main and second farm dwelling on property located in Haiku. | MARK LEAL | Danny A. Dias | 10/17/2022 | Approved | 2280040940000-15955 |
| SM52022-000116 | Glickenhau Demolition | The project involves the demolition of an existing garage and shed | Jazz Glickenhau | Chelsea Rabago | 10/18/2022 | Approved | 2260130150000-13670 |
| SM52022-000109 | | | WM Lessee Inc. Craig Lovett | Wesley Bradshaw | 10/20/2022 | Approved | 2440080190000-46930 |
| SM52022-000110 | 1454 HALAMA LLC, Demolition | Demolition of existing structures; a single-family residence and a garage, also cutting of 10 trees near perimeter of structures | KARL SCHURZ | Collette Cardoza | 10/20/2022 | Completed | 2390090010000-34878 |
| SM52022-000119 | | WAILEA #2901 RENOVAT: WAILEA POINT REMOVE ROCK WALL INSTALL NEW STEPS | STEVE LENTZ | Wesley Bradshaw | 10/24/2022 | Approved | 2210230040081-4611 |
| SM52022-000118 | | WAILEA POINT RENOVAT: WAILEA POINT UNIT 2203 INTERIOR/LANAI RENOVATIONS | STEVE LENTZ | Wesley Bradshaw | 10/24/2022 | Approved | 2210230040029-4559 |

Grand Total: 9